

**HERTFORDSHIRE COUNTY COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE  
WEDNESDAY, 22 MARCH 2017 AT 10.00AM**

**DISTRICT: WELWYN HATFIELD DISTRICT**

Agenda Item  
No.

**2**

*Report of the Chief Executive & Director of Environment*

Contact: Chay Dempster Tel: 01992 556211

Local Member: Maureen Cook

**PROPOSED EXTENSION TO HATFIELD QUARRY FOR THE EXTRACTION OF APPROXIMATELY 0.45 MILLION TONNES OF SAND AND GRAVEL FROM WITHIN 17.7HA OF LAND KNOWN AS FURZE FIELD, INVOLVING RETENTION OF THE QUARRY ACCESS ROAD AND SITE INFRASTRUCTURE FACILITIES AND RESTORATION OF THE EXTENSION AREA TO AGRICULTURAL LAND AND MIXED HABITATS INCLUDING WETLANDS, ACID GRASSLAND AND WOODLAND PLANTING**

**1. Purpose of report**

1.1 To consider application 5/3720-16 for a proposed extension to Hatfield Quarry for the extraction of approximately 450,000 tonnes of sand and gravel from 17.7ha of land known as Furze Field, including retention of the quarry access road and site infrastructure facilities followed by restoration to areas of agricultural land and habitats including lake, acid grassland and woodland planting.

**2. Summary**

2.1 The proposed development is schedule to take place after mineral extraction ceases at Symondshyde Farm in 2020. The development would take place over 3 phases lasting a total of 18 months. The overall development would last 3 years from initial site set up, through mineral extraction and restoration. The site would be restored by 2023.

2.2 The site would be worked at an average annual extraction rate of 400,000 tonnes. It is proposed to continue to use the existing access road and plant site. Mineral would be transported from the extraction site using an existing conveyor belt to the processing site. The mineral would be washed, graded and stockpiled or bagged ready for export.

2.3 The land would be restored to a lake with a smaller proportion of agricultural land. The site would be restored using on-site soil and overburden only. No material would be imported to complete the restoration.

- 2.4 The report acknowledges that there are potential policy objections to the proposal under Policies 1, 2, 3 and 4 of the Hertfordshire Minerals Local Plan, as discussed in section 8.4 of the report, in addition there is limited harm to the Green Belt, and ongoing temporary impact upon the rights of way network, however, these impacts would be outweighed by the positive benefits of the proposed mineral extraction in terms of:
- a. contributing to an appropriate landbank;
  - b. maintaining continuity of supply from an existing site;
  - c. the wider economic benefits of mineral extraction;
  - d. long term enhancements to the rights of way network; and
  - e. the lack of any substantive harm.
- 2.5 It is therefore recommended that planning permission should be granted subject to:
- the conditions set out in Appendix II,
  - the Applicant entering in to a s106 obligation in accordance with the Heads of Terms in Appendix III; and
  - the application being referred to the Secretary of State and him not wanting to call in the application for determination.

### **3. Site and surrounding area**

- 3.1 The application site forms a 17.7ha parcel of land close to the western edge of Hatfield between Hatfield Garden Village and Coopers Green Lane as shown on the Ordnance Survey extract (Appendix I). The site is within the Metropolitan Green Belt.
- 3.2 The Welwyn Hatfield Borough Council Draft Local Plan (Proposed Submission Version) shows the eastern part of the site as a potential allocation for 10 gypsy and traveller pitches (site HS34), and, land to the south east of Coopers Green Lane as a potential housing allocation (site SDS5 / Hat1).
- 3.3 The application site is situated approximately 1.5km north of Hatfield Quarry processing plant on Oaklands Lane located between Sandpit Lane and the B651.
- 3.4 Mineral extraction is currently taking place at land at Symondshyde Farm (Phase 9 of 13) to the north of the application site. The permission runs until 1 October 2020. There is no planning permission for mineral working at Hatfield Quarry beyond 2020.
- 3.5 The annual rate of mineral extraction at Symondshyde is approximately 250,000 tonnes of sand and gravel per year. The company also own a parcel of land to the east of Coopers Green Lane which forms part of the potential housing allocation (SDS5/Hat1) in the draft Welwyn Hatfield Local Plan.

- 3.4 The nearest residential properties to the application site are located at:
- Astwick Manor (215m south)
  - Astwick Manor Lodge (70m south)
  - Astwick Manor Cottages (40m south east)
  - Whitegate Cottages (430m north east);
  - Whitegate Lodge (430m north east); and
  - The Pightle (830m north)
- 3.5 Astwick Manor is a Grade II listed building that was formerly used as a technical college by the de Havilland aviation company from 1947, and has now been converted into 38 residential units.
- 3.6 To the south of Astwick Manor lies the former Hatfield Aerodrome which comprises land to be provided as a country park (Ellenbrook Park) under a planning obligation for the development of the former Hatfield Aerodrome.
- 3.7 The northern boundary of the site is quite open marked by an open ditch and several trees. The east and southern boundaries are far more enclosed by established dense hedgerows and mature trees on the north side of Coopers Green Lane and Furze Field Wood (a local wildlife site) on the west of the site.
- 3.8 Hatfield Quarry is owned and operated by Cemex (UK Operations).

#### **4. Proposed development**

- 4.1 The application proposes an extension to Hatfield Quarry to allow for the extraction of approximately 450,000 tonnes of sand and gravel from a 17.7 hectare parcel of land. The proposal involves the retention of the existing processing plant and access onto Oaklands Lane. The proposed restoration involves the creation of a lake, an area of agricultural land and mixed habitats including wetlands, acid grassland and woodland planting.

##### Phasing

- 4.2 The site would be worked in three sequential phases with Phase 1 in the north of the site. The mineral would be dug using a single excavator. The mineral would be collected by a loading shovel and placed onto an articulated dumper or loaded directly into the hopper and carried to the processing plant using the conveyor belt. The site would be restored within three years of commencement.

##### Supporting statement

- 4.3 The application is accompanied by a written statement which makes the following points in support of the application:
- The extension to Hatfield Quarry at Furze Field provides a sustainable source of future aggregates and provides continuity of supply to established local markets in support of development and growth (as reserves at Symondshyde Farm (2019) and Westmill Quarry (2017) become exhausted) including 15 CEMEX concrete plants;
  - There is a need for the mineral deposit at the site - as reserves at existing sites become exhausted additional sites will be required in order to maintain adequate supply of sand and gravel in line with Hertfordshire's annual target;
  - The proposal is intended to be the initial stage of longer-term proposals to extend the quarry eastwards to Stanboroughbury Farm, in order to maintain security of supply;
  - Working the site as an extension to Hatfield Quarry in advance of potential future housing development in the area avoids the potential of mineral deposits being sterilised;
  - The proposal would not conflict with the purposes of including land within Green Belt;
  - Detailed assessments of traffic, air quality, noise, ecology, and landscape have been undertaken and these demonstrate that the proposals would not give rise to unacceptable impacts on the local community or environment;
  - The proposed extension of Hatfield Quarry at Furze Field is in line with national policy and the development plan and should benefit from the presumption in favour of sustainable development.

