

Topic paper for the review of the  
Hertfordshire County Council Minerals Local Plan

**Minerals Site Selection Topic Paper**

(Version 3, November 2018)

**1. Introduction**

Hertfordshire County Council is the Minerals Planning Authority (MPA) for Hertfordshire. As the MPA, the county council has a statutory responsibility to prepare a Minerals Local Plan in line with national policy and regulations.<sup>1</sup>

National policy requires that the MPA identify/allocate sites for future mineral extraction within the emerging Minerals Local Plan to ensure there is a steady and adequate supply of minerals for Hertfordshire and the wider area.

This topic paper sets out the processes undertaken to determine the group of sand and gravel sites that have been included within the Proposed Submission Minerals Local Plan.

**2. A Background to National Planning Policy Requirements**

Preparation of the Minerals Local Plan 2002-2016 (adopted March 2007)

Since the adoption of the Minerals Local Plan (2002-2016) in March 2007, national policy surrounding the need to identify sites within a Minerals Local Plan has changed, in particular, the definitions of what specific sites, preferred areas or areas of search are.

The current Minerals Local Plan was prepared in the early 2000's, when the National Planning Policy Framework (NPPF) did not exist and Planning Guidance and Policy Statements were used in its preparation (in particular, this included 'Minerals Planning Guidance 6: Guidelines for Aggregate Provision in England'<sup>2</sup> and 'Planning Policy Statement 12: Local Spatial Planning'<sup>3</sup>).

Paragraph 59 of Minerals Planning Guidance 6: Guidelines for Aggregate Provision in England stated the following:

*"The provision of aggregates to be included in development plans can be made in several ways- by specific sites, preferred areas or areas of search"*

In line with the requirements of the Minerals Planning Guidance, three Preferred Areas were identified within the Minerals Local Plan 2002-2016. These three areas were assessed against a similar site selection process to the process explained within this topic paper (i.e sites came forward through a Call for Sites exercise and were assessed against *local circumstances and*

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<sup>1</sup> To find out more about the why the county council is reviewing the Minerals Local Plan and its stages of preparation, please see the 'The Minerals Local Plan Review: The Process So Far' Topic Paper

<sup>2</sup> [http://adlib.eversite.co.uk/resources/000/060/655/Minerals\\_Planning\\_Guidance\\_Note\\_6.pdf](http://adlib.eversite.co.uk/resources/000/060/655/Minerals_Planning_Guidance_Note_6.pdf)

<sup>3</sup> <https://webarchive.nationalarchives.gov.uk/20120919201901/http://www.communities.gov.uk/archived/publications/planningandbuilding/pps12lsp>

issues at the time (in 2001) to determine which sites were most suitable for inclusion within the Minerals Local Plan).

#### Preparation of the revised Minerals Local Plan

Since the adoption of the Minerals Local Plan in March 2007, planning applications for the extraction of sand and gravel have come forward on the three Preferred Areas<sup>4</sup>.

New sites and/or areas must be identified to ensure there are sufficient opportunities for the steady and adequate supply of minerals in Hertfordshire over the period that the emerging Minerals Local Plan is set to cover (which is 15 years from the point of adoption).

The emerging Minerals Local Plan has been prepared in line with the National Planning Policy Framework (NPPF) (which supersedes the previous Planning Guidance and Planning Policy Statements) which was first introduced in March 2012.

The NPPF was updated in July 2018 to take into account and implement changes in the planning system, in particular those surrounding the planning of housing. The requirements of the Revised NPPF 2018 have been taken into account when updating the Minerals Local Plan from Draft Plan stage to Proposed Submission stage. The NPPF 2018 continues to recognise the importance of minerals and continues to require the identification of specific sites, preferred areas<sup>5</sup>.

Paragraph 205 of the NPPF 2018 states:

*“Minerals planning authorities should plan for a steady and adequate supply of aggregates by:*

*“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”*

The definitions of specific sites, preferred areas and areas of search have been revised through the Planning Practice Guidance (which is a live, web based resource, introduced in 2014, that should be read in conjunction with the NPPF 2018). The box below provides the definitions of specific sites, preferred areas and/or areas of search<sup>6</sup>.

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<sup>4</sup> Although Planning Applications have come forward, much of the three Preferred Areas are yet to be worked for their sand and gravel resources. The three preferred areas have been re-assessed for their potential inclusion within the new Minerals Local Plan. This is explained in Section 5 of this paper.

