

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

The Minerals Local Plan Review: The Process So Far

Version 1 - November 2018

1. Introduction

Hertfordshire County Council has many statutory functions, one of which is to carry out its role as the Minerals Planning Authority. As a Minerals Planning Authority, the county council must produce, implement and review a Minerals Local Plan, in line with statutory requirements.

This topic paper provides an explanation of the Minerals Local Plan review and is intended to give readers an overview of what the Minerals Local Plan is, why it is being reviewed and how the document has evolved.

2. What is a Minerals Local Plan?

A Minerals Local Plan contains policies that are used in the determination of minerals planning applications. Minerals planning applications are planning applications that are associated with minerals development, such as a planning application for a sand and gravel quarry or an application for a processing plant at an existing quarry.

The existing Hertfordshire Minerals Local Plan (which covers the period from 2002-2016 and was adopted in March 2007) contains nineteen planning policies. Planning Officers at the county council use these policies to assess and make recommendations on minerals planning applications that are submitted to the county council for determination.

To find out more information on how the policy topics included within the Minerals Local Plan have evolved throughout its review, please see the 'Policies Topic Paper'.

In addition to planning policies, a Minerals Local Plan must also identify sites. The existing Minerals Local Plan contains three identified sites; these are called 'Preferred Areas'. A Minerals Local Plan must contain sites so that it identifies opportunities for the working of minerals throughout the period that it covers, in line with national policy requirements.

To find out more information on the proposed new sites which are identified in the revised Minerals Local Plan and what processes have been undertaken to identify them, please see the 'Site Selection Topic Paper' and the information contained under the 'Call for Sites Exercise' subheading, in section 4 of this paper.

3. Why is the county council reviewing the Minerals Local Plan?

The adopted Minerals Local Plan covers the period from 2002-2016 and was adopted in March 2007. The Minerals Local Plan is now out of date and needs to be revised, to cover a new period that projects into the future and to take into account new national policy requirements and changes to the picture for mineral working in Hertfordshire.

The National Planning Policy Framework (NPPF)¹ was first introduced in 2012 to set out the governments planning policies for England and how they are expected to be applied at a local level, through Local Plans.

The NPPF was revised 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 NPPF 2018, along with other statutory requirements, such as those set out in the Town and Country Planning Regulations 2012, need to be factored into the revised Minerals Local Plan so that it is up to date and in line with statutory requirements.

Since the adoption of the current Minerals Local Plan in 2007, the picture for mineral working (i.e the quarrying of sand and gravel, chalk or clay) in Hertfordshire has changed.

Planning applications have come forward on the identified 'Preferred Areas' of the adopted Minerals Local Plan² and new sites need to be identified to provide the county with new opportunities for the extraction of sand and gravel.

4. The review process

Evidence Gathering

Reviewing a Local Plan is a lengthy, technical process. The review of the adopted Minerals Local Plan commenced in 2014 with initial evidence gathering stages.

The evidence gathering involved looking into what has changed since the Minerals Local Plan was adopted in 2007 and what matters will/may need to be included in the revised Minerals Local Plan. The evidence gathered during this time was used to inform the questions set out in the Initial Consultation Document.

Initial Consultation

From Monday 03 August to Friday 16 October 2015, the 'Initial Consultation Document August 2015' was published for public consultation. This document set out a range of issues that the county council would be looking at moving forward in the review of the Minerals Local Plan (such as 'How long should

1 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

2 To find out more information on the planning applications which have come forward on the Preferred Areas of the adopted Minerals Local Plan, please see Hertfordshire's Local Aggregate Assessment 2018 (Chapter 6)

the duration of the Minerals Local Plan be?’ and ‘What quantity of sand and gravel should the county council plan for each year?’) and listed the potential options for each of the identified issues.

To view the Initial Consultation Document, please follow the link below.

<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>

Publishing this document allowed for interested parties, stakeholders and members of the public to put forward their views on the issues identified and to provide any additional comments.

A summary of the representations received in response to the consultation on the ‘Initial Consultation Document August 2015’ was presented to the ‘Environment, Planning & Transport Cabinet Panel on 02 February 2016. To see this report, please follow the link below:

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

Call for Sites Exercise

As stated in Part 2 ‘What is a Minerals Local Plan?’ the county council has a statutory duty to identify sites within the Minerals Local Plan. In order to identify sites in the new Minerals Local Plan, the county council had to start by carrying out a ‘Call for Sites’ exercise. This exercise involved inviting landowners and mineral operators to put forward parts of land to the county council, which may contain mineral deposits (i.e sand and gravel) and subsequently provide suitable locations for the extraction of minerals.