## **5. Site History**

- 5.1 Hatfield Quarry was first worked under an interim development order from September 1947 with subsequent planning permissions for extensions to mineral working and infilling, as summarised in Table 1 (Appendix IV).
- 5.2 Mineral extraction is currently taking place at Symondshyde Farm approximately 2km to the north of the processing site under LPA ref 6/0439-03. Mineral extraction at Symondshyde Farm is due to cease on 1 October 2020.
- 5.3 The restoration of Cut Field Lagoon with 620,000 cubic metres of imported material (5/1240-14) is due to commence in 2017 (subject to section 106) and is expected to last 7 years. In conjunction infilling of Cutfield Lagoon the permission secures restoration of Hatfield Quarry at Cut Field Wood and Gardeners Lagoon to a mixture of conservation afteruses to enhance biodiversity across the site. The company has also agreed to provide extensions to the rights of way network in the form of new bridleway routes across restored parts of Hatfield Quarry.

## **6. Statutory Consultation**

6.1 Welwyn Hatfield Borough Council raises no objections to the application and raises the following comments:

- An area of land within the eastern part of the proposed minerals site is allocated within WHBC's Draft Local Plan Proposed Submission document as a site (HS34) to provide 10 pitches of gypsy and traveller accommodation in association with the proposed new village at Symondshyde (Policy SP24 and Policy SADM35 refer). The Draft Local Plan Proposed Submission has yet to be examined but has been through formal public consultation and there are representations opposed to the allocations in Policy SADM35, therefore should carry some weight in the determination.
- Site HS34 is located outside the extraction zone identified on the Cemex site plan accompanying the application and it is identified in the submitted restoration plan to be returned to agricultural use once mineral operations have finished on the site. There is accordingly a possibility that the mineral extraction proposals and the draft Local Plan allocation do not fundamentally conflict, particularly if extraction is completed before the gypsy and traveller pitches are required.
- The application indicates restoration will have been completed by 2022. The housing trajectory shows gypsy and traveller pitches being required between 2026 and 2028, possibly sooner if necessary to maintain a five year supply, although unlikely to be before the date proposed for restoration (i.e. 2023). WHBC would wish to see the site HS34 kept available in the event that the timeline for mineral extraction slipped backwards from that indicated in the application. Any permission should provide physical and landscape buffers and controls over working hours to safeguard the amenity for future residents of site HS34 in the event the site is required for gypsy and traveller accommodation whilst restoration is ongoing.
- Land opposite the mineral application site on the south-east side of Coopers Green Lane is allocated in the Draft Local Plan Proposed Submission for substantial housing development (site SDS5 or Hat1 - Policy SP22 and the Policies Map refer). Due to the proposed phasing of development on this housing site, however, there is unlikely to be a conflict with the current minerals application proposals. Policy SP22 provides for investigation of the feasibility of mineral extraction in advance of housing development on site SDS5.
- The potential vehicle movements associated with mineral extraction operations at this site have given rise to concerns amongst local residents and councillors. Cllr Bell (Hatfield Villages) has raised serious concerns regarding the cumulative numbers of HGV vehicle movements at this site and the new quarry at the former Hatfield Aerodrome. Careful consideration should be given to cumulative vehicle movements generated by this application, the extant permission, and at the former Hatfield Aerodrome. A condition should be carefully worded to ensure that vehicles movements are not excessive.

## 6.2 St Albans City & District Council

- St Albans City and District Council have no objections to the proposed extension to the Hatfield Quarry site subject to matters relating to highway capacity being referred to the Local Highway Authority for detailed consideration.
- The District Council has concerns regarding the impact on environment and ecology; and rights of way. The bridlepaths will need to be reinstated and dedicated. Furthermore, the District Council has concerns that increased vehicular movements may have an impact on the environment.
- The District Council recommend to Hertfordshire County Council as the Local Planning Authority that should planning permission be granted, an informative is added to advise the applicant that any increase in vehicular movements will require a planning application.

6.3 Hatfield Town Council objects to the application because of the impact on neighbouring properties, and raises concerns regarding the lorry routes (current and potential) and the negative impact on local roads. Concern is also expressed on the ecological setting of extraction and its future impact on generations to come.

6.4 Sandridge Parish Council request that the following be taken into consideration:

- The application will result in an extension of the working life of the Hatfield Quarry beyond 2019.
- That as commented on by the Ramblers Association and the St Albans and District Footpath Society, the current operations obstruct existing footpaths and any approval should be subject to Cemex remedying this situation.
- There should be no increase in commercial vehicle movements beyond those already permitted and the requirement that commercial vehicles enter and exit the site from Hatfield Road/Oaklands Lane should remain in place.

6.5 The Highway Authority raises no objections subject to conditions for a maximum vehicle limit of 250 HGV in any one working day to include all operations at Hatfield Quarry, continued use of a wheel wash facility, and subject to a s106 to cover extraordinary wear and tear to the road surface and require £30,000 to be held as a bond.

6.6 The Environment Agency raises no objection, subject to the submission of a long-term monitoring and maintenance plan for groundwater and surface water to demonstrate the presence of bromate and bromide pollution, to include a timetable and final report upon completion to demonstrate that 'all necessary contingency measures have been carried out and confirming that the activity has not caused or knowingly permitted bromate and bromide contamination to migrate causing

pollution between the shallow and deep aquifers or the local watercourses’.

6.7 Hertfordshire Ecology comments –

- The application site lies adjacent to Furze Field Wood designated as a Local Wildlife Site (LWS). There are also several records of blue bell from the area which are most likely to be associated with the woodland. Although the site boundary abuts the LWS, the works are approximately 200 m away from the boundary, which should provide more than enough protection from direct impacts.
- The reports submitted with the application detail the likely presence of badger, breeding birds, reptiles, dormice, and great crested newts. The avoidance and mitigation strategies set out in these documents are adequate to protect these species from harm. I do not believe any of the works will merit the acquisition of a European Protected species Licence.
- All trees with suitable roosting habitat for bats or barn owls have been surveyed, with no individuals found of either species. To prevent any future colonisation these trees have already been felled. The badger sett on the eastern boundary has in effect moved the eastern bund to form a 30 m radius around it. This will prevent any collapsed tunnels from occurring.
- The restoration programme has set out clear aims and objectives over a five year period once works have been completed, with annual reviews of the progress of restoration to include HCC. I believe that the applicant has taken full account of the ecological constraints on site, and that their restoration plan is sound and achievable.

6.7 County Landscape Officer considers that a number of matters require further attention:

- soil storage bunds should be relocated outside of the root protection area (RPA), no works or activity should take place within the RPA;
- The existing site boundaries (alongside Cole Green Lane and the ditch feature) should be enhanced with new advanced planting, whilst maintaining strategic views;
- Site wide cross sections are required to show the proposed restoration gradients and levels and demonstrate how the lake and its associated slopes sit within the wider context;
- At restoration, there is concern for the loss of characteristic open views; strategic gaps should be created in the boundary vegetation to frame views into the site.

