

creating a better place



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Hertfordshire County Council
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County Hall
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Hertfordshire
SG13 8DE

Our ref: NE/2015/123121/02-L01
Your ref: SLUP/ CM0948PL\0706\15
Date: 9 February 2016

Dear Sharon

Pynesfield, off Tilehouse Lane, Maple Cross, Rickmansworth, Hertfordshire

Application for mineral extraction, processing and importation of sand and gravel and reclamation materials for Denham Park Farm with restoration to agriculture and a small wetland area. Revised development proposals.

Thank you for consulting us on the revised application; having reviewed the revised proposals and following discussion with the applicant we are of the conclusion that this will not change our earlier response.

We have had detailed planning and permitting discussions with the applicant following the appeal decision. The submitted hydrological risk assessment has addressed the issue of the safe removal of the historic contamination and our previous concerns over the backfilling of the quarry will now be dealt with under an environmental permit for inert landfill.

We are now satisfied that this development could be acceptable if the conditions set out below are attached to the grant of any planning permission. Without these conditions this activity would pose an unacceptable risk to the environment and we would wish to object.

Condition 1

Prior to the development approved by this planning permission (or such other stage as may be agreed in writing with the Local Planning Authority), a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) An options appraisal and remediation strategy is provided (based on the results of the submitted site investigation and detailed risk assessment), giving full details of the remediation measures required and how they are to be undertaken.
- 2) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy (above) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Environment Agency
Apollo Court, 2 Bishops Sq Business park, Hatfield, Herts, AL10 9EX.



Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To protect groundwater. The site is in a highly sensitive environmental setting, partly sub-water table and within the inner source protection zone (SPZ1) for the public drinking water abstraction at Northmoor. Protection of the water environment is a material planning consideration and development proposals, including mineral extraction, should ensure that new development does not harm the water environment.

The Thames River basin management plan requires the restoration and enhancement of the Mid-Chilterns chalk groundwater body to prevent deterioration and promote recovery. Without these conditions, the impact of contamination from historic waste activity could cause deterioration of a quality element to a lower status class or cause deterioration of a protected area (groundwater public drinking water supply) from the chalk because it would:

- result in failure of the prevent or limit objective for groundwater
- cause rising trends in chemicals in the waterbody

The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

Condition 2

No mineral shall be won until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason

To protect groundwater. This condition ensures that all contaminated material identified on site has been removed or remediated.

Condition 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason

Intrusive investigations will not necessarily capture all contaminants present, hence the need to appropriately address any new source discovered during excavation and development.

Condition 4

The development hereby permitted shall not be commenced until a methodology for retaining 1 metre of in-situ mineral or equivalent protection overlying the Chalk surface has been submitted to, and approved in writing by the local planning authority

Reason

To ensure sensitive groundwater supplies are not compromised, and that the site is performing as intended.

Condition 5

The development hereby permitted shall not be commenced until a groundwater monitoring plan to monitor all activities on site has been submitted to, and approved in writing by the local planning authority.

Reason

To ensure sensitive groundwater supplies are not compromised, and that the site is performing as intended.

To clarify, this will require the groundwater monitoring boreholes associated with the historic landfill to be in place and monitored prior to the start of excavation.

Condition 6

The development hereby permitted shall not be commenced until a surface water management plan for the works and the restored site has been submitted to, and approved in writing by the local planning authority. The base of all constructed soakaways (such as infiltration trenches and ponds) are to be above the water-table.

Reason

To protect groundwater. Direct infiltration into the water table is not acceptable and could compromise sensitive groundwater supplies.

Informative

Any facilities for the storage of oils, fuels or chemicals, shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

This is a requirement of the Control of Pollution (Oil Storage) (England) Regulations 2001; More information on the minimum legal requirements is available in 'Above ground oil storage: PPG 2'.

<https://www.gov.uk/government/publications/choosing-and-using-oil-storage-tanks-ppg2-prevent-pollution>

Permit information

We previously had serious concerns with regard to the backfilling of the quarry. Since the previous application we have held a pre-application meeting for an Environmental Permit with the applicant. This concentrated on the treatment of mining waste and backfilling of the quarry. We discussed the appropriate regulatory regime and requirements for the proposed activities. As clarified on the Environmental Permit Pre-application record, the site will require an environmental permit for inert landfilling for the backfill of the quarry. This will be required before the activities subject to this planning application could commence.

Should you have any queries please feel free to contact me

Yours sincerely

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Sustainable Places Planning Advisor

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