



PO Box 450  
Stowage  
Hertfordshire  
SG1 9GU  
T: 01438 30333  
02071 832044  
08458 621823  
F: 08458 621824  
E: info@redbrickpm.co.uk  
www.redbrickpm.co.uk

## Management

Mrs Jenny Foster  
Spatial Planning and Economy Unit  
CHN216 County Hall  
Hertford  
Herts  
SG13 8DN

8 February 2016

Ref: 095/01 AD

Dear Mrs. Foster,

With reference to:

**APPLICATION FOR VARIATION OF CONDITION 1 AND CONDITION 25 OF PLANNING PERMISSION 3/1228-13 TO EXTEND THE LIFE OF THE SAND AND GRAVEL EXTRACTION AND RESTORATION VIA LANDFILL AND TO AMEND THE RESTORATION DETAILS AT WESTMILL LANDFILL SITE, WESTMILL ROAD, WARE, HERTS SG12 0ES.**

The properties at Poles Park have been affected most noticeably in the past 6 months where landfill operations have been concentrated in Cell 8, closest to the Poles Lane perimeter and prior to this a few years ago by the activity in Cell 5. In certain climatic conditions, we detect the lingering unpleasant odour of decomposing waste rather like the smell from the back of a dustbin lorry. We have tolerated this and not registered regular complaints, as the problem is sporadic and we have understood that the landfill site has a finite lifespan and that we could look forward in the near future to enjoying the amenities of a restored site, original restoration anticipated from 2017.

Living in the grounds of Hanbury Manor, many of us in addition pay for and enjoy using the adjacent facilities of the golf course and tennis courts, as well as the gardens, all of which have at regular intervals suffered from the same odour problem, as well as litter being blown across in strong winds.

We recognize the importance commercially of fully exploiting the mineral resources available, but feel that extending the process of landfill and capping followed by restoration for up to 15 years beyond the original permit is unreasonable and does not motivate the operators of the site to make every effort to hasten the process. Some compromise must be agreed as the proposed extended deadline is far beyond what would have originally been approved, and is therefore not in the spirit of fair planning and development.

We realize that the restoration process involves a time period for settling of deposited landfill before final landscaping, but the anticipated completion dates seem overly pessimistic. We would be in favour of allowing cells 9 and 10 to be completed and capped over the next few years with a final capping date pre 2020 so that work can begin in the meantime on restoring





PO Box 450  
Stevenage  
Hertfordshire  
SG1 9DU  
T: 01438 303333  
02071 833044  
08458 421823  
F: 08458 421824  
E: info@redbrickpm.co.uk  
www.redbrickpm.co.uk

## Management

the quarry site and the whole site can begin the process of restoration at an earlier date. In addition there should not be scope for further extensions to permit deadlines as this makes a farce of the procedure.

We would also urge that efforts are made at the earliest opportunity to replant and screen in the corner of Cells 8 and 9 and along Poles Lane while operations continue so that this public right of way can once more be used and enjoyed by residents in this area of Ware.

Yours Sincerely,  
For and on behalf of  
Poles Park Residents Limited

**Mr C and Mrs J Harris**  
2 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mr D and Mrs A Marcus**  
3 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mr C and Mrs M Dosssetter**  
4 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mr D and Mrs L Hart**  
5 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mr A and Mrs L Mitchell**  
6 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mr P and Mrs J Haffer**  
7 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mr D and Mrs S Cooper**  
8 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mr M and Mrs M Patel**  
9 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

**Mrs J Edwards**  
10 Poles Park, Hanbury Drive, Thundridge, Ware, Herts SG12 0UD

SCANNED

6 7 FEB 2016

County Hall Postbox

**Hanbury Mews Residents Ltd**  
**2 Hanbury Mews, Hanbury Drive, Ware, SG12 0UB**

**Jenny Foster**  
**Spatial Planning and Economy Unit**  
**CHN216, County Hall**  
**Hertford**  
**Hertfordshire SG13 8DN**

26<sup>th</sup> January 2016

Dear Jenny,

**Cemex application for permission to extend the life of operations at Westmill Quarry**

These comments are made on behalf of Hanbury Mews residents in response to the letter from the Spatial Planning and Economy Unit of Hertfordshire County Council dated 13<sup>th</sup> January 2016.

Local residents have experienced serious environmental problems, and at times hardship, over many years resulting from the nearby Westmill quarrying and landfill operations. The most serious problem has been that of odour transmission, which still persists, and for which the Operators were at one stage successfully prosecuted, but there have been others including the spread of litter, dust, excessive noise and heavy traffic movement. For the last 15 years residents have tolerated the nuisance and co-operated with the Operators, notably via joint membership of the Westmill Liaison Committee, in efforts to minimise the environmental problems. This was done in the expectation that these problems would disappear with the termination of Westmill operations at the end of 2017 at the expiry of the existing planning permission. However it has become evident that the Operators will not be able to complete the quarrying, landfill and restoration of the site within the permitted time, and residents are now utterly dismayed to learn that the Operators are seeking a Westmill life extension of up to 13 years to allow them to complete their work on the site.