Additional comments –

- There is concern that the degree of adverse landscape effects, which the LVIA reports as ‘minor adverse or negligible at all stages of operation’, have been under estimated.
- The retention and protection of vegetation on the site boundary is fully supported, however the perimeter soil storage bunds are shown within the root protection area and will need to be moved;
- The existing site boundary needs to be enhanced with positive management and new planting at the earliest opportunity in advance of the proposed development;
- The topsoil storage bund proposed alongside Coopers Green will help to protect visual amenity and a more pleasant outlook during the operational stage, it will also foreshorten characteristic open views
- The extent to which the landscape and visual benefits of the restoration scheme outweighs the adverse landscape and visual effects during the operational stage should be of high importance in determining whether the proposal is acceptable;
- It is not proposed to import material to reinstate the site to its original levels due to poor accessibility. It is therefore proposed to retain the quarry void as a lake. This would not reflect the predominant landscape character in this northern part of the De Havilland Plain which has a generally flat and open landform with arable landcover. However, it is acknowledged that the landscape continues to undergo change as a result of minerals development in the central and southern parts of the LCA, and waterbodies have been created in several locations. If the creation of a lake is unavoidable, it should be sensitively designed to sit comfortably within the wider landscape.

6.8 Historic England considered it unnecessary to refer the application to them.

6.9 The Rights of Way Team confirms:

- a number of other routes north of Coopers Green Lane are detailed in the ROWIP (Rights of Way Improvement Plan), details attached. I believe a bridle route running parallel with Coopers Green Lane is definitely needed for walkers, cyclists and horse riders, for commuter and recreational use. Coopers Green Lane is a very fast and busy road, meaning currently bridleway 41 is a dead end route, other than people crossing to Great Braitch Lane. A bridleway along here will provide a safe off road link to Ellenbrook and the other proposed routes within the Hatfield Quarry site.
- a safe road crossing point and associated signage will need to be agreed with Herts Highways. Provision for future upgrade to Restricted Byway once restoration has been completed, will also need to be made within the S106.

6.10 The Ramblers Association commented as follows:



- This extension will prolong the life of the existing plant which is illegally obstructing the Public Right of Way known as Colney Heath BR1 and Sandridge BR48. The permission to obstruct this path expired more than 20 years ago and has never been renewed. This illegal obstruction must not be allowed to continue.
- Since the original permission for a temporary diversion expired the diversion has been in public use for more than 20 years and has almost certainly achieved the status of a Public Right of Way in its own right. It cannot therefore legally be considered as a formal diversion for BR1/48.
- If the Council grants planning permission for this extension and, as Highway Authority, is minded to grant a new temporary closure for BR1/48 then we ask that as a quid pro quo the Council should insist that the path around the southern perimeter is formally dedicated as a Public Bridleway.
- In May 2016, the County Council gave planning permission for the restoration of parts of this quarry. The reference is 5/1240-14. Condition 6 of this permission requires that the Rights of Way enhancements shown on drawing P16/597/4 Rev A shall be provided in accordance with the timescales set out in a rights of way delivery plan to be submitted prior to the commencement of development. It is important that any planning permission for this extension is not allowed to extend the timescales for the provision of these new routes which should be provided as soon as practicable.

6.11 St Albans and District Footpaths Society comments – this processing plant is illegally obstructing Sandridge bridleway 48. Permission was given to obstruct the bridleway for 20 years, but this time limit expired many years ago. As part of the restoration of this extension, the Society would like to see a multi-user path created running on the north side of Coopers Green Lane, within the field boundary. This new path is included in the Rights of Way Improvement Plan and links to other paths which will enable walkers and cyclists to travel between St Albans / Sandridge and Welwyn Garden City/ Hatfield on a more pleasant route than the busy road, which is not wide enough for cars to overtake cyclists safely.

#### Third Party Consultation

6.12 The application has been advertised by way of site notice, press notice and notification letters sent to 55 properties within 500m of the site:

6.13 There have been 8 letters raising objections. The main points can be summarised as follows:

- Noise from the quarry is very intrusive, it means that we have to close our windows and cannot sit out in our garden in the summer.
- The noise from Hatfield Quarry is unbearable when you are in the house. The noise will only get worse with an extension and residents should not be subjected to this level of noise for 6 days a week

- The increase in lorry numbers to the area and associated air pollution will be at an unacceptable level. There should be a report provided from a respiratory health expert on the risks of a quarry so close to residents and air pollution caused by vehicles
- The prospect of so much additional heavy traffic along an already very busy road, particularly during the rush hours is very alarming
- HGVs should be routed via the A1M rather than towards St Albans
- existing trees between the road and the workings should be retained
- appropriate land drainage should be provided and maintained
- Flooding from the processing plant at Hatfield Quarry has in the past flooded several properties. Cemex refuse to clear the field drains
- Working hours should be no more than 6am and 7pm
- This application must be looked at in conjunction with the other pending application for Hatfield airfield. The NPPF is very clear that the cumulative effect of sites should be taken into consideration
- When we moved to the area in 2011 we were aware that Cemex were on site until 2020, but had no idea that the airfield was potentially being quarried. One of the arguments for the BAe application was that Cemex were soon to leave
- The planning rules need to be enforced

6.14 Ellenbrook Residents Association commented:

We are concerned that the application, taken with other proposals for the area, will exacerbate the traffic issues on the A1057. This road has already been identified as operating at near or at full capacity. We understand that this site is not included in the Minerals Plan which expires imminently. We believe that this site should be assessed along with proposals for the quarry at the nearby former Aerodrome in the Minerals Plan currently in preparation. This can then take into account changes in the area since the last Plan. It should also take into account any interactions between and the aggregate effects of these two proposals, and any other extraction proposals likely to come forward for this area. This is essential to ensure that both the existing operator in the area (Cemex) and any new entrant(s), such as Brett, can operate successfully, and that infrastructure issues can be properly assessed.

6.15 Smallford Residents Association objects to the application raising the following points:

- At present there is a major application in for a site by Brett Aggregates for gravel extraction within one mile of this application's site – we could potentially have two major gravel extraction sites operating simultaneously in our small area of Hertfordshire, both of which will impact upon our community in a number of ways, and suggests there is no sustainable long term management of gravel resources taking place
- This application will lead to further delay in restoring Hatfield quarry
- Increased noise and pollution - with proposed working hours giving little respite for our community
- The HGVs will result in increased traffic congestion

- There needs to be recognition of the impact on other proposed developments such as the Hatfield Aerodrome site, Oaklands College site, Hertfordshire University, etc.
- Consideration needs to be given to a road management plan in respect of vehicles entering and leaving the site
- Consideration needs to be given to road infrastructure in particular along Oaklands Lane and the bridge in Station Road
- Consideration and a full plan need to be submitted by CEMEX with regard to their site and how this application fits with their restoration plan. We need to see a fully joined up and thought out plan
- This site cannot be looked at in isolation given everything else going on in our area
- There has been no resident consultation
- Impact post quarrying must be considered - we were led to believe Hatfield Quarry was coming to the end of its life but we now face an extension, is this it, or will there be further requests for an extension?
- Property values will be impacted

6.16 Astwick Manor Management Company Ltd, which represents 38 properties at the Astwick Manor site, expresses concerns regarding the proposed extension which is directly opposite our access. We already suffer heavy traffic which would increase to a dangerous level should this permission be granted including noise and pollution that the residents would have to tolerate. Should you grant permission we all very sincerely hope you will impose time restrictions during the week and week-end for health and safety reasons.