Before the county council could carry out the Call for Sites exercise, it had to present a report to Panel, to inform members that it would be carrying out the Call for Sites exercise, and to present the ‘Site Selection Methodology’ (i.e the assessment framework against which the sites would be assessed). To see this report, please follow the link below:

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

The Call for Sites exercise was carried out from 29 February to 16 April 2016. The county council received twenty submissions in response to this exercise. All twenty sites were assessed against the ‘Site Selection Methodology’. The results of this assessment were put into the ‘Site Assessment Report’. To see the ‘Site Selection Methodology’ and ‘Site Assessment Report’, please follow the link below and look to the ‘Call for Sites 2016’ tab.

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/minerals-and-waste-planning/minerals-planning/minerals-local-plan-review/minerals-local-plan-review.aspx>

If you would like to find out more information about the Site Selection Methodology, how it was prepared and how the four sites (Specific Site 1: Hatfield Aerodrome, Specific Site 2: Furzefield, Specific Site 3: Land adjoining Coopers Green and Preferred Area 1: The Briggens Estate) came to be included in the emerging Minerals Local Plan, please see the 'Mineral Site Selection Topic Paper'.

Draft Plan

Taking into account the feedback received in response to the publication of the Initial Consultation Document and the results of the site assessment work (i.e the outcomes of the work undertaken to assess the sites which were submitted in response to the Call for Sites exercise), the county council prepared the Draft Minerals Local Plan, which included draft policies and potential sites, proposed for inclusion within the revised Minerals Local Plan. The document was published for public consultation from Monday 04 December 2017 to Friday 09 February 2018.

To view the Draft Minerals Local Plan, please follow the link below.

<https://www.hertfordshire.gov.uk/about-the-council/consultations/environment/draft-minerals-local-plan.aspx>

In total, the county council received 3,252 individual representations in response to the consultation on the Draft Minerals Local Plan. Every representation was individually logged onto the council's consultation software and a summary of the feedback was reported to the Growth, Infrastructure, Planning and the Economy Cabinet Panel on 20 September 2018. To view this report, please follow the link below:

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

5. Minerals Local Plan Proposed Submission Document

Re-drafting the emerging Minerals Plan from 'Draft Plan' stage to 'Proposed Submission' stage

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 from the consultation on the Draft Mineral Local Plan as well as changes to national policy.

The main changes made to the emerging Minerals Local Plan document included:

- Changes to the supporting text (and other references) throughout the document to reflect the revised National Planning Policy Framework (which was published in July 2018)
- Amendments to the Policies to take account of a number of representations received from a variety of stakeholders
- A number of changes to the maps within the emerging Minerals Local Plan and a series of new maps were added

Presentation to Panel

Following finalisation of the changes to the document, the 'Minerals Local Plan Proposed Submission Document' was presented to the Growth, Infrastructure, Planning and the Economy Cabinet Panel on 14 November, so that members could take into account the changes made to the document and advise the Executive Member (of the Panel) to recommend to Cabinet and County Council the approval of a ten week publication period for the Minerals Local Plan Proposed Submission document.

To view the report presented to the Growth, Infrastructure, Planning and the Economy Cabinet Panel on 14 November, follow the link provided below.

<https://democracy.hertfordshire.gov.uk/mgAi.aspx?ID=1014#mgDocuments>

The 'Minerals Local Plan Proposed Submission Document' was approved at Cabinet on 26 November 2018 and County Council on 27 November 2018 and will be published for a ten week consultation period, which will run from 14 January to 22 March 2019.

6. Next Steps

Unlike the Draft Plan, the Proposed Submission Plan will not be changed following its ten week publication period. Instead, the county council will be submitting the Plan and all representation 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 Proposed Submission Plan and will assess the Minerals Local Plan against all relevant legislation and national Policy requirements. The county council may be required to make changes to the emerging Minerals Local Plan throughout this process, in response to the issues discussed at the Examination in Public.

Following the conclusion of the Examination in Public, the Planning Inspector will write a report to recommend the adoption of the Minerals Local Plan.

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