

Agenda



AGENDA for a meeting of the ENVIRONMENT, PLANNING AND TRANSPORT CABINET PANEL in Committee Room B at County Hall, Hertford on TUESDAY, 2 FEBRUARY 2016 at 10.00 AM

MEMBERS OF THE PANEL (11) (Quorum 3)

D Andrews (Vice-Chairman), D A Ashley (Chairman), D J Barnard, N Bell, H K Crofton, N A Hollinghurst, M D M Muir, S J Taylor, R Sangster, R H Smith, A S B Walkington

Meetings of the Cabinet Panel are open to the public (this includes the press) and attendance is welcomed. However, there may be occasions when the public are excluded from the meeting for particular items of business. Any such items are taken at the end of the public part of the meeting and are listed under "Part II ('closed') agenda".

Committee Room B is fitted with an audio system to assist those with hearing impairment. Anyone who wishes to use this should contact main (front) reception.

Members are reminded that all equalities implications and equalities impact assessments undertaken in relation to any matter on this agenda must be rigorously considered prior to any decision being reached on that matter.

PART I (PUBLIC) AGENDA

1. MINUTES

To confirm the minutes of the meeting of the Cabinet Panel held on 8 December 2015 (attached).

2. PUBLIC PETITIONS

The opportunity for any member of the public, being resident in or a registered local government elector of Hertfordshire to present a petition relating to a matter with which the Council is concerned, and is relevant to the remit of this Cabinet Panel, containing 100 or more signatures of residents or business ratepayers of Hertfordshire.

Notification of intent to present a petition must have been given to the Chief Legal Officer at least 20 clear days before the meeting where an item relating to the subject matter of the petition does not appear in the agenda, or at least 5 clear days where the item is the subject of a report already on the agenda.

At the time of the publication of this agenda no notices of petitions have been received.

[Members of the public who are considering raising an issue of concern via a petition are advised to contact their local member of the Council. The Council's arrangements for the receipt of petitions are set out in Annex 22 - Petitions Scheme of the Constitution.]

If you have any queries about the procedure please contact Theresa Baker by telephone on (01992) 556545 or by e-mail to

Theresa.Baker@hertfordshire.gov.uk

3. MINERALS LOCAL PLAN REVIEW, SUMMARY OF REPRESENTATIONS MADE TO THE INITIAL CONSULTATION

Report of the Chief Executive and Director of Environment

4. IMPLEMENTATION OF THE SITE SELECTION METHODOLOGY AND TO UNDERTAKE THE CALL FOR SITES FOR THE MINERALS LOCAL PLAN REVIEW

Report of the Chief Executive and Director of Environment

5. INTEGRATED PLAN 2016/17 - 2019/20

Joint Report of Assistant Director – Finance and the Chief Executive & Director of Environment

The following reports have been circulated under separate cover to all Members of the Council:

‘Public Engagement and Consultation on the 2016/17– 2019/20 Integrated Plan Proposals’ (circulated as Item 4(i) for the Cabinet meeting of 18 January 2016); and

‘INTEGRATED PLAN 2016/17 – 2019/20 (incorporating Strategic Direction and Financial Consequences and the Treasury Management Strategy)’ (circulated as Item 4 (ii) for the Cabinet meeting of 18 January 2016).

Please bring the reports with you

6. OTHER PART I BUSINESS

Such Part I (public) business which, if the Chairman agrees, is of sufficient urgency to warrant consideration.

PART II ('CLOSED') AGENDA

EXCLUSION OF PRESS AND PUBLIC

There are no items of Part II business on this agenda. If Part II business is notified the Chairman will move:-

“That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item/s of business on the grounds that it/they involve/s the likely disclosure of exempt information as defined in paragraph/s ... of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

**If you require further information about this agenda please contact
Theresa Baker, Democratic Services, telephone number (01992) 556545 or email
Theresa.Baker@hertfordshire.gov.uk.**

Agenda documents are also available on the internet at:

<https://cmis.hertsdirect.org/hertfordshire/Calendarofcouncilmeetings.aspx>.

- 2.2 Savings requiring a policy change have been taken through Panels for Cabinet decisions throughout 2015/16, and substantial efficiency savings have been identified. However, the Provisional Settlement announced on 17 December 2015 included a significant reduction and redistribution of central government funding, and Revenue Support Grant and other core funding is £24m lower than had been anticipated. Further savings options have been identified and increases in council tax and the new Social Care Precept are proposed in order to achieve a balanced budget. The IP Pack and Strategic Direction documents have been updated for the proposed savings.
- 2.3 Savings include reducing the allocation of general non-pay inflation to zero, in line with current Consumer Price Index (CPI). Whilst this is mitigated to some extent by excluding exceptional inflation areas it will require services to manage the impact during 2016/17.
- 2.4 The final position will not be confirmed until the Final Settlement (expected early February) and other late grant announcements, and until figures are received from Districts for council tax base and collection fund balances, due to be provided by end January 2016. Some proposed savings identified following the provisional settlement are also subject to final agreement with partners. Should any late changes result in an unbalanced budget, specific reserves will be used to provide one off funding in 2016/17.
- 2.5 The future position remains challenging: even with the identified savings and continued year on year increases in council tax and the social care precept, current projections of pressures and funding require a further £37.9 million saving to be identified in 2017/18, rising to £70.8 million by 2019/20.
- 2.6 To help meet these challenging targets, work is in hand to progress further savings during 2016, for implementation for 2017/18 or sooner where achievable. It is recognised that savings require significant lead in times, especially where there is service redesign or consultation.

3. Recommendations

- 3.1 The Panel is invited to comment to Cabinet on the proposals relating to the Integrated Plan in respect of Environment, Planning & Transport.
- 3.2 The Panel is also asked to identify any issues that it feels that the Cabinet should consider in finalising the Integrated Plan proposals.

4. Background

- 4.1.1 The integrated plan comprises:
- an overview of the proposed revenue budget and capital programme (Part A);
 - Strategic Direction and Financial Consequences (Part B);

- an Equalities Impact Assessment (Part C);
 - other technical information (Part D) incorporating details of inflation calculations; a review of the budget estimates and adequacy of reserves; and summarising the budget information outlined in Part B;
 - the Treasury Management Strategy (Part E);
 - the Insurance Strategy (Part F); and
 - the Invest to Transform programme (Part G).
- 4.2 Part B of the Integrated Plan has separate sections for each Portfolio. These contain the strategic direction summary (for the Environment, Planning and Transport portfolio this can be found on pages 91 to 96); the key issues for the portfolio (pages 97 and 98); revenue budget information including a schedule of Key Budget Movements that sets out details of financial pressures and savings (pages 99 and 100); an analysis of the revenue budget by objective area on page 101 and a summary of the proposed Capital Programme on pages 102 to 104.

5. Equality Implications

- 5.1 Part C of the Integrated Plan (which starts on page 168) provides an equality impact assessment of the savings included within the plan and how these are intended to be mitigated by the service.

Background Information:

Integrated Plan Proposals 2016/17 – 2019/20



www.landuse.co.uk

Hertfordshire Minerals Local Plan Site Selection Methodology Report

Final Report
Prepared by LUC and Cuesta Consulting Ltd
December 2015

Project Title: Hertfordshire Minerals Local Plan Review: Site Selection Methodology Report

Client: Hertfordshire County Council

Version	Date	Version Details	Prepared by	Checked by	Approved by
V1	16/02/15	Draft Report	Ben Miller, Catrin Owen, Alan Thompson	Catrin Owen	Taran Livingston
V2	15/05/15	Final Draft Report	Ben Miller, Catrin Owen, Alan Thompson	Catrin Owen, Taran Livingston	Taran Livingston
V3	27/05/15	Final Report	Catrin Owen, Alan Thompson	Catrin Owen	Taran Livingston
V4	03/12/15	Post-consultation Draft Report	Catrin Owen, Alan Thompson	Catrin Owen	Taran Livingston
V5	16/12/15	Post-consultation Final Report	Catrin Owen	Catrin Owen	Taran Livingston



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December 2015

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Glossary of abbreviations

	Definition
AONB	Area of Outstanding Natural Beauty
BGS	British Geological Survey
BMV	Best and Most Versatile
HCC	Hertfordshire County Council
HRA	Habitats Regulations Assessment
IMAU	Industrial Minerals Assessment Unit
LAA	Local Aggregates Assessment
NNR	National Nature Reserve
NPPF	National Planning Policy Framework
MCA	Minerals Consultation Area
MLP	Minerals Local Plan
MPA	Minerals Planning Authority
MSA	Minerals Safeguarding Area
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest

1 Introduction

Background

- 1.1 Hertfordshire County Council (HCC), as the Minerals and Waste Planning Authority, is reviewing the existing Minerals Local Plan (adopted in 2007) to ensure that it is up-to-date and provides a reliable plan for at least a further 15 year plan period. The content of a Minerals Local Plan must meet the requirements of the National Planning Policy Framework (NPPF) and have regard to the content of the online national Planning Policy Guidance (PPG); both of which are discussed further in **Section 2** below. One of the key aspects of a Minerals Local Plan is to plan for a steady and adequate supply of aggregates by identifying specific sites, preferred areas and/or areas of search.
- 1.2 LUC and Cuesta Consulting were commissioned in January 2015 by HCC to review the Council's previous mineral site selection methodology (developed in 2009), amend and update it where required, and then apply the methodology to identify suitable sites for the extraction of **sand and gravel** and **brick clay** in the county. In addition, a methodology for the identification of Minerals Safeguarding Areas (MSAs) and Minerals Consultation Areas (MCAs), and its subsequent implementation was required.
- 1.3 The conclusions and recommendations of the site selection study will inform the emerging Minerals Local Plan (MLP), forming a key piece of its evidence base. This report details the process undertaken to develop the site selection study methodologies, which will be implemented in the winter of 2015/16 and spring 2016.

Report Structure

- 1.4 This report includes a thorough review of national policy and guidance, together with national and local information which has informed the analysis and approach undertaken. It was critical that the site selection methodology meets the statutory local plan requirements: be positively prepared, justified, effective and consistent with national policy and guidance.
- 1.5 The remainder of this report is structured as follows:
 - Chapter 2:** National and local policy requirements relating to selecting sites for inclusion in MLPs and identifying MSAs and MCAs.
 - Chapter 3:** Sets out the purpose of the site selection study and the approach followed to develop the site selection methodologies.
 - Chapter 4:** Describes the site selection methodology for sand and gravel.
 - Chapter 5:** Details the site selection methodology for brick clay.
 - Chapter 6:** Describes the methodology for defining MSAs and MCAs.
- 1.6 In addition, the report contains four appendices:
 - Appendix 1:** Audit trail of changes to the Council's previous site selection methodology (developed in 2009).
 - Appendix 2:** Comments received from the interested parties workshop held on 19th March 2015.
 - Appendix 3:** Site Selection Findings Proforma.
 - Appendix 4:** Call for Sites Proforma.

2 Policy Requirements

National Policy and Guidance

- 2.1 Minerals are essential to support economic growth and our quality of life. Paragraph 142 of the NPPF¹ states that it is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs, and emphasises that minerals can only be worked where they are found and it is important to make best use of them to secure their long-term conservation. This highlights the importance of the need to facilitate a steady and adequate supply of minerals, as required by the NPPF. Therefore a positively prepared, justified, effective approach to the site selection methodology and site selection study, which is consistent with national policy and guidance, is essential.

Site Selection for Aggregates

- 2.2 The NPPF states in paragraph 145 that Mineral Planning Authorities (MPAs) should plan for a steady and adequate supply of aggregates by:
- *"...making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate;*
 - *...making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised...;"*
- 2.3 The online National Planning Practice Guidance² elaborates on the policies included in the NPPF, stating in paragraph 008 that MPAs should "plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):
- *designating Specific Sites – where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;*
 - *designating Preferred Areas, which are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or*
 - *designating Areas of Search – areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply."*
- 2.4 In exceptional circumstances, such as where a MPA is largely made up of designated areas protection areas such as Areas of Outstanding Natural Beauty (AONBs), it may be appropriate to rely largely on policies which set out the general conditions against which applications will be assessed. However, it should be noted that HCC is not largely made up of designated sites/areas, and the main resource in the County, sand and gravel, is located outside the Chilterns AONB.
- 2.5 It is essential that when undertaking site selection that accurate and high quality data is used, as paragraph 009 of the PPG states that the better the quality of data available to MPAs, the better the prospect of a site being designated as a Specific Site. Designating Specific Sites in minerals plans provides the necessary certainty on when and where development may take place.

¹ Available at: <http://planningguidance.planningportal.gov.uk/>

² Available at: <http://planningguidance.planningportal.gov.uk/>

2.6 It must be borne in mind that under certain circumstances it may be preferable to focus on extensions to existing sites rather than plan for new sites. For example, it is likely that due to plant and infrastructure already being in place, an extension to an existing mineral site may, in some cases, be able to work resources that would not otherwise be commercially viable, if worked in isolation as a new site. However, paragraph 010 of the PPG states that the suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits, taking into account issues such as:

- need for the specific mineral;
- economic considerations (such as being able to continue to extract the resource, retaining jobs, being able to utilise existing plant and other infrastructure);
- positive and negative environmental impacts (including the feasibility of a strategic approach to restoration; for example the use of ecosystem services and landscape-scale restoration opportunities to guide the location of future minerals extraction such that it optimises the generation of long-term environmental benefits); and
- the cumulative impact of proposals in an area.

Industrial Minerals

2.7 Industrial minerals are accounted for separately in the NPPF and PPG due to differences in the ways in which they are worked, the wide range of uses they have and the range of markets they supply. As a result, paragraph 086 of the PPG states that MPAs should recognise that there are marked differences in geology, physical and chemical properties, markets and supply and demand between different industrial minerals, which can have different implications for their extraction. The differences of particular relevance to brick clay, and which therefore need to be taken account of in the site selection methodology, include:

- geology influencing the size of the mineral resource, how it may be extracted and the amount of mineral waste generated;
- the fact that markets are based on the consistent physical properties of the products (bricks, in this case); and
- the potential for the quality of clay extracted from a single site varying considerably within the site. This may require multiple extraction faces within one quarry and blending to produce a consistent end-product.

Environmental Considerations

2.8 Environmental impacts from both aggregate and industrial mineral extraction require assessment. Significant environmental impacts are best addressed through consideration of an Environmental Impact Assessment which accompanies planning applications for most new mineral workings. However, when undertaking site selection as part of minerals plan preparation, MPAs need to consider planning and environmental constraints and site specific details for similar issues, albeit it in a different level of detail. Paragraph 013 of the PPG states that the principal issues that MPAs should address, bearing in mind that not all issues will be relevant at every site to the same degree, and not all issues can be addressed at the plan preparation stage, include:

- noise associated with the operation;
- dust;
- air quality;
- lighting;
- visual impact on the local and wider landscape;
- landscape character;
- archaeological and heritage features;
- traffic;
- risk of contamination to land;

- soil resources;
- geological structure;
- impact on best and most versatile agricultural land;
- blast vibration;
- flood risk;
- land stability/subsidence;
- internationally, nationally or locally designated wildlife sites, protected habitats and species, and ecological networks;
- impacts on nationally protected landscapes (National Parks, the Broads and Areas of Outstanding Natural Beauty);
- nationally protected geological and geomorphological sites and features;
- site restoration and aftercare;
- surface and, in some cases, ground water issues; and
- water abstraction.

2.9 Not all of the issues listed above will be relevant to all sites, and not all of them will be able to be addressed properly at the site selection stage, but this list provides a useful starting point for issues to be considered.

Green Belt

2.10 Policy such as paragraph 90 of the NPPF also needs to be taken into account when considering planning and environmental constraints. Paragraph 90 outlines how mineral extraction is not an inappropriate form of development in Green Belt provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. The purposes of Green Belt are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Mineral Safeguarding

2.11 Paragraph 143 of the NPPF sets out the requirement for Mineral Planning Authorities to ensure that their Local Plans define Mineral Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked. Mineral Consultation Areas should then be defined based on the MSAs. In addition to mineral resources, Local Plans should safeguard existing, planned and potential facilities for the bulk transport of minerals by rail, sea and inland waterways; and set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place. In the case of Hertfordshire, this means that existing and disused railheads, such as the five rail depots which transport mineral throughout the county and beyond, should be safeguarded.

2.12 The PPG and the British Geological Survey report 'Mineral safeguarding in England: good practice advice'³ provides guidance on minerals safeguarding, including the steps Mineral Planning Authorities should take to safeguard mineral resources, and what the role is of the district council, as the local planning authority, in safeguarding minerals.

³ British Geological Survey (BGS) report 'Mineral safeguarding in England: good practice advice' (Wrighton et. al., 2011)

- 2.13 The PPG states that MPAs should adopt a systematic approach for safeguarding mineral resources, which:
- uses the best available information on the location of all mineral resources in the authority area. This may include use of British Geological Survey maps as well as industry sources;
 - consults with the minerals industry, other local authorities (especially district authorities in two-tier areas), local communities and other relevant interests to define Minerals Safeguarding Areas;
 - sets out Minerals Safeguarding Areas on the policies map that accompanies the local plan and defines Mineral Consultation Areas; and
 - adopts clear development management policies.
- 2.14 The PPG (paragraph 005) also outlines the important role district councils have in safeguarding minerals, for example, having regard to the local minerals plan when identifying suitable areas for non-mineral development in their local plans, and showing MSAs on their policy maps.

Local Policy

- 2.15 In accordance with paragraph 145 of the NPPF, MPAs should plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregates Assessment (LAA), either individually or jointly by agreement with another or other MPAs, based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine-dredged, secondary and recycled sources).
- 2.16 Paragraph 061 of the PPG defines the LAA as "*an annual assessment of the demand for and supply of aggregates in a MPAs area*". The purpose of the LAA is to assess the current local mineral provision against the requirements detailed in the NPPF and PPG, including the Government's Guidance on the Managed Aggregate Supply System.
- 2.17 Hertfordshire County Council published its most recent LAA in 2014⁴. The LAA states that the county council will seek to plan for the agreed East of England Aggregates Working Party sub-regional apportionment level for sand and gravel (1.39 million tonnes per annum (mtpa)) to provide for flexibility to maintain supply when the economy recovers. This will ensure that an adequate and steady supply of aggregate is achieved over the longer term.
- 2.18 Chapter 5 of the 2014 Hertfordshire LAA states that using the East of England Aggregates Working Party sub-regional apportionment of 1.39 mtpa, the county does not have sufficient permitted reserves to fulfil the requirement for a 15 year Minerals Local Plan period (the same would be true if the alternative approaches of using the 10 year rolling average sales or the 3 year average sales figures were to be followed, see **Table 2.1**). As a result, HCC is seeking to address the identified shortfall in permitted reserves by allocating sufficient land in the review of the Minerals Local Plan. This site selection methodology report and the subsequent site selection study aim to support this process.

