

ELLENBROOK AREA RESIDENTS' ASSOCIATION



**Brett Aggregates Limited Planning Application for a Quarry on Ellenbrook Fields
Planning Reference: PL/0755/16**

This document is submitted on behalf of Ellenbrook Area Residents Association. The association represents over 500 dwellings in the area bounded by St Albans Road West, Wilkins Green Lane, Ellenbrook Lane, Comet Way and Ashbury Close. The submission has been approved by the Chair and Secretary of EARA and was circulated to residents on the EARA mailing list prior to submission.

We object to the Application for the following reasons

There has been inadequate consultation with local residents

SLR Associates ("SLR") acting on behalf of the Applicant have prepared a Statement of Community Involvement ("SCI") which bears no resemblance to our area's experience of involvement with this proposal.

- Only a limited number of houses in the Ellenbrook area received a postcard on 19/ 20 October 2015 notifying them of an exhibition on 28 October 2015. This is despite the statement by SLR that an outcome of the meeting with Hatfield Villages councillors on 15 October " *was to expand the leaflet drop (see 3.1.1 above) to include all homes around Bramble Road and Ellenbrook Lane.*"
- We understand that there were notices in the St Albans Review and Welwyn & Hatfield Times, but these newspapers are not delivered to our area.
- Councillors from Hatfield Villages were consulted, but our area is in Hatfield West.
- We are not aware of any attempt to contact EARA, despite the fact that we are known to Welwyn Hatfield Borough Council.

The applicant informed too few people, too late of the exhibition and so very few of our local residents were able to attend.

The Ellenbrook area has over 500 dwellings but from the attendance sheets filed by the Applicant it appears that only 21 individuals from the area attended. This can hardly be considered sufficient to provide a reasonable view of local residents' attitude to the proposals.

There is no evidence that attendees were informed that their comments would be used in a formal report to show the area's attitude. Nevertheless concerns were logged against 12 of the 21 names. Example comments are

- " *...very concerned about noise pollution and dust. We will be losing natural habitat, concerned about additional traffic adding to already overstretched roads.*"

- ***“Major concern about the increase in heavy lorries on the already busy road...”***
- ***“Concerns over impact on roads – esp large lorries using the local access roads. Also impact on flood risk and “unspoilt” scenery is worrying”***
- ***“Concerned about removal of public access to one of very rare open spaces in the area. Plus disturbance to wildlife particularly breeding barn owls”.***

It should also be noted that the only three positive comments in relation to the proposal came from attendees outside the immediate areas, namely against Knebworth, Potters Bar and Jersey Farm addresses/post codes.

The Application appears to propose a massive industrial operation running for a 32 year period in a Green Belt area, currently enjoyed by local residents as a Country Park. Any application should be preceded by full consultation with local residents, through a series of workshops, exhibitions and public meetings, so that we are able to respond based on a proper understanding of the impact the proposals will have on our day to day lives. We would ask HCC to reject SLR's opinion that *“It is considered that the requirements for pre-application consultation have been fulfilled”* and require the Applicant to engage fully with local residents before the Application is considered further.

