

Policy Evidence Report

Policy 2: Meeting Sand and Gravel Needs

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



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1. Introduction

- 1.1. Hertfordshire County Council is reviewing its adopted Minerals Local Plan, Waste Local Plan and supporting documents. These comprise the following documents (with adoption date):
 - Minerals Local Plan Review (March 2007)
 - Minerals Consultation Areas SPD (November 2007)
 - Waste Core Strategy and Development Management Policies DPD (November 2012)
 - Waste Site Allocations DPD (July 2014)
 - Employment Land Areas of Search SPD (November 2015)
- 1.2. The documents listed above are to be replaced by a single Minerals and Waste Local Plan (MWLP) covering the period to 2040. The new MWLP sets the overall spatial framework and development management policies for sustainable minerals and waste management development in Hertfordshire.
- 1.3. This Policy Evidence Report provides a context and justification for the creation of Policy 2: Meeting Sand and Gravel Needs in the emerging Minerals and Waste Local Plan. It also contains a reasoning for the changes made to the policy between the Draft Plan publication and the Proposed Submission Plan publication.

2. National Policy Context

- 2.1. The National Planning Policy Framework (NPPF 2023) and National Planning Practice Guidance (PPG) provide the basis of national planning policy.
- 2.2. The sustainable use of minerals is a key section within the NPPF. The following points within the NPPF relate to Policy 2:
 - Paragraph 215 explains that *'it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs.'*
 - In paragraph 216 it is stated that planning policies should *'provide for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction'*.
 - Of particular importance is paragraph 219 that states: *'Minerals planning authorities should plan for a steady and adequate supply of aggregates by: a) preparing an annual Local Aggregate Assessment, either individually or jointly, to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources);'*

- b) *participating in the operation of an Aggregate Working Party and taking the advice of that party into account when preparing their Local Aggregate Assessment;*
- c) *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;*
- d) *taking account of any published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates;*
- e) *using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans;*
- f) *maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised;*
- g) *ensuring that large landbanks bound up in very few sites do not stifle competition; and*
- h) *calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.'*

2.3. PPG contains its own section dedicated to minerals. While the entire document is relevant to the plan, the points that are most relevant to this policy are:

- *'The Managed Aggregate Supply System seeks to ensure a steady and adequate supply of aggregate mineral, to handle the significant geographical imbalances in the occurrence of suitable natural aggregate resources...It requires mineral planning authorities which have adequate resources of aggregates to make an appropriate contribution to national as well as local supply...*
 - *at local level, mineral planning authorities are expected to prepare Local Aggregate Assessments, to assess the demand for and supply of aggregates'.*

Paragraph: 060 Reference ID: 27-060-20140306

- *'Landbanks of aggregate mineral reserves, or aggregate landbanks, are principally a monitoring tool to provide a mineral planning authority with early warning of possible disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area. Aggregate landbanks should be used principally as a trigger for a mineral planning authority to review the current provision of aggregates in its area and consider whether to conduct a review of the allocation of sites in the plan. In*

doing so, it may take into account the remaining planned provision in the minerals local plan.'

Paragraph: 080 Reference ID: 27-080-20140306

- *Mineral planning authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):*
 - *Designating Specific Sites – 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;*
 - *Designating Preferred Areas, which 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*
 - *Designating 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.*

Paragraph: 008 Reference ID: 27-008-20140306

3. Local Context

3.1. Hertfordshire County Council has a duty under the NPPF to produce a Local Aggregate Assessment (LAA) annually. The LAA is an evidence base document that contributes towards the review of Hertfordshire's Minerals Local Plan. It sets out the current level of aggregate supply and demand for Hertfordshire and identifies the current landbank of sand and gravel.

3.2. The LAA 2022 concludes that Hertfordshire currently has a landbank below 7 years, therefore the emerging MWLP must address this shortfall by making appropriate provision for Mineral Extraction.

The LAA identifies an LAA Rate, i.e., the amount of sand and gravel which must be produced by Hertfordshire each year in order to meet demand, of 1.16Mtpa (million tonnes per annum). In order to provide flexibility over the plan period, the MWLP has added a 5% uplift to this figure, therefore the Annual Provision Rate set in the MWLP is 1.22Mtpa.

