

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

Specific Mineral Sites and Preferred Area Topic Paper

(Version 1, 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 (MLP) in line with national policy and regulations.

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

This topic paper explains the identification of the Specific Sites and Preferred Area in the Minerals Local Plan.

For further information on the development of the method used for site selection and the process undertaken to determine the group of sand and gravel sites that have been included within the draft version of the MLP the 'Site Selection' topic paper should be read.

2. Background and National Planning Policy

The council has to work within a national framework of legislation, policies and guidance. In particular, the National Planning Policy Framework states that MPAs should plan for a steady and adequate supply of minerals by identifying sites and or areas for future mineral extraction.

In order to achieve this requirement, a method for site selection was developed, consulted upon and applied to sites and areas that were put forward for consideration.

3. Call for Sites

Once the method for assessing sites was established, the next stage in the process was to undertake a Call for Sites exercise. As part of this exercise, the council invited operators, landowners and other interested parties to submit sites within Hertfordshire that contain viable sand and gravel resources that may be suitable for inclusion in the emerging MLP. This took place between February and April 2016.

The council received 18 submissions during the Call for Sites process for sand and gravel extraction.

4. Site Assessment Study

Independent consultants (LUC) assessed the sites put forward through the Call for Sites and the results of the study can be found in the Hertfordshire MLP Site Selection Report March 2017. This report summarises the

conclusions of the site assessment study and sets out which of the sites and/or areas are considered most appropriate for inclusion in the Minerals Local Plan. Minerals can only be worked where they naturally occur and so the first and most important issue when looking for sites is the geology of the area.

National policy requires the MPAs to identify locations as Specific Sites, Preferred Areas or Areas of Search within their Local Plans which are defined below:

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.

5. Sites included in the Plan

Using the findings of the site assessment, four groups of sites and/or areas were developed for potential inclusion in the Draft MLP. The options were presented to a Member Panel in September 2017¹ and Option 4 was approved by Cabinet for inclusion in the Draft MLP. The following section of this topic paper gives details of the sites and areas included in the Minerals Local Plan.

Specific Site 1: Hatfield Aerodrome

This site was put forward by Brett Aggregates (a mineral operator) and forms part of an existing preferred area within the adopted Minerals Local Plan (2007). This site has also been subject to a planning application which has a resolution to grant permission, subject to the completion of a legal agreement.

Subject to the successful completion of the legal agreement, this site could provide up to 8mt of sand and gravel over a period of 30 years.

Specific Site 2: Hatfield Quarry - Furze Field

The site at Furze Field, Hatfield was put forward by Cemex (a mineral operator) as an extension to their existing extraction site at Hatfield Quarry.

¹ Environment, Planning and Transport Cabinet Panel - <https://democracy.hertfordshire.gov.uk/CeListDocuments.aspx?Committeeld=236&MeetingId=665&DF=07%2f09%2f2017&Ver=2>

The area around Hatfield Quarry has been worked in a phased approach over a number of years and Furze Field would provide an additional 0.45mt. Since undertaking the site selection study and producing the draft MLP, this site has now gained planning permission and it is due to be implemented in 2019.

Specific Site 3: Land adjoining Coopers Green Lane

This site has been put forward by Gascoyne Cecil (the land owner) and Cemex (a mineral operator) and is an area known to have mineral resources. The area has also been identified in the Welwyn Hatfield Local Plan for a strategic housing allocation.

In line with national policy, the county council has been working with the land owner, operator and borough council to ensure that the mineral isn't needlessly sterilised by the housing being built on the land. This site has been identified to ensure that the mineral is worked before the housing is then built.

The county council has now (Nov 2018) received a planning application to extract this site) which will be subject to the normal consultation processes and taken to the County Councils Development Control Committee for consideration. It is likely that any permission would need to be subject to a legal agreement.

The proposal is to work the site in phases with material being transported to the existing plant site at Hatfield Quarry via a conveyor belt. The site would then be restored with inert material in order for the ground to be made suitable for housing to be built. The site could provide up to 6.6mt of sand and gravel.

Preferred Area 1: The Briggens Estate (Olives Farm)

This is a large area of land that has been promoted by City and Provincial (the land owner) and Tarmac (a mineral operator) as a proposed new Preferred Area for future mineral extraction. As a potential Preferred Area, this site is different to the others listed above and it is anticipated to ensure supply for the later period of the Minerals Local Plan. This site could provide up to 10.2mt of sand and gravel.