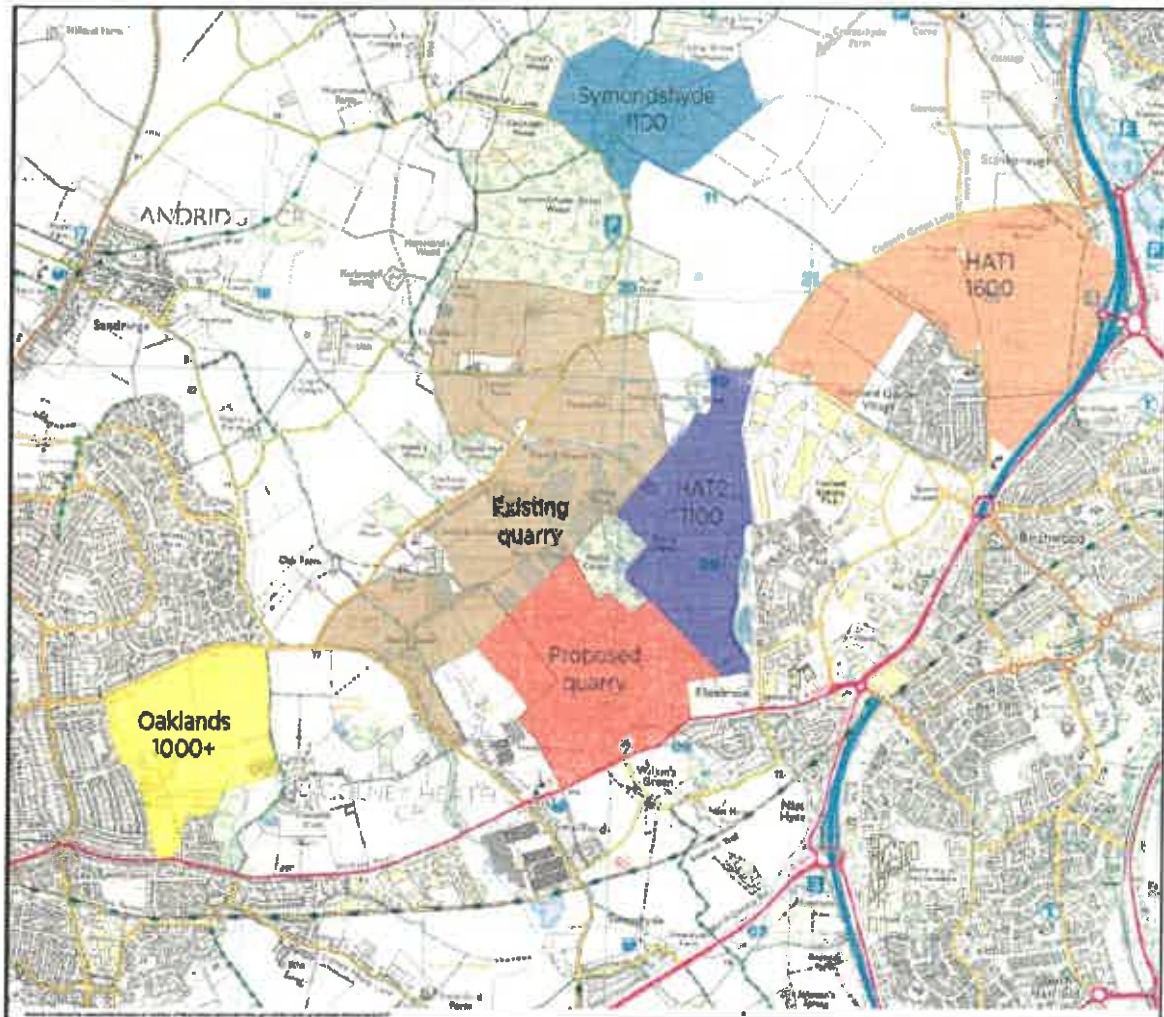
The Application cannot be considered in isolation

The local areas are currently in the midst of Local Plan preparation and/or consultations which include other proposals close to this proposed quarry. We do not believe that it is possible to assess this Application without considering the aggregate effects, including

- The proposal to build 1,100 new dwellings on Ellenbrook Country Park land adjacent to this proposed quarry. This is put forward by Goodmans and described in the Welwyn Hatfield Local Plan consultations as HAT2.
- The proposals to build 1,100 new dwellings at Symondshyde and 1,600 at Stanboroughbury (HAT1). These have been proposed by Gascoyne Cecil Estates in relation to the Welwyn Hatfield Local Plan consultations.
- The proposal to build a minimum of 1,000 new dwellings at Oaklands Broad Location (SLP13d in St Albans Strategic Local Plan)
- Smaller developments such as Ellenbrook Meadows, behind Oaklands Lane and adjacent to the proposed site.

In addition, in recent weeks we have learned of CEMEX's plans to infill their quarry bringing up to 300 vehicle movements per day, and just this week have learnt from the local press that Goodmans have submitted a report to the St Albans Strategic Local Plan consultation requesting release of Green Belt near the junction of the A1 and A414 to allow construction of a major “science and logistics park”.