This is an intolerable prospect for a local community that has suffered for so long, and Hanbury Mews residents wish to register their strong objection to the Cemex application to extend the life of Westmill operations beyond the currently planned termination date of end 2017.

However if, notwithstanding our objection, Hertfordshire County Council is still prepared to consider a Westmill life extension, we make the following comments in relation to the Cemex application:

- The proposed extension period, ending as late as 2030, is unreasonably and inexplicably long. The proposal calls for a period of 6 years to landfill Cell 10, whereas it took a similar time to landfill Cells 5, 6, 7 and 8 in total, and a further period of up to 6 years to cap and restore the site. It is our view that any extension of Westmill operations, if permitted, can and should take place over a very much shorter period.

- Maintenance of the strictest possible control over environmental impact, particularly odour emission, must be ensured, with continuing efforts to minimise such problems
- In reaching any decision on the duration of life extension, the County Council should bear in mind the continuing blight on property values in Hanbury Mews, caused by the proximity of the Westmill operations.

We trust that you will recognize the seriousness of our concern about the Cemex application.

Yours sincerely,

Peter Greatrex  
Secretary - Hanbury Mews Residents Ltd

For and on behalf of:

- 2 Hanbury Mews
- 2 Hanbury Mews
- 5 Hanbury Mews
- 8 Hanbury Mews
- 9 N.E. W.S
- 9 Hanbury Mews
- 1. Hanbury Mews
- 1 Hanbury Mews
- 4. Hanbury Mews
- 11, Hanbury Mews.
- 10

Appendix 5  
Objection  
withdrawn

**DOWNFIELD COURT RESIDENTS LTD**

Chairman : David Beynon, 1 Downfield Court, Hanbury Drive, Thundridge  
Ware, Herts SG12 0SB  
Tel & Fax : 01920 484614 e-mail : beynondavid@hotmail.com

24th August 2017

Jenny Foster  
Spatial Planning and Economy Unit  
CHN216, County Hall  
Hertford  
Herts SG13 8DN

Dear Jenny,

**Cemex Application to extend the life of the Westmill Site operations**

In our letter to HCC dated 25<sup>th</sup> August 2016 we expressed the serious concerns of Downfield Court residents about the proposed variations to Planning Permission 3/1228-13, and placed on record our objection to them. Much time has elapsed since the Application was first submitted, during which Cemex and Biffa have made considerable progress, outside the terms of their existing Permission, towards the completion of their extraction and landfill operations, and have reduced the proposed timeline for extraction, landfill and reinstatement at Westmill.

We find it difficult to understand how or why Cemex /Biffa have been allowed to continue their operations for so long outside their permitted term, and we still have concerns about the lengthy duration proposed for continuing Westmill operations, and the continuing impact this will have on the local community. However the changes that have taken place during the long delay in the submission of the Application leave us to believe that there is now little purpose in maintaining our formal position, and we have decided to withdraw our objection to the Cemex Application, and also our request to be represented at the forthcoming meeting of the HCC Planning Committee.

We will of course continue to take part in the Westmill Liaison Group meetings, but it is appropriate at this point to thank you personally for the balanced and helpful way you have conducted these meetings, maintaining an excellent relationship with those of us representing the residents of Downfield Court.

Yours sincerely,

David Beynon



13<sup>th</sup> December 2016

Our Ref: AR/MR/HAN1903 216383

7 5 DEC 2016



FAO Mrs Jenny Foster  
 Spatial Planning and Economy Unit  
 County Hall  
 Hertford  
 Herts  
 SG13 8DN

Dear Mrs Foster,

**RE: APPLICATION (YOUR REFERENCE PL\0750\15) FOR THE VARIATION OF CONDITION 1 (TIME LIMIT FOR COMMENCEMENT) AND CONDITION 25 (RESTORATION) OF PLANNING PERMISSION 3/1228-13 TO EXTEND THE LIFE OF THE SAND AND GRAVEL EXTRACTION AND RESTORATION VIA LANDFILL AND TO AMEND THE RESTORATION DETAILS AT WESTMILL LANDFILL SITE, WESTMILL ROAD, WARE, HERTFORDSHIRE, SG12 0ES**

I write on behalf of my client, The Hanbury Manor Marriott Hotel and Country Club, to **Object** to the above planning application for the reasons as set out herein. This letter supplements earlier representations submitted by the hotel in response to the consultation process, in the form of letters dated 26<sup>th</sup> January and 16<sup>th</sup> February 2016, which you will no doubt retain on the planning case file.