All the sites put forward through the Call for Sites and the Minerals Local Plan review process have been subject to public consultation and a number of specific issues have been raised regarding the suitability of this area for mineral extraction. To see a summary of the feedback received in response to the Draft Plan consultation, please follow the link below:

<https://democracy.hertfordshire.gov.uk/ieListDocuments.aspx?CId=218&MId=1154>

Responses to some of the main issues in relation to the Preferred Area are further summarised below:

- The identification of sites in the Green Belt
 - National Policy is clear regarding the Green Belt and mineral extraction as not being 'inappropriate' in the Green Belt, provided that the openness is preserved and proposals would not conflict with the Green Belt purposes. Any application would need to

demonstrate this. If any proposal were to be considered 'inappropriate' then very special circumstances would need to be made. This would be dependent on the detailed design and siting of any plant/machinery, bunds, access roads etc.

- Proximity to the proposed Gilston Garden Town development
 - Although the potential preferred area lies less than 500m from one of the proposed villages (village 7), they do not share a boundary and both proposals would need phasing and landscaping works as part of their delivery.
- Proximity of sites of historic importance
 - There are a number of areas of historic importance, including some of the buildings at Olives Farm. The site promoters have sought advice from our in-house historic environment colleagues who are working with Historic England to ensure that these issues are considered appropriately.
- Potential Lorry movements
 - The potential lorry movements are not known for certain, however, the site promoter has suggested 200 lorry movements in and out which would be spread over the working day. These figures have been used when assessing the potential highways implications and are considered to be acceptable in principle. Further evidence would be needed if a planning application was to be forthcoming and conditions can be imposed regarding lorry movements and hours of operation.
- Protection of the water environment
 - As with any site allocation or planning application, the Environment Agency is a statutory consultee and they have provided input regarding the need to protect the water environment. Again, any planning application would need to be supported by a number of technical documents which fully assessed any potential impacts and provide the appropriate mitigation.
- Other environmental concerns
 - It is highly likely that any application on the Preferred Area would need to be accompanied by an Environmental Impact Assessment which would also need to consider health implications and propose suitable mitigation.
- Restoration of the site
 - The promoters of the site have stated that the area would be restored to agricultural land by importing inert material to partially fill the void left by mineral extraction and this material would be closely monitored by the company themselves and the Environment Agency.

Allocation vs Application

It is important to note that Plan making is a different process to that of submitting and/or determining a planning application. The Minerals Local Plan is a strategic document which sets out planning policies to guide future development. It is not for the Local Plan to give details about specific issues or proposals which would have to be considered at the application stage.

The Minerals Local Plan needs to have robust policies about areas of concern (such as water management, historic environment, landscape, environmental issues, highway concerns etc.) to ensure that these issues are taken into account when dealing with a planning application for mineral extraction on a site.

It is often the case that the impact of potential issues can be mitigated with the imposition of planning conditions. This means that if the decision is made to grant permission for a development, it will be subject to a number of conditions. Conditions can cover issues such as: operating hours, noise limits, dust suppression measures, vehicle numbers etc. There may also be occasions when legal agreements are needed to ensure mitigation measures that cannot be secured by condition.

The Minerals Local Plan has to identify sites for mineral extraction; these sites would still be subject to a planning application and this is the case for a preferred area too. The planning application process is a completely separate process to the production of a Local Plan and an application would need to demonstrate how the potential issues identified in the policies of the Local Plan have been taken into account relating to that specific proposal.

The county council determines planning applications for Minerals development and requires specific forms and technical documents to be submitted in order to assess an application appropriately. A planning officer will look at all the details submitted as part of an application and may require further studies or assessments to be carried out by the applicant to ensure that all the relevant areas of concern have been addressed and that they have all the information that they need.

All planning applications are subject to a period of public consultation and the planning officer will take account of any responses received as a result of this consultation when assessing the application. Once the officer has received all the information that they need and the consultation responses, they will assess the planning application against the Minerals Local Plan policies and write a report with a recommendation to approve or refuse planning permission. This report is then presented to a Committee of elected Councillors who will make a decision on the recommendation. If planning permission is approved, the development can go ahead (with conditions). If planning permission is refused, the applicant can appeal the decision and the proposal would then need to be considered by an independent Inspector.