We have attempted to identify the precise location of these various major proposals (other than the proposed science and logistics park for which we have limited information as yet) on a single map, shown below.



Combining the existing quarry, proposed quarry, Oaklands Broad Location and the possible Hatfield sites gives an aggregate of nearly 5,000 new dwellings plus nearly 500 daily movements to and from the quarry sites, all in Green Belt areas. The cumulative effect of these proposals severely compromises the Green Belt between St Albans and Hatfield, and through to Welwyn Garden City.

The effect of considering each of these proposals separately was evident in the St Albans Strategic Local Plan consultation which closed earlier this month. Their SLP 27 relies upon the Ellenbrook Country Park for the delivery of green infrastructure, referring to the *“Creation of the Ellenbrook Country Park in accordance with relevant planning agreements.”*

Paragraph 10.17 states:

"The country park was devised and is being delivered through cross-boundary co-operation between this Council and Welwyn & Hatfield Council, primarily through a Section 106 agreement. The plans for the country park include hay meadows, woodland, cattle grazing, footpaths and a bridleway."

The statement is clearly inconsistent with this Application and with Goodman's hopes for 1,100 houses on adjacent land.

The combination of the proposals would require major Infrastructure investment to mitigate the effects on the already congested roads. SLR state *"Whilst other developments, mainly housing, are being promoted into emerging Development Plans the precise details are not currently known and thus it is not possible to assess any likely cumulative impacts."* Their acceptance of the uncertainty is reason enough to delay consideration of this Application.

We believe that this Application can only be considered in conjunction with other proposals for the area so that the aggregate impacts can be properly established and fully assessed.

All conditions relating to the establishment of the Country Park should be concluded before consideration of the Application

As noted by St Albans District Council, the Park was established through a S106 Agreement. We understand that the agreement required, inter alia:

- The grant of the Ellenbrook Park Lease to the Ellenbrook Park Trust.
- The payment of £1m by the landowners for the future maintenance of the land.

The Trust has not been set up and the £1m has not been paid. We do not know the reason for the delay but if it is due to the landowner's proposals for the land, this seems wholly inappropriate: the proposals completely undermine promises made to residents and make it even more important that the Trust and funding are implemented as a matter for urgency.

The Application should not be considered until the current review of the Minerals Plan is concluded

The Initial Consultation for the Minerals Local Plan, which will supersede the Plan for 2002-16, concluded in October 2015. The Draft Sustainability Headline Objectives include *"To conserve and enhance Hertfordshire's landscape assets such as...greenspaces"* and *"To protect and improve health and amenity for individuals and communities within Hertfordshire."* These objectives are highly relevant to the site in the Application.

The Local Aggregate Assessment 2015 states that *"The permitted reserves can supply aggregate for a period of 11.3 years based on Hertfordshire's current apportionment of 1.39 million tonnes."* This compares to 9 years stated by the Applicant. The reserves requirement is 7 years and so the current level meets the requirement.

So there does not appear to be any urgency for the County to bring forward the site in the Application. In fact if there is already sufficient supply, it is arguable that new sites should not yet be opened: excess supply could push down prices and lead to exports of gravel from the area, compromising the County's future reserves. Alternatively, the quarry will be exploited at a far slower rate than envisaged, thus extending the period of disruption beyond the three decades.

The LAA2015 states *"... estimated resources at BAE Preferred Area 1 is 8 million tonnes of sand and gravel. Therefore should the supply of this mineral come forward in the future it could assist with meeting the sand and gravel requirements to be planned for in the county. This site will be considered alongside the site selection criteria within the site selection methodology for the review of the Minerals Local Plan which is taking place."*

Given this relatively recent statement, the sufficiency of the current supply, and the fact that the process to establish the revised Local Minerals Plan has already commenced, we would ask HCC to postpone consideration of the Application. The site should be assessed under the methodologies and policies set out in the Imminent Minerals Local Plan, using evidence regarding the current situation in the area, rather than the situation some 15 years ago.