Table 2.1: Sand and gravel apportionment levels from the 2014 Hertfordshire LAA

Apportionment Level	Total
East of England AWP apportionment figure	1.39 million tonnes per annum
10 year average sales figure (2004-2013)	1.12 million tonnes per annum
3 year average sales figure (2011-2013)	1.17 million tonnes per annum

⁴ Available at: <http://www.hertsdirect.org/services/envplan/plan/hccdevplan/mlp/locaggassmt/>

3 Purpose and Approach

Purpose

- 3.1 The purpose of the site selection study was to develop, consult upon, refine and finalise:
- a site selection methodology for sand and gravel;
 - a site selection methodology for brick clay; and,
 - a methodology for the identification of MSAs and MCAs.
- 3.2 The purpose of the site selection methodology for sand and gravel is two-fold:
- The first purpose is to assess the potential sand and gravel sites put forward through the Call for Sites process: HCC will undertake a Call for Sites in early 2016, the aim of which will be to receive detailed site proposals from quarry operators, land owners etc. It is anticipated that the site-specific information submitted through this process will be detailed, thereby enabling a comparative assessment of potential sites through implementation of the site selection methodology. This process will identify, where appropriate, specific sites for allocation in the Minerals Local Plan.
 - The second purpose is to enable the identification of areas to be allocated as preferred areas or areas of search. LUC and Cuesta Consulting, on behalf of HCC, will apply the site selection methodology for sand and gravel to the known resource in order to identify preferred areas or areas of search for allocation within the Minerals Local Plan (see paragraph 2.3 above).

Approach

- 3.3 The approach to developing the site selection methodologies for sand and gravel and brick clay, and methodology for the identification of MSAs and MCAs began with a review of the Council's existing site selection methodology, taking account of current policy requirements as summarised in **Section 2**. The review of policy requirements provided the background and context for developing the methodologies.
- 3.4 The Council's existing site selection methodology was used to identify sand and gravel sites during development of the 2007 Hertfordshire Minerals Local Plan, and was consulted upon in 2009. The comments received during that consultation, the current policy requirements, and updated background data and assumptions, were all used to inform the updated draft site selection methodologies. These were prepared by LUC and Cuesta, working alongside officers at HCC. An audit trail of changes made to the previous site selection methodology is presented in **Appendix 1**.
- 3.5 Once drafted, the site selection methodologies for sand and gravel and brick clay, together with the methodology for the identification of MSAs and MCAs, were discussed at the Interested Parties Workshop held on 19th March 2015. The workshop involved invited representatives of statutory and non-statutory consultees, industry and neighbouring local authorities.
- 3.6 The discussions that took place at the Workshop and comments made were noted and collated by HCC. Invitees were also given a two week period following the Workshop within which any additional comments could be submitted to HCC. All comments and discussions noted have been summarised within **Appendix 2**. These were reviewed and used to inform the final draft site selection methodologies for public consultation.
- 3.7 The following key changes were made to the site selection methodologies in light of the Workshop:

Sand and Gravel

Sieve 1

- A greater degree of flexibility was incorporated, rather than applying the suggested criteria rigidly. Sites put forward by industry need not meet those criteria, provided that they are supported by evidence regarding economic viability.

Sieve 2

- Sieve 2 was no longer split into two stages (Sieve 2A and 2B) and only included those major constraints considered to be 'absolute' i.e. urban areas, areas with planning permission, and Ancient Woodland.
- All landscape, historic and biodiversity constraints previously included in Sieves 2A/2B were considered instead as part of Sieve 3.

Sieve 3

- Additional criteria previously included in Sieve 2 (e.g. landscape, historic and biodiversity constraints), and new criteria (e.g. sustainably transport by road) were considered as part of Sieve 3.
- Some criteria were removed due to the designations not existing in Hertfordshire (e.g. Areas of High Landscape Value, and Key Wildlife Sites).
- The subjective categorisation of all criteria in Sieve 3 (e.g. High, Medium and Low) was removed to ensure that criteria, and sites, can be compared equally and objectively.

Brick Clay

- The whole resource was proposed to be identified as an area of search, due to insufficient geological information to enable a more specific allocation to be identified which would represent 25 years' supply. It was agreed that it will be left to the existing operators to undertake their own exploration within the area of search.

MSAs/MCAs

- The proposed methodology for identification of MSAs and MCAs was amended to explicitly state that all resources will be safeguarded and not just those areas which are considered to be economically viable at the present time.

- 3.8 The final draft site selection methodologies were consulted upon as part of the initial consultation on the review of the Minerals Local Plan, which took place between 3 August and 16 October 2015. Consultation responses received were analysed and used to inform the final site selection methodologies described in **Sections 4, 5 and 6** below.
- 3.9 The following key changes were made to the sand and gravel site selection methodology following public consultation:

Economic Viability Criteria

- The consultation representations received indicated confusion regarding the use of the economic viability criteria for industry promoted sites. The main issue identified was that economic viability would be established by the promoter before putting a site forward, and therefore the criteria were not sufficiently flexible.

Major Constraints Criteria

- Representations to the consultation largely questioned the placement of ancient woodland in major constraints; either suggesting that it should lie within the detailed site assessment criteria or that other international and national nature designations should be moved to major constraints. Representations also highlighted the importance of international and national nature conservation designations.

Detailed Site Assessment Criteria

- Representations reiterated points similar to those raised above for major constraints. In addition, many representations raised issues which would need to be dealt with at the planning application stage once site-specific proposals are fully understood.
- 3.10 In taking account of the representations received, the purpose of the original economic viability criteria was re-examined and the use of specific criteria replaced. This also led to original Sieves 1 and 2 being switched round, so that major constraints are examined first. Further detail is provided in **Section 4**.
- 3.11 The final sand and gravel site selection methodology includes ancient woodland within Sieve 3 and the addition of a 'dark red' (very high) category in the scoring framework for certain criteria. This will allow sites with international and national designations (including ancient woodland) that are subject to an exceptions or alternatives test in national policy, to be highlighted through the use of the 'dark red' (very high) category in the scoring.

Sustainability Appraisal

- 3.12 Under the Planning and Compulsory Purchase Act 2004, Sustainability Appraisal (SA) is mandatory for Local Development Documents, including MLPs prepared by County Councils and National Park Authorities. For these documents it is also necessary to conduct an environmental assessment in accordance with the requirements of the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC). Therefore, it is a legal requirement for the emerging MLP to be subject to SA and SEA throughout its preparation.
- 3.13 To this end, the proposed site selection methodologies which were subject to initial consultation were reviewed against the SA framework. Further information regarding this can be found in the Hertfordshire Minerals Local Plan Sustainability Appraisal and Strategic Environmental Assessment Scoping Report (May 2015). The next stage of the SA/SEA will need to consider the final site selection methodologies, and will also appraise the sustainability effects of all the potential mineral site options once they have been put through the relevant site selection methodology.

4 Site Selection Methodology for Sand and Gravel

- 4.1 The proposed methodology for site selection for sand and gravel involves the process of identifying potential sites through a Call for Sites exercise, using a set of criteria and an associated assessment framework to narrow down alternative options, thereby identifying the most appropriate sites for allocation within the MLP. In addition, a resource assessment will be undertaken to establish potential preferred areas and/or areas of search. The British Geological Survey resource map for Hertfordshire will be used as the starting point for the identification of preferred areas and/or areas of search.
- 4.2 The proposed site selection methodology consists of three stages referred to as 'sieves'; at each stage some of the options will be discarded as they will not meet the assessment criteria, while other site and/or areas will progress to the next sieve and be subject to further more detailed assessment.
- 4.3 It is important to note at this stage that the detailed site assessments undertaken for the MLP are not replacements for the assessments required as part of a planning application for a minerals site.
- 4.4 The three stages in the site selection methodology are:
- **Sieve 1 – Major Constraints:** Discounting sites and/or areas, either in part or in full, which are subject to identified major constraints.
 - **Sieve 2 – Resource Assessment:** With regard to the identification of specific sites, this sieve involves the verification of evidence relating to commercial viability and deliverability put forward through the Call for Sites process. In relation to the identification of preferred areas or areas of search, this sieve involves the refinement of the British Geological Survey resource areas with any readily available up to date information.
 - **Sieve 3 – Detailed Site Assessments:** Assessing the sites and/or areas that have passed through Sieves 1 and 2 against more detailed environmental and planning constraints and issues to identify those most appropriate for inclusion in the emerging MLP.
- 4.5 The three sieves are described further below.

Sieve 1 – Major Constraints

- 4.6 Certain constraints are acknowledged as absolute constraints to future minerals working, therefore any areas of resource or proposed sites (from the Call for Sites process) that fall within these constraints will not be taken forward to Sieve 2. Where a site or area falls partly within an absolute constraint, that proportion of the site or area will be discounted. The absolute constraints are:
- Urban areas, based on the Office of National Statistics urban area dataset, which includes built up areas and built up area subdivisions⁵ (built-up areas (BUA) and built-up area subdivisions (BUASD) are a new geography, created as part of the 2011 Census outputs. This data provides information on the villages, towns and cities where people live, and allows comparisons between people living in built-up areas and those living elsewhere. The definition follows a "bricks and mortar" approach, with BUAs defined as land with a minimum area of 20 hectares (200,000 square metres), while settlements within 200 metres of each other are linked).

⁵ <http://www.ons.gov.uk/ons/guide-method/geography/beginner-s-guide/census/built-up-areas---built-up-area-sub-divisions/index.html>

- Sites with extant planning permission for other development (for the identification of preferred areas or areas of search, these will be limited to those sites whose area is greater than 5ha due to difficulties associated with collection of data for smaller planning permissions such as house extensions etc.).
- Previously worked areas.

4.7 As noted above, the British Geological Survey resource map for Hertfordshire will be used as the starting point for the identification of preferred areas and/or areas of search.

Sieve 2 – Resource Assessment

- 4.8 It is important that any sites or areas put forward in the Minerals Local Plan are viable and deliverable in practice. It is assumed that the economic viability and deliverability of sites proposed through the Call for Sites process will already have been determined by the operator or owner. However, site-specific evidence for this will need to be provided through the Call for Sites process to demonstrate deliverability during the Plan period.
- 4.9 Examples of the evidence required for specific sites put forward in this way include confirmation of both mineral operator and land owner willingness for mineral development to take place during the Plan period; evidence of the tonnage of reserves likely to be capable of being extracted within the Site; and details of any mitigation measures to avoid significant adverse effects on the local environment which have been taken into account in assessing the Site's economic viability.
- 4.10 It is also important that the identification of preferred areas and/or areas of search are based on the most up to date information available, to ensure that any areas included within the Minerals Local Plan are sufficiently justified. The British Geological Survey resource map for Hertfordshire, used as the starting point for this exercise, will be updated with additional information on spatial distribution and technical characteristics, where such information (e.g. borehole data or reports) is readily available from mineral operators in the county or from HCC.

Sieve 3 – Detailed Site Assessments

- 4.11 The final step of the site selection methodology will involve the consideration of high level designations together with more detailed local planning and environmental constraints, considerations and opportunities, and (where practicable) site specific details, including findings from the parallel Sustainability Appraisal (SA) process.
- 4.12 Those sites and/or areas that pass through Sieve 2 will be assessed against these more detailed criteria and subjected to the evaluation process and scoring system outlined in **Table 4.1** below. Each criterion includes an explanation of how each score will be applied in order to evaluate the relative merits and constraints of potential sites and areas. This will allow for a more detailed comparison to be made between site options. This sieve may also reduce the size of the areas taken forward rather than discounting them completely.
- 4.13 The criteria included for consideration in **Table 4.1** have been informed by Paragraph 013⁶ of the PPG which outlines the principal issues that MPAs should address (as stated in **Section 2**), professional experience and feedback received through the Interested Parties Workshop and public consultation. Specific definitions of the term 'proximity' used within the scoring framework in **Table 4.1** will be established during implementation of the site selection methodology, using established policy, guidance and best practice distances where possible. For example, paragraph 022 of the online PPG advises local planning authorities to:

"...consult the Forestry Commission about development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in Natural England's Ancient Woodland inventory), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland

⁶ Available at: <http://planningguidance.planningportal.gov.uk/blog/guidance/minerals/assessing-environmental-impacts-from-minerals-extraction/>

or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings”.

- 4.14 To exclude potential sites at an earlier stage can be a difficult balancing exercise – taking account of the need for greater ‘front-loading’ of the planning process (as required by the Planning and Compulsory Purchase Act 2004), without risking the challenge of judicial review. Therefore, it is prudent to limit the depth of analysis carried out during this sieve, focusing primarily on any obvious reasons for inclusion or exclusion.
- 4.15 It is important that this evaluation process is not seen as a means of pre-judging the outcome of subsequent planning applications. It would be wrong, for example, to exclude a proposed site simply because it is overlapped with a particular designation, if it was felt that the resulting impacts were capable of being adequately mitigated; or if it were considered likely that the only alternative options would be less sustainable, overall. In many cases, such issues can only be properly addressed at the planning application stage, following detailed environmental assessment (which may include Environmental Impact Assessment required by the EIA Regulations).
- 4.16 It is also important to note that few, if any, designations are an absolute obstacle to mineral extraction. For example, some of the designations considered in Sieve 3 are subject to the highest level of protection in the NPPF but, nevertheless, do not entirely exclude the possibility of mineral extraction (for example if there is an overriding need for the mineral and no reasonable alternatives, or if potential impacts can be adequately mitigated and/or if there are sufficient beneficial effects that could be achieved through appropriate restoration). However, recognising the statutory protection afforded to national and international designations is important, therefore these criteria include a ‘dark red’ (very high) category.
- 4.17 A number of potential criteria were considered for inclusion in Sieve 3, but not taken forward, for the following reasons:
- **Major Services** (gas pipelines, water pipelines, electricity transmission lines): Discounted due to detailed data and information not being available at this strategic stage of assessment.
 - **Drainage**: Discounted as drainage is a site specific matter that would be dealt with at the planning application stage.
 - **Commercial and economic issues**: Discounted due to this information being problematic to quantify and score consistently and comparably. Economic resource viability issues are dealt with under Sieve 2.
 - **Mineral sterilisation**: This is partly addressed through the Sieve 3 criterion: Proximity of allocated residential or built development. However, scoring resource areas/sites on the extent to which mineral may be vulnerable to sterilisation by other development if not allocated for extraction is not considered appropriate as part of the site selection methodology. Economically viable minerals in Hertfordshire will be afforded relevant protection by the designation of MSAs and MCAs, and the supporting development management policies adopted as part of the emerging MLP.
 - **Chalk streams**: The inclusion of a criterion relating to chalk streams was raised during the public consultation. Whilst recognised as an important natural feature and habitat, it is possible for mineral extraction to occur in close proximity to a chalk stream. This is considered to be a site specific issue that would be dealt with at the planning application stage.
 - **Sensitive receptors**: The inclusion of an additional criterion to assess proximity of potential mineral extraction sites to particularly sensitive receptors was raised during the public consultation. Such considerations beyond those criteria already included in Sieve 3, are considered to be site specific issues that would be dealt with at the planning application stage.
- 4.18 It is important to bear in mind that mineral workings are considered to be compatible with certain constraints such as Best and Most Versatile (BMV) agricultural land and Green Belt. Whilst the PPG includes ‘impact on BMV land’ as an environmental issue that must be addressed by MPAs,

minerals extraction is not precluded on this land designation. Paragraph 12 of the NPPF states that:

"Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality."

- 4.19 It has long been recognised that minerals working can be accommodated on BMV agricultural land provided that high environmental standards are maintained, best practice soil handling techniques are adhered to and sites are well restored. The PPG goes on to require that where mineral working is proposed on BMV land, the outline restoration and aftercare strategy should show, where practicable, how the methods used in the restoration and aftercare enable the land to retain its longer term capability, though the proposed after-use need not always be for agriculture.
- 4.20 The NPPF states that the Government attaches great importance to Green Belts, noting that 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 90 of the NPPF lists those forms of development which are not inappropriate in Green Belt provided that they *"preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt"*. These potential exemptions include mineral extraction, (largely because this is recognised as being a temporary use of land, with a capability of delivering progressive restoration, and because minerals can only be worked where they occur).
- 4.21 It is important to note that some of the criteria identified in **Table 4.1** (e.g. Cumulative Effects and Restoration) will also be able to be considered in greater detail once all potential resource areas/sites are known, as it is difficult to consider this solely on a site by site basis.
- 4.22 As shown in **Table 4.1** each of the criteria will be considered in detail and not be approached as blanket constraints. As noted earlier, in some cases a potential effect can be made acceptable through the use of appropriate mitigation and it is important that the sieve methodology does not pre-judge matters that should more properly be dealt with at the planning application stage. The assessment of a site and/or area against each of these criteria will not result in a simple yes or no; a range of evaluation scores and assumptions for each consideration have been developed, complementing the approach that will be undertaken during the SA of the Minerals Local Plan.
- 4.23 The information used to assess sites and areas against the criteria in **Table 4.1** will be provided from a range of sources including spatial data in GIS form, HCC's own expertise (such as the highways team and the Minerals and Waste Planning Team), accessible online data sources maintained by statutory consultees (e.g. Environment Agency) and other sources of relevant environmental and sustainability information. However, data for some of the proposed criteria, such as infrastructure and access requirements, restoration opportunities, economic implications, employment provision and other unique local factors will not be able to be supplied in GIS format. Such data will be sought, during the Call for Sites, from those putting forward potential sites and areas for consideration and/or from other stakeholders. In addition, the baseline information and findings from other studies undertaken by and for the Council such as the Sustainability Appraisal, Habitats Regulations Assessment and Strategic Flood Risk Assessment will be used.
- 4.24 Finally, while most of the site selection judgements throughout the Sieves will be done through desk-based review of relevant information, as detailed above, site visits will also be undertaken during Sieve 3 to verify judgements made on site.
- 4.25 In order to record the findings of the site selection process, a simple proforma (see **Appendix 3**) will be completed for each site or area, compiling information derived from GIS analysis of spatial data (e.g. proximity to environmental designations and sensitive or incompatible existing / planned development) and other (non-GIS) factors, and providing a score for each criterion. The scores for each site against all criteria will be summarised within an Excel spreadsheet. This approach provides a simple but effective way to evaluate sites in a consistent, robust and transparent manner.

Identification of Specific Sites, Preferred Areas or Areas of Search

- 4.26 Once potential sites and/or areas have been assessed through the site selection process, consideration will be given as to whether each of them should be identified as a Specific Site, Preferred Area or Area of Search as appropriate. This will depend on the level of information and known degree of deliverability of the areas/sites in question, as indicated by the definitions provided in paragraph 008 of the PPG:
- **Specific Sites** – are designated where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;
 - **Preferred Areas** – are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or
 - **Areas of Search** – areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.
- 4.27 It is important to note that if the required tonnage to meet Hertfordshire's shortfall in sand and gravel is not identified through the identification of Specific Sites, Preferred Areas or Areas of Search, then sites discounted at earlier sieve stages may have to be re-assessed; alternatively further site identification or an additional Call for Sites may have to take place.