The Hanbury Manor Hotel and Country Club occupies the eastern boundary to the Westmill Quarry/Landfill site and is directly and adversely affected by its continued operation for landfill purposes. The Environmental Statement (ES) that accompanies the application, indicates that the combined impacts of the continuation of operations at Westmill (Noise, Air Quality, Transport & Visual) on Hanbury Manor Hotel, as a sensitive receptor, will be 'moderate'. However, for reasons to be explained in the text that follows, this assessment clearly understates the real impact that the operation of the site has had and will continue to have on the Hotel in regard to the environment it provides for its guests and the real effects on the business in general.

It is only too evident to the hotel, its staff and indeed its customers that the continued operation of the landfill site gives rise to significant impacts on the amenities of the hotel and its grounds, which has and continues to have significant ramifications for the business and indeed its future business plans if this application were to be approved. Both local and national planning policy requires such uses not to give rise to unacceptable adverse impacts, which from my personal inspection of the hotel and its grounds, is most definitely contravened in this case.







The two most obvious environmental defects that impact on the hotel are the smells that emanate from the application site resulting from the continued landfill and the vast amounts of dust generated from the site.

To demonstrate the scale of the problem, which is ongoing, as a snap shot, over a period of five months between 29<sup>th</sup> March 2015 and 1<sup>st</sup> September of the same year, the hotel received 92 official complaints from residents staying at the hotel. The recurring theme which guests commented on was the unpleasant smells within the hotel rooms and its grounds and dust on guests' belongings, particularly their vehicles parked within the hotel grounds. The smells in particular on occasions were so bad, that it resulted in guests refusing to stay at the hotel on arrival or cutting short their stays, which has resulted in the hotel having to give refunds with associated loss of revenue. Flies attracted by the landfill also plague the hotel and again are a common and recurring cause of complaint. The Hotel documents and keeps all records of complaints, although a number of these can be inspected relatively easily on public sites such as Trip Advisor, which is having an adverse effect on publicity and public relations.

Such self-review websites are becoming ever more influential to hotels in regard to attracting business, although can be particularly harmful if recurring themes are apparent on online reviews, posted by unhappy guests for all to see. With 92 complaints received by guests over the five month period, it is reasonable to presume that many more would have been unhappy with their stay for similar reasons and although chose not to lodge a formal complaint would be unlikely to visit the hotel again.

As a flavour of the types of complaints being received, a small number are produced as follows:

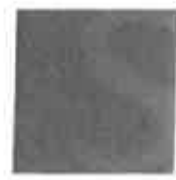
*"The dust cloud in the top carpark was appalling and the stink from the land fill."*

*"Disturbance from the landfill site was unbearable. We were forced out of the hotel to avoid the smell."*

*"The amount of flies around food was totally unacceptable and made whether to eat food questionable. No air-con in Thundridge which left people feeling uncomfortable, but to open the door or window exposed us to awful smells and flies. Some of the issues were due to being located next to a tip/land fill, e.g. smells and flies, which we were not advised about. The worst damage was to our cars, i.e. they were covered in so much dust/debris that it was unsafe to drive as the dust created a heavy layer and you could not see through the windscreen or any other window."*

*"While I'm no trash/garbage/rubbish tip expert, I couldn't help but smell the terrible smell that reminded me of one... It was everywhere, outside and inside the hotel. An absolutely horrible smell. The seagulls swarming above the area over the high fence near that car park made me think that it was coming from there. For this reason I will not return to Hanbury."*





**The Hanbury Manor Hotel and Country Club employs a work force of 232 full and part time staff, in addition to approximately 15 agency staff and represents the only five star hotel within the district of East Hertfordshire. It is, therefore, an important business and employer locally and so accordingly, significant weight should be afforded to the detrimental effects that the continued operation of landfill on the site will have on the business and the income the hotel generates for the local area. Similarly, as an important leisure and golfing facility, the effects on paying guests and their enjoyment of those facilities should also be taken into account in the decision-making process.**

**Within the planning statement accompanying the planning application, the agents cite the continued operation of the quarry and landfill and subsequent retention of its employees on site, as a significant benefit of the development. However, to put this into perspective, the existing quarry only employs a maximum of 17 staff, which will be reduced when aggregate staff are lost imminently, following which only landfill staff will be employed. The benefits in this regard will clearly be minimal and is more than outweighed by the detrimental impact the continued operation of the site will have on The Hanbury Manor Hotel and Country Club as a far larger employer and a significant leisure/tourist provider to the area.**

