

Policy Evidence Report

Policy 7: Chalk

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



Supporting Regulation 22(c)(iii)(iv)

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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 7: Chalk 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. There is currently no national policy requirement to maintain a supply of permitted reserves for chalk, because chalk previously extracted in Hertfordshire was not used as an industrial mineral. Due to the low use and unlikely requirement for further chalk supply in the county.

3. Local Context

- 3.1. Chalk extraction in Hertfordshire has historically been undertaken on a small scale and is not currently worked in the county. Chalk can be used as an industrial mineral in the production of cement, however in Hertfordshire it has predominantly been used as an agricultural lime on farmland.
- 3.2. The use of chalk is not assessed within the Hertfordshire Local Aggregate Assessment.

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 7: Chalk. The policy read as follows:

Policy 7: Chalk

Proposals for chalk extraction will be supported where it can be demonstrated that there is a need for additional chalk supply for agricultural use.

4.3. During the Regulation 18 consultation, 3 representations were made in relation to this policy. The main issues of these are summarised below:

- a) It is suggested that the policy should only permit chalk extraction where it can be demonstrated that it will not impact or influence the operation of the aquifer.
- b) The value of chalk soils for biodiversity should be acknowledged within the supporting text and efforts to retain, protect and enhance these habitats should be prioritised.

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

- a) Details surrounding impacts on aquifers will be considered against Policy 21: Water Management. It is not appropriate to include details pertaining to the aquifer/groundwater within the policy because the different environmental considerations will be dealt separately against the applicable policies. Future chalk extraction in the county is likely to be minimal and there are no sites identified in the plan for future extraction, as such a site-specific/detailed policy is not required.
- b) The value of chalk soils for biodiversity is a matter which is more appropriate to be recognised under Policy 15: Biodiversity and Geodiversity. The supporting text for Policy 15 in the Draft Minerals and Waste Local Plan July 2022 (paragraph 5.109) identifies that Hertfordshire benefits from a range distinctive landscapes and habitats including chalk scarp grasslands and the chalk streams of the Chilterns. The text will be expanded to help identify the value of chalk soils for biodiversity. Policy 15 identifies the statutory and non-statutory designated

biodiversity sites that could be affected by minerals and waste development in Hertfordshire. Many of the chalk grasslands and chalk streams will fall under these designations and will be afforded appropriate protection through Policy 15.

5. Alternative Reasonable Options

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

- Option 1 – No policy relating to chalk extraction
- Option 2 – A policy which supports proposals for chalk extraction where the need for additional chalk supply for agricultural use can be demonstrated (preferred)
- Option 3 – A policy which supports chalk extraction but does not limit it to agricultural use

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.