Information Note for Minerals Planning and Planning Applications

What is the difference between Plan-making and 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 are considered at the application stage. The Mineral Local Plan needs to have robust policies about areas of concern (such as water management, historic environment, landscape, environmental issues and highways etc.) to ensure that these issues are taken into account when dealing with a site- and proposal-specific planning application.

It is often the case that the impact of potential issues can be mitigated at the planning application stage 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 things like: operating hours, noise limits, dust suppression measures and vehicle numbers. There may also be occasions when legal agreements are needed to ensure mitigation measures that cannot be secured by condition.

The Minerals Local Plan identifies sites for mineral extraction which would still be subject to a planning application. 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 issues identified in the policies of the Local Plan have been addressed.

The county council determines planning applications for Minerals development and requires specific 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.

How does the County Council work with District and Borough Council Planning Authorities?
Hertfordshire is a ‘two-tier’ authority area which means that there are two levels of local government that deal with planning (and other things). There are ten district and borough councils in Hertfordshire who are responsible for planning for housing, shops, offices and other buildings in their area (built development). There is one county council which covers the whole of Hertfordshire and is responsible for planning for minerals and waste development and for other services we provide such as schools, libraries and roads.

The county council and the ten district and borough councils work together on a number of issues related to planning and have regular meetings to discuss the implications of these issues for each authority. The district and borough councils are planning for thousands of houses to be built in their areas and these houses will need aggregates to build them. These aggregates need to come from somewhere and it is better to try and get the resources needed from closer to the development rather than from tens or hundreds of miles away (and therefore needing to be transported long distances).

Because of the geology of Hertfordshire and the need to find more and more suitable land for housing, there may be sites which the district and borough council are looking at for housing and which have sand and gravel underneath. In these circumstances, it is very important that the district and borough councils and the county council work together to get the mineral out of the ground before the houses are built. This ‘prior extraction’ can enable the sand and gravel extracted to be used on site without the need to import more material. There are a number of current examples where the county council has been actively engaged with district and borough councils and also with land owners to ensure Local Plan policies reflect these needs (e.g Welwyn Hatfield BC and East Herts DC).

**How is Green Belt addressed within minerals planning policy?**

The Green Belt is an important planning designation which covers over half of Hertfordshire and protects ‘green’ areas from development which would be inappropriate. National policy protects the Green Belt and the county and district/borough Local Plans also have Green Belt policies. The temporary nature of mineral extraction means that it is not considered ‘inappropriate’ in the Green Belt as long as the development preserves the openness of the area and does not conflict with other purposes. Mineral extraction often takes place in the Green Belt and once extraction has finished (often in phases), the land can be returned to its previous use, such as farming.