Table 4.1: Evaluation Framework for Sieve 3

4.28 The scoring key used in the evaluation framework is outlined below. As described in the methodology section above, the justification and reasoning behind the scores given will be detailed in a comments section of the evaluation framework, thereby ensuring transparency and understanding of the decisions made:

Key

Score	Description
Positive	There are positive impacts or benefits/enhancements.
Low	There are no / insignificant impact(s) / issue(s).
Medium	There is a minor/moderate impact / issue which may be acceptable (and may involve mitigation).
High	There is a major impact / issue which may or may not be adequately mitigated.
Very High	There is an impact on a site or area of international or national significance within which working will only be permitted once an exception or alternative test in national policy has been met.

Criterion	Justification	Score	Scoring explanation	Data available
Ancient Woodland	Ancient woodland is afforded protection through the NPPF, which notes that it is irreplaceable. Local planning authorities should refuse planning permission for development resulting in the loss or deterioration of ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.	Positive	The potential for positive effects on ancient woodland is dependent on the exact nature and proposed design of the restoration of the minerals site, which may protect or increase the ecological connectivity of the woodland. However, this will not be known until the planning application stage.	Natural England’s Ancient Woodland inventory.
		Low	Sites or areas which are distant from ancient woodland.	

Criterion	Justification	Score	Scoring explanation	Data available
		Medium	Sites or areas which lie in close proximity to ancient woodland.	
		High	Sites or areas which are immediately adjacent to ancient woodland.	
		Very High	Sites or areas that partly or entirely within ancient woodland.	
Aquifers	Aquifer designations are defined in the EU Water Framework Directive, and these designations reflect the importance of aquifers in terms of groundwater as a resource (drinking water supply) but also their role in supporting water flows and wetland ecosystems. Mitigation measures and/or a precautionary approach to the operation of mineral workings can often be implemented. However, this is unlikely to be known until the planning application stage.	Positive	N/A	Environment Agency Dataset/ GIS information from HCC.
		Low	Sites or areas which are outside of a designated aquifer.	
		Medium	Sites or areas which are located partly or entirely within a Secondary Aquifer.	
		High	Sites or areas which are located partly or entirely within a Principal Aquifer.	
		Very High	N/A	
BAP Priority Species or Habitats	The NPPF requires that, where possible, biodiversity loss, including direct loss of habitats and indirect losses through the fragmentation of green infrastructure networks, should be avoided. It is also necessary to consider sites that are not afforded statutory protection but are of local importance; especially those that provide ecological connectivity (including BAP habitats).	Positive	The restoration of minerals sites is increasingly adopting innovative practice and this could have positive effects on BAP Priority Species and Habitats for restoration to nature conservation. However, this would be very dependent on the exact nature and proposed design of the restoration of the minerals site, which may not be known until the planning application stage.	GIS information from HCC. Any relevant information from the HRA. Information provided through the Call for Sites.
		Low	Sites or areas which are outside of areas known to include BAP Priority Species and Habitats.	
		Medium	Sites or areas which are partly within areas known to	

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Criterion	Justification	Score	Scoring explanation	Data available
			include BAP Priority Species and Habitats.	
		High	Sites or areas that are entirely within areas known to include BAP Priority Species and Habitats.	
		Very High	N/A	
BMV land	Minerals extraction is not precluded on BMV. It has long been recognised that minerals working can be accommodated on best and most versatile (BMV) agricultural land, provided that high environmental standards are maintained, best practice soil handling techniques are adhered to and sites are well restored. Although, the potential to ensure these standards may not be known until the planning application stage.	Positive	N/A	National datasets
		Low	Sites or areas not located within BMV Land or on lower grades (not 1, 2 or 3).	
		Medium	Sites or areas located within higher grades of BMV land.	
		High	N/A	
		Very High	N/A	
Cumulative effects	The NPPF states that local planning authorities should take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality. The NPPF states that local planning authorities must put in place policies that ensure high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation.	Positive	Opportunities exist for contributing to a landscape-scale approach to mineral extraction and restoration. For example, this could include contributions to identified green infrastructure networks or corridors, but will depend upon the information available regarding such initiatives.	Visual analysis of Ordnance Survey (OS) base maps. GIS information from HCC.
		Low	Sites or areas that are distant from existing mineral sites, or sites that are adjacent to or within close proximity to existing mineral sites but are distant from sensitive receptors and settlements.	
		Medium	Sites or areas that are adjacent or in close proximity to existing mineral sites and within close proximity to the same settlement or sensitive receptor(s).	

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Criterion	Justification	Score	Scoring explanation	Data available
	Opportunities may sometimes exist for the creation of positive cumulative effects by adopting a landscape-scale approach to mineral extraction and restoration - for example by creating or re-establishing wildlife corridors and connectivity of habitats; by creating water storage / flood alleviation features; and/or by creating aesthetically pleasing landscape features.	High	N/A	
		Very High	N/A	
Ecological status of water bodies	<p>The EU Water Framework Directive (2000/60/EC) looks at the ecological health of both groundwater and surface water with the aim of achieving 'good ecological status' by 2027, and to ensure that there is no deterioration from existing statuses.</p> <p>The operation of mineral extraction sites can have a number of different impacts on habitats and species either within the boundary of the extraction site or in proximity to the site. There may be the potential for water pollution e.g. through addition of dust and silts to waterbodies or through accidental spills or run-off of oil from machinery for example. Thereby affecting the ecological status of water bodies.</p> <p>Noise and vibration arising from sand and gravel extraction could also affect aquatic species, however, it should be possible to avoid or mitigate adverse impacts, for example by timing works to avoid critical periods (e.g. spawning or breeding periods), or preventing work from being undertaken at night to avoid disturbance to nocturnal</p>	Positive	N/A	<p>Visual analysis of Ordnance Survey (OS) base maps.</p> <p>Any relevant information from the HRA.</p>
		Low	Sites or areas which are not located near to a water body.	
		Medium	Sites or areas located adjacent to a water body.	
		High	Sites or areas located within the boundary of a water body.	
		Very High	N/A	

Criterion	Justification	Score	Scoring explanation	Data available
	species (e.g. otters).			
Flood risk	<p>As stated in the PPG, local authorities should take a sequential approach to developing in areas at risk of flooding, giving preference to locating development in Flood Zone 1, followed by Flood Zone 2 then Flood Zone 3.</p> <p>Minerals working and processing (except sand & gravel working) are classed as less vulnerable, which means that they are potentially compatible with all flood zones except for Flood Zone 3b, the functional floodplain⁷. Sand and gravel workings are classed as water-compatible development and are potentially suitable for all flood zones including 3b, the functional floodplain. However, National Planning Practice Guidance⁸ also states that mineral workings should not increase flood risk elsewhere and need to be designed, worked and restored accordingly.</p>	Positive	Some sites, which may dewater, may hold the potential to store excess water in times of heavy rain, which would be seen as a positive in terms of preventing flood risk. However, this may not be known until the planning application stage.	GIS information from HCC.
		Low	Sites or areas located within Flood Zones 1-3a, and sand and gravel sites located within 3b.	
		Medium	N/A	
		High	N/A	
		Very High	N/A	
Geodiversity	National and locally important sites of geological/geomorphological interest (e.g. Local Geological Sites, formally RIGS) should be protected under the NPPF. Although it is noted that quarrying often provides substantial opportunities for the creation of new geological exposures and for the creation of geodiversity trails.	Positive	The site provides one or more opportunities for the creation of new geological exposures and /or for the creation of geodiversity trails.	GIS information from HCC. Information provided through the Call for Sites.
		Low	Sites or areas that are either distant from geological conservation sites, or which hold opportunities to incorporate, enhance or preserve important geological features within the site.	

⁷ Available at: <http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-3-flood-risk-vulnerability-and-flood-zone-compatibility/>

⁸ Available at: <http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/the-sequential-risk-based-approach-to-the-location-of-development/>

Criterion	Justification	Score	Scoring explanation	Data available
	The NPPF requires planning authorities to aim to prevent harm to geological conservation interests through the use of criteria based policies, including minimising impacts on geodiversity. Mineral sites can potentially contribute to geodiversity by preserving and conserving geological features/landscapes that contribute towards the link between people, landscape and their culture. However, due to the methods of extraction and processing, this is more likely at less intensive sites (e.g. building stone) than aggregate sites.	Medium	Sites or areas that are within or adjacent to national sites of geological interest (SSSI) or Local Geological Sites (LGS), other than those which are classed as 'finite' sites.	
		High	Sites or areas that are within geological or geomorphological SSSIs which have been classified as 'finite' sites.	
		Very High	N/A	
Green Belt	NPPF states that the Government attaches great importance to Green Belts, noting that 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. The NPPF lists mineral extraction as a form of development which is not inappropriate in Green Belt providing that it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt.	Positive	N/A	GIS information from HCC; check the purposes for its designation does not conflict with mineral working.
		Low	Sites or areas located outside of Green Belt and/or site located within Green Belt but do not conflict with the purposes for its designation.	
		Medium	Sites or areas located within Green Belt which conflict with the purposes for its designation.	
		High	N/A	
		Very High	N/A	
Groundwater vulnerability	The NPPF states that local planning authorities should set out environmental criteria against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural	Positive	N/A	GIS information from HCC.
		Low	Sites or areas located within Source Protection Zone 4 or outside of all Source Protection Zones.	

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Criterion	Justification	Score	Scoring explanation	Data available
	environment, including from impacts on the flow and quantity of surface and groundwater and migration of contamination from sites. The extent to which a minerals extraction site will affect groundwater on a potential site depends on the type of mineral worked, site design and characteristics, and the geological conditions. Mineral sites that are in Source Protection Zone (SPZ) 1 could potentially lead to loss of contaminants or accidental pollution incidents. Potential for adverse effects on water quality will also be assessed at the planning application stage.	Medium	Sites or areas located within Source Protection Zones 2 and 3	
		High	Sites or areas located within Source Protection Zone 1	
		Very High	N/A	
Heritage designations	Heritage designations are protected by the NPPF. These include Scheduled Monuments, Listed Buildings, Conservation Areas, and Registered Historic Parks and Gardens. Such designations may be directly affected by minerals workings through their removal or damage, or by affecting their setting. Whilst the setting of heritage assets can be a critical part of their significance, it is not possible to consider this at the strategic planning stage. This will be an important consideration at the planning application stage. Working of minerals can lead to the investigation and recording of archaeological deposits, increasing knowledge and understanding. In addition, the restoration of a minerals site may improve the setting of a heritage asset. However it is not practicable to consider such issues at the strategic planning stage, but could be	Positive	N/A	GIS national datasets from Historic England. GIS information from HCC and district authorities.
		Low	Sites or areas which do not overlap with heritage designations.	
		Medium	Sites or areas which partly overlap or are immediately adjacent to heritage designations.	
		High	Sites or areas that contain heritage designations.	
		Very High	Sites or areas that are partly or entirely within an international and/or national heritage designation.	

Criterion	Justification	Score	Scoring explanation	Data available
	important issues at the planning application stage.			
International and national ecological designations	<p>International and national ecological designations are protected through European and National legislation. Such sites include Ramsar sites, Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs).</p> <p>These nature conservation designations are given the highest level of protection and therefore should be protected against harm and in general mineral extraction within them should be avoided. However, it is recognised that in occasional situations, minerals development can have positive effects on these designations. For example, through the provision of flood alleviation or the creation of specific habitats.</p>	Positive	The potential for positive effects on ecological designations is dependent on the exact nature and proposed design of the restoration of the minerals site, which may not be known until the planning application stage.	<p>GIS national datasets from Natural England's MAGIC database.</p> <p>GIS information from HCC.</p> <p>Information provided through the Call for Sites.</p>
		Low	Sites or areas which are distant from international and national ecological designations.	
		Medium	Sites or areas which lie in close proximity to international and national ecological designations.	
		High	Sites or areas which are immediately adjacent to international and/or national ecological designations.	
		Very High	Sites or areas that are partly or entirely within international and/or national ecological designations.	
Land ownership	The extent to which options put forward by industry are within their control can have a bearing on the likelihood sites will be available during the emerging MLP plan period.	Positive	N/A	Information provided through the Call for Sites.
		Low	Sites in the control of the industry.	
		Medium	Sites not in the control of the industry.	
		High	N/A	
		Very High	N/A	
Landscape	Landscape Designations (e.g. AONB) are protected by the NPPF. Both national and	Positive	The restoration of minerals sites is increasingly adopting innovative practice and this could have positive effects on	GIS national datasets from

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Criterion	Justification	Score	Scoring explanation	Data available
designations	local landscape designations may be affected by the development of mineral workings. Landscape designations in poor condition could be enhanced through high quality restoration. However, this will not be able to be determined until the planning application stage.		landscape designations. However, this would be very dependent on the exact nature and proposed design of the restoration of the minerals site, which may not be known until the planning application stage.	Natural England's MAGIC database. GIS information from HCC. Information provided through the Call for Sites.
		Low	Sites which are outside of landscape designations.	
		Medium	Sites which are partly within or immediately adjacent to landscape designations.	
		High	Sites that are entirely within landscape designations.	
		Very High	Sites or areas that are partly or entirely within international and/or national landscape designations.	
Local Nature Reserves and/or Local Wildlife Sites	Locally important sites of nature conservation should be protected under the NPPF. Where possible, biodiversity loss, including direct loss of habitats and indirect losses through the fragmentation of green infrastructure networks, should be avoided. It is also necessary to consider sites that are not afforded statutory protection but are of local importance; especially those that provide ecological connectivity. However, the level of detail to aid understanding of potential impacts on Local Nature Reserves and/or Local Wildlife Sites would not be known until the planning application stage.	Positive	The restoration of minerals sites is increasingly adopting innovative practice and this could have positive effects on local nature reserves for restoration to nature conservation. However, this would be very dependent on the exact nature and proposed design of the restoration of the minerals site, which may not be known until the planning application stage.	GIS information from HCC. Any relevant information from the HRA. Information provided through the Call for Sites.
		Low	Sites or areas which are outside of Local Nature Reserves and/or Local Wildlife Sites.	
		Medium	Sites or areas which are partly within or immediately adjacent to Local Nature Reserves and/or Local Wildlife Sites.	
		High	Sites or areas that are entirely within Local Nature Reserves and/or Local Wildlife Sites.	
		Very	N/A	

Criterion	Justification	Score	Scoring explanation	Data available
		High		
Proximity of allocated residential or built development	There could be potential for land use conflict where minerals sites are within or in close proximity to areas allocated for future residential or built development, as mineral resources could be sterilised or mineral operations could conflict with the neighbouring sensitive land uses. Mineral sterilisation could be avoided via prior extraction. Conflict between mineral operations and sensitive land uses could be mitigated by the use of stand-off distances, noise bunds and visual screening. However, the potential for this to occur would not be known until the planning application stage for either land use.	Positive	N/A	Data on housing allocations from HCC.
		Low	Sites or areas are located away from planned built development.	Visual analysis of relevant Local Plan maps for areas planned for future residential development, however, the certainty of these development locations depends on the status of the Local Plan in question, i.e. how close to Adoption it is.
		Medium	Sites or areas are located in close proximity to or adjacent to planned built development.	
		High	Sites or areas are located within the boundary of planned built development.	
		Very High	N/A	
Recreation	The NPPF requires that planning decisions should guard against the unnecessary loss of valued social, recreational and cultural facilities and services, particularly where this would reduce the community's ability to	Positive	Sites or areas that have the potential for major enhancements for existing Public Rights of Way, open spaces or recreational facilities and/or the development of new Public Rights of Way, open spaces or recreational facilities.	GIS information from HCC, plus analysis of OS base map for other types of leisure/

Criterion	Justification	Score	Scoring explanation	Data available
	meet its day-to-day needs. Sites could have effects on the amenity of users of Public Rights of Way, open spaces (e.g. common land, access land, community forests) and recreational facilities if they are in close proximity. There may also be opportunities for enhancement to recreational facilities during the development of particular mineral sites, as set out in the NPPF. In addition, there may be opportunities to create new recreation areas/open spaces during the restoration of mineral sites.	Low	Sites or areas that have the potential for minor enhancements for existing Public Rights of Way, open spaces or recreational facilities, or are located away from Public Rights of Way, open spaces or recreational facilities.	recreational facilities and open spaces. Analysis of Sustrans Maps ⁹ will be completed for cycle routes.
		Medium	Sites or areas that are located within close proximity of Public Rights of Way, open spaces or recreational facilities.	
		High	Sites or areas that are adjacent to or are located within the boundary of Public Rights of Way, open spaces or recreational facilities.	
		Very High	N/A	
Restoration	The NPPF states that local planning authorities must put in place policies that ensure high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation. Appropriate restoration (i.e. the formation of final landform contours and replacement of soils) and reclamation (i.e. making the site	Positive	N/A	Information provided through the Call for Sites.
		Low	Sites or areas where there are clear opportunities for high quality restoration and aftercare.	
		Medium	Sites or areas where there are some opportunities for high quality restoration and aftercare.	
		High	Sites or areas where there is no prospect of restoration and reclamation to an appropriate future land use.	

⁹ Available at: <http://www.sustrans.org.uk/ncn/map?gclid=CiWvqcnx47kCFTIQtaodzCMACQ>

Criterion	Justification	Score	Scoring explanation	Data available
	suitable for an appropriate after-use), has always been an important aspect of mineral planning and is specified by conditions attached to most modern mineral permissions. Restoration should take place at the earliest opportunity, during a phased extraction or if appropriate upon completion of quarrying.	Very High	N/A	
Sensitive land uses	Minerals sites could have effects on the health and amenity of local residents and communities from dust, noise and vibration. The NPPF is clear that minerals planning authorities should ensure that unavoidable noise, dust and particle emissions and any blasting vibrations are controlled and mitigated or removed at source. Past (e.g. Minerals Policy Statement 2) and current guidance (e.g. NPPF) state that residential properties and other sensitive uses can be affected by dust up to 1km from the source, and that concerns are most likely to be experienced near to sources, generally within 100m depending on site characteristics and in the absence of appropriate mitigation.	Positive	N/A	Visual analysis of Ordnance Survey (OS) base maps.
		Low	Sites or areas are distant from sensitive land uses.	
		Medium	Sites or areas are in close proximity to sensitive land uses.	
		High	Sites or areas are located adjacent to or within the boundary of sensitive land uses.	
		Very High	N/A	
Sustainable transport	The NPPF states that plans and decisions should ensure developments that generate significant movements can maximise the use of sustainable transport modes. The majority of minerals sites will involve road transportation with some involving more movements than others. However,	Positive	N/A	National datasets and OS base map. GIS information from HCC. Information
		Low	Sites or areas with direct access to the rail network or navigable waterway network.	
		Medium	Sites or areas with economically viable access to the rail network or navigable waterway network.	

