

HERTFORDSHIRE COUNTY COUNCIL
DEVELOPMENT CONTROL COMMITTEE
THURSDAY 26 MAY 2016 AT 10AM

Agenda No.

4

WELWYN HATFIELD DISTRICT
ST ALBANS CITY & DISTRICT

**APPLICATION FOR THE RESTORATION TO CONSERVATION AFTER
USES THROUGH THE IMPORTATION AND FINAL DISPOSAL OF
ENGINEERING MATERIALS COMPRISING INERT WASTE AT HATFIELD
CEMEX QUARRY, OAKLANDS LANE, ST ALBANS, HERTFORDSHIRE,
AL4 0HS**

Report of the Chief Executive & Director of Environment

Contact: Chay Dempster Tel: 01992 556211

Local Member: Geoff Churchurch
Adjoining: Dreda Gordon
Maureen Cook

1. Purpose of report

- 1.1 To consider application 5/1240-14 for the restoration to conservation after uses through the importation and final disposal of engineering materials comprising inert waste at Hatfield Cemex Quarry, Oaklands Lane, St Albans, Hertfordshire, AL4 0HS on behalf of Cemex UK Operations Ltd.

2. Summary

- 2.1 The application proposes the infilling of Cut Field Lagoon at Hatfield Quarry complex using some 663,102m³ of imported inert waste comprising fragments of brick, concrete and a body of engineering clay and soils.
- 2.2 Hatfield Quarry is located between St Albans and Hatfield with access off of Oaklands Lane leading to the A1057. The site is shown on the attached site location plan (Appendix I).
- 2.3 Cut Field lagoon is situated approximately 1.2km to the north of Oaklands Lane. Access to the site by HGVs would be provided via the existing haul road. It is proposed to construct two passing places to allow vehicles to pass one another.

- 2.4 The current proposals include the re-restoration of adjoining areas of land at Cut Field Wood, and Gardeners Field, and Gardeners Lagoons (clear water and silt lagoon).
- 2.5 The restoration proposals are illustrated on drawing reference P7/597/23 appended to this report (Appendix II).
- 2.6 The main issues in the determination of this application are:
- Green Belt
 - Landfill and Landraise
 - Landscape
 - Ecology
 - Rights of Way
 - Restoration and Afteruse
 - Traffic
 - Amenity
- 2.7 The report concludes that planning permission should be granted subject to:
- A. the conditions set out in Appendix III to this report;
 - B. the applicant entering into a s106 agreement to secure the dedication of the extensions to the Rights of Way network; and
 - C. the application being referred to the Secretary of State.

3. The application site and surrounding area

- 3.1 The application site forms a parcel of land of some 20.52 hectares within the Hatfield Quarry site.
- 3.2 Cut Field Lagoon is described as comprising a large area of open water, together with several smaller satellite ponds and connected ditches along the northern edge. The edges of the lagoon are characterised by swamp, wetland and ruderal habitats. Almost the entire lagoon margin is in the process of being invaded by scrub, mostly Willow species with some Common Gorse and Silver Birch.
- 3.3 The steep slopes of the northern lagoon support mainly rough species-poor neutral grassland with scattered scrub and a narrow band of scrub and trees, mainly Willow and Birch along the margins.
- 3.4 The site sits between three areas of woodland, Balls Covert (south), Sleeve Hall Wood (west) and Cut Field Wood (east).
- 3.5 Balls Cover immediately adjoining the site comprises a belt of mature deciduous woodland with a number of mature trees, particularly on the outer edges of the wood. The inner wood consists of a younger broadleaf plantation of 8-10 years old. There is a pond and a series of shallow ditches.

- 3.6 It is proposed that the established habitats will be preserved and enhanced through active management and a small pond which contains a colony of Great Crested Newts will be enhanced and form one of a series of ponds within glades on completion of the habitat improvement works.
- 3.7 Cut Field Wood to the east of the application site is a recent plantation that has not been actively managed and is now densely wooded.
- 3.8 The land to the north of the site has been worked and infilled with waste and restored to agriculture.
- 3.9 Hatfield Quarry is located within the Metropolitan Green Belt between Hatfield and St Albans.
- 3.10 The land falls within the De Havilland Plateau Landscape Character Area as defined in the Hertfordshire Landscape Character Assessment, wherein the guidance for management landscape change are to improve and restore
- 3.11 Hatfield Quarry is enclosed by Symondshyde Great Wood to the North, agricultural farmland to the south and west of the A1(M), and by hedges and trees along Oaklands Lane, and Coopers Green Lane.
- 3.12 Symondshyde Great Wood is ancient woodland, also classified as a Local Nature Reserve.

4. Background

- 4.1 The current operations at Hatfield Quarry include extraction and processing of sand and gravel, ready-mix concrete operation, and a sand bagging operation.
- 4.2 Sand and gravel extraction at Hatfield Quarry started in the early 1950's and broadly corresponds with three distinct areas or phases:

	<i>Area</i>	<i>Restoration status</i>
a.	Hatfield Quarry north of Oaklands Lane	Substantially complete - Cut Field, Cut Field Wood, and Gardeners Lagoon
b.	Suttons Farm north of Coopers Green Lane	Substantially complete.
c.	Symondshyde Farm north of Coopers Green Lane	In progress complete up to Phase 5

- 4.3 Sand and gravel extraction at Symondshyde Farm was first granted in 2003 (6/0439-03) and in 2010 (6/1430-10) subject to a revised method of working. The scheme involves the working of sand and gravel over some 67 hectares of land in 13 separate phases. Extraction is currently taking place in Phase 8 and is due to complete in the year 2020. As part of the workings sand and gravel is transported to the processing plant site from the excavation area via a conveyor belt.
- 4.4 The land has been the subject of a significant degree of disturbance as a result of past and present mineral extraction and restoration. Previously worked areas associated with Hatfield Quarry have been restored to agricultural use. The land to the north of Coopers Green Lane at Symondshyde Farm is currently being worked or is in the process of being actively restored to agricultural use.

Approved restoration scheme

- 4.5 The approved restoration scheme for Hatfield Quarry is shown on drawing (P7 / 597/ 18 / D) appended to this report (Appendix IV).
- 4.6 The approved restoration of Cut Field Lagoon provides for a Nature Conservation Area based around two open water areas divided by a raised causeway. The scheme was to be achieved by re-grading the lake margins and using silt to partially infill the lagoon to create reedbeds. The existing situation at Cut Field lagoon closely matches the approved scheme, although further silting around the margins would be required to complete the restoration. The approved restoration scheme shown on drawing P7 / 597/ 18 / D provides for the following restoration/ areas:

<i>Area</i>	<i>Restoration and Afteruse</i>
Cut Field Wood inert infill to approved levels	Woodland (due Autumn 2002)
Gardeners Field (silt lagoons) - restored to approved levels	Woodland (due Autumn 2004)
Gardeners Field (clear water lagoon)	Wetland/Lake Conservation/ Amenity
Forge Field - Inert infill	to agriculture - by Autumn 2003
Radar Field -	to agriculture - by Autumn 2003
Suttons Farm Phase 1 – infill with on-site material	to agriculture – by Autumn 2002
Phase 2 – restoration to lower level with 40,000m3 of in situ material	for agriculture and conservation
Phase 3 – Unworked	remain as agricultural
Phase 4 – restoration to lower level	Agriculture / woodland / nature conservation