There appear to be discrepancies in the information provided by the Applicant

There are several discrepancies which we believe undermine the Application and require clarification:

- The area defined in the Minerals Local Plan Review 2002-2016 differs from that in the Application. The Preferred Area, as identified on Inset Map No6 in the Mineral Plan, clearly shows margins between the Area and residential areas such as St Albans Road West. In contrast, the Application extends to existing fenced boundaries and ignores the buffer zones shown in the Minerals Plan. If the Applicants' map were accepted, then approximately 50% of the extraction in Phase A would be outside the Area. Appendix 8 to the Plan specifically states that: *"Appropriate buffer zones will be required to protect the amenity of residents at Ellenbrook, Smallford and Popefield Farm."* The Application appears to disregard this.

- Section 7.34 states; *"The application site is located conveniently within close proximity of the A1(M) at a distance of under 2km, which can be accessed directly via the A1057. The A1(M) then provides links to the wider strategic road network."* We cannot see how SLR could have reached the estimate of under 2km, unless taken as the crow flies. In addition, reaching the A1(M) involves roads in addition to the A1057.
- We have also been informed by Mr Paul French that there are possible discrepancies in the Applicants' detailed calculations of vehicle movements and noise calculations and we would direct you to his submission in this regard.

We do not believe the information currently available to be sufficient for us to understand the impact on our residents: if this view is misplaced then we would ask the Applicant to meet with us to explain their reports and satisfy local residents that our serious concerns are addressed in the contents of these reports.

The Application does not provide enough information on conditions which would be applied to any permission and how they would be enforced

When the Aerodrome was redeveloped we were consulted and attended exhibitions, working groups and talks. We received assurances that the development would improve our quality of life and the negative impacts which we had raised, such as traffic and parking, would be mitigated. In the event the adverse consequences have materialised, whilst promised benefits, such as access to an attractive district centre, have not. The one major benefit, the Country Park, is now under threat from the very landowners who were required to provide it to the community.

We do not want history to repeat itself: our concerns must be taken seriously this time round, and any measures required to mitigate problems must be identified and incorporated into the planning process so that they are enforceable.

Notwithstanding the above, we object to the present Application for the following reasons

The transport infrastructure is inadequate.

The proposed quarry is in an area already badly affected by congestion, including Sandpit Lane, Oaklands Lane, Station Rd, Coopers Green Lane, St Albans Road West and A414. In particular there is severe congestion focussed on junctions and/or roundabouts such as at Notcutts, Coopers Green Lane/Sandpit Lane, the Galleria, Birchwood, A1(M) Junction 3 (Roe Green) and A1(M) Junction 4 (Oldings). This is particularly severe when there are problems on the A1 or the Hertfordshire section of the M25.

St Albans Strategic Local Plan recognised a constraint in relation to their Oaklands Broad Location of *"Highway capacity and access design in relation to Hatfield Road and Sandpit Lane"* and a requirement of *"Provision of improvements to the accesses to Hatfield Road and Sandpit Lane."* The CEMEX site access is on Oaklands Lane and the proposed access on this Application is on the A1057 (Hatfield Rd/St Albans Rd West).

In fact CEMEX, the operators of the adjacent quarry, have clearly noted the traffic issues previously: a 2013 application to HCC requested that operating hours be extended to allow a 6am start stating *"The basis of the application is that Cemex has established the need to supply construction sites with materials earlier in the morning for projects that are starting earlier in response to tight timescales, and to avoid traffic congestion."* This confirms the residents' realistic fear that, if the Application proves successful, Brett may well seek to despatch a high proportion of their HGVs before or during the morning rush hour despite this being a residential area.

SLR state that *"The A1057/Oaklands Lane/Station Road roundabout junction has been observed during the weekday peak periods and no congestion occurred."* No dates have been given for the observations and this is inconsistent with our own experience. In fact SLR's own photograph (Figure7_4) shows traffic backed up.