3.3. This figure is slightly lower than the rate set in the Draft MWLP July 2022, and better reflects the downturn in the economy and the year-on-year reduction in sales of sand and gravel in Hertfordshire (and the UK in general).

4. Minerals & Waste Local Plan Policy

4.1. The Draft Minerals and Waste Local Plan was published for a Regulation 18 public consultation from 22 July to 31 October 2022. During the consultation period, members of the public, industry and other bodies were invited to comment on the policies within the Plan. This report shows the draft policy as published within the Draft Plan document, along with the main issues raised and the council's response to them.

Minerals and Waste Local Plan Draft Plan 2022

4.2. The Regulation 18 Draft Plan document included Policy 2: Meeting Sand and Gravel Needs. The policy read as follows:

Policy 2: Meeting Sand and Gravel Needs

The County Council will seek to maintain a steady and adequate supply of sand and gravel to meet demand over the plan period, and to maintain a 7-year landbank of permitted reserves in accordance with the latest Local Aggregate Assessment.

Provision Rate (Mtpa)	Plan Period 2020 to 2040 (years)	Plan Period Requirement (Mt)	Reserves as at January 2020 (Mt)	Remaining Requirement from Allocations (Mt)
1.31	21	27.51	8.95	18.56

To meet the need identified above, provision will be met through, and planning permission will be granted in principle for, applications for sand and gravel extraction at the following Mineral Allocation Sites (MAS):

Site	Reserve (Mt)	Site Specific Requirements
MAS01: The Briggens Estate	8.80	<ul style="list-style-type: none"> i. proposals must be in accordance with the requirements set out in the Heritage Impact Assessment ii. access to the site must be from the B181 Roydon Road iii. the site entrance must be engineered to prevent site traffic travelling through Stanstead Abbots iv. the restoration strategy must be agreed in consultation with Lea Valley Regional Park Authority and include provision of footpath / cycle connectivity linking Stanstead Abbots with developments at Harlow Gilston Garden Town

		v. an appropriate buffer is to be established on the northern and western boundary in accordance with the Site Brief
MAS02: Hatfield Aerodrome	8.00	<ul style="list-style-type: none"> i. no mineral will be extracted from within the existing plume of bromate and bromide ii. mineral extraction must not change the existing hydrogeological flow regime nor interfere with the remediation of bromate iii. the site is to be restored as Ellenbrook Country Park
MAS03: Land Adjoining Coopers Green Lane	3.52	<ul style="list-style-type: none"> i. no mineral will be extracted from within the existing plume of bromate and bromide ii. mineral extraction must not change the existing hydrogeological flow regime nor interfere with the remediation of bromate iii. extracted mineral to be exported to the existing processing plant via conveyor iv. mineral extraction will not commence prior to the completion of extraction at Hatfield Quarry - Furze Field

Proposals for sand and gravel extraction within MAS must fulfil the Site-Specific Requirements above and must clearly demonstrate how they have addressed all of the Site Considerations set out in the corresponding Site Brief.

Proposals for sand and gravel extraction in other areas* will only be supported where they:

- a) are required to maintain a shortfall in the council's landbank;
- b) do not compromise the ability of allocated sites to meet that need;
- c) conform to the overall spatial strategy for minerals for the area; and
- d) maximise the recovery of the identified reserve.

Proposals for the extraction of specialist minerals will be acceptable in principle, where it is clearly demonstrated that existing permitted or allocated sites cannot meet that need.

*Proposals for borrow pits will be dealt with separately under Policy 8: Borrow Pits

- 4.3. During the Regulation 18 consultation, 654 representations were made in relation to this policy. This comprised 438 comments on MAS01, 105 comments on MAS02 and 30 comments on MAS03. Around 120 other comments were received which either related to other aspects of the policy, or which didn't state which of the three proposed mineral allocations they were commenting on.