Environmental Impact Assessment

- 4.8 The application was originally submitted in 2014 and included an Environmental Statement. Additional information was submitted in September 2015 providing details of:
- the risks to groundwater;
 - the need for additional imported material; and
 - proposed new rights of way.
- 4.9 A further round of consultation has been carried out.
- 4.10 A letter from the company in January 2016 put forward a further supporting statement:
- The revised restoration provides for a final void figure of 663,102m³ or 1,260,000 m tonnes at a rate of 1.9 t/m³;
 - Based upon importation rates of 175,000 tonnes per annum it is anticipated that works would be completed within 7.2 years i.e. if commenced in 2017 the site would cease by 2024;
 - The company has held positive discussions with the Environment Agency regarding the River Nast which runs along the eastern boundary of Ball Covert Wood. The location of the River Nast is in accordance with the definitive river course however the current application offers great opportunity for enhancements along the course of the river which could include introducing bends and vegetation management. The Environment Agency considers that the enhancement of the River Nast could be covered by a planning condition;
 - The Council has stated the permissions for restoration of Cut Field Wood, Gardeners Clear Water Lagoon and Gardeners Silt Lagoon expired in 1997; Cut Field Wood has been restored in accordance with the approved details and is no longer in aftercare; Gardeners Clear Lagoon and Gardeners Silt Lagoon have continued to operate as part of the water management system since 1997. Therefore any further landscaping works could be undertaken at the discretion of the company as it is within our control and would not be contrary to any planning permissions. The proposed restoration enhancements covering Gardeners Clear lagoon, Cut Field Wood, Gardeners Silt Lagoon are within the company's control so there could be conditions as part of any planning approval, in association with the Cut Field application guaranteeing a beneficial afteruse.
- 4.11 The company consider the proposed application provides the following benefits;
- improvement to the River Nast through restoration of Cut Field
 - improved Rights of Way with upgraded footpath to Bridleway, new definitive right of way, new permissive path and car park upon completion,

- improved restoration across historic silt lagoons, fresh water lagoon and woodland;
- increased biodiversity in accordance with National and Local Biodiversity Targets

4.12 The Environment Agency objection was based on the risk to groundwater and their wish to see the culverted River Nast to be restored to its original course on the surface. These matters have now been resolved and the Environment Agency has removed its objection.

5. Proposed development

5.1 The application proposes the importation and disposal of up to 663,102 cubic metres of inert waste material comprising fragments of brick, concrete and a body of engineering clay and soils. It is proposed to import material at a rate of approximately 175,000 tonnes per annum giving the duration of approximately 7 years. It is anticipated that work will be completed by 2024.

5.2 The principles of the development are that material will be disposed of in the northern part of Cut Field lagoon with provision for the disposal of silt residue from the washing of aggregates at the quarry in the southern part of the lagoon.

5.3 The northern part of the Cut Field lagoon will be infilled and the land levels increased by up to 4m above adjoining land levels. The southern part of Cut Field lagoon would be retained as an area of ponds, scrapes and shallow margins.

5.4 The proposal would generate an average of 72 two way HGV movements per day. The current planning permission limits the number of HGV movements to 250 per day (125 in, 125 out). During earlier phases of infilling HGV movements were permitted at 300 per day (150 in/150 out) on a temporary basis. It is proposed to revert to 300 movements per day for the duration of development i.e. until 2024.

5.5 The typical vehicles are 8-wheel tipper lorries with a gross vehicle weight of 32 tonne and a maximum payload capacity of 20 tonnes. The lorries would use the existing single track haul road through the site. It is proposed to construct two passing bays on the haul road to allow HGVs to pass one another.

5.6 The first stage of the development would be the construction of the access ramp to create a tipping platform. Infilling would start in the south west corner of the site adjoining Balls Covert working progressively east toward the haul road.

5.7 The proposed hours of operation are not specified. The site is authorised to run HGVs from the ready mix plant from 06:30am. For the proposed infilling operation it is recommended that the haul road be

gated and no vehicles be allowed to access the tipping site until 08:00am and not after 17:00hrs Monday to Friday and from 08:00 to 13:00hrs on Saturdays.

Proposed restoration

- 5.8 The main proposed changes to the approved masterplan are:
- infilling of the substantial part of Cut Field lagoon;
 - raising of the land above the adjoining land levels by up to 4m; and
 - restoration of the northern part of the site to acid grassland
- 5.9 In addition the following variations to the approved restoration masterplan are proposed:
- Cut Field Wood – Woodland and acid grassland restoration - involving the partial removal of existing restoration plantation on Cut Field Wood to create scalloped wood edges, glades and rides, and creation and management of grassland and heath scrub;
 - Gardeners Clear Water and Silt Lagoons – Acid grassland and wetland restoration - involving central and south west silt lagoons capped with adjacent stockpile material, edges re-graded to create acid grassland. Existing reedbed pond retained
 - Balls Covert – areas of ponds, scrapes and shallow margins to the retained southern pond to create enhanced Great Crested Newt habitat.
 - Hedgerows - north of Cut Field hedgerow reinforced to link between hall Wood and Cut Field Wood
- 5.10 Other proposed enhancements include:
- Potential new footpath link from Coopers Green Lane south of Balls Covert connecting to Footpath 14.
 - Upgrade Footpath 14 to Bridleway;
 - New bridleway on restored land from the plant site running on the north side of Oaklands Lane and north along Coopers Green Lane to Lye House;
 - Upgrade footpaths to Bridleway;
 - Create a new dedicated footpath on southern site boundary between the plant site and Gardeners silt lagoon;
 - existing hedgerow reinforced to screen new footpath and to link Balls Covert woodland belts to south-west
- 5.11 Other proposed maintenance works to include:
- Upgrade conveyor crossing with new fencing;
 - Remove line of wire fence to link public right of way on southern boundary;
 - Cut back woodland between plant site and Oaklands Lane;
 - Bring the Bridleway south of Beeches Farm back into the site

Access

- 5.12 Access to the site would be via the existing haul road leading from Oaklands Lane. The most likely route for lorries to the site is from the A1057 either from Hatfield or St Albans. It is anticipated that the majority of vehicles would approach the site from easterly direction turning right on to Oaklands Lane at the Smallford roundabout.
- 5.13 There are two main factors that make alternative routes less likely:
- Coopers Green Lane and Green Lane are weight restricted for vehicles travelling from the north, and therefore, HGVs may not access the site from junction 4 of the A1(M) via Coopers Green Lane;
 - The wider St Albans area is the subject of a vehicle weight restriction for through traffic, therefore HGVs should not access the site via Sandpit Lane, except for journeys which originate from within St Albans.

Surface water drainage

- 5.14 The proposal includes drainage proposals to capture surface water run off comprising a chain of perimeter swales discharging to the water body in the south part of Cut Field.

6. Planning History

- 6.1 The planning history is summarised in Table 1.