The following photographs are at the same junction on 1 March 2016 and clearly show peak time congestion:



The A1057 is an attractive rural road outside peak times and runs along a residential area. However, the peak time congestion can run the whole length of the A1057 from the Galleria to Notcutts, as shown in the following series of photographs:

- Across Ashbury Close, with the Galleria in the background



- At the end of Ellenbrook Lane in both directions



- Past the Bramble Road section, making it difficult for residents to turn out



- Through the Green Belt towards Notcutts



The Minerals Plan paragraph 4.6.7 states: *"In assessing development proposals which are expected to give rise to a change in the amount or type of traffic on local rural roads, the County Council will take into account factors including...iii) where increased traffic would have an adverse effect on the local environment, either to the rural character of the road or residential properties along it."*

It is difficult to see why this would not apply in this case, given the lack of capacity at peak times and the rural nature outside these times.

We are not persuaded by SLR's review of transport. We believe that full transport infrastructure modelling and preparation of costings of required improvements, taking into account all proposed developments in the area, would have to be undertaken before considering this and any other Application. Otherwise local residents will be left to bear the costs, both social and financial, of the impact on infrastructure.

The proposed access to the site is unsuitable.

We understand that the Application envisages access from the A1057 near to the Notcutts Garden Centre, with the prescribed route being between that access point and the Galleria roundabout, and onwards to the A1(M). In paragraph 3.13 SLR state "*...it is considered that in view of the 40mph speed restriction in place on the A1057 at the site entrance and the fact that there have been no existing highway issues identified within proximity of the application site, a 'simple' priority junction would be acceptable where there would be no significant queuing into the proposal site causing stacking on the highway.*" We disagree.

The proposed entrance is a busy location as shown below (1 March 2016, towards Hatfield and then towards St Albans)



We believe that this proposal in particular shows that the Application is not robust and has not been subject to full analysis and consultation. Local residents can give numerous reasons why this would not be feasible:

- Arriving lorries would have to turn right across the traffic on the busy road. As already mentioned, residents of Bramble Rd struggle to turn across the A1057 on a straighter run of the same road in easily manoeuvrable cars: lorries waiting to turn would worsen tailbacks.
- The turn would be in close proximity to the Notcutts roundabout.

- The access would be near Notcutts, the Three Horseshoes and the petrol station. All have vehicles turning into and across the traffic which lorry drivers would have to take into account. The following photograph shows one such example:



- The access is just before a series of bends in the road which created accident blackspots, hence now have speed cameras.

This assumes that lorries would follow the prescribed route: if they seek to avoid the busy A1(M) junctions and the A414, for example running along Oaklands Lane and Coopers Green Lane to head for the M1 as many locals do, then they face a roundabout and narrow lanes.

St Albans Road West is not suitable for additional HGV traffic

The road which is apparently being presented as the prescribed route for HGVs travelling to and from the proposed quarry is not a major road, but a local rural road, passing along a residential area. The following needs to be taken into account:

- SLR state that *"The A1057 is a relatively straight road"*: this is clearly not the case. The speed cameras were installed because of the sharp unexpected bends in the road as shown below (which also show the rural nature of the road outside peak times):



- The footpath running along the road is poorly maintained, narrow in places and walking along it has been described by one resident as "unnerving". Despite this, the footpath is heavily used, along with the zebra crossing. The crossing is used frequently by local residents from Ellenbrook to reach the Country Park and primary school, and by university students and sports facility users throughout the day.



- There are several bus stops, used by school children, university students and the general public. Some do not have lay-bys and so waiting passengers stand alongside the passing traffic. The following shows one such example



- Halted buses regularly cause tailbacks, and slow the traffic when negotiating the roundabout at the end of Ellenbrook Lane



- In addition to the obvious direct dangers, levels of noise and air pollution would increase with the stop-start flow of additional HGV traffic along this road.

We are very concerned that the health and safety of our residents would be severely compromised by an increase in HGV traffic movements and change in flows of traffic along this stretch of road.

Local residents would suffer a significant loss of amenity in terms of the Country Park

We consider ourselves lucky to live near Ellenbrook Country Park and would consider the development of a quarry on that land to represent a significant loss of amenity.