4.4. The main issues relating to the policy in general, and of sand and gravel extraction in general, are summarised below, followed by further sections covering specific issues raised for each of the three proposed allocations:

- a) Mineral extraction sites should be fairly distributed to avoid disproportionate harm and the risk of a single problem in the area rendering multiple sites undeliverable.
- b) Mineral extraction sites should be away from residential areas, alongside a motorway, with access roads exclusive to the vehicles necessary for the site. They should not be in the middle of local communities.
- c) Mineral sites should not be allocated in the Greenbelt and must demonstrate very special circumstances.
- d) Concerns relating to dust (specifically silica dust) associate with mineral extraction
- e) Concerns relating to loss of habitat/biodiversity.
- f) Designated wildlife and heritage sites should be specifically mentioned
- g) The Plan fails to take into account the Hertfordshire Strategic Green Infrastructure Plan, which seeks 'opportunities for habitat improvement, restoration and enhancements'.
- h) Concerns raised regarding the increase in greenhouse gas emissions associated with quarrying activities.
- i) Concerns raised with regard to the environmental impacts being contrary to the Hertfordshire Sustainability Strategy and the five key aims.
- j) Should mineral extraction be described as 'temporary development' given the often large timescales involved?
- k) Concerns relating to the use of household waste to fill the mineral voids, creating odours, vermin and disease risk.
- l) Why can't marine sand and gravel be used instead of landwon?
- m) A target of 28% secondary and recycled materials should be set. This is not taken into account. Neither is the quantity supplied by imported aggregates or the quantity exported from the county.
- n) In relation to paragraph 4.30 the text needs to reflect that the use of secondary and recycled materials, in substitute for landwon, is down to specification requirements and commercial decisions. The recycling of construction waste has been maximised in Great Britain for many years.
- o) The first paragraph of the policy should be amended as follows '*[...] and to maintain **at least** a 7-year landbank [...]*'. Paragraph 4.40 should also be amended to reflect this.
- p) The Plan fails to set out improvements to the enforcement process to deal with pollution attributed to mineral extraction.
- q) Preferred Area 2 in the adopted Minerals Local Plan should be retained.
- r) Concerns regarding noise pollution associated with mineral extraction.
- s) Potential damage to the roads from mineral traffic.

- t) Concerns about keeping quarry sites secure, re dangers to children and the proximity of these sites to schools.
- u) The proposed allocations are not close to Transport Infrastructure Sites
- v) Proposed inclusion of Land Northeast of Rickneys Quarry and Cromer Hyde Farm
- w) The annual provision rate is based on the 10-yr sales average with a 10% uplift. There is little justification for this uplift.
- x) Data suggests that the gravel sales and housing requirements are in decline meaning there is little justification to extract further.
- y) Much of the need (for sand and gravel) is based on future major infrastructure projects which are not certain.
- z) Concerns were raised about the impact on local house prices.
- aa) General concerns were raised about road safety.
- bb) Concerns were raised about the general impact on the historic environment.
- cc) Concerns were raised about impact of mineral workings on Public Rights of Way.
- dd) General concerns were raised around the impact on the local air quality from mineral extraction operations.
- ee) Concerns around the removal of public open space and the impact of this on mental health.
- ff) Comments regarding the selection of the Minerals Allocation Sites and the adequacy of the Minerals Site Selection Report.

4.5. The council's response to the main issues is as follows:

- a) The proposed allocations have been chosen following a robust site selection process. There are three allocations, a planning application on one has already been recommended approval, and the 2 remaining sites are not close geographically. It is accepted that MAS02 is in a location where existing mineral extraction is taking place, however the site has been carefully selected to ensure there is no disproportionate harm nor is there a risk of a single problem affecting multiple sites.
- b) Minerals can only be worked where they are found, and allocations must be deliverable. The allocations in the Plan are sufficiently distanced from residential areas and have good access to the strategic road network.
- c) The winning and working of minerals does not need to demonstrate very special circumstances if located within the greenbelt as it is not classed as an inappropriate form of development. This is consistent with national policy.
- d) The Health and Safety Executive states that '*silicosis is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust, such as in quarries, foundries, the potteries etc. No cases of silicosis have been documented among members of the general public in Great Britain, indicating that environmental exposures to silica dust are not sufficiently high to cause this occupational disease*'. Exposure to silica dust is usually confined to

activities such as cutting, drilling, grinding and polishing, none of which occur in a sand and gravel quarry.