<sup>5</sup> Paragraph 145 of the NPPF 2012, which was implemented in the preparation of the emerging Minerals Local Plan, up until its Draft Plan stage, set out the need to identify specific sites, preferred areas and areas of search

<sup>6</sup> Definitions as set out within the Planning Practice Guidance, Paragraph: 008 Reference ID: 27-008-20140306, Revision date: 06 03 2014.

**Specific Sites** – are designated where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;

**Preferred Areas** – are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or

**Areas of Search** – areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.

### 3. Preparing the Site Selection Methodology

In order to achieve the above national policy requirements and begin the process of identifying sites within the emerging Minerals Local Plan, a Site Selection Methodology had to be established. The site selection methodology provided the framework against which the sites put forward for potential inclusion within the emerging Minerals Local Plan have been assessed against.

The council appointed Land Use Consultants (LUC), an external consultancy, to help develop the site selection methodology and to carry out the 'site assessment exercise', once the methodology was agreed (see section 5 of this paper for more information on the site assessment exercise).

#### Drafting the Methodology and Publishing it for comments at Initial Consultation Stage

A draft Site Selection Methodology was developed by LUC with input from consultees including regulatory bodies, other planning authorities, community groups and members of industry at a stakeholder event in spring 2015.

The Draft Site Selection Methodology was published alongside the 'Minerals Local Plan Initial Consultation Document'<sup>7</sup> for comments, from Monday 03 August 2015 to Friday 16 October 2015. The Initial Consultation was the first formal stage of consultation for the emerging Minerals Local Plan.

#### Finalising the Methodology

Following the Initial Consultation, the draft Site Selection Methodology was updated by LUC, taking account of the feedback received. The final version of the Site Selection Methodology was then presented to a Member Panel in

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<sup>7</sup> To see the Initial Consultation Document, please follow this link:  
<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/minerals-and-waste-planning/minerals-planning/minerals-local-plan-review/initial-consultation-2015.aspx>

February 2016 and approved by Cabinet for use in the review of the Minerals Local Plan<sup>8</sup>.

### Content of the Site Selection Methodology

The site selection methodology consists of three stages, which are referred to as 'sieves.' The purpose of a sieving process is to discard sites that do not meet the criteria of a specific sieve, to enable only those that did meet the criteria to pass through to the next sieve.

The sieves were finalised as follows:

#### **Sieve 1-Major Constraints**

Sites falling within the major constraints outlined below would be identified and removed from the process either in part or in full (depending on how much of the proposed site was within the major constraint).

##### **Sieve 1 – Major Constraints**

- Urban areas
- Sites with extant planning permission for other development (for the identification of preferred areas or areas of search , these will be limited to those sites whose area is greater than 5ha due to difficulties associated with collection of data for smaller planning permissions such as house extensions etc.).
- Previously worked sites

##### **Sieve 2 – Resource and Economic Viability**

Sieve 2 assessed the overall viability and deliverability of the potential sites. This was based on a combination of sufficient/suitable evidence to demonstrate the estimates of mineral reserves, the willingness of landowners and operators, and other issues including existing infrastructure in the nearby area.

##### **Sieve 3- Detailed Site Assessments**

Sieve 3 included an assessment of the sites and/or areas that passed through Sieves 1 and 2 against more detailed environmental planning constraints. Each site was assigned a red, amber or green 'score' for each individual environmental criterion, based on a scoring mechanism finalised as part of the Initial Consultation.

##### **Sieve 3 – Detailed Site Assessments**

Criteria for:

- Airport Safeguarding Zones
- Ancient Woodland
- Aquifers

<sup>8</sup>To see the Site Selection Methodology as presented to Panel in February 2016, please follow this link:

<https://democracy.hertfordshire.gov.uk/CeListDocuments.aspx?Committeeld=236&MeetingId=655&DF=02%2f02%2f2016&Ver=2>

- BAP priority species or habitats
- Best and Most Versatile Agricultural Land
- Cumulative effects
- Ecological status of water bodies
- Flood Risk
- Geodiversity
- Green Belt
- Groundwater vulnerability
- Heritage designations
- International and national ecological designations
- Land ownership
- Landscape designations
- Local Nature Reserves and Local Wildlife Sites
- Proximity of allocated residential or built development
- Recreation
- Restoration
- Sensitive land uses
- Sustainable transport
- Sustainable transport and pollution to the environment (dust, air and water)

#### **4. Call for Sites**

Once the methodology was established, the next stage in the process of identifying sites was to undertake a Call for Sites exercise. To carry out this exercise, the council invited operators, landowners and other interested parties to submit sites within Hertfordshire, to the county council, that contain mineral resources (primarily sand and gravel) that may be suitable for inclusion in the emerging Minerals Local Plan. This took place between February and April 2016.