Table 1. Summary of planning history

Application number	Description	Date approved
6/1509-13	Application for the variation of condition 8 of Planning Permission 6/1430-10 to amend the hours of operations	18 October 2013
5/1064-13	Application for a replacement Leachate treatment plant	20 Jun 2013
6/1430-10	Variation of condition 5 of planning permission 6/0439-03 to amend the phased method of working	21 Sept 2010
6/0595-03	change of condition (restoration proposals)	23 Dec 2004
5/0819-03	variation of conditions (restoration proposals)	26 Sep 2003
6/0596-03	change of conditions (restoration proposals)	21 Oct 2003
6/0597-03	change of conditions (timescale)	28 Aug 2003
6/0439-03	sand and gravel extraction and	29 Jul 2005

	restoration of land to agriculture (Symondshyde)	
6/0052-98	Vehicular tunnels	09 Sep 1998
5/1414-97	Vary condition of 5/0634-89	19 Feb 1998
6/0661-97	vary condition of 6/0119-89	19 Feb 1998
6/0662-97	vary condition of 6/0122-89	19 Feb 1998
6/0663-97	vary condition 6/0120-89	19 Feb 1998
6/0406-96	Extraction, Refill & Restoration	25 Feb 1998
5/0108-94	Variation of condition	06 May 1994
5/0386-93	Variation of condition	09 Aug 1993
5/0634-89	Extraction & infill	27 Nov 1989
6/0120-89	Extraction & infill	27 Nov 1989
6/0119-89	Extraction & infill	27 Nov 1989
6/0122-89	Extraction & infill	27 Nov 1989
6/0589-81	Sand & gravel extraction	16 Mar 1983
5/1073-75	Tip household waste	30 Jul 1976
W/3668-73	Extend sand & gravel workings	25 Mar 1974
C/0802-56	Tipping household refuse	11 Sep 1956

7. Statutory Consultation

7.1 St Albans City and District Council has no objection.

Comments

- The proposals include the restoration of the site to a combination of agricultural land, lake margin habitats, open water and woodland instead of simply agriculture as was originally envisaged. One of the stated objectives is to provide habitat for Great Crested Newts which are present at the site.
- A number of access improvements are proposed. Along with the proposed landscape restoration scheme designed to re-route the water course, creating appropriate habitats and promote biodiversity the proposed scheme has the potential to make a significant contribution to Green Infrastructure provision and the enhancement of ecological networks in this area.
- The proposed landform seems reasonably sympathetic for this location and in keeping with the landscape setting. The site lies within the Hertfordshire Landscape Character Assessment – Landscape Character Area 31 -: De Havilland Plateau, for which the guidelines for management landscape changes are to improve and restore. The intention is to link fragmented areas of woodland whilst retaining existing habitats of interest, which would be beneficial to landscape and local ecology.
- The site is situated within the Watling Chase Community Forest and linking fragmented woodlands with new planting, habitat creation and access improvements will support WCCF objectives.
- The proposals regarding rights of way are a significant aspect of this application. There is a need in this area to restore severed access links

and improve the rights of way network between Hatfield and St Albans, especially in light of recent and potential future development in this area. The St Albans Access Forum, in conjunction with HCC Rights of Way, has been updating the HCC Rights of Way Improvement Plan (ROWIP) for Colney Heath and Sandridge Parishes over recent years and have considered the options for this area in detail. Phil Escrit of the Ramblers Association has played a key role in this work and I support his comments in the Ramblers Association letter dated 6th January 2016.

- The new bridleway from point A along the haul road provides an alternative route to Coopers Green Lane, this is very welcome and will enable safer access for users.
- The proposed new car park on completion of the scheme is very welcome as there are few opportunities for parking in the area and opportunities for access will be much improved coupled with the access path improvements
- The suggested additional link from the circular walk into Ellenbrook Field country park is very much to be desired as current access for visitors to the park from the direction of St Albans is not easy. An additional link to the footpaths north of Symondshyde Great Wood as suggested would also be very welcome.
- Permissive rights of way pose a risk to the future rights of way network and so full designation as public rights of way is always preferable.
- Overall, the proposed restoration scheme will deliver multiple benefits for the area as discussed above. This is in line with various policies in the NPPF, the St Albans draft Strategic Local Plan and the St Albans Green Infrastructure Plan
- The Council recommend approval with appropriate conditions to ensure the desired benefits in terms of landscape, ecology and rights of way are realised. Further negotiation to secure designated public rights of way in line with the ROWIP and comments from the user groups is desirable.
- The Council would request the following conditions with respect to environmental compliance are attached to any grant of permission.

Hours of demolition / construction works

- No works relating to this permission shall be carried out on any Sunday or Bank Holiday nor before 07:00 hours or after 18:00 hours on any days nor on any Saturday before 07:00 hours or after 13:00 hours.
Reason: in the interests of neighbour amenity

Contaminated land

- The presence of any contamination not previously identified that becomes evident during the development of the site shall be brought to the attention of the local planning authority. An intrusive investigation will not necessarily capture all contaminations present; hence there is a need to keep a watching brief and to appropriately address any new sources discovered during excavation and development. No further

development shall take place unless otherwise agreed in writing by the local planning authority.

Reason: to ensure that adequate protection of human health is maintained and the quality of groundwater is protected.

7.2 Sandridge Parish Council objects to the proposals for the following reasons:

- The original approval for Hatfield Quarry included a plan for a wetland development, however, the current proposal for substantial infilling would considerably reduce the wetland area potentially creating an ecological imbalance.
- We believe the ecological balance of the site will change significantly by the proposed work.
- The proposed volume of material required for infilling is substantial and Sandridge Parish Council is concerned about the impact on the highway network in the local areas of the increase in journeys the transporting of this material will result in.
- The application does not set out the source of the material to be imported raising further concerns.
- Concern was expressed about the impact of this application on the public footpath network and the apparent lack of proposals within this application for improvements to this network. We have separately raised concerns about the current state of footpaths.
- We believe this application would contravene the Hertfordshire Biodiversity Action Plan.
- Concerns were raised relating to potential nuisance to the neighbouring property from noise and dust.

7.3 Colney Heath Parish Council has the following objections:

- Oaklands Lane is a residential area with interconnecting links to other more dense residential areas in the Sleafshyde-Sandridge-Marshallwick conurbation, most plant vehicles will pass through these areas.
- Lorry movements of up to 200 per day possibly equivalent to every 90 seconds. We would like to see vehicle movements far less than this figure. Concern that arriving HGV lorries will turn at the early hours, at say 5.30am and cause local residents more inconvenience and disturbance. We would like to see operating hours rigidly controlled and no start before 7am.
- There is a risk that operation hours outside of the application may be sought for supplies of cement and aggregate materials to serve 24/7 buildings projects in the City of London.
- Ownership of five other sites within a 20-mile radius some of which do not in any way interfere with residential areas, expansion could come from sister plants in more rural areas. Perhaps more business development should be focussed on those sites first by the applicant.
- There are also issues of objections from Ramblers and footpath, horse riders and other users who are concerned at the loss of restrictions of

bridle and footpath access, notably BR1 and FP14. This forming part of the NPPF guidelines regarding provision of facilities.

- Some concerns over the loss of mature trees needing to be felled as part of the changes.

7.4 The Environment Agency (10 February 2016)

Following a site visit with the applicant we are now in a position to remove our objections if the following planning conditions are included requiring a buffer zone and scheme to be agreed to ensure that the River Nast and its buffer zone within the site is managed in such a way as to protect and enhances its ecological value.