In the Proposed Variation to Landscape Framework Plan Approved under Section 106 Paper dated 28th April 2010, Simon Chivers (Strategy and Development) of WHBC wrote *"This proposal is presented to the Planning Control Committee because of the significance of Ellenbrook Park in delivering the objectives of the Hatfield Aerodrome SPG...*

The implementation of Ellenbrook Park as an important area of open space to serve neighbouring residents, as a visual amenity and as a significant ecological resource, is important and well overdue. Achieving the park is an integral part of realising the objectives of the Hatfield Aerodrome SPG, and would be entirely in accordance with national, regional and local planning policies"

We really cannot believe that just six years later that same land is being considered for extensive gravel extraction and house building.

In SLR's analysis in Chapter 8 "The physical changes to landscape elements and features" are described as "moderate and adverse during working phases and when the majority of disturbance would have occurred". Similarly "The changes to aesthetic and perceptual aspects are also considered to be no more than moderate and adverse during operation phases". It is no comfort that the changes would become "slight and beneficial after final restoration is achieved" given the timescale of more than three decades.

SLR conclude that *"Overall this assessment has not identified any significant (major or moderate/ major) landscape effects as a result of the proposed development."* We find this difficult to understand. The combined effect of the existing and proposed quarries covers a large proportion of the Green Belt between St Albans and Hatfield, and comparing the appearance of the areas around the existing quarry (worked on for decades) to the areas currently untouched confirms the dramatic adverse effect of gravel extraction.

As far as we are concerned, the Ellenbrook Country Park was legally required under S106 as a benefit to residents following the development of the rest of the Aerodrome site. It was not a benevolent gesture by the landowners. The Application plus the proposal to build houses on the remainder, completely undermines the S106 agreement. Residents really cannot comprehend how this could possibly be allowed to happen.

The quarry proposal is for 32 years and obviously the proposed dwellings would be permanent, so current residents would have no compensating benefit from the loss of the Park. Even if small areas could be retained, a visit to the edges of the current quarry suggests that it would be a hostile environment of "no access" signs and warnings. St Albans District Council has recognised the value of this land as part of the Green Infrastructure, WHBC recognised it as significant and Important, and its value to us as local residents cannot be underestimated. The Country Park must be properly established and funded as a matter of urgency and any attempts by the landowner to remove this benefit from local residents must be firmly rejected.

Local residents would suffer a loss of amenity in terms of viewpoint

We understand from residents fronting St Albans Road West that for many years they enjoyed open views across to woodland. Their view is now of the extensive tree boundary. However, the Application envisages replacing this with a 4m high bund, 5m from the boundary, to remain permanently. Minerals Policy 18 States: *"All proposals for mineral extraction and related development shall, where appropriate:" (v) "ensure that the proposals do not encroach within at least ten metres from the canopy spread of all periphery or other*

retained trees (including isolated mature trees within hedgerows) nor within three metres from the canopy spread of hedgerows;"

So the Application appears to breach this policy as well depriving residents along St Albans Road West of their view.

There would be a significant loss of wildlife habitat

We understand that the grassland habitats provide outstanding foraging areas for Barn Owls, a protected breeding species. In addition an area in the middle of the site is fenced off and a notice states that it is a breeding site for Great Crested Newts. We understand that there are proposals to mitigate effects, but would like independent experts to consider this aspect of the site in detail before the Application is considered further, and assurance that any promised mitigation measures would be enforced.

It is an unsuitable location for such large scale industrial operation

The location is in close proximity to residential areas, and would be adjacent to over 1,000 additional houses if the HAT2 proposals by Goodmans were to go ahead. There are a number of concerns:

- We are very concerned about the effect of air pollution, both from the site and from the HGV traffic created. In 2012, the World Health Organisation's International Agency for Research on Cancer (IARC) classified diesel exhaust as a group one human carcinogen. The access of HGVs to residential areas should be reduced, not increased, given current medical opinion.
- We are concerned about noise pollution. In response to CEMEX application for a 6 a.m. start for HGV movements, St Albans City and District – Environmental Health, make clear reference to the relationship between HGV movements and noise: *"The increase in vehicle movements appears to have a direct relation to the increase in noise levels..."*
- We understand that a major gas pipeline runs through the site. We have seen no evidence that this has been considered and so there is concern for the safety of our community.
- We are aware of flooding on and near the site and do not understand how this would be dealt with.
- The site is close to several listed buildings and includes sites important to aviation history.
- We have seen that consultants consider many of the industrial effects to be temporary and reversible, but must remind planners that "temporary" in this case is at least 32 years.