The council received 20 submissions during the Call for Sites process.

#### **5. Site Assessment Study**

##### Assessing the Potential Sites Against the Methodology

LUC assessed the 20 sites put forward through the Call for Sites exercise against the final Site Selection Methodology.

The three Preferred Areas from the adopted Minerals Local Plan 2002-2016 were also assessed against the Site Selection Methodology, to determine their continued suitability for inclusion within the emerging Minerals Local Plan.

Section 2 of this paper explains that it is a national policy requirement for MPA's to identify sites as Specific Sites, Preferred Areas or Areas of Search.

As part of the site assessment work, LUC considered the suitability of each site to be identified as a Specific Site, Preferred Area or Area of Search. Definitions for each are provided in the box in section 2 of this paper.

The results of the site assessment study are set out in the Hertfordshire Minerals Local Plan Site Selection Report March 2017. To see this report, follow the link below and go to Item 7 'Appendix 3-LUC Site Assessment Report':

<https://democracy.hertfordshire.gov.uk/CeListDocuments.aspx?Committeeld=236&MeetingId=665&DF=07%2f09%2f2017&Ver=2>

## **6. Sites included in the Draft Minerals Local Plan**

The next stage in the Minerals Local Plan review was to prepare a Draft Plan. This document was produced using the feedback received in response to the Initial Consultation and the findings of LUC's Site Assessment study.

### **Determining sites to be included in the Draft Plan**

Using the findings of the Site Selection Report, four groups of sites and/or areas were considered for potential inclusion within the emerging Minerals Local Plan. These four options were presented to a Member Panel in September 2017 and Option 4 was approved by Cabinet for inclusion in with the Draft Minerals Local Plan<sup>9</sup>.

The following sites and area (i.e Option 4) were included within the Draft Minerals Local Plan for public consultation:

- **Specific Site 1:** Hatfield Aerodrome – part of an existing preferred area with a resolution to grant permission, subject to the completion of a legal agreement
- **Specific Site 2:** Furze Field (a site adjoining Hatfield Quarry with a resolution to grant permission, subject to the completion of a legal agreement)
- **Specific Site 3:** Land adjoining Coopers Green Lane – an area known to have mineral resources and identified in the Welwyn Hatfield Local Plan for a strategic housing allocation, and
- **Preferred Area 1:** Briggens Estate as a proposed new Preferred Area for future mineral extraction.

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<sup>9</sup> To see a summary of the four potential grouping options and the reasons behind these groupings, follow the link below and go to 'Item 7- Minerals Local Plan Panel Paper SITES':  
<https://democracy.hertfordshire.gov.uk/CeListDocuments.aspx?Committeeld=236&MeetingId=665&DF=07%2f09%2f2017&Ver=2>

### Draft Policy and supporting text

The three Proposed Specific Sites and one Proposed Preferred Area were supported by the following policy within the Draft Mineral Local Plan:

#### **Policy 4: Working of Specific Sites or Preferred Areas**

**Provision for Hertfordshire's apportionment contribution will be met by the identification of specific sites and preferred areas.**

**Specific sites for sand and gravel extraction are identified on Inset maps 1-3 and the policies map. These sites are:**

- **Proposed Specific Site 1 - Hatfield Aerodrome**
- **Proposed Specific Site 2 - Hatfield – Furze Field**
- **Proposed Specific Site 3 - Hatfield Quarry - Land adjoining Coopers Green Lane**

**A Preferred Area to meet the agreed apportionment is identified on Inset Map 4 and the Policies Map. This site is:**

- **Proposed Preferred Area 1 – The Briggens Estate**

**Proposals for mineral extraction within the specific sites or preferred areas will be considered against the policies within the plan, with specific reference given to Policy 3: Aggregate Supply.**

**Proposals must fulfil the requirements as set out within the planning briefs.**

The supporting text to this policy set out the steps undertaken by the county council in identifying the most suitable locations for future mineral extraction and included an estimated amount of sand and gravel that each of these sites could contribute over the revised Minerals Local Plan period (2016-2031).

### Draft Site Briefs

Each of the proposed Specific Sites and Preferred Area were further supported in the Draft Minerals Local Plan by their own individual Site Brief.