- No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the River Nast shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include plans showing the extent and layout of the buffer zone.
- Reason: Development that encroaches on watercourse has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.
- No development shall take place until a basic landscape management plan, including design objectives, management responsibility and maintenance schedules for the River Nast and its buffer zone, has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.
The scheme shall include the following elements;

- percentage of tree/ scrub works to be undertaken to open up the channel in places (at the moment it's continuous scrub) along the length of the applicant's ownership;
- details of how the scrub cover will be maintained in the longer term. At what frequency and times of year;
- a plan showing the locations and number of gentle meanders.

Reason(s):

- Re-meandering straightened river channels can help deliver objectives of the Water Framework Directive (WFD) by increasing morphological and flow diversity in a straightened channel.
- These more natural conditions can provide better quality habitats for plants and invertebrates. In addition to improving conditions for the

- biological quality element, re-meandering could also help to improved habitats for birds and mammals that prey on fish and invertebrates.
- Re-meandering increases the length of a straightened river channel. This decreases flow conveyance, which can effectively store water in the river channel. Re-meandering can therefore decrease flood risk to sites further downstream, by reducing hydrological response times during periods of high flows.
 - This condition is necessary to ensure the protection of wildlife supporting habitat and secure opportunities for the enhancements of the nature conservation value of the site in line with national planning policy.
 - This condition is supported by the NPPF (paragraph 109) which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunity to incorporation biodiversity in and around developments should also be encouraged.
 - The Natural Environment and Rural communities Act which requires Local Authorities to have regard to nature conservation and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movements of species between suitable habitats, and promote the expansion of biodiversity.
 - The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. This watercourse falls into the Upper Colne and Ellen Brook catchment

7.5 The Highway Authority -

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

- Unless otherwise agreed in advance in writing by the Mineral Planning Authority, there shall be no more than 300 lorry movements (150 in, 150 out) entering/leaving the access/egress onto the C61 Oaklands Lane in any one working day. Written records of vehicles entering and leaving the site in connection with all lorry movements from/to the Hatfield Quarry complex shall be kept by the site operator and made available for inspection by the Mineral Planning Authority upon request.
Reason: in the interest of highway safety and so that there shall be the least possible adverse effects upon the free and safe flow of traffic along the highway in the vicinity if the site.
- No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.
Reason: to prevent the deposit of mud onto the road in the interest of highway safety

7.6 The Countryside Access Officer -

- I would again draw CEMEX's attention to the attached extract of the Rights of Way Improvement Plan (ROWIP) which resulted from public consultation as required by the Countryside & Rights of Way Act 2000, this is a living document and forms part of the Local Transport Plan (LTP3). I have consulted with the St Albans Access Forum (STAAF) a user group comprising representatives of all rights of way non-motorised consultees groups (including the St. Albans Cycling Campaign, British Horse Society and St Albans & District Footpath Society (Ramblers) and they have confirmed they wish to establish the routes identified in the ROWIP document if this application were granted.
- The ROWIP identifies Definitive Bridleway links along the haul road and links to the southern side of Cooper Green Lane near the junction with Sleeve Hall Lane (Restricted By Way 54 Sandridge). It also seeks to establish Definitive Bridleway links through to the open space at Ellenbrook Fields to the south and on to the University of Hertfordshire site, whilst linking back to Oaklands College.

I have summarised the proposed changes which are of concern:-

Drawing 597/23

- identifies Definitive Bridleway links to Ellenbrookfields however the section marked in green to be dedicated as a new definitive footpath has been identified on the ROWIP as a Definitive Bridleway as such we would seek Definitive Bridleway status for the route identified as it would link Bridleway 62 Colney Heath with the applicants own proposal to upgrade Footpath 14 /15 to a Definitive Bridleway as detailed in the drawing.
- identifies as short section of permissive footpath marked in blue running along an existing farm track from Bridleway 1 Colney Heath in parallel with Bridleway 62 Colney Heath to join the above green route. This is a duplication of Bridleway 62 up to point B.

Drawing 597/4 revision B

- identifies new Definitive Footpath links to the north east of the site, linking to Cooper Green Lane. These routes have been identified as Definitive Bridleways in the ROWIP linking with Cooper Green Lane opposite Restricted By-Way 54 Sandridge (Sleeve Hall Lane).
- identifies permissive footpaths along the line of the old haul road linking to Ellenbrook Fields and Coppers Green Lane, these route have been identified as Definitive Bridleways linking to Ellenbrook Fields and the employment and housing areas in Welwyn Hatfield.
- I have discussed this with the STAAF and they are working with my colleague Dawn Grocock who is in contact with Jenny Smith and Simon Chivers at Welwyn Hatfield Borough Council actively identifying connecting routes as part of their ongoing local plan process.

- I am concerned that the routes identified in the ROWIP as bridleways have been offered only as footpaths, which reduces their value considerably by excluding the cyclist and ridden horses from the network and compromising the viability of wider sustainable transport links beyond the application site.

7.7 Natural England has no objection.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

7.8 The Campaign for the Protection of Rural England feels on balance planning permission should be refused:

Comments

- The original approval for Hatfield included a remediation plan which was for a wetland development. Subsequent amendments to that approval did not change that position. The current proposal is for substantial infilling of the existing quarry area which would reduce the proposed wetland area by approximately two thirds.
- Firstly the anticipated ecological balance of the site will be significantly changes. The environmental statements accompanying the application outline the ecological positions following the proposed work but do not justify the differences between the originally approved scheme and this proposal nor outline and quantify the balance between ecological the value of both.
- The original scheme envisaged the deposit of silt in the ponds to be created within the quarry. We presume that silt material will continue to be generated in the wider workings of Cemex within Hertfordshire, but there is no clear statement as to where that material will be deposited if two thirds of the site is no longer available.
- At 620,000 cubic metres, the proposed volume of inert material required for infilling is substantial. To sustain the importation of this material over a seven year period, we assume that Cemex has a sustainable source, but this is not identified in the supporting documentation. If that source is outside the County, then we would wish to see an assessment of its impact on the wider highway network. If it is within the County then we have concerns regarding its impact on the ability of other sites to achieve restoration. We would not want to see this site diverting inert waste material from sites which could delay the restoration programme for those sites. If Cemex do not have a sustainable source we question the longer term viability of the project.

7.9 The Member of Parliament for St Albans wrote on 09 March 2016

I am writing regarding the above application, and to outline some of the concerns that residents have shared with me regarding this application.

Many residents are concerned about HGV movements on a busy road, and the import of inert materials that may have a lasting damage to the site. Below is a list of the most common concerns that residents have expressed to me:

- *Loss of green belt land*
- *Loss of open green space*
- *Loss of footpaths and bridleways*
- *Damage to wildlife and environment*
- *Traffic disruption and congestion*
- *Air pollution*

I do believe strongly that any extraction must come with a contract with the community to restore the land to its previous state, and in the meantime undertake any mitigation necessary in such circumstances. There needs to be a firm and binding commitment with the operator and the community.

I trust that any decision about this application will be weighed against residents' concerns, and will be fully considered

Third party representations

- 7.10 The application has been advertised in the local press, a site notice erected, and letters sent to 95 properties in the vicinity of the site. There has been a total of seven letters or emails of objection, including a petition with 15 persons objecting to the proposed development.