- e) While mineral extraction will inevitably cause some temporary harm to habitat/biodiversity, restoration of mineral sites will result in a net gain (and this is now a legal requirement under The Environment Act 2011).
- f) Where appropriate these are mentioned in the Policy and/or corresponding Site Briefs.
- g) This is specifically covered in Policy 16: Landscape and Green Infrastructure.
- h) All development activity results in increased greenhouse gas emissions. This is addressed however for example in Policy 1: Climate Change and Policy 24: Transport.
- i) The Plan seeks to align with the Sustainable Hertfordshire Strategy and many of the policies work towards meeting those aims, this is addressed in the Plan and is shown for every policy in the Plan.
- j) Mineral extraction is a temporary use of land, with the land being restored to its prior state/ improved following extraction.
- k) Only inert material will be used in the restoration of mineral workings, such as soils, concrete and brick. Household waste will never be used.
- l) Minerals Planning Authorities must aim to source mineral supplies indigenously, as prescribed by the National Planning Policy Framework. While a very small amount of marine aggregate is imported into Hertfordshire, there are no wharves in the county and so it must ultimately be transported via road or rail.
- m) The Mineral Products Association states that *'the UK utilises 70 million tonnes of recycled and secondary materials in the GB aggregates market, this contributes 28% market share which is three times higher than the European average, highlighting the fact that the use of recycled and secondary materials in Britain is close to full potential'*¹. The Plan however calculates the need for 'landwon' sand and gravel, based on the average of the last 10 years' sales of landwon sand and gravel, i.e. which doesn't include secondary and recycled materials. There is little point adding 28% to the overall need figure, only to take it off again.
- n) This is correct, and changes will be made to the supporting text for clarity.
- o) The Council agrees and the policy and supporting wording will be changed to reflect this.
- p) It is not the remit of the Plan to make alterations to the enforcement process or other planning regimes. Any planning application for mineral development will be assessed on its merits and relevant conditions attached where appropriate.
- q) The proposed allocations in the Plan have been through a robust site selection process. Part of Preferred Area 2 was re-submitted and assessed as part of a re-appraisal of all of the originally submitted mineral sites. The proposed allocations in the Plan form a sound basis for meeting mineral supply over the plan period.

¹ <https://mineralproducts.org/Mineral-Products/Aggregates/Recycled-and-Secondary-Aggregates.aspx> (accessed 18/09/2023)

- r) Noise will be a consideration for any planning application for mineral extraction in the county. Appropriate mitigation measures will be employed to eliminate/reduce this risk. Policy 19: Protection and Enhancement of Amenity covers this topic.
- s) The Highways Authority have stated in their response that '*a S106 Agreement or Unilateral Undertaking will be required to secure a financial contribution to cover any 'extraordinary' future maintenance costs prior to commencement on site*'. Policy 24: Transport will be amended to reflect this.
- t) These are concerns for any form of development, such as housebuilding, which is often adjacent to other occupied housing, and appropriate measures to address such concerns will form part of any planning application. Such measures are not required to be stated in Policy.
- u) It is not possible to locate mineral extraction sites close to transport Infrastructure Sites, as minerals can only be worked where they are found, however consideration will be given to traffic movements associated with transporting mineral and/or restoration materials between areas of extraction and Transport Infrastructure Sites.
- v) These sites have been assessed as part of a re-assessment of all submitted mineral extraction sites. The proposed allocations in the Plan form a sound basis for meeting mineral supply over the plan period.
- w) The justification for this uplift, to provide flexibility, was set out in the Local Aggregates Assessment 2021 which was accurate when the baseline of the Plan was set. Since then however the annual sales of sand and gravel have declined year on year. The latest LAA reflects this and no longer includes a 10% uplift. The Provision rate in the Plan will be lowered, but will include a 5% uplift to provide flexibility. The Plan will be reviewed every 5 years and monitored each year. The supporting text to the policy will be revised which explains this methodology.
- x) The Mineral Products Association (August 2023) state that primary aggregates (crushed rock and sand and gravel) have seen a 3.7% drop in sales in Q2 2023 compared with Q1. While this may be attributed partly to a fall in housing construction, the requirement for housing remains high. The Plan looks over the long term, and cannot react to such short term factors. The Local Aggregates Assessment looks at the 10 year and 3 year sales averages and has set the current annual rate accordingly.
- y) Need is based on the 10-year sales average adjusted to factor in best available knowledge of future major construction projects.
- z) This is not a planning consideration.
- aa) This is adequately covered in the Site Briefs and Policy 24: Transport. Any future planning application for mineral extraction will be fully assessed by the Highways Authority.
- bb) This is given consideration in the Policy and Site Briefs, and also in Policy 18: Historic Environment.