## 7. Development Plan

7.1 The development plan for the area comprises -

- Hertfordshire Mineral Local Plan 2002-2016 Adopted March 2007
- Welwyn Hatfield District Plan 2005
- Hertfordshire Waste Local Plan Site Waste Allocations Document 2011-2026 Adopted July 2014
- Hertfordshire Waste Local Plan Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 Adopted November 2012

Hertfordshire Mineral Local Plan 2002-2016 Adopted March 2007

1 - Aggregates supply; 2 - Need for mineral working; 3 - Sites for sand and gravel extraction and the working of preferred areas; 4- Applications outside preferred areas; 5 - Mineral sterilisation; 7 - Secondary and recycled aggregates; 8 - Recycling facilities on mineral sites; 9 - Contribution to biodiversity; 11 - Cumulative impact; 12 - Landscape; 13 - Reclamation scheme; 14 - Afteruse; 15 - Landfill; 16 - Transport; 17 - Criteria for the control of mineral development to protected critical capital and other environmental assets; 18 - Operational criteria for the control of mineral development.

*Hertfordshire Waste Development Framework Waste Core Strategy & Development Management Policies: Adopted November 2012*  
*Waste policies*

1 – Strategy for the provision of waste management facilities; 1A – Presumption in favour of Sustainable Development; 2 – Waste Prevention and Reduction; 4 – Landfill and Landraise; 6 – Green Belt; 7 – General Criteria for assessing planning applications outside of identified locations; 9 – Sustainable Transport; 10 – Climate Change; 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; 18 – Protection of Regional and Local designated sites and areas; 19 – Protection and mitigation

*Hertfordshire Waste Development Framework Waste Site Allocations Development Plan Document 2011 – 2026*

*Site Allocations Policies*

1A – Presumption in favour of Sustainable Development; 2 – Applications for Waste Management Development on Allocated Sites and Employment Land Areas of Search; Inset Map 07 – AS008 land off Birchall Lane, Cole Green.

*Welwyn Hatfield District Plan Adopted 2005*

SD1 - Sustainable Development; R2 - Contaminated Land; R5 - Waste Management; R7 - Protection of Ground and Surface Water; R11 - Biodiversity and Development; R17 - Trees, Woodland and Hedgerows; R18 - Air Quality; R19 - Noise and Vibration Pollution; R20 - Light Pollution; R29 - Archaeology; M2 - Transport Assessments; M5 - Pedestrian Facilities; M6 - Cycle Routes and Facilities; D1 - Quality of Design; D2 - Character and Context; D8 - Landscaping; HATAER1 - Hatfield Aerodrome: Sustainable Development of the Site; HATAER3 - Hatfield Aerodrome: Requirement for a Master Plan; HATAER4 - Hatfield Aerodrome: Land Use Proposals; RA11 - Watling Chase Community Forest; RA25 - Public Rights of Way

*National Planning Policy Framework 2012*

1 – Building a strong, competitive economy, 4 – Promoting sustainable transport, 8 – Promoting health communities, 9 – Protecting Green Belt Land, 10 – Meeting the challenge of climate change, flooding and coastal change, 11 – Conserving and enhancing the natural environment, 12 – Conserving and enhancing the historic environment, 13 – Facilitating the sustainable use of minerals

## 8. Planning Issues

8.1 The main planning issues relate to:

- Need for mineral working
- Green Belt
- Transport
- Noise
- Air Quality
- Landscape
- Restoration
- Water

### Need

8.2 The main policy considerations relating to need for sand and gravel working are provided in Minerals Policies 1, 2, 3 and 4 of the Hertfordshire Minerals Local Plan.

- Policy 1 (Aggregate Supply);
- Policy 2 (Need for Mineral Working);
- Policy 3 (Sites for Sand and Gravel Working and the Working of Preferred Areas);
- Policy 4 (Applications Outside Preferred Areas)

8.3 The full wording of Minerals Policies 1, 2, 3, and 4 are in Appendix III.

8.4 Minerals Policy 1 provides that will only be granted where it is necessary to ensure that adequate supplies are available to meet the county's agreed apportionment of regional supply, including maintaining an appropriate landbank of sand and gravel reserves in accordance with government guidance, throughout the Plan period.

8.5 Minerals Policy 2 provides that when determining planning applications the County Council will take into account

- i) the existing quantity of permitted reserves of the mineral;
- ii) the rate at which, and the proposed timescale over which it is expected that those permitted reserves will be worked;
- iii) the proposed rate and timescale in the application for working the mineral deposit;
- iv) the existence of resources of the mineral which are identified as Preferred Areas within the Plan and which are shown as being desirably worked at an early stage of the Plan period; and
- v) the particular nature and qualities of the mineral deposit concerned, such as the suitability for a particular end use not met by other available sources in the area or region.

8.6 Minerals Policy 3 provides that unless exceptional circumstances indicate otherwise, the county's needs for land-won aggregate will be

met from the sites identified in Policy 3, comprising the Identified Sites listed in Appendix V which have a valid planning permission for mineral extraction and the Preferred Areas (1 – BAe Hatfield; 2 – Coursers Road; 3 – Rickneys Quarry) and only then when they contribute to maintaining the County's appropriate contribution to local, regional and national aggregate needs, including the maintenance of a landbank in accordance with Mineral Policy 1; and the application satisfactorily fulfils the requirements of the Proposals for that Preferred Area as identified with the Inset Maps.

- 8.7 Minerals Policy 4 provides that applications for mineral working outside of the Preferred Areas will be refused planning permission unless:
- i) the landbank is below the required level and there is a need for the proposal to maintain the County's appropriate contribution to local, regional and national need that cannot be met from the identified areas; and
  - ii) it can be demonstrated that the proposals would not prejudice the timely working of Preferred areas; or
  - iii) the sterilisation of resources will otherwise occur
- 8.8 The NPPF (144) requires Mineral Planning Authorities to plan for steady and adequate supply of aggregates by:
- maintaining a stock of mineral planning permissions for sand and gravel of at least 7 years, and
  - using landbanks of aggregate mineral reserves principally as an indicator of the security of supply to indicate any additional provision that needs to be made for new aggregate extraction, and to identify alternative supplies in minerals plans.

### Evaluation

- 8.9 The application site was not promoted as a potential area for mineral working in the current Minerals Local Plan. The land is not within a preferred area for mineral working.
- 8.10 Minerals Policy 1 requires the maintenance of an appropriate landbank of sand and gravel reserves in accordance with government guidance, throughout the Plan.
- 8.11 In terms of maintaining the required level of contribution to regional supply, Hertfordshire is required to provide 1.39 million tonnes of sand and gravel each year, as agreed with the Aggregate Working Party for the East of England of which Hertfordshire is a member.
- 8.12 The ability to meet the annual apportionment requires the maintenance of an appropriate landbank. At the end of 2016 the stock of mineral planning permissions for sand and gravel in Hertfordshire (the

landbank) stood at 13.25 million tonnes, equivalent to 9.5 years (i.e.  $13.25 \div 1.39$  annual apportionment).