The following concerns have been raised:

Noise

- the proposed development would add to the other sources of noise in the area;
- This development is not justified. Residents would be subjected to significant unnecessary disturbance and there would be disruption to the local area in terms of noise and traffic.

Traffic

- the introduction of a further 300 movements per day would put huge strain on Oaklands Lane which doesn't have the capacity to cope with additional traffic

- The A1057 is a notoriously busy road and considerable queuing is experienced in all directions at peak times. The proposal would certainly make this situation worse.
- The high number of HGVs would conflict with other traffic e.g. buses
- In addition to this proposal there is also the proposal to build 360 plus houses on the Oaklands College site adjacent to Sandpit Lane, which would further increase traffic flows on Oaklands Lane.
- The statements on transport impact are unrealistically optimistic and quite different to someone with experience of living in the area for the past 40 years.
- pollution levels from standing vehicle exhausts at peak times are already at a high level
- there are two planning applications in the immediate area – one of which has already been approved – for the building of additional housing and if this planning application were to be approved in its current state the whole area will grind to a complete standstill.
- if the development were to go ahead they should be required to establish a completely different access point to transport the materials
- the traffic management plan as submitted is misleading and does not reflect the pressure that Smallford as a community is under from increased traffic at all times not least from the quarry distribution activities. It also ignores the number of serious accidents on Oaklands Lane in the last few years including a fatality. It makes no mention of the small bridge, with a weight limit and awkward corner on Station Road in Smallford and how lorries will be directed to avoid this. It makes no mention of the controls in terms of speed and access to be made nor does it deal with any damage to road surfaces and how this will be rectified. There has been no consultation with the community prior to the submission of this application.
- The impact on roads, infrastructure, quality of life for local wildlife and residents do not appear to have been properly assessed, particularly in light of existing similar commercial operations in close proximity to this proposal and other applications, and for these reasons I do not believe sufficient evidence exists that this application would bring any real benefit to the area.

Ecology

- The proposed infill area is currently a wildlife haven and this will displace the local fauna and wildlife that have adopted it. Surely consideration should have been given to the end state of the land when mineral extraction was commenced on the site and reference should be made to the initial mineral extraction planning permission, rather than being varied at a later date on the whim of the operator.

8. Development Plan

- 8.1 The development plan for the area comprises the Welwyn Hatfield District Plan 2005, the St Albans City & District Local Plan 1994; the Hertfordshire Minerals Local Plan Review 2007, and the Hertfordshire Waste Development Framework: Waste Core Strategy and Development Management Policies November 2012.

Welwyn Hatfield District Plan 2005

SD1 – Sustainable Development
R7 – Protection of Ground and Surface Water
R11 – Biodiversity and Development
R14 – Local Nature Reserves
R15 – Wildlife Sites
R17 – Trees, Woodland and Hedgerows
R18 – Air Quality
R29 – Noise and Vibration Pollution
RA1 - Development in the Green Belt
RA25 – Public Rights of Way
D8 - Landscaping

St Albans City & District Local Plan 1994

74 – Landscaping and Tree Preservation
82 – Noise Generating Uses
103 – Forestry and Woodlands
104 – Landscape Conservation
106 – Nature Conservation

Hertfordshire Minerals Local Plan Review March 2007

9 – Contribution to biodiversity
12 - Landscape
13 – Reclamation
14 - Afteruse

Hertfordshire Waste Core Strategy & Development Management Policies: November 2012

4: Landfill and landraise
6: Green Belt
7: General criteria for assessing planning applications outside of identified locations
11: General criteria for assessing waste planning applications
12: Sustainable design, construction and demolition
13: Road transport & traffic
14: Buffer Zones
15: Rights of Way
16: Soil, Air and Water
19: Protection and Mitigation

National Planning Policy Framework (November 2012)

9 – Protecting Green Belt Land

11 – Conserving and enhancing the natural environment
13 - Facilitating the sustainable use of minerals

Other policy considerations

Hertfordshire Landscape Character Assessment 2001

9. Planning Issues

9.1 The main planning issues relate to:

- Green Belt
- Landfill and Landraise
- Landscape
- Ecology
- Rights of Way
- Restoration and Afteruse
- Traffic
- Noise and Air Quality

Green Belt

9.2 Policy 6 of the Hertfordshire Waste Development Framework: Waste Core Strategy states: 'Applications for new and/or expansion of existing waste management facilities within the Green Belt will be required to demonstrate very special circumstances sufficient to outweigh the harm to the Green Belt together with any other harm identified. In considering proposals within the Green Belt the following criteria will be taken into consideration as material considerations':

- i) The need for the development that cannot be met by alternative non-Green Belt sites;
- ii) The need to find locations as close as practicable to the source of waste
- iii) The availability of sustainable transport connections;
- iv) The site characteristics;
- v) Any specific locational advantages of the proposed site; and
- vi) The wider economic and environmental benefits of sustainable waste a management, including the need for a range of sites.

9.3 The backfilling of a former mineral void which consists of waste disposal should be regarded as inappropriate development.

9.4 Inappropriate development is by definition harmful to the Green Belt and should not be permitted except in very special circumstances (Paragraph 87);

9.5 The proposed development would have some negative impacts upon the Green Belt. These relate to the inappropriateness of the development, the harm to openness of the Green Belt during the

operations from HGV movements and large earthmoving equipment over the 7 year period of the development, and the long term (permanent) harm to the openness of the Green Belt caused by the raising of the land levels by 4m.

- 9.6 The reclamation of mineral workings with waste may be permitted only where it can be demonstrated that the disposal of waste is necessary to achieve the restoration proposals.
- 9.7 The earlier phases of restoration of Hatfield Quarry relied upon importation of waste to reinstate the land close to the original levels for agricultural use. Later phases of restoration have provided for a low level of restoration, also for agriculture. The proposed restoration seeks to infill a water body that is no longer desirable as part of the long term restoration of the site, and importation of waste to infill the water body is considered necessary.
- 9.8 The harm to the Green Belt would be limited due to the relatively short duration of the operation and also because of the limited extent of the landraising. The land would be raised by a relatively modest amount which would assist with drainage and would not be perceived as an exaggerated raised landform. The landform would not be out of keeping with the earlier restored areas of Hatfield which have been similarly raised by a few metres.
- 9.9 Overall the harm is limited and there are wider benefits of the proposed development in terms of enhanced habitats, including for protected species, and extensions to the Rights of Way network and a car park which will for wider positive use of the Green Belt for recreation.
- 9.10 The proposed development would not conflict with the purposes of including land in the Green Belt and would be returned to a beneficial afteruse within a relatively short timescale.

Landfill and Landraise

- 9.11 Policy 4 of the Hertfordshire Waste Development Framework: Waste Core Strategy document states:
- 9.12 Disposal of waste and restoration with inert material by raising the level of the land will only be granted planning permission where:
- i) it would assist the preparation of land for other approved development proposals;
 - ii) the land is derelict or degraded;
 - iii) it would result in significant other environmental benefit;
 - iv) it can be demonstrated that it is necessary to achieve restoration of mineral voids; and
 - v) it would not give rise to unacceptable implications for human health or amenity

- 9.13 The proposal is to infill a former mineral void and to that extent the disposal of waste is a necessary part of the proposal. It is proposed to raise the level of the land by 4m. This is considered reasonably necessary to assist with the proper drainage of the land and would not significantly impact upon the openness of the Green Belt.
- 9.14 Further environmental benefits relate to habitat creation and public access.
- 9.15 Overall it is considered that a modest degree of landraising is justified in this case having regard to the wider environmental benefits provided.