- cc) This is addressed in the Site Briefs and other areas of Policy, such as Policy 25: Public Rights of Way.
- dd) This is covered in other areas of Policy, such as Policy 20: Health and Wellbeing.
- ee) Mineral development is temporary, and sites will be restored after extraction on a phased basis, limiting as much as possible the temporary loss of open space.
- ff) Concerns are noted and a full re-assessment of all previously submitted minerals sites has been carried out. The findings of the report do not change the sites selected for allocation in the Plan. The updated report can be found in the Core Document Library at hertfordshire.gov.uk/mwlp.

4.6. During the Regulation 18 consultation, 438 representations were made in relation to **MAS01 The Briggens Estate**. Some of the issues are covered under the general preceding section, however those additional issues specific to MAS01 are summarised below:

- a) Concerns about the proposed reservoir on the slope facing the village.
- b) Why has the natural canal navigation system- along the River Lee (North/ South) and River Stort (East/ West) – located next to MAS01, not been described and explored further.
- c) There is 12m of clay above a couple of metres of poor quality gravel, mining here is uneconomic.
- d) The site is surrounded by numerous listed buildings and a rich historic environment, including historic water features and archaeological areas of importance. The Plan could be more specific about archaeological evaluation requirements.
- e) It would be expected to see the Policy include specific criteria informed by the HIA's recommendations.
- f) Concern of Green Belt removal along with other nearby developments will create a continuous urban extension.
- g) Extraction here will disturb the water table and increase run-off, affecting Rye Meads and the sewage treatment plant as well as springs around Olives Farm. Water supply is also raised as a concern for properties nearby relying on local springs.
- h) this application would infringe on our Human Rights under articles 1, 8 and 6(1) of the Act
- i) concerns about the loss of farmland
- j) The site operator is not the landowner, there will be no obligation on the landowner to fulfil Section 106 Obligations – monitoring should be included to ensure the site is restored to a suitable condition
- k) It is considered that further details relating to restoration of the site should be included within the policy.
- l) No assessment of cumulative impacts or the impact on amenity has been carried out

- m) Concerns about the impact of increased traffic on local roads and congestion, the impact of safety and the pollution/dirt it will bring. This has not been adequately assessed.
- n) Concerns about the impact on visual amenity and key views as well as setting and character (contrary to Policy HE3 of the Hunsdon Area Neighbourhood Plan – Landscape Character and Cherished Views.).
- o) There is concern regarding the cumulative impact of the Harlow Gilston Garden Town (HGGT) developments nearby the site.
- p) It is stated that the links between HGGT and the site should be further explored and set out, such as the opportunity to provide mineral resources.
- q) Concerns regarding nearby local development sites and their compatibility with the site, such as Netherfield Lane housing site.
- r) Concerns about the land topography after restoration
- s) Inadequate buffers/stand-offs
- t) The site is near the border of the county and traffic is constrained to travel east, mineral will be exported and not contribute to meeting Hertfordshire's need.
- u) Concerns about threat of development at the site after restoration as it will be considered a brownfield site.
- v) Opportunities to use nearby railheads have not been explored.
- w) Concerns surrounding privacy – large scale HGV movements and CCTV at sites overlooking properties and local pathways
- x) It is stated that the area has already been subject to mineral extraction.