- 8.13 The mineral deposit at Furze Field would add around 450,000 tonnes to the landbank, which would increase the size of the landbank to the equivalent of 9.85 years.
- 8.14 Unless supplemented by new sources of supply, the landbank will decline by the volume of annual sales in each year (equivalent to 1.19mt based on 3 year average sales). On this basis, the landbank would reduce to 9.68mt by the end of 2019 (equivalent to 6.96 years at 1.39mtpa). At this level the landbank would be below the minimum required.
- 8.15 By 2018/19 the landbank is expected to be supplemented by the 8mt (estimated) of sand and gravel at the establishment of a new quarry at the former BAe site. The major contributors to sales and apportionment levels are likely to be the two major producing sites (Coursers Road and BAe) for the foreseeable future.
- 8.16 With the addition of the reserves at Bae, the long term stock of sand and gravel permissions is likely to be reasonably steady, and there is a reasonable likelihood of continuity of supply remaining steady overall. The level of contribution from each site can fluctuate year-on-year depending upon output which can affect their contribution to the annual apportionment. The output from each site will depend upon the quality of the deposit and the rate of production, which can be affected by a number of site specific factors, including the depth of overburden and volumes of material to be moved, the availability of capital and weather conditions. The contribution each site is capable of making to annual apportionment levels in future years is therefore difficult to predict accurately.
- 8.17 Minerals Policy 2 requires specific criteria to be considered including the proposed rate and timescale in the application, and the level of mineral resources within the Preferred Areas identified in the Plan as being desirably worked at an early stage.
- 8.18 The deposit at Furze Field would be worked as over 18 months at an average rate of 400,000 tonnes per annum. The largest new deposit as the former BAe site was identified as being preferably worked at an early stage of the Plan, however, the application was submitted in the final year of the Plan. When the new quarry is established at the former BAe site it is expected to contribute 250,000 tonnes of sand and gravel in terms of sales, and continue at that level for a period of 30 years.
- 8.19 The deposit at Furze Field is relatively small and would make a modest contribution to the overall landbank, however, the deposit could still assist with maintaining continuity of supply over a short timescale. Working the Furze Field deposit after 2020 would provide a

contingency against any potential shortfall in supply from the main producing sites over an 18 month period.

- 8.20 There are also potential benefits of working the deposit at Furze Field as an extension to Hatfield Quarry, the main factor being the ability to use existing infrastructure i.e. conveyor and mineral processing facilities / plant. Working the deposit as an extension would be more resource efficient than working the deposit in isolation, where there would be additional transport and processing costs, possibly making the deposit unviable as a stand-alone deposit. The use of the existing conveyor to transport mineral would also avoid placing HGV on the public highway.
- 8.21 In future there may be additional constraints, such as the potential gypsy and traveller site forming part of the site, and no safe site access being achievable from Coopers Green Lane for HGVs.
- 8.22 These are considered to be exceptional circumstances to allow mineral working outside of a preferred area, provided for in Minerals Policy 3.

### **Green Belt**

- 8.23 The NPPF sets out Government policy in respects of the Green Belt:
- The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (paragraph 79);
  - inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 87);
  - When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (paragraph 88);
  - A local planning authority should regard the construction of new buildings as inappropriate in Green Belt (paragraph 89). Certain other forms of development, including engineering operations and mineral extraction, are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.
- 8.24 Mineral extraction is not inappropriate development in the Green Belt and the method of working would reduce the impacts of mineral working. The site is reasonably well screened by established hedgerows on the northern side of Coopers Green Lane and the adjacent Furze Field Wood will help to limit views into the site from Coopers Green Lane, although glimpsed views will still be possible where the conveyor passes under the road. A perimeter soil bund would be constructed to the north of Coopers Green Lane to restrict



views into the site. Further planting is required to supplement the hedgerow.

- 8.25 The harm to the Green Belt at the extraction site would be limited by the additional planting, the use of bunds, and the low intensity method of working using a limited number of machines and the use of a conveyor line to reduce HGV movements. Once the bunds are in place views into the site would be very limited. Mineral extraction would take 18 months and the site would be fully restored with openness reinstated within 3 years. The proposal would not conflict with the purposes of including land in Green Belt.
- 8.26 The existing processing plant at Oaklands Lane - including a wash plant, sand bagging plant and ready-mix concrete plant - are considered to be inappropriate development in the Green Belt. The proposed is dependent upon the existing infrastructure being retained for a further 3 years until 2023. The harm to the Green Belt would be mitigated by the established bunds and screening already in place around the plant site, however the sand bagging plant is visible from views to the west. This will require an additional planting scheme. There is further limited harm to visual amenity caused by the conveyor line which extends for 2km to Symondshyde, however, the conveyor line is fairly low lying structure and is not generally visible from public views, except from Bridleway 14 which crosses the haul road.
- 8.27 The limited harm as a result of the retention of the processing plant in terms of visual amenity, noise and dust would be very limited. The very special circumstances are the need to maintain a continued supply of sand and gravel from the site and the great weight attributed to the benefits of mineral extraction, including to the economy.
- 8.28 The method of working using the existing conveyor belt over such a short duration help to limit the impact upon the Green Belt. The openness of the Green Belt would be fully reinstated upon restoration.

### **Transport**

- 8.29 The application includes a Traffic Statement taking account of existing traffic conditions, projected traffic growth, the impacts of the proposed development, and cumulative impacts in combination with other quarries in the area.
- 8.30 Traffic counts undertaken on Oaklands Lane on Tuesday 8 October 2013 recorded 1,154 Passenger Car Units (PCUs) between 07:45 and 08:45 hours and 1,100 PCUs between 17:00 and 18:00 hours. Taking into account projected traffic growth up to year 2021, this section of Oaklands Lane is predicted to carry 1,287 PCUs between 07:45 and 08:45 and 1,221 PCUs between 17:00 and 18:00 hours.

- 8.31 The maximum HGV limit for the site – 250 (125 in, 125 out) - has been agreed with the operator and highway authority.
- 8.33 The Transport Statement includes an evaluation of all operations at Hatfield Quarry. Mineral extraction at Furze Field at a rate of 400,000 tonnes per annum (average) would generate around 166 per day (84 in, 84 out) to include all vehicle movements associated with mineral extraction, sand bagging, sand and gravel export, and the ready mix concrete. The infilling of Cut Field Lagoon would generate an additional 72 movements (36 in, 36 out) per day (average). The total combined HGV movements for all activities at Hatfield Quarry would be 238 HGV movements (119 in and 119 out) per day. At this level, the maximum 250 movements is not exceeded for the 18 month operation.
- 8.34 The Highway Authority has no objection to the continued operation of the quarry on the basis that it could continue to operate within the maximum number of lorry movements permitted and continue to use an existing access on Oaklands Lane. The cumulative impact of the operation in combination with the new quarry at the former Hatfield Aerodrome would be within an acceptable limit and would not result in significant residual harm.