Landscape

- 9.16 Policy R17 of the Welwyn Hatfield District Plan 2005 states: The Council will seek protection and retention of existing trees, hedgerows and woodland by the use of planning conditions, s106 agreements, hedgerow retention notices and tree preservation orders where applicable. New development will be required to incorporate where appropriate new planting with locally native species, in accordance with Policy D8 Landscaping.
- 9.17 Policy D8 Landscaping requires the retention and enhancement of existing key landscape features such as trees and shrubs, ponds and watercourses will be expected where feasible, and replacement tree planting should be carried out.
- 9.18 Policy 103 Forestry and Woodlands of the St Albans City and District Local Plan 1994 seeks to minimise the impact of clear felling in sensitive areas and encourages the proper management of existing woodlands in the interests of timber production, ecology, recreation and amenity.
- 9.19 Policy 104 Landscape Conservation of the St Albans City and District Local Plan 1994 requires landscape improvements as part of development proposals.
- 9.20 The Hertfordshire Landscape Character Areas Study identifies the De Havilland Plateau Landscape Character Area as an area dominated and unified by the level topography yet with a diverse mix of uses and an incoherent pattern. Some of the key characteristics include:
- an extensive level plain;
 - large open arable landscape to the north
 - disused Hatfield Aerodrome;
 - parkland and horticultural landscape at Oaklands College
 - existing and restored mineral workings
 - urban fringe development e.g. glasshouses
 - incoherent and jumbled landscape

- 9.21 Previous mineral workings are a landscape feature of the area, including flooded gravel pits, scrub and marshland habitats e.g. Oaklands Quarry. The area has relatively few hedgerows except for some of the roads. The vast majority of the land has been disturbed during the last century, and the field enclosure pattern has been altered as a result of mineral extraction or restoration.
- 9.22 In terms of visual impact, the major intrusive feature is the Hatfield Business Park, and local features include the batching plant at Hatfield Quarry and the glasshouses at Smallford.
- 9.23 Overall, much of the area has a sense of semi-dereliction or poor management. There has been extensive land-use change and little of the original pattern remains. There are few rights of way across the area, partly due to aviation uses in the past.
- 9.24 In this context the raising of the land levels by 4m would have a relatively insignificant impact upon the landscape character of the area.
- 9.25 In terms of habitats, the proposal would create a new habitat type i.e. acid grassland which could support low intensity grazing. There is the potential that the land could form part of a wider area of similar uses following any potential future mineral working at the former BAe Aerodrome site which would then make grazing over a wider area. This would support the long term viability of the area to support low intensity grazing.
- 9.26 The proposal provides a suitable landform with gently sloping sides and a low overall height, and would not result in an exaggerated dome shape landform. The landform would be sympathetic to the character of the surrounding land, parts of which have been similarly restored in the past, and would generally be in keeping with the surrounding area.
- 9.27 The gently slopes would allow surface water to shed naturally to collect in a series of open ditches and swales around the perimeter of the site and transferred to the pond at Cut Field. The raised landform would also add some interesting slopes adjacent to the pond, and would appear to be designed as part of the landscape.

Ecology

- 9.28 Policy R11 Biodiversity and Development of the Welwyn Hatfield Local Plan states: All new development will be required to demonstrate how it would contribute positively to the biodiversity of the site by;
- (i) the retention and enhancement of the natural features of the site;
 - (ii) the promotion of natural areas and wildlife corridors where appropriate as part of the design;

- (iii) the translocation of habitats where necessary, where it can be demonstrated that the habitat or species concerned cannot be successfully accommodated within the development;
 - (iv) the use of locally native species in planting in accordance with Policy D8 Landscaping
 - (v) helping meet priorities/targets set out in the Local Biodiversity Action Plan
- 9.29 Policy 74 of the St Albans City and District Local Plan supports the establishment of wildlife corridors wherever opportunities occur.
- 9.30 Policy 106 Nature Conservation St Albans City and District Local Plan 1994 will take account of any adverse impacts of the proposal upon sites of wildlife importance and groundwater.
- 9.31 The proposed restoration would provide a large area of acid grassland, which is a relatively less common habitat type than open water, plus a series of smaller lakes, ponds and shallow scrapes in the southern part of the site.
- 9.32 The application includes an assessment based around the UK Biodiversity Action Plan targets comparing the relative value of the proposed habitats against habitats provided under the previously approved scheme. The acid grassland provides a clear potential benefit in biodiversity terms compared with open water. Although the proposed development would result in a substantial loss of open water and the associated aquatic life, there would some compensation maintained in terms of habitat for birds, together with an enhancement of habitat biodiversity overall.
- 9.33 It is proposed to translocate an existing population of Great Crested Newts from the ponds to an area of enhanced habitat to be created within Balls Covert adjoining the site as an alternative during the infilling operations. It will be necessary to provide the enhanced habitat in advance of any infilling works and to protect the new habitat from the infilling operation through the erection of newt fencing around the perimeter of Balls Covert. The proposed restoration would provide suitable habitat for Great Crested Newts to return on completion.
- 9.34 Subject to the recommended conditions to provide for a survey, the translocation and ongoing safeguarding of the existing population of Great Crested Newts the proposal will provide the necessary mitigation in order to safeguard the favourable conservation status of protected species.
- 9.35 The NPPF seeks improvements to biodiversity. This could be achieved through this application by the erection of bat and bird boxes within the existing woods and on the edge of woodland, to cater for Barn Owls, which are known to occupy such boxes on the adjoining land at the former BAe Hatfield Aerodrome site.

Rights of Way

- 9.36 Policy 15 of the Hertfordshire Waste Core Strategy states:
Waste management proposals should ensure that public Rights of Way are not adversely affected or, where this is not possible, that good quality, safe and convenient alternative provision is made or suitable replacement Rights of Way is secured. The use of Rights of Way to obtain vehicle access to a site will not be permitted unless it can be clearly demonstrated that the safety of users can be adequately protected. Proposals should enhance the public Rights of Way network through the creation of new Rights of Way and/or open space, or the improvement of existing access.
- 9.37 Policy RA25 of the Welwyn Hatfield District Plan 2005 states:
The Council will work with other organisations to promote the maintenance and improvement of the public rights of way network in the district. Planning permission will not be granted for development in the countryside which adversely affects the convenience, safety, setting and amenity of an existing definitive public right of way. The diversion of a public right of way will only be supported where the new route is as least as attractive, safe and convenient for public use. The implementation of these requirements will be achieved through the use of planning conditions or s106 agreements.
- 9.38 Currently Footpath 14 and Bridleway 62 cross the plant site and haul road. It is proposed to provide a temporary closure of Bridleway 62 and in the interim provide a new Bridleway to the north of Oaklands Lane to offer a more favourable route for riders to avoid having to cross through the plant site and haul road. This would be retained in perpetuity as a permanent extension to the Rights of Way network.
- 9.39 The proposal would also provide a number of new routes as extensions to the existing network, including upgrading existing routes from footpaths to bridleways and the provision of new bridleways, plus some permissive footpaths around restored areas. The applicant is encouraged to provide as many routes as possible as dedicated bridleways, as opposed to only footpaths, and to include circular routes, which tend to be the most used and very popular. The need to improve the rights of Way network is recognised in an area where historically the rights of way have been severed by the aerodrome and much of this area has been unavailable to the current generation.
- 9.40 The current proposals form a good basis to form the linkages between the two sites (i.e. the Former Hatfield Aerodrome site) through the creation of new public rights of way and wildlife corridors to be developed in future.
- 9.41 The proposals are welcome by rights of way users and are consistent with the Rights of Way Improvement Plan objectives for the area.