**The applicant has endeavoured to mitigate the effects of dust and odour pollution experienced by the hotel, by positioning water dowers on the perimeters of the site boundaries with the hotel. Tubes dispensing perfume have also been positioned around the hotel building itself. However, these measures have clearly failed to mitigate the effects of the landfill site and, as demonstrated by the numerous customer complaints, the issue of dust, smells and the vermin it is attracting, remains a significant problem and a serious threat to the future business plans of the hotel, if this application for an extension were to be granted.**

**In addition to the most obvious of impacts of smells and dust significantly affecting the hotel and its grounds, cumulatively, other issues add weight to the planning case against this proposal.**

**Noise can and has been a problem, particularly from locations within the grounds and for such a sensitive receptor, noise pollution when assessed with the impacts of dust and smells, cumulatively weighs against the proposal. It is noteworthy that the applicants confirm that noise from the site will actually increase during the latter stages of the restoration works. Even if this was for a temporary period only, as stated by the applicants, this would nevertheless have serious implications for the hotel.**

**Visually, the large expanse of the landfill site can be seen from the historic grounds of the hotel, which spoils the enjoyment of guests who wish to relax in attractive surroundings as presented by the hotel. The site and associated landfill is clearly visible from a number of guest suites to the rear of the hotel, which impacts on the enjoyment of guest stays. Also from a landscape context, the landfill and quarry very much represents an incongruous and harmful land use within the countryside setting. The extension of its active use and significant delay in any restoration of the site will result in unnecessary and unjustified harm to the landscape over the next 14 years.**





Indeed, the Environment Agency (EA) in their second objection to the application in their letter dated 28<sup>th</sup> November 2016, raise serious concerns regarding the lack of information accompanying the application about the restoration and justification for the elevated topography. Worryingly, the EA comment that *"...we do not believe the proposed restoration could be realised which brings into question the viability and deliverability of the restoration scheme."*

Further concerns are expressed by the EA regarding significant risk of harm to human health when they state:

*"Finally, with regards to slope stability on the northern flank of the site, we are not satisfied the topography will remain stable in the pre-settlement conditions. This is a significant environmental risk and if the slope falls there may be significant risk of pollution and harm to human health."*

This application was submitted to the County Council for determination in December 2015, approximately a year ago. The Council have generously given the applicant a significant amount of time to seek to address the EA's original concerns expressed earlier this year and despite the submission of further information by the applicant, it is clear that serious problems remain with this application as highlighted by the EA's continued objections. Accordingly, due to these significant problems inherent in the proposal, the Council, must surely now have little option but to refuse this application.

The inadequacies of the application as highlighted by the EA, should be taken into account in the decision-making process cumulatively with the significant harm caused to amenity to the Hanbury Manor Hotel and Country Club as a sensitive receptor bordering the application site. The hotel use by its nature relies on the environment it can provide for its guests, which is clearly severely compromised by the ongoing use of the Westmill Landfill Site. This has had severe effects on the business, although in the comfort that the restoration of the site would be completed on or before 31<sup>st</sup> December 2017, as required by the original planning permission, the hotel has soldiered on and drafted its future business plans accordingly. In the knowledge of this, the future looked favourable for the business going forward, although if this application is approved, effectively extending the restoration period by a further 14 years, this will have significant implications for the business. The importance of the hotel as a leisure facility and a major employer locally should be safeguarded and given significant weight against the grant of a permission in this case.

These material considerations weigh against the proposal and any benefits afforded by the proposal in regard to the continued ability to utilise the site for landfill. A viable scheme should have been submitted by the applicants long ago within the existing timescale and remit of the original planning application, although they have failed to do so. Insufficient justification exists in this instance to extend the landfill and restoration requirements and the aforementioned material considerations outweigh any benefits afforded by the continued working of the site.





The proposal now before you therefore fails to comply with the National Planning Policy Framework (NPPF), particularly in regard to the provisions as set out in Section 11 of the Framework entitled 'Conserving and Enhancing the Natural Environment'. The proposal, for the aforementioned reasons also contravenes Local Planning Policy, specifically the 'Saved policies of the adopted Hertfordshire Minerals Local Plan (March 2007)', the 'Hertfordshire Waste Core Strategy' and the 'East Hertfordshire Local Plan 2007'.

Accordingly, Hertfordshire County Council, as the determining authority in this case, are respectfully requested to refuse this application for reasons as set out in this letter.

I would be grateful of notification as to when this application will go before the Councils Planning Committee for determination and I therefore look forward to hearing from you in due course.

Yours sincerely

**Martin Ranner BA (Hons) PG Dip MRTPI**  
**Direct e-mail: [martin.ranner@sworders.com](mailto:martin.ranner@sworders.com)**





Plan referred to in condition 11.