4.7. The council's response to the main issues is as follows:

- a) There is no proposal to create a reservoir on the slope facing Stanstead Abbots.
- b) The proposed allocation site is some distance away from the navigable stretch of the Lee and Stort and is therefore not deemed suitable for the onward transportation of mineral from the site.
- c) The Site Selection Report states that overburden varies between 1.5m and 14m across the site, overlaying between 2.2m and 14.6m of sand and gravel. The part of the site with the greatest overburden will be used as the location of the plant site.
- d) A Heritage Impact Assessment has been produced for the site, and has been consulted on with Historic England. Policy 18: Historic Environment specifically references the potential need for archaeological investigations.
- e) The policy explicitly states 'proposals must be in accordance with the recommendations set out in the Heritage Impact Assessment.
- f) The greenbelt is not being removed, it will be temporarily worked and restored. It will not constitute a continuous urban extension.
- g) Extensive site investigations and monitoring have taken place over a number of years and will continue throughout the duration of any potential mineral workings. There is not expected to be any impact on the water features around Olives Farm, through a combination of retention of prevailing landform for water

run-off and retaining the relevant section of the water table. Water management at the site will be subject to the provisions of the relevant Environment Agency licenses and permits and a groundwater monitoring and mitigation plan is proposed by the developer to safeguard hydrological features.

- h) This is not a planning application; it is a proposed site allocation. A full Planning application would need to be submitted to the Council and approved before mineral extraction can take place. It is not clear how proposed mineral extraction here would contravene the Human Rights Act.
- i) The promoter of the site proposes to retain farmland at the site, and phasing the extraction and restoration such that only part of the land would be out of agricultural use at any time.
- j) Any planning application for mineral extraction on this site will be subject to strict planning conditions and regular site monitoring to ensure compliance. The site would be worked and restored in a phased manner.
- k) The Site Brief which accompanies the policy elaborates on restoration proposals. The Site-Specific Requirements state that the restoration strategy must be agreed in consultation with Lea Valley regional Park Authority. Other relevant stakeholders will also be included within the requirements.
- l) The Site Selection Report, which has been updated, addresses cumulative impacts of other mineral development, including the proximity of existing and proposed residential development and other sensitive land uses. This report can be found in the Core Document Library at hertfordshire.gov.uk/mwlp.
- m) The site has been assessed by the Highways Authority who, taking account of the Policy wording, Site Brief and associated Policy 24: Transport, raised no concerns at the consultation stage.
- n) A full Landscape and Visual Sensitivity Study has been conducted. The site/policy is not contrary to Policy HE3 in the Hunsdon Area Neighbourhood Plan, which requires a Landscape and Visual Impact Assessment for any subsequent planning application, something which the Plan also requires.
- o) The Site Selection Report has been updated and takes account of the cumulative impacts associated with the nearby HGGT development.
- p) The potential for material from the Briggens site to supply the HGGT development, and construction/excavation waste from HGGT to be used in the restoration of the site, is welcomed and is being explored, however the Plan cannot prescribe this.
- q) The proposed housing allocation on Netherfield Lane is of a sufficient distance from the proposed mineral extraction area so as not to be adversely affected by it.
- r) A final restoration scheme is yet to be worked up for the site and will be done so ahead of any potential planning application, at which point further consultation on such restoration scheme will be carried out. Principles for the restoration of the site however are included in the Site Brief. The Council welcomes further comments on this during the next consultation stage.

- s) The Plan itself doesn't specify precise buffers/stand-off, however appropriate buffers will be established through any subsequent planning application taking account of the requirements of policies within the Plan, such as those pertaining to noise, vibration, dust, amenity etc.
- t) Minerals are of greater than local importance. Councils must plan based on the 10-year sales average, regardless of the markets for that material. While Hertfordshire does export some sand and gravel, it also imports sand and gravel, as well as crushed rock aggregates, of which Hertfordshire does not have an indigenous supply. While ultimately a commercial decision, it is hoped that material from the Briggens Estate can supply the HGGT development.
- u) The status of the site will not change; it will remain greenbelt/greenfield.
- v) It is ultimately for the operator of the site to consider the use of nearby railheads however Policy 24: Transport requires development proposals to reduce road use through the use of more sustainable transport methods, such as rail.
- w) There should be no privacy concerns associated with mineral extraction at this site. These matters will be covered at any planning application stage where there will be the ability to view detailed proposed arrangements and make appropriate comment.
- x) Mineral has not previously been extracted at the Briggens site. Mineral has been extracted historically in other areas nearby, such as to the south of Stanstead Abbots.