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Criterion	Justification	Score	Scoring explanation	Data available
	proximity to rail lines/depots/sidings, rivers/canals or wharves could provide opportunities to explore more sustainable modes of transporting minerals.	High	Sites or areas distant from the rail network or navigable waterway network.	provided through the Call for Sites.
		Very High	N/A	
Sustainable transport and pollution to the environment (dust, air, water)	<p>Environmental receptors, including humans, are protected from pollution through a number of planning and environmental regulations. Mineral workings have the potential to result to pollution of water courses, aquifers and the air. However, there are strict environmental controls in place to prevent this occurring at the site level. Potential for adverse effects on surface water quality will be assessed at the planning application stage.</p> <p>Proposals for all types of minerals sites could contribute to increasing air pollution with regards to minerals transportation by road, as well as any air pollution associated with the operation of the sites and processes used such as dust from blasting, crushing and processing.</p> <p>The further vehicles transporting minerals have to travel along local roads (i.e. not on the primary road network), the higher the potential for more localised air pollution as they are likely to travel more slowly on local roads. In addition, if the mineral site is within, or vehicles are travelling through, AQMAs where existing air pollution issues have been identified, there is more potential for negative effects on air quality.</p>	Positive	N/A	<p>Visual analysis of Ordnance Survey (OS) base maps.</p> <p>GIS information from HCC.</p> <p>Information provided through the Call for Sites.</p>
		Low	Sites or areas where associated traffic would not be likely to travel through an Air Quality Management Area, or are located adjacent to a strategic road network.	
		Medium	Sites or areas where associated traffic would be likely to travel through an Air Quality Management Area, or are in close proximity to a strategic road network.	
		High	Sites or areas located within an Air Quality Management Area, or not in close proximity to a strategic road network.	
		Very High	N/A	

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5 Draft Site Selection Methodology for Brick Clay

- 5.1 NPPF paragraph 146 requires MPAs to plan for at least 25 years' supply of brick clay, through the provision of a stock of permitted reserves sufficient to support the level of actual and proposed investment required for new and existing plant and the maintenance and improvement of existing plant and equipment. The extant Minerals Local Plan was produced before the introduction of the NPPF, and had not planned for a 25 year stock of clay reserves. The Council therefore has no previous site selection methodology for brick clay.
- 5.2 The location of the brick clay resource is provided by the BGS mineral resource information for development plans. No other detailed information is known to exist, within the public domain. This is not least because of the specialist nature of the bricks produced in this area and the relatively unusual nature of the Reading Formation and Clay-with-Flints resources which are used. These factors dictate different methods of extraction and processing, compared with those used in much larger brick pits (for example in neighbouring Bedfordshire) where the resources tend to be thicker and more consistent, and they also influence which parts of the resource can be utilised. There is one remaining brick clay operator in Hertfordshire: Bovington Bricks.
- 5.3 With the geology highly variable and the brick clay production very specialist in its nature, a detailed assessment such as that proposed for sand and gravel will not be possible for brick clay for the purpose of the MLP. As an industrial mineral, the full hierarchy of Specific Sites, Preferred Areas and Areas of Search is not applicable to Brick Clay; MPAs are simply required to provide a stock of permitted reserves of at least 25 years. However, in view of the lack of sufficiently detailed geological information to identify an appropriate area more precisely, it is proposed that the whole resource will be identified as an Area of Search, and a policy for clay included within the Minerals Local Plan.
- 5.4 Should specific sites be put forward during the Call for Sites process, this approach may be able to be refined. Subject to sufficient evidence being provided in relation to economic viability and potential environmental and social effects, and subject to planning permission eventually being obtained, such sites may be able to provide some or all of the stock of permitted reserves required for the Plan period. If a planning application (or applications) were to come forward during this site selection process they would be determined against the extant development management policies within the existing MLP until updated.

6 Methodology for Defining MSAs and MCAs

- 6.1 Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs) are complementary aspects of ensuring that important mineral resources remain available for use by future generations, rather than being needlessly 'sterilised' (rendered unavailable for extraction) by other forms of development.
- 6.2 The reasoning behind this, as noted in paragraph 2.3.1 of the British Geological Survey (BGS) report 'Mineral safeguarding in England: good practice advice' (Wrighton et. al., 2011) is that mineral resources are finite and can only be worked where they naturally occur.
- 6.3 Safeguarding of selected mineral resources also helps to ensure that the planning system retains the flexibility to identify potential areas of future extraction which would have the least impact on the environment, if they were ever worked, whilst not creating a presumption that such working will necessarily occur.
- 6.4 Safeguarding is therefore a specific requirement identified in paragraph 143 of the NPPF which states that, in preparing Local Plans, local planning authorities should (inter alia): "*define Minerals Safeguarding Areas and define Minerals Consultation Areas based on these*". However, it should be noted that whilst MCAs should be based on the MSAs, the two areas need not coincide completely.
- 6.5 The PPG defines both MSAs and MCAs as:
- Minerals Safeguarding Area** – an area designated by a Mineral Planning Authority which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.
- Minerals Consultation Area** – a geographical area, based on a Mineral Safeguarding Area, where the district or borough council should consult the Mineral Planning Authority for any proposals for non-minerals development.
- 6.6 In addition, paragraph 143 makes clear that minerals planning authorities should also safeguard:
- existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and
 - existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.
- 6.7 HCC already has an adopted Supplementary Planning Document (SPD) relating to MCAs, which will be reviewed as part of the Minerals Local Plan Review and consolidated into the Plan itself. Whilst the current SPD identifies MCAs as a statutory consultation mechanism, it does not explicitly identify MSAs, as required by the NPPF. The difference may appear to be a subtle one (since MCAs are now required to be based on MSAs), but it is nevertheless important because MCAs alone do not explicitly safeguard the resources.
- 6.8 MSAs are the means by which the resource outcrops affected by mineral safeguarding policies are meant to be identified in Minerals Local Plans; whereas MCAs are intended to show the areas within which local district councils (in two-tier authorities) should consult with the Mineral Planning Authorities on relevant development proposals (which proposals that fall into this category are defined through policy). Whilst MSA and MCA boundaries can be coincident, they need not be: MSAs will usually cover the whole of a particular resource outcrop (unless that outcrop is very extensive and largely unconstrained, in which case only certain parts of it might need to be safeguarded); whereas MCAs may:
- extend beyond the minerals resource to incorporate a 'buffer' beyond the outcrop boundary, to protect the resource from sterilisation by proximal development;

- exclude areas of the MSA that have already been sterilised e.g. residential areas and therefore do not require consultation; and/or,
- exclude certain types of development that would not normally bring about the sterilisation of a resource through use of an exceptions policy. Such development would include householder extension or advertisement applications for example.

Methodology

- 6.9 The basic procedures for minerals safeguarding are clearly set out in the BGS guidance referred to above. This is explicitly referenced in the online PPG (most recently revised in March 2014) and is therefore a formal expectation of national policy.
- 6.10 The procedures comprise the following sequential steps (note that the guidance currently refers to Core Strategies and Development Plan Documents, but these terms have been updated below to refer to Local Plans in accordance with the requirements of the National Planning Policy Framework and the Town and Country Planning (Local Planning) (England) Regulations 2012):
- Step 1: Identify the best geological and mineral resource information.
 - Step 2: Decide which mineral resources to safeguard and the physical extent of MSAs.
 - Step 3: Undertake Consultation on MSAs.
 - Step 4: Decide on the approach to safeguarding in the Local Plan.
 - Step 5: Include Development Management Policies in the Local Plan.
 - Step 6: Include safeguarding in District-level Local Plans.
 - Step 7: Include mineral assessments in the local list of information requirements.
- 6.11 Of these, Step 1 is effectively covered by the same work that will be required the sand and gravel site selection procedure and the initial resource identification for brick clay, and would utilise the same ('best available') mineral resource information. This would comprise the BGS digital resource information for development plans together with relevant material (including borehole data) from the Industrial Mineral Assessment Unit (IMAU) reports and any other readily available information which is able to refine the BGS maps, following the advice set out in section 4.1 of the BGS guidance).
- 6.12 The starting point for Step 2 has already been agreed with HCC and the MSAs will cover only sand and gravel and brick clay resources due to the geology of Hertfordshire and the need for certain types of minerals. The physical extent of those resources, and of any corresponding 'buffer' zones around them, will be based on the detailed information identified in Step 1. In accordance with paragraphs 4.2.9 to 4.2.11 of the BGS guidance, the MSAs would cover the whole of the mapped resource areas and would NOT exclude areas which are already subject to other designations or those which are already sterilised by existing urban development. Rather, they would be defined purely by the physical boundaries of the resource itself (including areas concealed beneath overburden, where this is shallow enough to permit economic extraction of the mineral) together with a suggested 'buffer' of 100 metres.
- 6.13 The Step 3 consultation will form part of the public consultation scheduled for 2016. However, feedback from the Interested Parties Workshop (19th March 2015) has helped inform the site selection methodologies, which has also contributed usefully to the consultation required. In particular the consultation scheduled for 2016 will contribute to final decisions regarding the extent of economically viable resources; the width of buffer zones applied to MSAs; and the extent to which MCA boundaries might justifiably differ from those of the MSAs (e.g. to exclude areas of existing built development).
- 6.14 Steps 4 to 6, relating to the development of corresponding policies etc. would largely be beyond the scope of this study, although they have been informed by the Interested Parties Workshop and will also be informed by the wider consultation process.
- 6.15 Step 7, relating to the determination of planning applications within MSAs, is clearly beyond the scope of this site selection study, but the suggestions made in the BGS guidance with regard to information likely to be needed in support of applications may be worth highlighting in the information issued by the Council as part of the 'Call for Sites' consultation.

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Appendix 1

Audit trail of changes to the Council's previous site selection methodology (developed in 2009)

Table 1: Audit trail of changes to the Council’s previous site selection methodology (developed in 2009)

Previous methodology		Proposed methodology	Justification for changes
Sieve	Description		
Sieve 1	The previous methodology identified four rigid criteria for the identification of economically viable resources	The proposed methodology notes that lower thresholds of viability should apply to extensions to existing sites, but also that any site that is proposed by a mineral operator should pass Sieve 1, since the operator will already have determined that the resources in question are economically viable. The thresholds are also to be used flexibly.	Industry criticised the previous criteria as being inappropriate for Hertfordshire, and noted that different criteria should apply to extensions.
Sieve 3	n/a	Additional constraints/criteria have been included in Sieve 3 which were not included in stage 3a of the previous methodology (e.g. noise and vibration, and cumulative effects).	The additional criteria/constraints are topics proposed for consideration in the online National Planning Practice Guidance (see Paragraph 013 ¹⁰), and also ensure a more comprehensive range of constraints/criteria are evaluated.
Sieve 3	The previous methodology split Sieve 3 into two distinct elements: 3a which proposed to assess the surviving areas against more detailed and local constraints and issues; and 3b which proposed to assess the area passing through 3a against a detailed set of sustainability criteria, and undertake a comparative assessment of all surviving sites to identify those which appear most sustainable for inclusion in the draft plan.	The proposed methodology suggests that Sieve 3 only includes part 3a from the previous methodology.	Part 3b of Sieve 3 of the previous methodology is being carried out as part of the Sustainability Appraisal being undertaken for the emerging Minerals Local Plan, and is a separate process to the site selection study. However, findings from the Sustainability Appraisal will be considered as part of the proposed methodology for Sieve 3, as detailed in Chapter 3 of this report.

¹⁰ Available at: <http://planningguidance.planningportal.gov.uk/blog/guidance/minerals/assessing-environmental-impacts-from-minerals-extraction/>

Appendix 2

Comments received from the Interested Parties
Workshop held on 19th March 2015

Table 1: Notes of Site Selection Methodology (All Comments)

Comments
<p>Sand and Gravel Methodology</p> <p>Sieve 1 – Resource Assessment: Identifying where economically viable sand and gravel deposits are likely to be found.</p> <p>Criteria considered:</p> <ul style="list-style-type: none"> • Minimum resource (million tonnes) • Minimum mean thickness of sand and gravel • Maximum ratio between overburden/interburden and mineral • Maximum fines content
<p>Question: (Sieve 1) Do you consider the criteria for determining the economic viability for new sites suitable/site extension suitable?</p>
<ul style="list-style-type: none"> • It would be helpful for industry to inform us what is viable
<ul style="list-style-type: none"> • Borehole information would be useful in call for sites or prior to call for sites. This would ensure the source is economically viable.
<ul style="list-style-type: none"> • There seems to be a lot of uncertainty of what is economically viable.
<ul style="list-style-type: none"> • HCC and industry should only safeguard what is viable.
<ul style="list-style-type: none"> • In general, the criteria listed are thought to be OK for new sites and extensions.
<ul style="list-style-type: none"> • Brief questioning over the use of 1million tonnes but this was confirmed as a commonly used industry figure.
<ul style="list-style-type: none"> • Is the sieve too restrictive? There was a question about whether or not sieve 1 would enable the process to come up with enough sites for 22 years, or would we have to rely on areas of search?
<ul style="list-style-type: none"> • Although it is important to demonstrate the deliverability of a site, this criterion should not be added to sieve 1. • An extra criterion should be included related to the deliverability of a site. This could be a simple yes/no regarding whether or not the landowner has expressed willingness to work the resource (or maybe just rule out sites where the landowner has said they won't work the site). • Is it more important for a site to be "fundamentally sound" or "deliverable"? Process should take account of a landowner saying "no" but the process needs to state if this is important or not.
<ul style="list-style-type: none"> • Some good resources could be identified or put forward that aren't necessarily good sites (or vice versa) due to lack of available, good quality information.

- Could do with an indication threshold for “approximate”.i.e. 1 million tonnes plus/minus 10%.
- It was considered that the criteria is not entirely suitable although using the term ‘economically viable’ is useful as we need to find sites that are deliverable.
- The group questioned the use of 1 million tonnes for greenfield sites but confirmed this should be the absolute minimum due to the need to invest approximately £150,000 in equipment to start up a site.
- It was questioned who would be carrying out the consultation on the minimum criteria as this is required.
- Applying fines as a constraint was not thought to be a good idea and should be taken out.
- The fines content (15%) was considered to be too high. Setting at 10% was suggested.
- BGS data would be used for identifying areas of search.
- Average 4m thicknesses need to be flexible with different sites.
- There was disagreement with a minimum mean thickness of sand and gravel at 5m and it was suggested that 2m would be more applicable as a lot of deposits are glacial.
- 5m thickness and 1:1 ratio may need revisiting in light of industry input, not to stifle economically viable sites and need for future supply.
- The group questioned how to define the ratio between overburden/interburden and mineral. It was discussed that the 1:1 ratio has changed and 2:1 is now accepted. In some instances it can even be 4:1 although 2:1 was the most appropriate to use for planning purposes.
- The group suggested a 2 metre minimum horizon thickness in the overall ratio to be acceptable.
- Does help balance mineral sites size (more compact) with landscape impacts etc.
- Consensus was that variable criteria from these 4 bullet points would be needed for extension to sites. Extensions with existing plant and machinery could work less than 1 million tonnes and still be economically viable. Mineral operators maybe basing what they consider economically viable on other criteria and therefore smaller sites maybe more achievable.
- Extensions to sites must be considered under a separate criterion, but with more flexibility.
- Requires considering the use of mobile plant (changes in technology). Understanding that smaller sites are being recognised due to the use of mobile plant can be economically viable. Sites are getting smaller and harder to find.
- The market can accommodate smaller sites, which supports the economy and potentially are more sustainable.
- Smaller sites are worked for less time, giving rise to less harm. Smaller sites should be considered as acting as satellite sites
- This could be considered in sieve 2 –big sites and small sites.
- Where does 500,000t come from? This is quite high and could be lower at smaller output sites? This could equate to 45/50 Ha? This could lead to a lot more small extension; is this manageable/desirable?

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- Although the market is generally dominated by the larger companies who will not consider less than 1m tonnes of material, smaller operators would consider 250,000-300,000 tonnes as a threshold.
- Is the estimated minimum resource threshold too high? You don't want to stifle innovation/industry proposals.
- Needs to include positive/negative locational criteria.

Question: (Sieve 1) Do you consider the criteria for determining the economic viability of site extensions suitable?

- Yes, half a million tonnes is an acceptable resource for an extension to a site.

Question: (Sieve 1) Is it acceptable for sites proposed by industry to be included, irrespective of other criteria, provided they are backed by evidence regarding deliverability?

- Short 'sieve' exercise prior to site selection to ensure the selection process is being used for sites that have some resource guaranteed. Stop so many sites leaving the process early on.
- Industry to put forward site as they can back the evidence.
- Operators would need to show that a specific site is viable and would provide information that is specific to a particular site. Wouldn't necessarily use the criteria outlined in sieve 1 when promoting a site.
- Sites should be allowed to have aggregate recycling facilities on them too, during the permitted lifetime of the quarry.
- Inconsistent ideas from the table.
- It is fine for sites to be included as long as supported by evidence and maybe the operators should include some justification as to why the site should go through without meeting the criteria.
- But we want consistency in the process, so industry sites should really meet the same criteria. If sites are put forward by industry that don't meet the criteria, are the criteria wrong in the first place?
- Either criteria are set lower or industry sites will get preferential treatment.
- The listed criteria could be used to highlight bad sites being put forward at an early stage (example of a farmer putting forward a couple of his fields in the hope they'll be included in the MLP and therefore become more valuable). There was consensus that most sites put forward would more than likely be good, but there will likely be some very sub-standard sites that could end up in sieve 3. By using the criteria, we could rule out the silly sites put forward at call-for-sites at this early stage?
- Yes. Sites should be considered if put forward by industry. There is a big surge in demand for minerals currently and it was discussed that it is in the interest of the industry to put sites forward. A conclusion of the group discussion was that it is ok to assume that sites put forward by industry are economically viable.
- The plan should accept industry suggestions as economically viable but with some questioning in confidence to confirm this

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- Overprovision was not considered to be too much of a problem especially as the county is planning for 7 years of supply after the plan period, although evidence would still be required from them.
- Industry question: How do you intend to obtain site information? Particularly if only preliminary investigations have been carried out, the mineral industry is unlikely to provide high levels of commercial sensitive data, including drilling at this stage. Suggestion is that sieve 1 should be a 'strategic level' assuming sites put forward by industry are considered economically viable. Initially sieve 1 should be based on high level information to allow a comparison of basic information. Sieve 1 should be revisited following sieve 2 and 3, to allow for more detailed information to be requested from site promoters as evidence.
- Is a 2 pronged approach viable? (County Council and Industry)
- Is it fair using the same 4 criteria for economic viability, for industry proposed sites and HCC proposed - the criteria may not be fair across all mineral type operators?

General Comment (Sieve 1)

Process

This methodology is good at assessing resources but not at identifying workable sites. There could be an area of good resource but one that has little potential to be worked due to landowners' lack of willingness to work the site or a different issue such as transportation. The table thought it was pointless to spend the vast majority of the process looking at *resources* when there may be little potential to actually use locations as sites.