Site Briefs provide an overview of site-specific information that potential mineral operators, that may have an interest in working any of the sites and/or area, should take account of when preparing a planning application for extraction. The Site Briefs included the following information:

- a map identifying the sites' location
- general site details (name/address/District/size of the site)
- the sites' current planning status and use

- the material at the site ( i.e. sand and gravel)
- the workable mineral reserves (i.e the amount of mineral available for extraction)
- the anticipated annual output of material from the site and over how many years this is expected to take place
- site-specific planning issues

## 6. Draft Plan Consultation

### Overview of the Consultation

The consultation on the Draft Minerals Local Plan<sup>10</sup> took place over a ten week period, from Monday 04 December 2017 to Friday 09 February 2018. A total of 2,578 consultees responded to the consultation, submitting 3,252 individual representations between them<sup>11</sup>.

An additional document, the ‘Minerals Local Plan Omission Sites Consultation’ (December 2017), was also published for consultation at the same time as the Draft Minerals Local Plan. This document provided a summary of the Site Assessment’s findings for the sites and areas that were not included within the Draft Minerals Local Plan<sup>12</sup>.

### Response to Proposed Sites included within the Draft Plan

Feedback received (relating to the identified Specific Sites and Preferred Area) identified that consultees felt that the three Specific Sites were grouped too closely together and that this could result in cumulative impacts (i.e multiple/combined effects on the environment) and that the impacts of the three Specific Sites being worked, had not been properly assessed within the Site Selection Report or Sustainability Appraisal<sup>13</sup>.

### The Three Proposed Specific Sites

Hatfield – Furze Field (Specific Site 2) and Hatfield Quarry - Land adjoining Coopers Green Lane (Specific Site 3) were promoted by the same operator of the nearby Hatfield Quarry (Cemex), with the intention that they will be worked one after another, and only when the current extraction operations are completed. The potential risk of cumulative impacts as a result of working at

<sup>10</sup> To view the Draft Minerals Local Plan please go to: <https://www.hertfordshire.gov.uk/about-the-council/consultations/environment/draft-minerals-local-plan.aspx>

<sup>11</sup> To see a summary of the representations to the Draft Plan consultation please follow the link below and go to ‘Item 4: Minerals Local Plan: Summary of Representations, Appendix 1’: <https://democracy.hertfordshire.gov.uk/ieListDocuments.aspx?CId=218&MId=1154>

<sup>12</sup> To see the ‘Omissions Sites Consultation’ document, please follow the link below (and scroll to the bottom of the page): <https://www.hertfordshire.gov.uk/about-the-council/consultations/environment/draft-minerals-local-plan.aspx>

<sup>13</sup> To find out more information on the Sustainability Appraisal please go to: <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/minerals-and-waste-planning/minerals-planning/minerals-local-plan-review/sustainability-appraisal.aspx>

these sites should therefore be minimised by the policy intention to work the sites successively.

In addition, the existing processing plant at Hatfield Quarry limits how much mineral can be worked. This means that the quantity of annual processing at the site (which controls subsequent issues such as on-site extraction and vehicle movements) will not significantly alter with new planning permissions. It is also proposed that much of the material will be moved via conveyor belt.

Hatfield Aerodrome (Specific Site 1) had already been the subject of a planning application for a specific proposal with a resolution to grant planning permission (subject to a Section 106 legal agreement). The cumulative impact of this and the existing operations at Hatfield Quarry were taken into account as part of the planning application and considered acceptable.

Cumulative impacts can only truly be assessed at the point in time when a specific proposal is subject to a planning application.

#### Proposed Preferred Area 1: The Briggens Estate

The majority of representations received to the Draft Minerals Local Plan were in opposition to the inclusion of Preferred Area 1: The Briggens Estate.

In addition to the potential site specific impacts and impacts to the surrounding area, consultees stated that the cumulative impact of The Briggens Estate being located close to the large scale development proposal 'Gilston Garden Town' (which is intended to provide 10,000 homes) had been omitted from the site assessment work.

The emerging East Herts District Plan has progressed through the statutory stages of Plan-production since the consultation on the Draft Minerals Local Plan and has recently been adopted as part of the Development Plan. This information was incorporated into the updated site selection and Sustainability Appraisal assessments. These two assessments confirm that the proximate location of a large scale housing proposal does not preclude the allocation of Briggens Estate within the emerging Minerals Local Plan.

#### Omissions Sites

The majority of representations received for the 'Omissions Sites Consultation' document supported the omission of 'Preferred Area 2: Land North and South of Rickneys Quarry' and MLPCS003: Land at Ware Park'. Neither of these sites (nor any of the other sites identified in the Omissions Sites Consultation Document) were included within the Proposed Submission Plan.

#### Submission of additional Sites

The county council received submissions of four sites (one re-submission of a site which was put forward during the Call for Sites exercise and three new

sites) during the consultation on the Draft Minerals Local Plan. These sites were put forward by landowners/operators, for potential inclusion within the emerging Minerals Local Plan.