#### Evaluation

- 8.35 The proposal would make use of the conveyor belt in order to transport materials from the extraction area to the processing plant. This is supported in the Hertfordshire Minerals Local Plan which identifies this method as the preferable way to transport minerals (where possible) in order keep HGV movements off of the public highway (paragraph 4.6.1). The processed materials would be exported from the site using the existing access with C61 Oaklands Lane which is less than 1km from its junction with A1057 Hatfield Road.
- 8.36 The proposal provides acceptable vehicle movement within the site, access to the site, and the conditions of the local highway network are such that the traffic movements likely to be generated would not have an acceptable impact upon highway safety, effective operation of the highway network, residential amenity or the local environment. The proposal would therefore comply with Minerals Policy 16 of the Hertfordshire Minerals Local Plan. There are insufficient grounds to refuse planning permission on highway grounds as the residual cumulative impacts are not severe (NPPF, paragraph 32).
- 8.37 The Highway Authority does not consider that a maintenance bond should be required in order to address excess wear and tear affecting the public highway. This is provided by the s106 obligation.

### Cumulative impact

- 8.38 The Transport Statement has considered vehicle movements generated by the proposed development together with the proposed new quarry at the BAe site. The development of a new quarry at the former BAe site would generate 174 total HGV movements for quarry and waste importation (combined). The cumulative total HGV movements from both operations operating consecutively would be 412 HGV movements (174 + 238). The Highway Authority is satisfied that this would not result in any significant adverse impact due to the combined total being below 5% of total traffic using the A1057 (15,420 vehicles (two-way) for vehicles of all sizes).

### **Noise**

- 8.39 The NPPF (paragraph 144) seeks to 'ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establishes appropriate noise limits for mineral extraction in proximity to noise sensitive properties'.
- 8.40 The NPPG requires MPAs to:
- establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900);
  - where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable;
  - in any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). Increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to eight weeks in a year at specified noise-sensitive properties should be considered to facilitate essential site preparation and restoration work.
- 8.41 Minerals Policy 18 (viii) of the Hertfordshire Minerals Local Plan 2007 states 'all proposals for mineral extraction and related development shall, where appropriate, demonstrate that no significant noise intrusion will arise from the development'.
- 8.42 Policy R19 (Noise and Vibration Pollution) of the Welwyn Hatfield Local Plan (2005) states 'planning permission will be granted where noise emissions can be controlled within acceptable levels'.

### Noise Assessment

- 8.43 The noise assessment submitted with the application uses British Standard 5228-1:2009 *Code of practice for noise and vibration control*

*on construction and open sites*, which is considered the relevant standard to apply because the site is an open quarry site.

- 8.44 The noise assessment concludes no significant noise intrusion would result from the proposed development and there would be no significant adverse impact.
- 8.45 The noise assessment includes a baseline noise surveys taken at noise sensitive receptors in close proximity to the site. Predictive noise levels have been generated using modelling software (CADNA) during each phase – i.e. site preparation, mineral extraction and restoration phases.
- 8.46 The model assumes the following vehicle movements to be the worst case scenario:
- Site preparation: 1 excavator, 1 dozer, 1 dumper truck (10 two-way movements per hour);
  - Mineral extraction: 1 excavator, 1 loading shovel, 1 dumper truck (6 two-way movements per hour);
  - Restoration: 2 dozers and 2 dump trucks (4 two-way movements per hour)
- 8.47 The noise assessment measured background and predicted noise levels at 15 sensitive receptors nearest to the site. The results are listed in Appendix VI.
- 8.48 The figures for background noise levels record 55dB as being exceeded at Receptors 1-6. Noise levels generated during mineral extraction are predicted not to exceed the measured background levels by 10dB at any time.
- 8.49 The single location where the noise level is predicted to exceed 55dB is Astwick Manor Lodge during site preparation (62.1dB) and restoration (63.1dB), however, the noise level is predicted to be less than 70dB, the level permitted for temporary works lasting up to 8 weeks.
- 8.50 In order to limit the impact upon residents of Astwick Manor Lodge and to ensure that noise intrusion is the minimum possible level, there is a requirement for the operator to submit precise details of site establishment works and the restoration scheme for the approval of the Mineral Planning Authority to ensure that noise attenuation is given proper consideration at each stage of the development. As a minimum requirement, the perimeter bunds should be constructed in the initial stages of site construction and a section of bund retained opposite Astwick Manor Lodge for as long as possible until restoration is virtually complete.

## Summary

- 8.51 The noise assessment has demonstrated that noise from mineral extraction is expected to be below 55dB. During site construction and restoration noise would exceed 55dB at one property only (Astwick Manor Lodge), but is below the maximum 70dB level permissible for temporary operations. Noise associated with the proposed development is capable of being controlled and mitigated to acceptable levels. The proposed development would not result in significant noise intrusion. Appropriate noise limits will be established in proximity to noise sensitive properties by condition.
- 8.52 The proposal is therefore consistent with the NPPF (paragraph 144), NPPG, Minerals Policy 18 of the Hertfordshire Minerals Local Plan 2007, and Policy R19 of the Welwyn Hatfield Local Plan 2005.

## Cumulative Impact

- 8.53 The noise assessment includes measurements at 6 locations (Table 3 – Appendix VI) within the vicinity of the existing plant site at Oaklands Lane and the new processing plant at the Hatfield Aerodrome site to be constructed by Brett Aggregates (ref 5/0394-16). The distance between the processing plant at Hatfield Quarry and the Brett Aggregates site is approximately 550m. The nearest properties to the processing plant on Oaklands Lane are Pastures View (formerly Radio Nursery) located approximately 500m to the south. The Brett plant is approximately 575m north east of Pastures view and 500m south of Birch Farm.
- 8.54 The noise assessment demonstrates that cumulative noise levels - i.e. combined noise from both operations - would not exceed 55dB at any of the 6 locations. When considering the combined operations the cumulative impact is a value of 0.2dB. Therefore, the cumulative noise impact is predicted not to have any significant adverse impact or result in significant noise intrusion. The values are within the maximum levels in NPPG. The operator will be required to install noise monitoring equipment at the extraction site to ensure compliance with these standards, which will be subject to review and further mitigation considered if shown to be necessary by monitoring. Subject to these safeguards being in place the proposal should comply with the standards required by the NPPG, and Minerals Policy 18, and Local Plan Policy R19.

## **Air Quality**

- 8.55 The application includes an Air Quality Impact Assessment (AQIA) of baseline air quality in the local area (obtained from the UK National Air Quality Information Archive database) and an assessment of the magnitude and significance of effects as a result of the proposed development.

- 8.56 The Air Quality Standards Regulations (2010) are the accepted standard. The UK Air Quality Strategy is the framework for improving air quality and protecting human health, and sets air quality standards for each pollutant (the Air Quality Objective).
- 8.57 In terms of planning policy, the NPPF (paragraph 124) provides context
- “Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.”
- 8.58 Further guidance is provided in the NPPG which states -
- “When deciding whether air quality is relevant to a planning application, local planning authorities should consider whether the development would:
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield. This could be by generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; or significantly altering the traffic composition on local roads.
  - Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations.
  - Affect biodiversity. In particular, is it likely to result in deposition or concentration of pollutants that significantly affect a European-designated wildlife site, and is not directly connected with or necessary to the management of the site, or does it otherwise affect biodiversity, particularly designated wildlife sites.” (Paragraph 005 Ref ID: 32-005-20140306)
- 8.59 Policy 18 (Air Quality) of the Welwyn Hatfield Local Plan (Adopted 2005) requires the Council to have regard to the potential effects of a development on local air quality when determining planning applications and to both the operational characteristics of the development and the level of traffic that it generates.
- 8.60 Enforcement against a dust nuisance complaint falls under the Environmental Permitting (England and Wales) Regulations 2010. The local Environmental Health Unit may take action if dust becomes a nuisance, defined in the 1990 Environmental Protection Act (section 73(3)) as -
- “any dust, steam, smell or other effluvia arising on industrial trade or business premises and being prejudicial to health or a nuisance.”