The group worried that the process relies on the specific interest of site owners. What if there are good resources which don't quite meet the HCC criteria but are not put forward at the call-for-sites so do not make it through Sieve 1 even though they may be better than those put forward by industry? It was re-iterated that:

- Geological data is fairly comprehensive so it is unlikely that good resources aren't known about, and
- the criteria are approximations/estimates (eg, approximately 1million tonnes) so a site with 950,000t wouldn't necessarily be ruled out.

It was discussed that applied criteria is essential and even the industrial mineral assessment reports (IMAU) applied assessment criteria. The issue raised was that the data is too patchy as boreholes were only taken at 1km intervals and there is less certainty about reserves in North Herts.

The group questioned whether what is considered to be economic now may not have been in the past. However the conclusion was that technologies and ways of working have not changed much over time although there is scope to change the ratio of overburden/interburden to mineral.

There was concern that a large landowner may satisfy all the mineral requirement in the county within their sites.

Safeguarded areas would include urban areas and consultation areas would not include urban areas.

Sieve 2 – Major Planning and Environmental Constraints: Assessing the areas passing through Sieve 1 against a series of major planning and environmental constraints, both absolute and then those designations subject to the highest level of protection.

Criteria considered (Stage 2a: absolute constraints):

Urban areas (this will include sites with planning permission for other development where the site is greater than 5ha).

Cultural heritage designations, including:

- Scheduled Ancient Monuments.
- Listed Buildings.
- Conservation Areas.
- Registered Historic Parks and Gardens

Criteria considered (Stage 2b: designations with the highest level of protection):

Areas of Outstanding Natural Beauty.

Ecological designations, including:

- Ramsar sites.
- Special Areas of Conservation.
- Special Protection Areas.
- Sites of Special Scientific Interest.
- National Nature Reserves.

Question: (Sieve 2) Are there other major planning or environmental constraints that should be included in Sieve 2?

- Ancient woodlands are an irreplaceable habitat, as are ancient grassland. Data sets are unreliable though so harder to evidence.
- Heritage constraints could be considered e.g. Panshanger Park.
- Heritage and others is a very strong constraint. It's about the setting of and enhancing its setting through restoration.
- Consensus around the table that heritage is NOT an absolute constraint. Engagement will identify no-go areas but many can be mitigated against. All the criteria in sieve 2 and 2a are high level but not necessarily absolute constraints.
- Heritage is not an absolute constraint as many can be mitigated against. If there are unique scheduled monuments these should be kept but are not absolute constraints. More work may be required by industry to work around this which adds to the cost of the extraction. Discussion by the group about planning permission on a registered historic park in the 1980s which was allowed on appeal.
- Lee Valley Park is not an absolute constraint but should be a consideration as it is the only regional park in the county. Designated Parks?
- Listed building could be mitigated with the use of buffer zones –these are not an absolute constraint.
- Local wildlife sites should be included-they do vary from site to site but are important. Make the sieve site specific? (SSSI's are a representative example). There was general consensus that local wildlife sites need more detail within the sieve. To be able to make these decisions, an ecologist

from the County Council should help back up the selection methodology.

- The consensus was that transport should be included e.g. the quality of access and the overall road network.
- There should be something about transport, but currently talks more about non-road transport.
- Road transport is currently mentioned in 'Pollution to the Environment' but this could be expanded.
- Consensus around the table that the only ABSOLUTE constraint is committed development in adopted plans.
- Consensus around the table that the only ABSOLUTE constraints are urban areas and sites with planning permission. Allocations were considered, although these may not ever come forward with proposals for development. There was a discussion around what an urban area is and conclusion that this would include all built development which can include Conservation Areas.
- Should we sieve out future development before sieve 1 just so we don't waste time looking at resources that can't be dug? Cut out the absolute constraints then look at remaining resources?
- Add Flood Risk level 3 to this list of high level constraints.
- Contaminated land should be excluded. This was discussed with reference to the bromate plume contaminating land in Welwyn Hatfield.
- Aerodromes are not an absolute constraint. Discussion was around the option of not wet working or restoring to attract birds.
- Overhead power lines and high pressure gas mains do not stop extraction but can be looked at in sieve 2.
- The group agreed with the main comments that Ancient Woodlands should move from sieve 3 to sieve 2.
- Sieve 2 needs to look at the purpose of the protected landscape areas such as AONB and Ancient Woodlands as these cannot be replaced or be trans-located. Look at buffer zones?
- 2a needs to include descriptions e.g. 'irreplaceable'. Should include designated sites, SAC, SPA, RAMSAR, SSSI/NNR and Ancient Woodlands.
- 'Scheduled Monuments' rather than Scheduled Ancient Monuments.
- National policy guidance talks about 'settings' which should be reflected in the sieving process – should buffer zones or distances be included for example 'setting of a listed building' rather than just being within a listed building or protected landscape.
- Should specify whether 'entirely within' vs 'adjacent'. What proportion of the site is actually workable?
- Should AONB be in sieve 2 or sieve 3?
- There are no absolute constraints. It should be done on a site by site basis.
- Greater consideration should be given to the degree of the constraint in respect of weighting.

Question: (Sieve 2) Do you agree with the proposed approach to Sieve 2 which includes two stages, and the constraints listed? And Do you agree with the sequential approached proposed as part of Stage 2B?

- Either scrap A and B or ensure there is thorough consistency between the two.

- It is very difficult to argue between why something is in 2A or 2B in examination etc.
- The 2a/2b not necessary. Absolute constraints should be removed in sieve 1.
- Both sieves should be put together – scrap 2A and 2B.
- The group discussed whether sieve 2a and 2b should be in a single category with the use of colour/text coding element similar to sieve 3. The group agreed that there should not be a distinction between absolute constraints and designation with the highest level of protection. It was mentioned whether a hierarchy/weighting could be achieved within sieve 2 without having absolute constraints. Site should be determined on their merits/‘positive’ outcomes - could extraction and restoration enhance the site (benefit even if a constraint?)
- Consistency is vital to be able to identify what you can and cannot mitigate.
- This could result in a lot of sites lost through the Local Plan process, but may result in a lot of speculative applications
- Should be very clear about buffer zones around these areas too, as it is not clear at the moment. Ecological designations have no buffers and shouldn’t at the moment
- One serious constraint may be mitigated against more easily than handful of smaller constraints so is it worth ruling out sites so early when they could only have one major issue?
- “Absolute” is drastic for high level issues. Don’t want to rule sites out prematurely (unless heritage becomes part of Sieve 1 maybe?). High level constraints should be looked at site-by-site rather than as absolute constraints.
- 2B constraints could go in Sieve 3 as an automatic Red. There was a lack of agreement on this idea because 2B constraints are more important than the sieve 3 ones. However, this goes back to the argument of “is one red (high) better than lots of ambers (medium)?”
- Apparently, national policy says these major constraints shouldn’t be used unless extraordinary circumstances, i.e. there aren’t enough sites. So some people on the table believe this process is correct to hold them back.
- Sequential process not needed as none of these are absolute constraints and committed development in local plans should be removed before sieve 1. Having said that, the table was happy for sites to be held back and used later if the full process doesn’t output enough sites. However, instead of holding sites back and returning to 2B, should we just go back to Sieve 1 and start again?
- Sequential approach - Yes. There was consensus that sites in stage 2b could be put to one side but could also be brought back into the consideration of sites later on if required. The group considered that there is an option to rely on cooperation with other authorities before bringing back areas that fall within 2b. This was based on the need to survey the reliance on imports from other authority areas for their minerals meeting the county’s needs.
- The group recognised that following the initial sieve 2, that the sieving exercise should be an iterate process between sieve 3 and sieve 2.
- Yes, the group agreed with the two stage approach but agreed that there should be some changes made to the stages.

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- There needs to be some recognition of district allocations in their Local Plans and emerging plans.
 - The 2a heritage constraints from the English Heritage lists should be stage 2b constraints.
 - Stage 2b should also include
 - RIGS as local geological sites;
 - ancient woodland; and
 - contaminated land.
 - The group questioned whether the landscape character areas could have mineral working within it?
 - The group discussed the weighting of criteria and the benefits and drawbacks of doing this. It was agreed that there is a need to avoid double counting where criteria gets covered more than once when it has different designation such as a national and local designation.
 - Level of site coming forward may dictate how you assess. But need to take into consideration the context of the site, growth areas, positives and cost of restoration, how extraction would impact on the local area.
 - Group questioned that if sieve 2a and 2b were merged, whether national nature reserves, would be appropriate in this sieve, do they hold the same weight as SPA, SAC?
- General Comments (Sieve 2)**
- Urban areas need to be taken into consideration.
 - Anything located in a site could be a constraint
 - Specific species should be considered in a search area.
 - Case based studies could be useful?
 - Needs to be a qualitative and quantitative assessment!
 - There is a huge scale difference between local wildlife sites and European Sites of Interest etc.
 - Would be useful to gain information on specific sites before allowing it through to Sieve 3.
 - How does the process take account of an LPA's point of view that their most suitable areas for sustainable non-mineral development might be in the identified mineral reserves? Could the edges of urban areas be designated as a constraint to avoid all their good land being sterilised? Eg. Authorities largely made up of greenbelts have minimal useable locations as it is. If mineral sites are identified before these sites are allocated in a local plan, they lose their best/only sites.
 - The issue of phasing extraction prior to non-mineral development was mentioned as a way that LPA land is sterilised. In theory it is a good idea but in practice, because the timescales of extraction often match the length of a local plan, land is sterilised for the length of the plan. This would exclude rather than postpone the non-mineral development.

- When discussing how best to address the Local Plan allocations when looking for mineral sites, the issue of agreeing to use perhaps the mineral top layers and then allow the site to go for housing or other non-mineral development was mentioned.

- Consistency between wording for the AONB – ‘conserve and enhance’ rather than ‘preserve and protect’

Sieve 3 – Detailed Site Assessments: Assessing the areas passing through Sieves 1 and 2 against more detailed local constraints and issues to identify those most appropriate for inclusion in the emerging Minerals Local Plan (MLP).

Criteria considered:

Areas of high landscape value

Ancient Woodland

Aquifers

Groundwater vulnerability

Pollution to the environment (dust, air, water)

Sustainable Transport

Cumulative Effects

Local Nature Reserves

Key Wildlife Sites

BAP Priority Species or Habitats

Geodiversity

Ecological status of water bodies

Sensitive Land Use

Proximity of allocated residential or built development

Recreation

Restoration

Land Ownership

Green Belt

Flood risk

Question: (Sieve 3) Do you consider the Sieve 3 evaluation process suitable?

- Could work in principal but there needs to be much more consistency through all the sieves.
- Sieve 3 is a useful first indicator but more detail is needed to justify scoring. A scoring criteria that triggers further assessment could be useful,

especially for things like sustainable transport.
<ul style="list-style-type: none"> • Could be useful to combine sieve 2 and 3.
<ul style="list-style-type: none"> • Yes – suitable evaluation process
<ul style="list-style-type: none"> • But, is “positive” different to low/medium/high? Something could have a positive AND a low/medium/high impact.
<ul style="list-style-type: none"> • Include a “mixed impact” grade
<ul style="list-style-type: none"> • 5-point scales are frequently used in SA assessments so why not use that.
<ul style="list-style-type: none"> • Whilst the group agreed in principle with the sieve process, it disagreed with some of the groupings of criteria.
<ul style="list-style-type: none"> • Areas of high landscape value should include landscape character areas.
<ul style="list-style-type: none"> • Emerging proposals need to be included as a sieve 3 constraint if it is not a sieve 2b constraint.
<ul style="list-style-type: none"> • Archaeological potential should be in sieve 3.
<ul style="list-style-type: none"> • Ancient woodland should be a sieve 2b constraint.
<ul style="list-style-type: none"> • Sensitive land use should include contamination and also be a sieve 2b constraint.
<ul style="list-style-type: none"> • Group agreed that the colour/text coding is generally a good thing and that there will be a level of officer judgement involved, but noted that the addition of comments to explain the process/justification is something that must be included.
<ul style="list-style-type: none"> • Need to consider airport flight safety zones and bird strike/type of wetland/dryland restoration.
<ul style="list-style-type: none"> • Importance of aquifers and drinking water source protection zones; SPZ’s; on type of waste used for back-fill; EA constraints
<ul style="list-style-type: none"> • Access needs to be included in this sieve.
<ul style="list-style-type: none"> • Short connection to the strategic highway network.
<ul style="list-style-type: none"> • This sieve should perhaps be a strategic issues and site specific issues.
<ul style="list-style-type: none"> • Consider giving greater weight to sustainability.
<ul style="list-style-type: none"> • There should be a strategic cumulative impact and site specific impact.
<ul style="list-style-type: none"> • Group criteria to simplify the process i.e. Human, landscape etc.
<ul style="list-style-type: none"> • Include mineral sterilisation in this sieve.
<p>Question: (Sieve 3) Are there criteria that are included in Table 2.1 that should not be used at this strategic stage of site assessment?</p> <p>Are there criteria missing from Table 2.1 that should be considered at this stage?</p>
<ul style="list-style-type: none"> • Take out high, medium and low and just grade them all together.
<ul style="list-style-type: none"> • Green Belt –need to be very careful with mineral sites as they are a low level constraint in green belt.

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<ul style="list-style-type: none"> • Restoration in the green belt can be a positive thing. Define the benefits of the green belt like enhancements. • Some said greenbelt shouldn't be included. Some said it should.
<ul style="list-style-type: none"> • Transport routes- these could be outside the site. Mitigation and protection should be considered in ALL aspects of extraction. • "Site access" should be included as well as just "transport"
<ul style="list-style-type: none"> • "Visual impact" should be included. It isn't the same as landscape. It might not be designated landscape but can still impact visuals. But there was agreement that you can't do a visual impact on all the sites. Maybe an obviously highly visible site could be assessed (for example, one on the valley bottom visible from all areas above it).
<ul style="list-style-type: none"> • The group considered that it needed further time to look at table 2.1 to make comment and therefore will provide this within the further 2 weeks for comments after the interested parties event.
<ul style="list-style-type: none"> • Ancient woodlands to move from sieve 3 to sieve 2.
<ul style="list-style-type: none"> • Landownership, site not put forward by the landowners should not penalise for not owning the land. Questioned whether this is a material consideration? It should be set out in proforma but as information only not as part of the assessment criteria. Operators would not put forward a site if they were not able to work it.
<ul style="list-style-type: none"> • National policy guidance talks about 'settings' which should be reflected in the sieving process – should buffer zones or distances be included for example 'setting of a listed building' rather being one.
<ul style="list-style-type: none"> • Need to have chalk streams' in High Category.
<p>Question: (Sieve 3) Should the criteria be grouped to reflect the level of potential constraint that they pose? If so, are the grade proposed (high, medium, low) and criteria within them correct?</p>
<ul style="list-style-type: none"> • There should be a clear definition of how these are categorised. Many of these issues could be left to the planning application stage.
<ul style="list-style-type: none"> • It's the 'in-principle' acceptability of a site that should be sought at this stage.
<ul style="list-style-type: none"> • Should include a criteria for proximity to the road network.
<ul style="list-style-type: none"> • "Sensitive land-use" and "proximity to allocated residential or built" should be grouped together and amended from medium to high.
<ul style="list-style-type: none"> • Change "landownership" to "willing landowner". They must agree to a site's inclusion in the MLP. Talk to landowners about more than the amount of resource. Do they want to work the site (deliverability). Amend red (high) from "N/A" to "unwilling landowner"
<ul style="list-style-type: none"> • "commercial and economic issues" (excluded from methodology) needs clarifying. Does it mean operator details?
<ul style="list-style-type: none"> • "Recreation" medium to high.
<ul style="list-style-type: none"> • Consensus was that sieve 3 does not need to be divided into high, medium and low categories. Is a red (high) in high importance more important than 2 reds in medium? Suggestion is that all the criteria go together and then judge the sites following this.

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<ul style="list-style-type: none"> • BMV agricultural land is recorded in the lowest ranking, however the consensus was that this needed to be higher and on par with ecology.
<ul style="list-style-type: none"> • Areas of high landscape value – is this a local designation?
<ul style="list-style-type: none"> • Proximity to housing needs more clarification – can any guidance be added in terms of distances or numbers, operators note that extraction next to one house could have a similar effect to 100 houses depending on noise and wider impacts etc. The strict control that have to be followed mean that, the impact on one house or housing development, either could shut a site down. This could make it challenging to quantify.
<ul style="list-style-type: none"> • Questioned whether green belt should be there as a criteria. It was explained mineral extraction is not inappropriate in the green belt provided openness is maintained.
<ul style="list-style-type: none"> • Sustainable transport – most minerals in Hertfordshire are transported by road and in terms of the time for development of a new rail link mineral sites, these are not quick. Rail is unlikely to be economically viable and therefore sustainable transport is more important in relation to using sites that link well with growth areas and having the source of the mineral close to where is it needed. This should be reflected in the criteria.
<ul style="list-style-type: none"> • Keep water in 'high'.
<ul style="list-style-type: none"> • Move 'dust and air' to medium
<ul style="list-style-type: none"> • Move 'sustainable transport' to medium.
<ul style="list-style-type: none"> • Move 'land ownership' up to high and 'restoration'
<p>Question: (Sieve 3) Should there be a whole list of constraints?</p>
<ul style="list-style-type: none"> • No harm in producing the list, as majority on the list will be a simple yes/no.
<ul style="list-style-type: none"> • Many on the list for sieve 3 should perhaps be seen as an opportunity rather than a constraint.
<p>Question: (Sieve 3) Should a site be picked purely on red (high/very high) and greens (low/positive) being highlighted? Should they be given equal weight?</p>
<ul style="list-style-type: none"> • There should be a balancing act when sieving sites. Most sites are different depending upon the restoration of the site.
<ul style="list-style-type: none"> • Perhaps there should be a another section on green infrastructure
<ul style="list-style-type: none"> • There could also be opportunities to implement the county council's policies e.g. healthy living etc., which currently does not show through. If it is left to the application stage, it is too late to promote these issues.
<ul style="list-style-type: none"> • Restoration should aim to reduce the flood risk if within flood zones 2 and 3, especially to neighbouring properties.
<ul style="list-style-type: none"> • Should be aware of large waterbodies within aviation safeguarding areas.
<ul style="list-style-type: none"> • Reference to key wildlife sites is not overly clear. This definition should be changed to local wildlife sites.
<p>General comments (Sieve 3):</p>
<ul style="list-style-type: none"> • Mitigation measures should be emphasised as a positive. Mitigation and enhancement are separate to constraints. By protecting and enhancing you

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are overriding the justification. With scope for mitigation in the sieve process it could mean that you score everything twice, otherwise you could get artificial scoring.