4.8. During the Regulation 18 consultation, 105 representations were made in relation to **MAS02 Hatfield Aerodrome**. Some of the issues are covered under the general preceding section, however those additional issues specific to MAS02 are summarised below:

- a) A planning application on this site was rejected by the Council's Planning Committee and again at Appeal. Why is the site still included?
- b) Concerns raised regarding the bromate plume and increased pressure on the water supply.
- c) Ellenbrook Fields is a valuable community resource and place for wildlife. This will be lost and full restoration will take 30 years
- d) The proposed allocation proposes leaving a tiny amount of 'country park' on the eastern edge, this is inadequate.
- e) Concern regarding the risk of flooding and the impact quarrying may have on surface water flow towards Ellenbrook.
- f) Allocating the site is contrary to national Greenbelt policy, as Hatfield and St Albans will coalesce leaving no Greenbelt between them.
- g) Concerns regarding the increase of lorry movements in the area and the impact on the road network, specifically a new entrance onto the A1057, and a new entrance from MAS02 near Notcutts on St Albans Rd West, creating a potential conflict with vehicles from the Cemex site.

- h) Concerns regarding protection of Public Rights of Way on the site, and how they will not be adversely affected, and access to the countryside.
- i) The cumulative impact of several quarries in this area has not been taken into account. There is no map showing this.
- j) The Plan fails to demonstrate there will be no unacceptable landscape and visual effects.
- k) Concern raised regarding the impact on heritage assets in the area, such as Popefield Farm.
- l) Concerns raised regarding the impact on the amenity of nearby residential properties, sports and leisure facilities and the university campus such as air quality, dust and noise.
- m) The original Section 106 agreement to deliver a country park has been disregarded/not been delivered.
- n) Stand-off buffers are not large enough.
- o) The 8Mt will not be achieved due to technical reasons in the operation of the Lower Mineral Horizon (LMH), so as a minimum it will only yield 4Mt, this was set out at appeal.
- p) There is no soil management strategy for MAS02 or post restoration details
- q) Site-Specific Requirements should be added in respect of heritage, access, RoW and buffers, including a 150m buffer from the boundary of Popefield Farm
- r) Concerns regarding harm to the river Colne and catchment area.
- s) There is a risk of WW2 bombs on the site.
- t) There is a risk of damage to the gas pipeline.
- u) There is a risk of Roman Remains being destroyed by machinery.
- v) Concerns are raised relating to still unresolved sites within the WHLP nearby the allocation.

4.9. The council's response to the main issues is as follows:

- a) The principle of mineral extraction in this area has not been challenged. The site is already allocated in the current adopted Minerals Local Plan. With the right planning application this site will contribute to the county's overall supply.
- b) Specific considerations regarding the bromate plume and hydrogeological flow regime are contained within the Policy and the Site Brief.
- c) The site will be worked and restored in phases, reducing as far as possible the impact on Ellenbrook Fields. The Policy and Site Brief requires the site to be restored to serve as Ellenbrook Country Park. There is an outstanding legal agreement requiring the creation of Ellenbrook Country Park.
- d) The existing legal agreement is for the creation of a 400 acre (over 160 hectare) Country Park.
- e) This is specifically covered in the Policy and the Site Brief
- f) Mineral extraction is not incompatible with greenbelt and is a temporary use of land that will be restored. The settlements will not coalesce.