- 9.42 These are benefits which are very unlikely to be deliverable in isolation.
- 9.43 In increasing opportunities for access to the countryside for recreation the proposal is consistent with the aims of Green Belt policy for planning positively to enhance the beneficial use of the Green Belt (NPPF, Paragraph 81).

Restoration and Afteruse

- 9.44 The past planning permissions for the site have provided for an acceptable form of restoration for the site.
- 9.45 The creation or enhancement of existing water bodies for wildlife is supported under Minerals Policy 14 – Afteruse.
- 9.46 The proposal would result in infilling of the main part of the water body. It appears that Cut Field has not been fully restored in accordance with the approved restoration plan. In its current form the banks slope steeply and have been overgrown by Willow and Birch. The approved restoration masterplan shows Cut Field as two areas of open water, divided by a causeway, each with shallow sloping banks to enable grazing. In its current form the northern lagoon offers limited opportunity for birds due to the steep banks and lack of shallow margins, although the lagoon is used by wildfowl.
- 9.46 In the long term the presence of an isolated area of deep water could become a risk and without an Operator on site it would be difficult to manage unauthorised access, which is a safety concern at quarries.
- 9.47 The long term, the future use of Cut Field lagoon is uncertain without a long term management plan or viable end use in place e.g. sport and recreation. It is unlikely that the lake would be attractive to a fishing club due to the steep slopes leading to the waters' edge. Level access is required to fishing pegs due to the large amount of equipment carried by anglers. Significant initial work would be required to establish access around the margins as well as a long term management plan to control Willow growth. The site is quite isolated and there is no car park. For these reasons it is considered unlikely to be viable as a fishing water.
- 9.48 If the water was left unmanaged the margins would become even more overgrown and in the foreseeable future could become a safety risk. It would be likely that any successive land owner may want to infill the water body. It is better that this is carried out under the responsibility of the quarry company whilst mineral extraction is ongoing. The mineral company are also proposing to carry out enhancements to previously restored areas of land that they control to join up area of restoration as part of a masterplan, which might not otherwise happen.
- 9.49 Under the current permission there is a question of how the land will be managed beyond the standard five year aftercare period. The extensive

works that are proposed to Cut Field lagoon, Cut Field Wood, and Gardeners Lagoon will require management for an extended period of aftercare. Therefore it is recommended that a longer period of aftercare is justified i.e. 10 years, to ensure that the potential benefits of the scheme are delivered in practice.

- 9.50 There are concerns regarding the long term management of an isolated area of deep water and the associated risks. Taking into account the benefits offered by this proposal in terms of habitat provision, the enhancements to adjoining land for biodiversity, plus the risks associated with having an isolated area of deep water in the long term, it is considered that the proposed restoration provides a suitable long term restoration of the site. The proposal is considered to be consistent with the policy aims of the Hertfordshire Mineral Local Plan Review 2007 in terms of:
- preventing mineral working from being allowed to become derelict or remain out of beneficial use;
 - the form of restoration and afteruse being consistent with the landscape character of the area and achieved within a reasonable timescale;
 - providing for restoration, afteruse and a minimum period of aftercare of not less than five years

Traffic

- 9.51 The application proposes an average of 72 two way HGV movements per day, although the Transport Assessment has used the figure of 100 two way movements per day for robustness. The quarry has a limit of 250 daily HGV movements (125 in/ 125 out). It is proposed to increase to 300 movements (150 in/ 150 out) for the duration of infilling.
- 9.52 All vehicles will enter and exit the site via the existing access on Oaklands Lane. The existing HGVs numbers are made up by; (a) the bulk export of processed sand and gravel, (b) the export of sand and gravel bags (25kg), and (c) ready mix concrete batching plant.
- 9.53 The existing access has been in use for a number of years without significant incident between HGVs and other road users. The third party representations received on this application raise concerns regarding the numbers and size of lorries using the road, although the current levels are below the historic levels during infilling operations of the past. The current proposal is to re-instate a high number for the duration of infilling i.e. until 2024.
- 9.54 The Highway Authority raises no specific concerns regarding the proposed number of lorries over the duration of development. However, given the relatively low number of HGVs associated with the infilling proposal, and the modest number of HGV movements associated with all other existing operations at the site, it is considered that an increase in lorry numbers is not justified and if permitted may generate

unnecessary additional movements, which is a cause of concern for local residents that could be avoided.

- 9.55 Concerns have been raised regarding the cumulative impacts of the number vehicles associated with this proposal and other potential developments in the area, including the application at the former Hatfield Aerodrome.
- 9.56 The number of vehicles associated with this proposal is relatively small and can be required to operate within the current permitted vehicle movements. The cumulative impact of the other development that potentially could take place in future will need to consider the number of vehicles associated with all operations at Hatfield Quarry.
- 9.57 The anticipated closure date of Hatfield Quarry is currently 2020. The proposal would result in additional HGVs for a further 4 years until 2024. The relatively short extension together with the limited number of vehicles associated with the infilling operation would be well below historical levels generated by the quarry, and would not cause significant harm.
- 9.58 The NPPF (paragraph 32) states: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.
- 9.59 There is no evidence to support such a conclusion and the Highway Authority raises no objection to the proposed development
- 9.60 Policy 9 of the Hertfordshire Waste Core Strategy document states: 'Waste management facilities should be well located in relation to the strategic road network as defined in the Local Transport Plan unless it can be demonstrated that it can meet an identified local need. Support will be given to proposals which utilise forms of transport other than road including by water or rail.
- 9.61 The only access to the site is by road. The application site is located a short distance along Oaklands Lane and is reasonably well located in relation to the strategic road network with connections to the A1M and the A1057. The proposal includes passing places along the haul road to enable lorries to pass one another.
- 9.62 It is considered that the location of the site is suitable for a facility of this type for the duration of the proposed development and raises no significant conflicts with transport policy or use of local roads.

Noise and Air Quality

- 9.63 Policy 11 of the Hertfordshire Waste Core Strategy 2012 states planning permission for waste management facilities will be granted provided that:

- i) the siting, scale and design of the development is appropriate to the location
- ii) the landscaping and screening of the site is designed to effectively mitigate the impact of the proposal
- iii) the proposed operation of the site would not adversely impact upon amenity of human health;
- iv) the proposed operation of the site would not adversely impact wildlife habitats, the natural built or historic environments
- v) adequate provision is made for the restoration, aftercare and management of the site to an agreed after-use;

9.64 Policy 14 of the Hertfordshire Waste Core Strategy 2012 states: Waste management proposals should incorporate an appropriately defined buffer zone in order to safeguard sensitive land uses. The following matters will be taken into account when delineating the buffer zone at the application stage for development;

- i) the type of waste and waste management facility including processing and recovery methods:
- ii) natural and man-made feature, which may reduce the impact of the development, for example, landscape features e.g. woodland, trees and hedgerows, watercourses, roads, railway lines etc.
- iii) the proximity of the proposed development to neighbouring land uses

Noise

9.65 Minerals Policy 18 requires proposals to demonstrate that there would be no significant noise intrusion or degradation of air quality arising from the development.