- Cambridgeshire County Council were criticised for knocking sites out too early/ So approached the site selection buy having a site assessment for each site. They then had a judgement day and criteria to judge all the sites together. They were aware that economic viability should be first and foremost but all together criteria should be judged together in one sieve.
- Consider public benefits.
- Methodology of who to consult on different constraints and they can validate why these constraints are viable then you will have industry knowledge and facts to back up the constraints. Make judgements before consultation- then any stakeholders who are interested in a specific site can look at all the facts and figures to make judgement during the consultation period.
- Desk based studies and sites visits are equally as important.
- Aquifers should be a low level constraint.
- Anticipating when reserves could come forward and production capacity could be included on the proforma
- Discounted criteria – group did not agree that the ‘not included elements’ in paragraph 2.17 for major services and drainage should be discounted as the thoughts were that the information could be sought. Could this not be included on the proforma?
- Check if BAP is still most relevant term?
- Reword page 17 biodiversity to ‘habitat creation’.
- Add/clarify between surface water flooding and ground water flooding risk.

Brick Clay Methodology

Question: Do you agree with the methodology for Brick Clay?

- Constraint issues-just because it’s a limited resource doesn’t mean you can ignore constraints.
- By combining sieve 2 and 3 it would help when identifying sites for Brick Clay.
- Talk with existing operators would be useful.
- Difficult to come up with a 25 year plan.
- As it’s an industrial mineral a specialist brickworks it will be treated slightly differently.
- Treat the same as sand and gravel sieve process and include in call for sites then include within the MLP.
- Could use similar criteria as for sand and gravel and could be more of a high level assessment.
- Call for sites to be included in MLP for Brick Clay.

<ul style="list-style-type: none"> • Approach appears to be acceptable, as it is a specialist approach.
<ul style="list-style-type: none"> • There should be a policy relating to the safeguarding of rail depots, coated stone plants etc.
<ul style="list-style-type: none"> • Need to make a commentary about windfall sites and prior extraction.
<ul style="list-style-type: none"> • Fine
<ul style="list-style-type: none"> • The only relevant consultee is Dacorum Council
<ul style="list-style-type: none"> • Bovingdon airfield could be a good site
<ul style="list-style-type: none"> • Agreed that the approach should take forward what the operator puts forward as an economically viable resource to extract.
<ul style="list-style-type: none"> • Need to safeguard the whole resource for brick clay at Bovingdon.
<ul style="list-style-type: none"> • No major comments on the overall proposed methodology for brick clay. General agreement that safeguarding the whole resource was the way forward to protect the minerals. Recognised that this is a specialist resource which supports the only brick works in the county.
<ul style="list-style-type: none"> • A suggestion was made that an area of land with a reserve of 25 years near to the existing Bovingdon Brickworks should be identified and left as an area of search.
<p>Mineral Safeguarding Areas and Mineral Consultation Areas</p>
<p>Question: Do you agree with the proposed methodology for defining MSA/MCAs?</p>
<ul style="list-style-type: none"> • MSA – BGS data not necessarily reliable and so bore holes could be used more?
<ul style="list-style-type: none"> • Go out to industry informally prior to site selection to get details of what they think and what is economically viable (including imports and exports) before going through the site selection process.
<ul style="list-style-type: none"> • It was discussed that the MSA’s could go out to prior consultation before call for sites consultation? This would provide geological evidence to support consultation for call for sites?
<ul style="list-style-type: none"> • More ground work should be undertaken to identify actual geological data before going to consultation.
<ul style="list-style-type: none"> • Arable farmland must be contemplated due to different solid and geology on smaller sites.
<ul style="list-style-type: none"> • MCA’s should have extra buffer zones.
<ul style="list-style-type: none"> • Prioritisation
<ul style="list-style-type: none"> • Railheads and wharves – communication between HCC and Network Rail is key as active and inactive sites must be communicated.

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<ul style="list-style-type: none"> • Inclusion of MSA and MCA areas and district/borough council local plans?
<ul style="list-style-type: none"> • The methodology should ensure that the county council is not consulted upon every planning application that falls within a minerals safeguarding area (MSA).
<ul style="list-style-type: none"> • Safeguarding should also include rail depots, coated stone plants. There should be a buffer identified around each safeguarded facility.
<ul style="list-style-type: none"> • Agree with the process in principle but have issue with the potential for large MSAs and MCAs to sterilise lots of land that will be the most suitable land for sustainable, non-mineral, LPA developments. These areas should be excluded from MSAs and MCAs. • Agree with the process in principle although issue raised related to MCAs and MSAs sterilising land by not taking full account of district council allocations for housing and other development in their emerging Local Plans to allow them to meet their needs. Agreement that Duty to Cooperate meetings and further discussions were vital between the county and all districts. Happy with the approach with MCAs being identified as smaller areas than MSAs. • Query who decides during consultation with the MPA, whether resource is viable and should be extracted? e.g. conflict of MSA and housing need. • MSA- district councils to be made aware what is viable development and what is not. (This could be an appendix and made part of the consultation so it is more obvious.
<ul style="list-style-type: none"> • Overall the group were happy with the approach to the methodology for MSA/MCAS. The importance of the consultation and communication between the two tier authorities was raised.
<ul style="list-style-type: none"> • The group were unsure as to why they were both separate. • It was highlighted that there is conflict between the two within the NPPF. There may be a potential for an SPD/ protocol for how they are triggered.
<ul style="list-style-type: none"> • Sterilisation clearly caused confusion for the group.
<ul style="list-style-type: none"> • Questioning concerning boundaries arose, how to firm this up, the group considered that they should be round the resource as defined by the BGS, which then acts as a trigger, unless identified more so by the developer.
<ul style="list-style-type: none"> • Consideration for windfall sites?
<ul style="list-style-type: none"> • Compromise that safeguard an area, but develop identified areas subject to the mineral being extracted.
<p>Question: Should MSAs be kept to identifying the resource?</p>

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- General consensus was yes, as it will be a blanket approach where comments would be expected, if they fall within it. There should also be a buffer zone identified around each MSA, in order to prevent developments prejudicing the extraction of such sites.

General Comments MSA/MCAs:

- There should be criteria for the proposed developments that need to be consulted on.
- Don't include buffer zones. They become too complex because one size of buffer zone will not be universally appropriate. If they are to be used, buffer sizes would have to be assigned on a site-by-site basis through set criteria.
- Maybe put in buffers around land most suitable for sustainable non-mineral development.
- If the MSAs exclude a buffer then the MCAs need to include one
- MSA should be minimised to take into account LPA needs.
- Can we have criteria to target better areas for MSAs rather than whole resources?
- There was consensus around the table that there is a need to give equal weight to datasets and further information can be obtained from industry by Cuesta regarding where there are no economically viable resources as this is commercially sensitive. There was agreement that there is scope to update the BGS datasets.
- The BGS guidance on safeguarding should be used.
- Leicestershire had problems with safeguarding policy as it was not robust enough. This became an issue with nearby housing.
- Oxfordshire did not safeguard any minerals within AONB, which is questionable for the protection long term of the minerals.

Overall General Comments:

- The only true ABSOLUTE constraint is committed developments (allocations in LA Local Plans). This should be ruled out of the search before sieve 1.
- It should be made clear early in the process (rather than after sieve 3) if the individual locations under consideration are SITES or AREAS.
- Deliverability (i.e. would landowners be willing to work the land) should be identified earlier in the process (as a criteria as part of sieve 1)
- The only ABSOLUTE constraints are urban areas and areas with planning permissions to remove sites before the sieving process.

Table 2: Additional Delegate Comments

Additional Delegate Comments

The Company would welcome a Proforma for site promotion which will help assist consistence. Proforma to include as much detail as possible including schedule, sequence, restoration etc. Depending upon the site and location the Company may not have drilled the site and therefore may not be able to provide detailed geological data as referenced in sieve 1. It would be unreasonable to seek this information at sieve one as the site might to disregarded at sieve 2 or 3. If industry are promoting the site there should be an element of confidence in that site. It may be appropriate if it does meet all other stages and is considered to be suitable for future mineral working to come back to sieve one and request additional information.

Sieve 1 - With regards to sieve one I am unsure if the planning process is suitable to quantify exclude a site on minimum resource, thickness, ration or fines as these would be an operation. Commercial viability determination based upon other material considerations, existing plant infrastructure, fuel prices which may fluctuate during the plan period.

Sieve 2 should be one stage. The word absolute is considered inappropriate. Include ancient woodland in the criteria. It was considered a colour/text coding approach should also be undertaken at this stage for transparency and to promote positives not just constraints.

Sieve 3 again should be one group as who decides which is high, medium and low. I would consider BMV agriculture as important as ecology.

Sustainable transport should also include distance to market as a positive

It is not considered that Landownership is a material consideration.

Brick Clay resources should be protected

Q6. Do you agree with the proposed approach to Sieve 2 which includes two stages, and the constraints listed?

I remain concerned regarding the site selection process and the sieving at stage 2B, where parts of Landscape and Ecological designations will only be sieved out if they contain one of the features listed in 2A. Whilst the wording in 2.12 seems rather confused, there is a significant anomaly between these approaches. SSSIs (NNRs and higher status sites have to be SSSIs anyway) are of national importance. Whilst they are certainly more 'organic' in nature and can be managed to conserve and enhance any interest - which can also develop on, say, previously quarried sites, the point is they are notified for their existing interest and form part of a national representative series for that reason. Consequently they should be given the same recognition and approach as that provided for, say, Listed Buildings which are also a nationally importance resource, whatever Grade they may be. Only when the national interest of winning a particular mineral deposit is considered to outweigh the national interest of the existing ecology (or the only location for a particular deposit lies within a landscape area) should any such site be included; up to that point it is important that there is a presumption in favour of their conservation. Development would then be considered on a case by case basis as necessary. Otherwise there would seem little point in recognising an interest of national status if this afforded no genuine protection, an approach which would seriously undermine the purpose and function of designation.

Q7. Do you agree with the sequential approach proposed a part of Stage 2B?

No. For the above reasons.

Additional Delegate Comments

Q8. Do you consider the Sieve 3 evaluation process suitable?

Broadly yes, although there is some variable interpretation of evaluation. For example, loss of a significant part of an ancient woodland could not be considered as minor – and probably not moderate, depending on the nature of the site. Woodlands have been successfully defended at Public Inquiry in Herts for development with similar impacts, under the NPPF.

Q9. Are there criteria that are included in Table 2.1 that should not be used at this strategic stage of site assessment?

The term to be used for Wildlife Sites should be **Local Wildlife Sites**, rather than 'Key' Wildlife Sites. The latter implies some form of selection or grading of WS, which there isn't – sites either meet the agreed criteria or they do not. It is unlikely the term is meant to refer to key wildlife sites – i.e. certain sites with wildlife, as this is too broad a term and is better reflected by the recognised and evidence-based resource of non-statutory Wildlife Sites, which all Planning Authorities in Hertfordshire are made aware of.

Similarly, BAP could be removed from Priority Habitat and Species as technically the BAP process has essentially been superseded by the LNP, although provision of lists of Priority Habitats and Species is still recognised as a statutory requirement under the NERC Act 2006.

Q10. Are there criteria missing from Table 2.1 that should be considered at this stage?

Consideration should also be given to inclusion of Protected Species – which are different to Priority Species. These benefit from international or national legal protection and must be considered in any event if a site is to be brought forward, whether or not it is part of the sieving process criteria.

Q11. Should the criteria be grouped to reflect the level of potential constraint that they pose? If so, are the grades proposed (high, medium, low) and the criteria within them correct?

In my view, whilst the criteria could be listed according to constraint level, in themselves each of the criteria are different, potentially independent and consequently can only properly be judged on their own merits. Therefore an issue may be more or less important in itself depending on location or nature, but then modified when viewed in comparison with other considerations e.g. recreation. It would be better to list them according to broad topic areas if this were appropriate, in no order of constraint level, such as:

- Landscape
- Ecology / geology
- Hydrology
- Pollution
- Transport
- Land use
- Recreation
- Land ownership
- Cumulative effects

Additional Delegate Comments

High, medium and low seem reasonable approaches to determine levels of potential constraint, although some caution in use is required. Ancient woodland is considered to be a high level criterion. Local Nature Reserves, key wildlife sites and BAP habitats are considered to be a medium level – but any of these could also be ancient woodland.

The Grades proposed (high, medium and low) also seem reasonable, although positive enhancements, for example, will very much depend upon the original value of the land to begin with – any appropriate restoration works will effectively be a positive enhancement of a finished working site, but may have detrimentally modified the original landscape or ecology or not make the most of enhancements a landowner is not supportive of such use.

I note the Table indicates GIS information will be obtained from HCC. This also ought to include external specialist sources (such as Herts Environmental Records Centre, as this is now the externally hosted body which provides and updates HCC and other LPAs with GIS data on ecology / geology interests).

General comment – there needs to be greater consistency and improved definitions on whether the sieves and criteria apply to 'sites' or 'areas' or both.

General consensus that the 3 sieves should be amended. As stated at the event we suggest sieve 1 should include 2 stages:

- 1a) The 4 resource criteria as proposed, and
- 1b) Absolute Constraints, comprising Lack of willing Site Ownership; and Existing and Committed (Planned) Built Development.

Sieve 2 is Major Constraints/Designations with the highest level of protection:

- AONB;
- SAM;
- Ramsar Site;
- SAC;
- SPA;
- NNR;
- Ancient Woodland;
- FRA Zone 3.

Sieve 3 is detailed assessment criteria, including the following:

- LB;
- CA;
- Registered Park or Garden;
- SSSI;
- Flood Risk Zone 2; plus
- all areas in your draft list for sieve 3, except:
- Pollution, which cannot be assessed at the site allocation stage;
- and Green Belt.

Additional Delegate Comments

All sites should have to pass through Sieve 1 – promotion by an operator or landowner is not sufficient. Too many potential motives for an operator or owner to propose a site or area for inclusion, but are unrelated to economic viability of mineral content. If a site doesn't meet the criteria it should have no greater status than any other land that might be able to meet the criteria, but have not been assessed.

Potential mitigation should not be a consideration in Sieve 2 unless there is insufficient land identified after Sieve 3.

Also beware specifying a proportion of a site affected by a constraint, as this will result in some operators defining a larger area of land than they intend to later submit an application for.

Sieve 3 Evaluation – Needs care over the wording of the criteria, including consistency and to avoid ambiguity (eg, does 'outside' mean 'abutting'?).

Strongly disagree with current 4 grade definitions, unless dark green (positive) becomes 'site/area where only positive benefits or enhancements would result', otherwise this criterion is not mutually exclusive of the other 3 criteria.

On cumulative impact, a red (high) category is sites with multiple sensitive receptors, or one or more particularly sensitive receptors (eg the Bayfordbury Observatory!)

If Green Belt included, the red (high) criterion should be 'Permanent adverse impact on Green Belt purpose(s)'

BMV includes grade 3(a) not all grade 3, and red (high) category should be 'Permanent loss of BMV land'.

In terms of weighting, the following should be moved to the 'High' group:

- Sensitive Land Use; and
- Proximity to Residential Development

After Sieve 3, if insufficient mineral likely to be provided from the land identified, other unconstrained land with potential, but for which there is insufficient information, should be tested before reassessing land that failed the Sieve 2 test.

A number of my comments have been captured by the workshop sessions held on 19th March so I will largely confine these comments to issues not raised on the day. These specifically relate to the sieve three assessment and the accompanying table 2.1.

As stated at the workshop session what is missing from this stage is an assessment of positive aspects or opportunities associated with particular sites. I refer to this because I consider this exercise needs to incorporate a balancing exercise rather than a simple scoring of the adverse impacts.

Furthermore the majority of the criteria relate to environmental objectives, economic and social objectives need to be given due weight. This is compounded by the weighting system. I understand there is some reluctance to give much weight to emerging proposals for housing sites. There is

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Additional Delegate Comments

the potential for mineral sites to 'sterilise' housing sites coming forward if as a consequence of a minerals allocation this would result in a LPA not being able to meet its objective Assessment of Housing Need as a consequence of a potential minerals allocation this should be considered to have a negative impact because of the social and economic consequences. Clearly if a LPA has other options then the social and economic impact would be less.

I am not adverse to a weighting system but I cannot see the logic as to why some are in the high category and others medium. If the high category is to be retained consideration should be given to including those criteria where allocation could potentially relate to irreversible damage to nationally important designations.

Where a distance threshold is to be used to assess impact there would appear to be quite a large gap between adjacent to and not near. What about sites which are near to but not adjacent?

With regards to the individual criteria I have the following comments.

1. Areas of high landscape value

The landscape character work has focused on the characteristics of the landscape rather than its value. Apart from the Chilterns AONB there are no national designations. The assessment should consider to what extent the landscape character of the area would be permanently damaged. Apart from with regards to the Chilterns. I am therefore not clear why this is in the high category.

2. Pollution

This is another criterion that may not fit the high classification

3. Cumulative effects

When looking at these effects should also consider the scale of the operation in relation to others not just their location. Also need to take account of social and economic cumulative effects as well as environmental ones.

4. Local Nature Reserves AND Wildlife Sites

Should impact on nature reserves be given more weight than wildlife sites?

5. Recreation

I would advise consulting with districts as to the location of recreations areas and any proposed new ones

6. Green Belt

Shouldn't inappropriate development in the Green Belt fall within the red (high) zone unless it would be reversible?

Appendix 3

Site Selection Findings Proforma

Site Information

Site Name: XXX		Site ID Number: XXX	
Insert Map		Insert Map/Aerial/Photos	
Site Operator:		Site Visit Date and Time:	
Site Area:		Attendees:	
Central Grid Ref.:		Planning History:	
District:			
XXX			
XXX			

Sieve 1

Constraint	Entirely or partly located within the constraint (Yes/No)	Justification
Urban areas	Yes or No	Include any relevant justification/information
Sites with planning permission for other development		
Previously worked areas		
Proceed to Sieve 2	Yes or No	
Justification	Include any relevant justification/information	

Sieve 2

Criterion	Yes/No	Justification
(For the Specific Sites) Has sufficient evidence been provided by the site proposer?	Yes or No	Include any relevant justification/information
(For the Preferred Areas and/or Areas of Search) Were any refinements to the resource area possible and /or necessary?		
Proceed to Sieve 3?	Yes or No	
Justification	Include any relevant justification/information	

Sieve 3

Criterion	Score	Justification
Ancient Woodland	Fill cell with relevant score colour/text	Provide justification for scoring
Aquifers		
BAP Priority Species or Habitats		
BMV land		

Criterion	Score	Justification
Cumulative effects		
Ecological status of water bodies		
Flood risk		
Geodiversity		
Green Belt		
Groundwater vulnerability		
Heritage designations		
International and national ecological designations		
Land ownership		
Landscape designations		
Local Nature Reserves and Local Wildlife Sites		
Proximity of allocated residential or built development		
Recreation		
Restoration		
Sensitive land uses		
Sustainable transport		
Sustainable transport and pollution to the environment (dust, air, water)		
Sustainability Appraisal		
Summary of SA Findings (incorporating HRA findings)		
Take site forward as a potential site option	Yes or No	
Justification	Include any relevant justification/information	

Appendix 4

Call for Sites Proforma

Call for Sites Proforma

Before completing this form please read the following:

- Sites may be included in future public consultation exercises and published so cannot be treated confidentially.
- Please complete the form in as much detail as possible. Please attach an Ordnance Survey map (minimum scale 1:25,000) clearly showing the precise boundaries of the site proposed for development (edged in red). Show any other adjoining land within the same ownership edged in blue. This will assist in the assessment of the site. You are also welcome to attach any relevant additional information (e.g. tree surveys, borehole information).
- Please complete a separate form for each site.
- Only submit sites that you have an interest in (as landowner, or through landowner's permission) and that you believe have genuine potential to start development over the next 15 years.
- The Call for Sites request is part of the Hertfordshire Minerals Local Plan plan-making process and is separate from the planning application process.