Conclusion

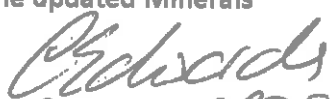
We believe that the Application should be firmly rejected due to: the inadequate local traffic infrastructure; the unsafe access point and danger of HGVs on a local road; the loss of Green Belt, in particular Ellenbrook Country Park, and viewpoints; the effects on health of air and noise pollution; the loss of animal habitats; and the unsuitability of the location for a major industrial operation.

If the Application is to be considered, it should be subject to a full consultation process, engaging with interested parties, including local residents. Discrepancies, such as the Application area differing from the area in the Minerals Local Plan Review 2002-2016, and the failure to establish the Trust and receive the landowners' financial contribution, would need to be properly investigated.

However, we would ask HCC not to consider the Application at this time because:

- The boroughs are currently working on Local Plans which are in some cases inconsistent with this Application and, in any event, have implications for the areas surrounding the site which need to be taken into account. Including CEMEX's proposals, there could be 5,000 additional dwellings and nearly 500 HGV movements in this small area. If all were allowed, this would completely compromise the Green Belt and have significant infrastructure implications. SLR accept the uncertainty *"Whilst other developments, mainly housing, are being promoted into emerging Development Plans the precise details are not currently known and thus it is not possible to assess any likely cumulative impacts."* It would be unsafe to proceed in the circumstances.
- A revised Local Minerals Plan is imminent, the process having commenced in 2015. The Local Aggregate Assessment 2015 confirmed that the County has sufficient supply at present and indicated that this particular site would be assessed in the Local Minerals Plan. We support this approach which would ensure that the quarry does not cause excess supply and is assessed against current policies and methodologies and a current evidence base.

This is a 32 year proposal to extract gravel from Ellenbrook Country Park, a cherished Green Belt area in close proximity to residential areas. The site is enjoyed by local residents who fear that their health, well-being and quality of life would be adversely affected by the establishment of a quarry. The current Application is based on a Minerals Local Plan soon to expire, is against a background of sufficient supply, and has an uncertain evidence base due to Local Plans being imminent. We believe that HCC should reject the Application outright, and allow the site to be assessed in the near future against the updated Minerals Local Plan with clearer evidence as to other plans for the area.


FARA SECRETARY: C. EDWARDS
9/3/16.

Petition to Hertfordshire County Council

This petition was organised by the residents of the Ellenbrook Area of Hatfield AL10 and signed by 777 residents and visitors to the area in just 10 days

Planning Reference: PL/0755/16

Brett Aggregates Limited Planning Application for a Quarry on Ellenbrook Fields

**Addressed to:
Spatial Planning and Economy Unit
CHN216
County Hall
Hertford
Hertfordshire SG13 8DN**

**Lead petitioner:
Mrs Cathie Edwards
e-mail: info@ellenbrookresidents.co.uk
Signed:**



Date: 9/3/16

217 c.p.s.

**Smallford Residents' Association
St Davids
Oaklands Lane
Smallford
St Albans
Hertfordshire
AL4 0HT**

**Mr C. Dempster
Spatial Planning and Economy Unit
CHN216
County Hall
Hertford
Hertfordshire
SG13 8DN**

7th March 2016

Your Ref: PL/0755/16
Our Ref: Brett/Plapp/CST/001

Dear Sir

**Brett Aggregates Limited Planning Application for a Quarry on Ellenbrook Fields
Planning Reference: PL/0755/16**

I enclose for your attention in respect of the above a petition signed by some 200 plus residents of Smallford and the wider St Albans community objecting to the above application along with a detailed list of their reasons for such objections.

We hope that you will take into account the views of our community and will refuse this application for the reasons given and will work to ensure that the terms of the s106 agreement made in respect of the land and the establishment of the Country Park thereon are adhered to.

Yours Faithfully



**C. S. Tallents
Chairman
Smallford Residents' Association**