9.66 Policy R19 – Noise and Vibration Pollution – of the Welwyn Hatfield District Plan 2005 states:

Proposals will be refused if the development is likely:

- (i) to generate unacceptable noise or vibration for other land uses; or
- (ii) to be effected by unacceptable noise or vibration from other land uses. Planning permission will be granted where appropriate conditions may be imposed to ensure either:
 - (iii) an adequate level of protection against noise or vibration; or
 - (iv) that the level of noise emitted can be controlled

9.67 Policy 82 of the St Albans City and District Plan 1994 requires all proposals to minimise the impact of noise nuisance. Permission would not normally be permitted where acceptable levels cannot be achieved.

9.68 The NPPG states noise needs to be considered when new developments create additional noise and when new developments would be sensitive to the prevailing acoustic environment. When noise exposure goes beyond a certain level it will cause a ‘significant observed adverse effect’ that may trigger a change in behaviour such as keeping windows closed for most of the time. At this level the

planning process should be used to avoid this effect occurring through mitigation such as altering the design and layout.

- 9.69 The nearest residential properties are group of three cottages located directly opposite the site on Coopers Green Lane. The proposal provides mitigation of noise and visual impacts using a 3m high bund on the northern side of the site to screen views of the operation, particularly from first floor windows.
- 9.70 The bund would need to be in place for the duration of the development and removed as part of the final restoration. The bund would be planted and seeded. The bund would curtail views currently available over the site from first floor windows for the duration of the development. Post restoration the views would change to a slightly raised landform instead of open water. In any event, views which would be lost over time as Willow and Birch trees on the lake margins mature.
- 9.71 Views over the restored site would probably not be significantly different to that prior to mineral extraction, although some significant hedgerow trees may have been lost, which could be compensated using a belt of woodland trees planted along the northern boundary.
- 9.72 The bund would need to be constructed at the start of the development and may be planted with shrubs species to establish an effective visual screen.
- 9.73 Taking into account the provision of Policy 14 of the Hertfordshire Waste Core Strategy 2012, it is considered that the proposal provides an acceptable buffer distance between the operation and residential properties taking into account the following factors:
- the type of waste being inert and the absence of any waste processing or recovery methods,
 - the provision of a bund planted with landscaping to reduce the impact of development
- 9.74 It is considered the proposal would not have any significant adverse impacts upon the living conditions of the residents of these two properties in particular.
- 9.75 With regards to properties on Oaklands Lane, the proposed development would increase the number of vehicles to the site, and would extend beyond the anticipated end of mineral extraction. However the number of daily HGV movements is at an acceptable level consistent with the past infilling operations at the quarry and would extent for a relatively short time scale. Therefore it is considered that the traffic generated by the existing and proposed operations at Hatfield Quarry would not have a significant adverse impact upon residents living on Oaklands Lane for the period of the proposed development.

Air Quality

- 9.76 The NPPG states: whether or not air quality is relevant to a planning decision will depend on the proposed development and its location, considerations could include whether the development would significantly affect traffic in the immediate vicinity of the site, increase congestion, or change traffic volumes. Mitigation options should be proportionate to the likely impact to ensure that development is appropriate for its location and unacceptable risks are prevented. Planning conditions can be used to secure mitigation.
- 9.77 The restoration of a mineral void has the potential to generate dust and emissions from vehicles. The normal way in which this would be controlled is through good management practice of using water to dampen haul roads and working areas in dry conditions and not working in close proximity to residential properties when the prevailing wind is strong enough to carry particles towards those properties. Vehicles should be maintained to manufactures specifications. Subject to such measures being in place and the screen bund being erected at the outset it is considered that the impact upon air quality from dust and vehicle emissions would be manageable to an acceptable level.

Water Environment

- 9.78 Policy 16 of the HWCS requires waste proposals to demonstrate:
- i. will not have a negative impact on the soil or water environment, including main rivers, floodplains, ordinary watercourses, other water bodies such as lakes or ponds, and groundwater resources unless appropriate measures can be imposed to mitigate harmful effects;
 - ii. adequately provide for the restoration, aftercare of the site to an agreed afteruse
 - iii. not significantly degrade the quality of air (particularly from dust and emissions) and
 - iv. where possible avoid floodplain areas
- 9.79 The loss of a large water body is acknowledged as a negative aspect of the scheme, notwithstanding the uncertainties of how the water body would be managed in future. More positively, the proposal would result in the re-establishment of the River Nast on its original route on the surface. The River Nast is an ephemeral stream categorised as a main river for Environment Agency purposes. The River Nast has been culverted for large sections of its route across the Hatfield Quarry and the former BAe Hatfield Aerodrome site. The EA policy is that culverted main rivers should be re-instated for flood management and biodiversity reasons. The re-instatement and enhancement of the River Nast would go some way to balancing the loss of the Cut Field lagoon.

10. Conclusion

- 10.1 The proposed development represents inappropriate development in the Green Belt which should not be permitted except in Very special circumstances, which will not exist unless the harm by inappropriateness and any other harm is clearly outweighed by other material considerations.
- 10.2 The infilling of the lagoon at Cut Field would result in the loss of a water body which would have a negative impact upon aquatic life, however it is proposed to create acid grassland which of greater value in biodiversity terms. It is proposed to carry out enhancements for Great Crested Newt habitats in the adjoining Balls Covert and the provision of a more varied habitat through the enhancement and management of the Cut Field Wood and at Gardeners Lagoons. The alternative restorations being proposed would provide habitat for birdlife which currently exist at the site.
- 10.3 It will be necessary to establish the new habitats prior to the commencement of any infilling and to protect them through the development.
- 10.4 The application proposes permanent extensions to the Rights of Way network which are a long held aspiration of the Rights of Way Improvement Plan and this is supported by local interest groups and is welcomed by St Albans City and District Council.
- 10.5 Overall, the proposed development would result in limited harm to the Green Belt for the duration of the operation and the landraising. The permanent impact upon openness from landraising would be limited due to the increase of only 4m above adjoining land levels over a wide area which would not be perceived negatively in landscape terms.
- 10.6 The wider benefits of the proposed development in terms of the enhanced habitats and extensions to the Rights of Way network, which would increase the positive use of the Green Belt, are the Very Special Circumstances which in this case are sufficient to clearly outweigh the inappropriate development and limited other harm to the Green Belt.
- 10.7 The long term benefits of the restoration will be secured over an extended aftercare period of 10 years. The Rights of Way extensions are the subject of a s106 agreement. This should provide the firm and binding commitment between the Operator and the local community which is referred to in responses to the application.
- 10.8 It is therefore recommended that planning permission should be granted subject to the applicant entering into a s106 agreement and the conditions set out in Appendix III of this report.