Table 1: Call for sites proforma

Site Location			
Site Name			
Site Address (including postcode, district and parish)			
Site OS Grid Reference	Northing		Easting
Contact Details			
Name			
Organisation (if relevant)			
Address			

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Telephone	
Email	

Your Details		
You are...? (Tick all that apply)	Agent	
	Landowner	
	Operator/Developer	
	Other (please specify)	
If you are representing a client(s), please supply their name(s) and address(es)		

Site Details	
Site area (in hectares) for whole site	
Site area (in hectares) for area suitable for the proposed extraction	
What material is proposed for extraction?	
Has this site been nominated as part of a call for sites in the past? If yes, please provide details.	
Current use of site (Is the site greenfield or brownfield? Has the site got more than one use?)	
Are there any existing structures on the	

site?		
If there are existing structures or land uses, would these require demolition or relocation?		
Adjacent land uses (e.g. housing, open farmland)	To the north	
	To the east	
	To the south	
	To the west	
Any relevant planning history? (Please provide this on additional sheets.)		
What would the estimated workable mineral reserve be? (Specify whether cubic metres or tonnes)		
What is the anticipated annual output of the site? (tonnes per year)		
What is the suggested use after extraction/proposed restoration scheme?		

Site Constraints	
<i>Are there any limitations that may prevent or constrain the development on this site? Please provide details, including any measures that may be used to overcome these constraints, or where there may be a positive impact on the area as a result of development.</i>	
Access Issues (e.g. issues surrounding the existing access to the site, proposed haulage routes to local lorry route, access to railheads)	

Topography or ground conditions (e.g. site slopes, varying site levels, tree cover)	
Environmental constraints/opportunities (e.g. potential positive or negative effects on local landscape, wildlife or geological designations, protected species, mature woodland, loss of locally used open space or access to open space, public rights of way or tree preservation orders.)	
Utilities and infrastructure provision (e.g. provision of services to development including electricity, water, gas, sewerage as necessary)	
Air quality (e.g. impact on Air Quality Management Areas)	
Aquifers and Groundwater (e.g. impact on Source Protection Zones, or aquifers)	
Planning policy constraints (e.g. based on adopted policy, designations, or protected areas including conservation areas, SSSIs, listed buildings)	
Neighbouring issues (e.g. is the site affected by power lines, railway lines, major highways)	
Other considerations (any other issues that may affect the suitability of the site)	

Site Availability and Viability

Please give details, including any measures required to overcome constraints.

Is the site currently being marketed?		
Is the site owned by a developer/operator?	Yes/No	Details
Is the site under option to a developer/operator?	Yes/No	Details
Are there any legal/ownership constraints that might prohibit or delay development of the site?	Yes/No	Details
Please indicate the likely timescale for the site being developed for the proposed use. When it is likely to start operating? (subject to planning permission being obtained) (Tick which applies)	Available within a year	
	Within the next 1 to 5 years	
	Within the next 6 to 10 years	
	Within the next 11 to 15 years	
	15+ years	
How many years do you think it would take to complete the proposed extraction of minerals?		
Are there any issues that may influence the economic viability or timing of the site being developed (including the need to mitigate any potentially significant environmental impacts)?		
Are there any issues that would restrict access to the site by consultants for undertaking assessments on the site?		

Additional Information

Please use this section to add any additional information that you feel will help HCC in their consideration of this site.

**SUMMARY OF REPRESENTATION FOR SITE SELECTION FOR SAND AND GRAVEL EXTRACTION
(ISSUES 8-11)**

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 8 Is the proposed idea to split the site selection methodology into three ‘sieves’, with an additional Call for Sites exercise, the right approach to take? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>				
MLPIC6	8	Trustees of the Brocket Estate (Stuart Gray)	Yes	Selection noted. No response necessary.
MLPIC16	8	Herts and Middx Wildlife Trust (Matt Dodds)	Yes	Selection noted. No response necessary.
MLPIC25	8	North Hertfordshire & Stevenage Green Party (Karen Harmel)	No - There are not enough sieves and priorities are out of order. The main things wrong with the methodology are: 1. "Call for Sites" from owners/operators go straight to sieve 2. This is instead of a conscious, Objective-led selection of sites. HCC has a chance to plan properly but instead proposes to allow financial interest to lead the way. This is against Green Party policy. 2. Trivialisation of "site-specific factors" (including all environmental	It is not proposed to include more sieves in the process. If following the process there are not enough sites/areas identified, sites discounted at an earlier stage may have to be re-assessed or a further call for sites process undertaken. The proposed Sieve 1 focuses on the mineral resource and economic viability to ensure that sites and/or areas identified are likely to be economically viable and therefore

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>considerations) by lumping together into sieve 3.</p> <p>3. The scoring system red, amber, green (3 levels of discrimination). There is insufficient sensitivity or discrimination. The LUC Herts MLP Site Selection Methodology Report (audit trail) suggests using at least a 5 point scale. With the current scoring system, meaningfulness has been sacrificed for simplicity.</p>	<p>deliverable in practice. For sites put forward during the call for sites process, it is assumed that the operator or owner will already have determined that the resources are economically viable. However, site promoters will be expected to provide a certain level of information either demonstrating that the site meets the site selection criteria or if the site does not meet the stated criteria, evidence will need to be provided as to why the site is still considered economically viable. This information will need to be set out as part of the proforma during the call for sites stage. Any evidence provided in support of sites which do not meet the criteria will be used by the officers in their assessment.</p> <p>The final step of the site selection methodology (sieve 3) will involve the consideration of high level designations together with more detailed local planning and environmental constraints, considerations and opportunities, and (where practicable) site specific</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>details, including findings from the parallel Sustainability Appraisal (SA) process. Each criteria proposed will be considered in turn in addition to a further detailed comparative evaluation following the sieving process looking at the potential site options. This sieve may also reduce the size of the areas taken forward rather than discounting them completely.</p> <p>The use of a weighting system for the site specific factors considered in Sieve 3 and the inclusion of some environmental considerations in Sieve 2 were both considered during the Interested Parties event held on 19th March 2015. Feedback from the event was that minerals extraction can be undertaken within protected areas, even those with international protection; therefore to exclude such areas at an early stage in the sieve process would be incorrect. However, in response to the feedback received and in recognition of the policy and legislative context of certain designations which include an</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				'alternatives' or 'exceptions' test, a fifth 'dark red' category has been introduced to certain elements considered under Sieve 3. It is important that this evaluation process is not seen as a means of pre-judging the outcome of subsequent planning applications.
MLPIC38	8	Hertsmere Borough Council (Richard Blackburn)	Yes - Correct to split site selection methodology into three 'sieves', with an additional Call for Sites exercise.	Selection noted. No response necessary.
MLPIC69	8	Three Rivers District Council (Martin Wells)	Yes - agree with the 3 sieves and a call for sites approach as it is a robust method of site selection.	Selection noted. No response necessary.
MLPIC89	8	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	No - 3 sieves and call for sites is not wholly suitable. Consideration should be given to sites within the existing MLP that have not been developed. Consideration should then be for sites put forward by industry or landowners. Unsuitable sites would be removed using sieve 3 analysis. Sieving only needed when identifying broad areas. More likelihood of resource being developed if a specific site is being promoted. Unsure on the value of sieve 2.	<p>The NPPG on 'planning for mineral extraction' states that MPAs should plan for the steady and adequate supply of minerals in one or more of the following ways (in <u>order of priority</u>): (<i>emphasis added</i>)</p> <ol style="list-style-type: none"> 1. designating Specific Sites 2. designating Preferred Areas, and/or 3. designating Areas of Search <p>The review of the adopted MLP will reconsider the status of the existing preferred areas as part of the</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>process in addition to the desk based study to identify the sand and gravel deposits in the county. Furthermore, sites will also be assessed which are put forward as part of the call for sites process. Existing sites within the MLP which have not been developed may come forward through the Call for Sites process if landowner/operator is still keen to promote the site for mineral extraction.</p> <p>The site selection methodology is crucial to the process to be able to identify specific sites (through the call for sites process), preferred areas and/or areas of search. The resource areas identified and sites promoted through the call for sites will be assessed against detailed criteria and discounted from further consideration where necessary.</p> <p>Once potential sites and/or areas have been assessed, consideration will be given as to whether each of them should be identified as Specific Sites, Preferred Areas or Areas of Search. This will depend</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				on the level of information and known degree of deliverability of the areas/sites.
MLPIC96	8	Historic England (Kayleigh Wood)	Yes	Selection noted. No response necessary.
MLPIC118	8	Central Bedfordshire Council (Natalie Chillcott)	Yes - Broadly yes.	Selection noted. No response necessary.
MLPIC153	8	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	No - not the right idea to have 3 sieves and call for sites	The site selection methodology is crucial to the process to be able to identify specific sites, preferred areas and/or areas of search. The methodology, particularly sieves 2 and 3 will form the assessment of sites/areas identified by Sieve 1 and via the call for sites. All relevant constraints to site selection have been included within 3 sieves in a sequential manner. Fewer sieves would not result in a robust approach and more sieves are not considered to be beneficial. The call for sites is a requirement to allow industry to identify sites that they consider to be worthy of further consideration for extraction.
MLPIC170	8	Mineral Products Association (David Payne)	Yes - The MPA attended the consultation event in March 2015 which was well organised and enabled a full discussion of	Selection noted. The council welcomes the feedback provided on the organisation of the interested

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			the issues and methodology. We are pleased that the recommendations emerging from this event have been taken into account in the full documentation	parties' day and has taken account of comments provided.
MLPIC193	8	Tarmac (Mike Pendock)	Yes - Tarmac attended the consultation event in March 2015 which was well attended and enabled a full discussion of the issues and the methodology. We are pleased that many of the recommendations emerging from this event have been taken into account in the final documentation.	Selection noted. The council welcomes the feedback provided on the organisation of the interested parties' day and has taken account of comments provided.
MLPIC203	8	CPRE Hertfordshire (Steve Baker)	Yes, 3 Sieves are acceptable provided they cover the appropriate aspects at each stage – see comments on Issues 9 to 11.	Selection noted. No response necessary.
MLPIC212	8	RSPB (Mark Nowers)	Yes	Selection noted. No response necessary.
MLPIC219	8	D K Symes Associates (D K Symes)	Yes - 3 sieves with call for sites is appropriate. In principle but criteria for the sieves need to be revised.	Selection noted. No response necessary.
MLPIC233	8	North Herts District Council (David Hill)	The chosen "sieved" approach would appear to be a sensible way of guiding site selection and in line with what was discussed at the stakeholder workshop.	Selection noted. No response necessary.
MLPIC245	8	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	Yes - the use of the sieve approach is appropriate methodology along with an additional call for sites from landowners and operators.	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC255	8	Buckinghamshire County Council (Emily Hodgson)	Yes - 3 sieves with call for sites is appropriate.	Selection noted. No response necessary.
MLPIC272	8	Natural England (Gordon Wyatt)	Yes	Selection noted. No response necessary.
MLPIC282	8	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	Yes	Selection noted. No response necessary.
MLPIC303	8	Bedford Borough Council (Natalie Chillcott)	Yes - Broadly agree	Selection noted. No response necessary.
MLPIC336	8	Welwyn Hatfield Borough Council (Sue Tiley)	Yes - The council supports the principle of a three stage sieving approach to site selection but the following detailed comments to make.	Selection noted. No response necessary.

Issue 9

Is the proposed desk-based methodology for Sieve 1 appropriate?

(Please select one answer)

Yes

No

General Statement of Representations and Response:

Economic Viability Criteria - The consultation representations received indicated confusion regarding the use of the economic viability criteria for industry promoted sites. The main issue identified was that economic viability would be determined by the promoter before putting a site forward and therefore the criteria were not flexible.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>It is important that any sites or areas put forward in the Minerals Local Plan are viable and deliverable in practice.</p> <p>It is assumed that the economic viability and deliverability of sites proposed through the Call for Sites process will already have been determined by the operator or owner. Site promoters will be expected to provide a certain level of site-specific evidence during the Call for Sites process to demonstrate deliverability during the Plan period. This information will need to be set out as part of the proforma during the call for sites stages. Any evidence provided in support of the site's economic viability will be used by the officers in their assessment. It is therefore proposed that a flexible approach is needed and the site selection methodology has been amended to reflect this.</p> <p>All sites emerging through the process will be assessed against the site selection methodology.</p> <p>It is also important that the identification of preferred areas and/or areas of search are based on the most up to date information available, to ensure that any areas included within the Minerals Local Plan are sufficiently justified. The British Geological Survey resource map for Hertfordshire, used as the starting point for this exercise, will be updated with additional information on spatial distribution and technical characteristics, where such information (e.g. borehole data or reports) is readily available from mineral operators in the county or from HCC.</p>				
MLPIC6	9	Trustees of the Brocket Estate (Stuart Gray)	Yes	Selection noted. No response necessary.
MLPIC16	9	Herts and Middx Wildlife Trust (Matt Dodds)	Yes	Selection noted. No response necessary.
MLPIC25	9	North Hertfordshire & Stevenage Green Party (Karen Harmel)	Yes - The proposed desk-based methodology for Sieve 1 is appropriate.	Selection noted. No response necessary.
MLPIC38	9	Hertsmere Borough Council (Richard	Yes - Desk-based methodology for Sieve 1 is appropriate.	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Blackburn)		
MLPIC49	9	Wheathampstead Parish Council (Julia Warren)	Yes - It is worth considering whether the use of land for quarrying is now appropriate for a county of higher density population, increasing population, and increasing pressures on amenity and farmland	<p>The Minerals Planning Authority must produce a Minerals Local Plan in accordance with legislation and national policy.</p> <p>The NPPF states that ‘Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation’.</p> <p>As part of the initial consultation Hertfordshire consulted on the quantity needed to be planned for and the safeguarding of mineral resource in order to support growth and meet the demand across the county.</p> <p>Whilst it is recognised there are many competing demands on land uses, known locations of specific</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				minerals resources should not be needlessly sterilised by non-mineral development. Any planning applications for mineral extraction will be assessed on a case by case basis against national policy and the development plan if and when an application comes forward.
MLPIC69	9	Three Rivers District Council (Martin Wells)	Yes - desk-based methodology for sieve 1 is appropriate.	Selection noted. No response necessary.
MLPIC89	9	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	No - desk-based methodology for sieve 1 is not appropriate. Viability of a resource will vary over time. Criteria make the approach too prescriptive. Odd to preclude extensions of less than 0.5Mt. Should be up to industry to decide what a viable deposit is re: minimum depth, overburden ratio and silt content. Criteria are rarely uniform over a site. Better to identify broad areas based on BGS data then sieve out areas based on sieve 2 constraints.	See General Statement. It is recognised that start-up costs, the type of plant and machinery used and the development of new techniques may impact a site's viability. It is proposed that broad areas of search and/or preferred areas will be identified using the BGS resource maps, amended where practicable with available up-to-date information. This information will also be used to analyse evidence put forward for sites through the call for sites process.
MLPIC96	9	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC118	9	Central Bedfordshire Council (Natalie	No - The Shared Service is concerned that the requirements of Sieve 1 are too	See General Statement. The proposed Sieve 1 criteria

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Chillcott)	demanding and may discourage landowners from putting forward potential mineral sites. There does not seem to be any justification for the Sieve 1 criteria. The criteria used seem to be set quite high. Whilst the landowner/ operator should demonstrate that there are proven reserves, it should not be necessary for the landowner/operator to meet the criteria listed in Sieve 1.	focuses on the mineral resource and economic viability to ensure that sites and/or areas identified are likely to be economically viable and therefore deliverable in practice.
MLPIC127	9	Cambridgeshire County Council (Ann Barnes)	No - The levels in a. and b. appear high. In Cambridgeshire some extension areas held less than half a million tonnes, but it made sense to include them as allocations so that adjoining reserves could be worked prior to quarrying being completed and / or they needed to be included at the plan making stage so phased working could be adjusted to include the additional land which would otherwise have been 'sterilised' and not worked. Also we would regard 4 metres as a good average thickness of sand and gravel. Some flexibility on these criteria may therefore be useful.	See General Statement.
MLPIC153	9	Cemex UK Operations Ltd (Kirsten Hannaford-	No - sieve 1 is not appropriate. Criteria are not appropriate. Would preclude viable extraction areas especially	See General Statement.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Hill)	extensions. Economic viability of a site would be determined before promotion by the operator. Level of descriptive criteria is excessive to ensure economic viability.	
MLPIC170	9	Mineral Products Association (David Payne)	Yes - A desk-based assessment using BGS data is appropriate but will not be able to determine whether potential resources meet all of the criteria and so it should be applied flexibly. Sites emerging later in the process that might be outside of these areas should be considered on their merits. We welcome the statement in 8.13 to this effect.	See General Statement.
MLPIC193	9	Tarmac (Mike Pendock)	No - a desk-based assessment using BGS data is appropriate as a starting point but should not be wholly relied on to define potential resources. The strict adoption of the Sieve 1 criteria based on only BGS reports could rule out potential economic sites which are unconstrained. The approach should therefore be flexible so that sites emerging later in the process, which might lie outside of these areas, can be considered on their merits. We therefore welcome the statement in para 8.13 to this effect.	See General Statement.
MLPIC198	9	Northamptonshire County Council (Laura Burton)	Sieve 1 - Criteria may be too specific in cases where good sites are identified in areas of known good quality resources but	See General Statement. Evidence will need to be provided to inform appropriate assessment of