## Dust

8.61 The potential for dust pollution is generated by the following processes:

- site preparation and associated earthworks (e.g. creation of bunds);
- mineral extraction;
- material stockpiling;
- export of material;
- use of conveyor and plant site;
- vehicle movements;
- exhaust emissions

8.62 The AQIA identifies the approximate distances that particles of varying size may be carried from the site:

- <math>30\mu\text{m}</math> - within 100m
- $10\mu\text{m}$  to  $30\mu\text{m}$  - 250m to 500m,
- <math>10\mu\text{m}</math> - up to 1km

The AQIA considered –

- a) sensitivity of receptors
- b) significance of magnitude; and
- c) assessed the effects

8.63 The Design Manual for Roads and Bridges (DMRB) refers to any receptor within 200m of a road source as being potentially affected by the operation. On this basis the following sensitive receptors were considered to be potentially affected:

- Astwick Manor
- Astwick Manor Lodge
- Astwick Manor Cottages
- Whitegate Cottages; and
- The Pightle

8.64 The prevailing wind is from the south west. Of the potentially affected properties Astwick Manor Cottages and Whitegate Cottages are situated to the north and east of the site.

8.65 The AQIA assesses the potential impacts upon all sensitive receptors properties as 'negligible' to 'slight'.

## Potential impact

8.66 The processes with the greatest potential to generate dust are stripping, stockpiling, and replacement of soils and overburdens, and transport of mineral.

- 8.67 The majority of sand and gravel deposits are above 30µm, with a small fraction of silt fines less than 30µm, therefore, any dust is likely to fall within 100m of the site. The only property within 100m of the site is Astwick Manor Lodge, which is south west of the site, therefore, the prevailing wind would carry dust away from the property.
- 8.68 The potential for dust sized particles becoming airborne would be limited by the method of working, whereby the mineral deposit is worked partially wet. The water table is close to the surface and the working area would be partially dewatered. The mineral deposit would be worked in a generally damp and cohesive state. The mineral would be transported a short distance to the hopper/ conveyor where it would be loaded onto the conveyor. This method of working avoids the need for haul roads which is the main potential source of dust.
- 8.69 The potential for dust at the extraction site is very limited. In very dry and windy conditions there may be a small risk of dust being carried on the wind. The operator is required to keep a water bowser on site to dampen stockpiles as the circumstances dictate. Soil and overburden storage bunds will be required to be seeded to prevent dust forming on the surface.
- 8.70 The mineral is washed and screened at the processing plant (1.5km south of the extraction site) utilising a modern wash plant. The use of a wet process to separate sand and gravel reduces the potential for dust.
- 8.71 The processing plant is located some 500m from the nearest residential properties. There have been no reported complaints concerning the operation of the processing plant on Oaklands Lane as a result of consultations with the Environmental Health Units (St Albans & Welwyn Hatfield).
- 8.72 The mineral operator will be required to submit a dust management plan for the approval. The site conditions will be regularly monitored (normally 6 scheduled visits per year) by the Planning Enforcement and Monitoring Officer.

#### Mitigation

- 8.73 In order to mitigate potential impacts the following matters will need to be addressed by condition:
- Submission of a dust management plan to include: targets, actions and contingencies, identify suitable conditions for soil movement, stockpiling and bund construction; use of 10 mph speed limit; maintaining dust suppression equipment on site; managing stockpile heights and grass seeding of bunds to minimise wind-blown dust; dampening stockpiles as necessary;
  - Continued use of a wheel wash facilities;
  - Sheeting of vehicles entering and exiting the site



### Air quality

- 8.74 The baseline air quality information indicates Air Quality Objectives in the vicinity of the site are not currently breached. The site is not within an AQMA.
- 8.75 The main contributor to pollutants is from vehicles using Coopers Green Lane. The volume of traffic will be likely to increase over the lifetime of the project (2020 – 2023). The potential source of emissions from the mineral extraction site is from the use 1 excavator, 1 loader, and 1 dozer. At this level of activity the operation would be unlikely to increase emissions to a level that would breach the Air Quality Objective for any particular pollutant.
- 8.76 In cumulative terms, the total traffic generated as a result of continuation of mineral extraction at Hatfield Quarry by three years, in combination with the traffic generated by the new quarry at the former Hatfield Aerodrome site, would be less than 5% of the total traffic using the A1057. At this level the impact upon traffic would not result in significant impact.

### Mitigation

- 8.77 Emissions from diesel vehicles are a major source of NO<sub>x</sub> pollution and a small particles < pm<sub>2.5</sub>. The increase in diesel vehicles on roads in recent years has increased these emissions to a level which is a public health concern. In order to assess the impact of the operation on local air quality, it is considered necessary to install air quality monitoring equipment at the site entrance on Oaklands Lane.
- 8.78 The proposed condition will require the mineral operator to:
- (a) install air quality monitoring equipment at the site entrance; and
  - (b) submit an air quality management plan for the approval of the Mineral Planning Authority setting out the steps as may be necessary to reduce emissions from the site.

### **Landscape and Restoration**

- 8.79 The Minerals Local Plan requires landscaping to be considered as an integral part of any scheme for mineral working and restoration. In designing final restoration schemes account should be taken of the current and any historic landscape character (paragraph 4.3.5).
- 8.80 Minerals Policy 13 (Reclamation Scheme) requires all mineral applications to be accompanied by a detailed, comprehensive proposal for progressive reclamation wherever practical. The proposed restoration and afteruse must be integral with the design of the

proposed workings as a whole. Planning permission will be refused in the following circumstances:

- where there are no proposals for restoration, afteruse and a programme for aftercare covering a five year period;
- the proposed form of restoration or afteruse is inconsistent with the landscape character of the area;
- the proposal for restoration (and, where appropriate, aftercare) are considered to be inadequate;
- satisfactory arrangements have not been concluded by the applicant to secure effective control over the site for restoration and aftercare purposes;
- the applicant is unable to demonstrate that the site will be satisfactorily reinstated.

8.81 The NPPF (paragraph 144) requires restoration and aftercare to be provided at the earliest opportunity and to be carried out to high environmental standards, through the application of appropriate conditions.

8.82 The Landscape Officer notes the operations with potential to result in negative landscape and/or visual effects, these include:

- stripping soils and overburden from operational areas;
- retention of quarry access road, plant site and conveyor belt;
- implementation of mitigation measures (screening bunds, location and direction of working phases);
- mineral extraction (3 working phases over 18 months)
- progressive placement of overburden
- spreading of remaining overburden and soils
- Environmental aspects (e.g. lighting, vehicular noise and movement)

8.83 The Landscape Officer questions the conclusions in the LVIA which predict the landscape impacts as either 'minor adverse' or 'negligible' (where in reality they could be greater) and suggests further planting to infill gaps in the hedge north of Coopers Green Lane.