## **7. Minerals Local Plan Proposed Submission Document**

The next stage in the Minerals Local Plan review involved re-drafting the document from 'Draft Plan' stage to 'Proposed Submission' stage, to take into account the feedback received in response to the consultation on the Draft Mineral Local Plan, as well as recent changes to national policy (i.e the revision of the NPPF in July 2018).

### Assessment of the four sites put forward during Draft Plan Consultation

As mentioned above, the county council received submissions of four sites during the consultation on the Draft Minerals Local Plan. These four sites were:

MLPCS001RS: Land at Cromer Hyde Farm

MLPCS021: Land adjacent to Coursers Farm – North Mymms West

MLPCS022: Land adjacent to Coursers Farm – North Mymms East

MLPCS023: Warren Farm

All four sites were assessed against the Site Selection Methodology and the Sustainability Appraisal. The results of these assessments concluded that these sites were not suitable for inclusion within the emerging Minerals Local Plan, due to the sites scoring poorly in a number of areas and concerns in regards to the deliverability of the sites within the period which the emerging Minerals Local Plan is set to cover.

### Sites included in the Proposed Submission Plan

The group of sites identified within the Proposed Submission Minerals Local Plan is the same as the group identified within the Draft Minerals Local Plan. Some minor wording amendments have been made to the site names, policy, supporting text and site briefs for the Specific Sites and Preferred Area.

The Proposed Submission Minerals Local Plan Document and the 'Minerals Local Plan 2<sup>nd</sup> Publication of Omission Sites' were presented to Cabinet Panel on 14 November 2018, Cabinet on 26 November 2018 and County Council on 27 November 2018. The document and sites identified within received Member approval and will be published for a ten week consultation period from Monday 14 January 2019 to Friday 22 March 2019.

## **8. Other Important Information**

### The Identified Sites Do Not Automatically Get Planning Permission as a result of being identified in the Minerals Local Plan

When sites are identified within a Minerals Local Plan it does not mean they have planning permission. Identifying a site within a Local Plan is a completely different process to granting a site planning permission.

Part of the purpose of a Local Plan is to help guide development within the area that it covers by providing opportunities for that development. Local Plans do this by identifying sites/areas which are considered to be the most suitable locations for certain types of development. Just like a District or Borough Council must identify sites for the development of housing within their Local Plan, the Minerals Planning Authority must identify sites for the working of minerals within the Minerals Local Plan.

### Detailed Assessments Will Be Required

In order for the four identified sites/area to ever be worked for their sand and gravel resources, planning applications must be submitted to the county council for determination.<sup>14</sup>

The sites identified within the Proposed Submission Minerals Local Plan, have been assessed against a series of detailed social, environmental and economic criteria (i.e sieves 1, 2 and 3 of the Site Selection Methodology and the criteria of the Sustainability Appraisal) but none of this information replaces the need for more detailed assessments (e.g. a Traffic Impact Assessment, a Noise Impact Assessment, a Landscape and Visual Impact Assessment and an Environmental Impact Assessment) to be submitted at the planning application stage (which may include a Health Impact Assessment).

If a planning application comes forward on any of the identified sites, it would be subject to the exact same processes as other planning applications (which propose the extraction of sand and gravel in Hertfordshire).

## **9. Next Steps**

The county council intends to submit the Proposed Submission Minerals Local Plan and all representations received to the Secretary of State for independent Examination.

An independent Planning Inspector will be appointed to hold an 'Examination in Public' for the emerging Minerals Local Plan. The Planning Inspector will review all representations submitted in response to the publication of the

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<sup>14</sup> It should be noted that Specific Site 1: Hatfield Aerodrome has a resolution to grant planning permission subject to the signing of a S106 agreement. Specific Site 2: Furze Field was granted planning permission on 19 October 2018. Specific Site 3: Land adjoining Coopers Green is currently subject to a planning application.

Proposed Submission Plan and will assess the Minerals Local Plan against all relevant legislation and national Policy requirements. The county council may need to make modifications to the emerging Minerals Local Plan throughout this process, in response to the discussions at the Examination in Public.

Following the conclusions of the Examination in Public, the council will consult on any modifications which accompany the Inspector's Report and then adopt the new Minerals Local Plan.

The table below sets out the next steps for the emerging Minerals Local Plan, following the ten week publication of the Proposed Submission Minerals Local Plan Document.

**Table 1 – Minerals Local Plan Review Timetable**

Summer 2019	Submission
Autumn 2019	Examination
Winter 2019	Inspector's Report
Winter 2019 / Spring 2020	Finalisation
Summer 2020	Adoption