- g) The Highways Authority have raised no objections to the allocation of this site, nor on the previous planning applications, which went before Planning Committee in 2020 and 2023.
- h) This is covered under Policy 24: Transport and Policy 25: Public Rights of Way, which states that rights of way must be protected and not adversely affected. Where this is not possible, alternative provision must be provided of an equivalent quality, safety and convenience (including any temporary provision).
- i) The cumulative impact has been taken into account in the 2018 Site Selection Report, which has been further updated in support of the next stage of the Plan (see hertfordshire.gov.uk/mwlp). Current and proposed sites in this area are shown on the Policies Map which supports the Plan.
- j) This is covered in detail in the Landscape and Visual Sensitivity Study (2018).
- k) Any application for mineral development will need to take account of heritage assets and comply with Policy 18: Historic Environment.
- l) This has been addressed in the Site Selection Report, and there are specific policies within the Plan covering impacts on amenity including from noise, dust and air quality.
- m) The original legal agreement remains enforceable, and the Plan sets a Site-Specific Requirement for the creation of Ellenbrook Country Park.
- n) The Plan itself doesn't specify precise buffers/stand-offs, however appropriate buffers will be established through any subsequent planning application taking account of the requirements of policies within the Plan, such as those pertaining to noise, vibration, dust, amenity etc.
- o) A revised planning application was submitted (and went before Development Control Committee in 2023) which establishes that the 8Mt is still deliverable when taking account of the technical requirements of the consideration of the Lower Mineral Horizon
- p) This is covered under Policy 17: Soils and Agricultural Land and Policy 13: Restoration, Aftercare and After-Use.
- q) These requirements are covered in other policies in the Plan, it is not necessary to duplicate them here. The Plan should be read as a whole.
- r) It is not clear what potential harm is being referred to. No specific objection has been raised regarding this from the Environment Agency.
- s) This is a risk for many forms of development and is outside the remit of the Plan.
- t) The location of high-pressure gas pipelines is shown on the adopted Policies Map for the area. Any planning application for mineral extraction in this location will need to take account of any pipelines accordingly, and inform the relevant organisation of any proposed works.
- u) Mineral extraction is an important way in which archaeological remains are discovered. It is standard industry practice to allow archaeologists access to sites when remains are discovered. Policy 18: Historic Environment requires the discovery of any such remains to be documented and the findings made publicly accessible.

- v) The Council is not aware of any unresolved issues at the Borough Council that would affect the deliverability of this site for mineral extraction.

4.10. During the Regulation 18 consultation, 30 representations were made in relation to **MAS03 Land Adjoining Coopers Green Lane**. Some of the issues are covered under the general preceding section, and some under MAS02, however those additional issues specific to MAS03 are summarised below:

- a) Concerns regarding timescales of delivery and potential delay to the Hatfield urban extension allocation SDS5
- b) The Annual Provision Rate (APR) should not have a 10% uplift added (unclear what circumstances exist to invoke an uplift), therefore there is no over-riding need to allocate MAS03
- c) The conditions for HGV route have not yet been finalised on MAS03. A slip road for HGV is required to be built westwards off Junction 4 of A1(M) to divert Lorries from using Hatfield residential roads. It can lead to the end of Hatfield Avenue via Coopers green lane at the East end.

4.11. The council's response to the main issues is as follows:

- a) A Planning application for mineral extraction on this site has already been approved (December 2023).
- b) The APR has been covered under the general section, and will now include a 5% uplift. Regarding the need for MAS03, even factoring in a revised APR there is still a need for the material supplied by MAS03 to meet the Plan's requirements.
- c) A Planning application on this site has already been approved by the Council. The impact on Junction 4 is covered in the report that went to Development Control Committee on 22 October 2020.

5. Alternative Reasonable Options

5.1. The following reasonable alternative options have been considered (and fully assessed in the Sustainability Appraisal Report):

- Option 1 – A policy which allocates more sites than required in order to provide maintenance of a landbank of 7 years beyond the plan period
- Option 2 – A policy which allocates sites for development and provides a mechanism for ensuring supply in the event of non-maintenance of the landbank (preferred)
- Option 3 – Similar to option 2, but without a specific mechanism to ensure maintenance of landbank

6. Conclusion

- 6.1. This Policy Evidence Report demonstrates the justification for the inclusion of this policy in the emerging Minerals and Waste Local Plan Proposed Submission Plan. It summarises the national policy context and local context, along with the main issues raised through previous consultation and how the council has addressed those issues.
- 6.2. Any representations received on this policy at the Regulation 19 consultation stage will be submitted alongside the Local Plan to the Secretary of State as part of the examination process.
- 6.3. This Policy Evidence Report was written to support the Proposed Submission Plan (Regulation 19) consultation. This report forms part of the Regulation 22 statement, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.