8.84 The Landscape Officer believes the proposed restoration scheme to be acceptable in landscape terms and welcomes the inclusion of a variety of landscape areas (ponds, scrapes shallow wetland margins, substantial area of acid grassland, new woodland planting; and creation of heath scrub around woodland edges) and the retention of an element of agriculture on the eastern side of the site which is recognised as reflecting local landscape character.

8.85 The Landscape Officer raised some concerns with regards to the appropriateness of a low level restoration that includes a large area of open water, in the belief that a return to agriculture across the site would be a more appropriate landform reflecting the same land use to the north of the site, including the restoration at Symondshyde Farm.

However, it is noted that the restored parts of Hatfield Quarry include areas of open water and the difficulty in accessing the site by HGVs is a significant constraint.

- 8.86 Notwithstanding the Landscape Officer's comments, it is considered that a low level restoration comprising a mix of habitats and the creation of an area of open water is appropriate for the site. Furthermore, the provision of an area of open water would compensate for the loss of the same habitat as a result of the infilling at Cut Field Lagoon.
- 8.87 It is recognised that the lake will require careful consideration and be designed sensitively to sit comfortably within the wider landscape and the composition of different habitat and landscape areas will also require careful consideration. The edges of the lake could offer potential habitats for nesting sites such as sand pipers.
- 8.88 The restoration scheme demonstrates that a satisfactory restoration scheme can be achieved without the need for imported waste or landraising and that significant environmental benefit can be achieved, in accordance with Policy 4 (Landfill and Landraise) of the Hertfordshire Waste Core Strategy and Development Management Policies Document (Adopted November 2012).
- 8.89 The operator is able to control the land and ensure that the site will be satisfactorily reinstated. The proposal is compliant with Minerals Policy 12 (Landscape) and 13 (Reclamation)
- 8.90 The creation of a variety of habitats will provide opportunities to contribute to biodiversity action plan targets and provide long-term enhancement and net gains to local biodiversity and visual amenity of the Green Belt, supporting the aims of Minerals Policy 9, NPPF (81, 109).

### **Rights of Way**

- 8.91 Minerals Policy 18 seeks to 'ensure that public rights of way are not adversely affected or, where this is not possible, that good quality, safe and convenient temporary alternative provision is made and long-term reinstatement or suitable replacement of rights of way is secured'.
- 8.92 The processing plant site is obstructing the original route of Bridleway 48, which has been diverted to the east of the processing plant to re-join the original route approximately [x]m to the north. The diversion has been in place for a period over 20 years, however that consent has now lapsed.
- 8.93 On the ground it is proposed that the diversion will remain in place for the 3-year duration of the works to allow continued use of the processing plant. The continued diversion of Bridleway 48 for the

period of the application would be compensated for by the provision of an acceptable alternative for a temporary period. Accordingly, the proposal would conflict with Minerals Policy 18.

- 8.94 The NPPF (paragraph 75) requires that planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- 8.95 Minerals Policy 18 also requires proposals to 'enhance the public rights of way network through the creation of new rights of way and/or open space, or the improvement of public access'.
- 8.96 As part of the proposals to infill Cut Field lagoon, an extensive network of new bridleways will be created on previously restored parts of Hatfield Quarry. These routes are considered would provide better facilities for users and offer considerable public amenity benefits.
- 8.97 Through discussion of the application it has been agreed that a new bridleway will be created on the north side of Coopers Green Lane to link a new route to be created south of Coopers Green Lane and Bridleway 41. The Rights of Way Unit has confirmed that a bridle route running parallel with Coopers Green Lane is consistent with the Rights of Way Improvement Plan for the area; is definitely needed for walkers, cyclists and horse riders, for commuter and recreational users; and is justified on the basis that Coopers Green Lane is a very fast and busy road and currently bridleway 41 is a dead end route, and a bridleway in this location would provide a safe off road link to Ellenbrook and the other proposed routes within the Hatfield Quarry site.
- 8.98 The enhancement of public access is consistent with NPPF (paragraph 75) and Minerals Policy 18 and is given limited positive weight in the decision.

### **Heritage**

- 8.99 Astwick Manor was formerly the technical school for the de Havilland aircraft company during its time at Hatfield. The manor house is Grade II listed. The original house dates from the late C17 or early C18 century and was extended to include accommodation during its time as a technical college.
- 8.100 The front of the house is some 150m to the south of Coopers Green Lane and views of the house screened by trees for the first 90m along the driveway. The front façade of the manor house is over 200m from the mineral working. At this distance it is not considered there would be any significant adverse impact upon the setting of the listed building. Views of the mineral working would be screened by a perimeter bund and the existing belt of trees to the north of Coopers Green Lane.

## 9. Conclusion

- 9.1 There is not an immediate need for the mineral deposit at the site in order to maintain the landbank above the minimum level of 7 years specified in the NPPF. However, there is a longer term need to maintain a steady and adequate supply of sand and gravel, to maintain an appropriate contribution to regional supply, and the maintenance of an appropriate landbank.
- 9.2 The deposit at Furze Field is relatively small and would make a modest contribution to the overall landbank, however the deposit could still assist with maintaining continuity of supply over a short timescale. Working the Furze Field deposit after 2020 would provide a contingency against any potential shortfall in supply from the main producing sites for an 18 month period.
- 9.3 The potential benefits of working the deposit at Furze Field as an extension to Hatfield Quarry, including the ability to make use of existing infrastructure and the efficiency of working the deposit as an extension to an existing site are considered to be the exceptional circumstances to allow mineral working outside of a preferred area, as provided for under Minerals Policy 3.
- 9.4 The environmental impacts are reduced by the low intensity method of working and the use of existing vegetation to screen views of the site to minimise visual impact. Any potential effects of noise and dust would be mitigated as far as possible by the use of bunds and the imposition of conditions to ensure compliance with the standards required in National Planning Practice Guidance.
- 9.3 Notwithstanding the potential conflict with Minerals Local Plan 1, 2, 3 and 4, together with the limited harm to the openness of the Green Belt for the 3 year duration of the project, and the continued diversion of Bridleway 41 for a further 3 years, these matters are outweighed by the positive benefits of the proposed mineral extraction in terms of:
- contributing to an appropriate landbank;
  - maintaining continuity of supply from an existing site,
  - the wider economic benefits of mineral extraction,
  - long term enhancements to the rights of way network; and
  - the lack of any substantive harm
- 9.4 It is therefore recommended that planning permission should be granted subject to:
- the conditions set out in Appendix II,
  - the Applicant entering in to a s106 obligation in accordance with the Heads of Terms in Appendix III; and
  - referral of the application to the Secretary of State and him not wanting to call in the application for determination.

## List of Appendices

- Appendix I – Ordnance Survey extract
- Appendix II – Conditions
- Appendix III – Heads of Terms
- Appendix IV – Planning History
- Appendix V – Minerals Policies 1, 2, 3, & 4 Herefordshire Minerals Local Plan 2001-2016
- Appendix VI – Noise – measured and predicted noise at sensitive receptors