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			not accompanied by site specific investigations – i.e. borehole data	the site as set out in the call for sites proforma. In cases where adequate information cannot be provided i.e. low extent of borehole data for an area, it may mean that it is not possible to accurately assess the fine content. This would have to be assessed on a case by case basis, however, it may be short sighted to rule out a potential site based on one considerations of economic viability without assessing the site against mapped resources (British Geological Survey)
MLPIC203	9	CPRE Hertfordshire (Steve Baker)	<p>No - The scope of the Sieve is inadequate because it fails to address fundamental constraints that should eliminate some areas from further consideration. This is as important as the potential suitability of a mineral resource, and should form part of the initial sieve.</p> <p>Land within Conservation Areas, the Chilterns AONB, a NNR or SSSI, or an area protected by an international designation such as SPA or SAC would be such a constraint that would rule the area out of further consideration. This is consistent with NPPF paragraphs 116, 118, 119 and 144 which state that sites in</p>	<p>The proposed Sieve 1 criteria focuses on the mineral resource to identify economically viable sand and gravel deposits which are potentially deliverable in practice rather than ruling sites out initially based on further constraints.</p> <p>Whilst it is recognised that high level protection is given to national and international designations, the proposed Sieve 2 criteria were seen as absolute constraints and where areas/sites falls within these, sites will not be taken forward to Sieve 3. If an area/site is located partly</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>these areas should normally be avoided by, or protected from development. The title of Sieve 1 should be amended to reflect this second part of the initial sieve. The only acceptable alternative process would be to include a new Sieve 2, comprising such 'absolute' constraints.</p> <p>The Sieve 1 caveat described in paragraph 8.13 that would allow some areas to avoid the sieving process subject to relevant information being provided by the proposed operator, should specifically require that information to address criteria 'a' to 'd' in the Sieve 1 process.</p>	<p>within this designation there may be the potential to alter the boundary or reduce the size to exclude the designation from the 'specific' site area rather than discounting the whole site. Any judgements will be recorded. Further consideration has been taken in response to representations made to Issue 10 and 11. Please see the General Statement to Issue 10 and 11. See General Statement. Sites put forward during the call for site will be subject to the sieving process.</p>
MLPIC212	9	RSPB (Mark Nowers)	Yes	Selection noted. No response necessary.
MLPIC219	9	D K Symes Associates (D K Symes)	No - sieve 1 is not appropriate. Should identify mapped mineral resource and not apply qualitative constraints. Too much reliance on resource mapping which can be wrong.	The proposed site selection methodology identifies several stages, including using a desk based study to identify the sand and gravel deposits for the county using mapped mineral resource data (BGS Reports) and to identify those sites/areas which are considered economically viable for extraction. The mapped resource data will be used but would not be the only source of information for sites taken

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				forward.
MLPIC245	9	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	No - The proposed sieve constraints are too prescriptive. There needs to be greater flexibility in determining which sites are economic to exploit.	See General Statement.
MLPIC255	9	Buckinghamshire County Council (Emily Hodgson)	No - sieve 1 is very technical. Ruling out sites on their size is unnecessarily limiting. Workable reserves of less than 1 million tonnes have been granted planning permission in Bucks.	See General Statement.
MLPIC272	9	Natural England (Gordon Wyatt)	Yes	Selection noted. No response necessary.
MLPIC282	9	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - The minimum resource requirement of 1Mt is excessive and will lead to ruling out of smaller sites which are equally able to provide economically viable resources and at a more sustainable and local level reducing HGV transport mileage and carbon emissions – there should be no minimum resource tonnage criteria. - The minimum mean thickness requirement of 5metres is excessive and will rule out sites that could provide economically viable resources which could be easily worked and beneficially restored. There should be no minimum mean resource thickness criteria. - The maximum overburden / mineral ratio is unjustified, resources in prime locations	See General Statement.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			with adverse ratios could be economically viable. The criteria should be discarded with site proposers asked to identify the ratio and justify the economic viability.	
MLPIC303	9	Bedford Borough Council (Natalie Chillcott)	No - The Shared Service is concerned that the requirements of Sieve 1 are too demanding and may discourage landowners from putting forward potential mineral sites. There does not seem to be any justification for the Sieve 1 criteria. The criteria used seem to be set quite high. Whilst the landowner/ operator should demonstrate that there are proven reserves, it should not be necessary for the landowner/operator to meet the criteria listed in Sieve 1.	The proposed Sieve 1 criteria focuses on the mineral resource and economic viability to ensure that sites and/or areas identified are likely to be economically viable and therefore deliverable in practice. See General Statement.
MLPIC317	9	Environment Agency (Kai Mitchell)	Yes	Selection noted. No response necessary.
MLPIC336	9	Welwyn Hatfield Borough Council (Sue Tiley)	The criteria used for Sieve 1 to assess viable deposits would seem to be reasonable.	Selection noted. No response necessary.
<p>Issue 10 Is the limited depth of analysis proposed for Sieve 2 appropriate? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>				

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<p>General Statement of Representations and Response:</p> <p>Major Constraints criteria - Representations to the consultation largely questioned the placement of ancient woodland in major constraints, either suggesting that it should lie within the detailed site assessment criteria or that other international and national nature designations should be moved to major constraints. Representations also highlighted the importance of international and national nature conservation designations.</p> <p>Taking account of the representations received, it is proposed to amend the site selection methodology, with original economic viability criteria (Sieve 1) and major constraints criteria (Sieve 2) being switched round. This means that major constraints will be examined first, comprising Urban areas, sites with extant planning permission for other development (for the identification of preferred areas or areas of search, these will be limited to those sites whose area is greater than 5ha due to difficulties associated with collection of data for smaller planning permissions such as house extensions etc.) and previously worked areas.</p> <p>It is proposed that the British Geological Survey resource map for Hertfordshire will be used as the starting point for the identification of preferred areas and/or areas of search. Areas identified within the new proposed sieve 1 criteria (major constraints) will be identified and removed from the process.</p> <p>In addition, whilst it is recognised that high level protection is given to national and international designations, the proposed Sieve 2 criteria were seen as absolute constraints and where areas/sites falls within these, sites would not be taken forward to Sieve 3. However it is proposed that ancient woodland is moved to Sieve 3 with an addition of a 'dark red' category in the scoring framework. This will allow for international and national designations (including ancient woodland) subject to an exceptions or alternatives test in national policy to be highlighted through the use of the 'dark red' category in the scoring and be assessed as part of the same sieve.</p>				
MLPIC6	10	Trustees of the Brocket Estate (Stuart Gray)	Yes	Selection noted. No response necessary.
MLPIC16	10	Herts and Middx Wildlife Trust (Matt Dodds)	No - The inclusion of ancient woodland as an absolute boundary is welcomed. However other similarly irreplaceable habitats should be included. The higher	See General Statement. The MPA intends to include policies for biodiversity and landscape within the review of the MLP for which

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			<p>tier of ecological designations should include sites of arguably equal or greater significance e.g. SAC, SPA, NNR and SSSI. It is highly unlikely that mineral extraction would be compatible with the maintenance of the ecological status of sites of this importance.</p> <p>NPPF (para 113) is clear that the hierarchy of importance of designated sites should be reflected in planning policy.</p> <p>NPPF (para 116&118) states that if significant effects cannot be avoided, mitigated, or adequately compensated, planning permission should be refused. It is unlikely that the impacts of extraction at higher quality sites could be mitigated or compensated so they should be ruled out an early stage.</p>	<p>mineral planning applications can be determined against. It is noted that the NPPF states that these should be criteria based policies.</p>
MLPIC25	10	North Hertfordshire & Stevenage Green Party (Karen Harmel)	<p>No - The Sieve has been over-simplified and the depth of analysis is inadequate. It doesn't have enough range to cover the issues. Originally it was 2A and 2B; now only A remains (paragraph 3.7 of the MLP Site Selection Methodology Report).</p> <p>There was a general consensus at the meeting of interested parties in March 2015 that local wildlife sites needed more inclusion, separation and detail within the</p>	<p>Following the interested parties day, the sieves were divided into three sieves with the main evaluation process of constraints being undertaken in Sieve 3. In addition, the high, medium and low categorisations of the Sieve 3 criteria were removed to ensure that criteria and sites can be compared equally and objectively, without an</p>

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			<p>sieve. Green Party policy states that ecological criteria be given full weight in all decision.</p> <p>Sieve 2, Major Constraints, should be clarified such that important ecological issues are called Major and can act to prevent site selection at this stage. The Site Selection Methodology Report points out that all ecological constraints have been removed from Sieve 2, (only Ancient Woodland remaining) and put in Sieve 3 where they will be scored against many other factors. This might result in trivialisation of ecological issues.</p>	<p>artificial or unsubstantiated weighting applied.</p> <p>Please see General Statement regarding the proposed changes from the initial consultation. The resource areas/sites identified from Sieves 1 and 2 will be subject to detailed evaluation as part of Sieve 3. Each of the criteria and scoring following the assessment process will go through a comparative evaluation before any decisions/recommendations are made as to which site are included within the plan.</p> <p>The criteria for Local Wildlife Sites has been included within Sieve 3 together with Local Nature Reserves.</p>
MLPIC38	10	Hertsmere Borough Council (Richard Blackburn)	Yes - Limited depth of analysis proposed for Sieve 2 is appropriate.	Selection noted. No response necessary.
MLPIC49	10	Wheathampstead Parish Council (Julia Warren)	No - Other factors are important - High landscape factor and significant detrimental impacts on local community and wildlife	These issues are covered by criteria within Sieve 3 as they are not absolute constraints. Each of the criteria and scoring following the assessment process will go through a comparative evaluation before any decisions/recommendations are

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				made as to which site are included within the plan.
MLPIC69	10	Three Rivers District Council (Martin Wells)	Yes - limited depth of analysis for sieve 2 is appropriate. Wish to see the Chilterns AONB added to the criteria for excluding sites. New mineral workings in the Chilterns AONB would be inappropriate and any potential mineral sites in the AONB should be excluded at an early stage.	Whilst it is recognised that the Chilterns AONB is a designated area, it is not considered an absolute constraint to mineral extraction. If an area/site is located partly within this designation there may be the potential to alter the boundary or reduce the size to exclude the designation from the 'specific' site area rather than discounting the whole site. Any judgements would be recorded as appropriate.
MLPIC83	10	Epping Forest District Council (Ian White)	No issues of potential concern. Initially confused regarding mention of ancient woodland in sieve 2 and surprised to see no mention of national and international designations such as SSSIs, SACs and SPAs, although this is addressed in para 14.15 and appendix 1. Interested to learn of progress with proposals for transport by water and effect on River Lea and Lea navigation.	See General Statement. The encouragement of sustainable transport is included as part of the vision for the MLP.
MLPIC89	10	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	No - limited depth of analysis for sieve 2 is not appropriate. Presence of urban areas should be a primary consideration on viability. Limited number of criteria - odd to	See General Statement. Urban areas are included as an absolute constraint. Sites which fall within the urban area will not be

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			only refer to ancient woodland at the expense of other land use designations such as SSSI. Suggest criteria for sieve 2 should be expanded to include ecological and archaeological constraints.	taken forward to the remaining sieves. An initial assessment of heritage assets (ecological and archaeological) will be explored as part of the assessment process within Sieve 3. The MPA would seek information and views from statutory consultees and internal officers, including the County Archaeologist and Historical Environment Unit throughout the process.
MLPIC96	10	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC118	10	Central Bedfordshire Council (Natalie Chillcott)	Yes	Selection noted. No response necessary.
MLPIC141	10	Stevenage Borough Council (Richard Javes)	It is worth noting the difference between environmental designations (which, like minerals deposits, are immovable) and policy designations (like Green Belt) which are capable of being adjusted to reflect circumstances. Consequently, current policy designations should not be seen as an absolute bar to development.	Comment noted. No response necessary.
MLPIC153	10	Cemex UK Operations Ltd (Kirsten Hannaford-	Yes - sieve 2 is appropriate	Selection noted. No response necessary.

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		Hill)		
MLPIC170	10	Mineral Products Association (David Payne)	Yes	Selection noted. No response necessary.
MLPIC193	10	Tarmac (Mike Pendock)	Yes	Selection noted. No response necessary.
MLPIC198	10	Northamptonshire County Council (Laura Burton)	Sieve 2 –This should also include national /higher level designations (on/adjacent site) that would prevent development occurring.	See General Statement.
MLPIC203	10	CPRE Hertfordshire (Steve Baker)	No - criterion 'a' should not be limited to 'urban' areas because of the difficulty of defining this, but should exclude all areas of existing built development. Similarly, constraint 'b' within Hertfordshire would include areas that are subject to a Planning commitment to development, either by way of planning permission, or allocated for development in a Development Plan Document. Such a commitment would prevent mineral extraction or delay mineral working. For consistency the wording used in paragraph 9.20 on page 37, for 'Excluded Developments' in the Council's proposed SPD would be a suitable alternative. See comments on Sieve 1 (Issue 9) above	Urban areas will be based on the Office of National Statistics urban area dataset, which includes built up areas and built up area subdivisions. Built-up areas (BUA) and built-up area sub-divisions (BUASD) are a new geography, created as part of the 2011 Census outputs. This data provides information on the villages, towns and cities where people live, and allows comparisons between people living in built-up areas and those living elsewhere. The definition follows a "bricks and mortar" approach, with BUAs defined as land with a minimum area of 20 hectares (200,000 square metres), while settlements within 200 metres

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				<p>of each other are linked). It is proposed that sites with extant planning permission for other development should be exclusionary criteria as set in Sieve 2. Sieve 3 includes criteria for assessing whether the sites which are allocated for development in Local Plans are located in close proximity to proposed mineral extraction sites. It is not proposed that the list of excluded development would be used a suitable alternative. This list is for excluded development which the county council does not need to be consulted upon if it falls within a Mineral Consultation Area. This is to prevent an unnecessary number of consultations for small applications which would not have mineral sterilisation issues.</p>
MLPIC212	10	RSPB (Mark Nowers)	No - The RSPB is of the view that it would be sensible and pragmatic to extend the presumption against extraction to international and national statutory protected sites for conservation (SPAs, SACs, Ramsar, SSSIs, NNRs). This would reflect the high level of legal	See General Statement. The evaluation process (sieve 3) is not a means of pre-judging the outcome of subsequent planning applications and sites will still be subject to assessment at the planning application stage and may

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			<p>protection these sites have and would be consistent with the NPPF (paras. 14 and 119). In practice, this would result in relatively little additional land being excluded.</p> <p>It is worth noting that the development would not necessarily have to be located within the internationally designated site in order for it to be undeliverable. For example, if the development was located outside of the international designation but it could not be ascertained that there would be no adverse effect on the integrity of the site then consent could not be given until the sequential tests required by the Habitats Regulations were successfully met.</p> <p>Whilst the RSPB recognizes that international designations have the highest priority, it is important to note that paragraph 118 of the NPPF also specifies that development should not normally be permitted if it is likely to:</p> <ul style="list-style-type: none"> - have an adverse effect on a SSSI, either individually or in combination with other developments; and/or - result in the loss of deterioration of irreplaceable habitats, including ancient woodland. 	<p>be subject to further detailed environment assessment at a site level (which may include an Environment Impact Assessment and Habitat Regulation Assessment). Some site specific issues cannot be established at the plan making level, and therefore are required at the planning application stage.</p>

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MLPIC219	10	D K Symes Associates (D K Symes)	No - depth of sieve 2 is not appropriate. Too narrow. Should include all national designations (AONB, SSSI, RAMSAR, SACs etc).	See General Statement.
MLPIC233	10	North Herts District Council (David Hill)	The constraints in Sieve 2 seem sensible and represent the conclusions of discussions held at the workshop as there is only a small number of what would be deemed "absolute constraints" for minerals extraction. However, I do believe that it would be very difficult to justify mineral extraction specifically within a European designated Site (SPA / SAC) and this should potentially be added to this list of constraints.	See General Statement.
MLPIC245	10	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	Yes - Sieve 2 Constraints are appropriate.	Selection noted. No response necessary.
MLPIC255	10	Buckinghamshire County Council (Emily Hodgson)	Yes - sieve 2 is appropriate	Selection noted. No response necessary.
MLPIC272	10	Natural England (Gordon Wyatt)	Yes - Natural England is generally supportive of the proposed methodology. The council may wish to consider whether some of the constraints relating to designated sites and other existing areas of semi-natural habitat may in some cases also potentially offer opportunities to expand or link such areas of existing	Sieve 3 criteria allows for a 'positive scoring element' where opportunities may exist for sites to contribute towards or have beneficial impact. This will also be examined as part of a comparative evaluation following the sieving exercise.

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			habitat through habitat creation as part of the mineral site restoration.	
MLPIC282	10	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	Yes	Selection noted. No response necessary.
MLPIC290	10	HCC Ecology (Martin Hicks)	<p>No - Why is ancient woodland suddenly highlighted as being a constraint at this stage? All Statutory protected ecological sites – SSSIs and above – should be fundamental constraints first. NPPF highlights AW as being irreplaceable along with veteran trees but some other natural features are also effectively irreplaceable.</p> <p>Nationally important environmental (or landscape and historic) features should be considered as constraints. Consequently, all of the statutory resources relating to these and the mitigation hierarchy should be introduced at this stage, if it is the intention for this sieving to reflect constraints. This would follow logically the initial mineral consideration – i.e. it can only be potentially dug where it is found and suitable, and precede more local considerations at the site level once the principle constraints have been identified.</p>	See General Statement.
MLPIC296	10	HCC Landscape	No - Why is there a distinction between	See General Statement.

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		(Jennifer Clarke)	Ancient Woodland and other important/valued aspects of the natural and historic environment that it is desirable to protect? The preferred approach would be to ensure that sites with important/valued aspects are sieved out at the earliest opportunity. If there remains a short fall of sites, then these sites are revisited and where deemed appropriate brought back into the selection process at a later stage.	
MLPIC303	10	Bedford Borough Council (Natalie Chillcott)	Yes	Selection noted. No response necessary
MLPIC317	10	Environment Agency (Kai Mitchell)	Yes	Selection noted. No response necessary
MLPIC324	10	East Herts District Council (Jenny Pierce)	Other environmental designations should also be considered as absolute constraints (Major Constraints) such as Sites of Special Scientific Interest, Special Areas of Protection and Special Areas of Conservation. These habitats cannot be replaced, though sensitive development nearby could aid their enhancement and protection.	See General Statement.
MLPIC336	10	Welwyn Hatfield Borough Council (Sue Tiley)	The principle of using absolute constraints is supported. It is not clear from the consultation document or the supporting document why Ancient Woodland is	See General Statement. Urban areas will be based on the Office of National Statistics urban area dataset, which includes built

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			<p>considered to be an absolute constraint whereas sites considered to be of international significance for biodiversity are not.</p> <p>It is not clear whether designated urban extensions would fall within the definition of urban areas.</p>	<p>up areas and built up area subdivisions. Built-up areas (BUA) and built-up area sub-divisions (BUASD) are a new geography, created as part of the 2011 Census outputs. This data provides information on the villages, towns and cities where people live, and allows comparisons between people living in built-up areas and those living elsewhere. The definition follows a “bricks and mortar” approach, with BUAs defined as land with a minimum area of 20 hectares (200,000 square metres), while settlements within 200 metres of each other are linked).</p>
MLPIC345	10	Chilterns Conservation Board (Lucy Murfett)	<p>AONB is a major constraint so should be included in the list of sieve 2 constraints. Add text stating “HCC has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the Chilterns Area of Outstanding Natural Beauty. Government policy in the NPPF requires that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in planning, equal to National</p>	See General Statement.

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			<p>Parks (para 115). Major development should not take place in AONBs unless there are exceptional circumstances (para 116). Land of the least environmental or amenity value should be allocated when plan making (para 110), so AONB land has been removed at sieve 2 from consideration. The setting of and views associated with the Chilterns AONB should also be taken into account in assessing land for allocation.</p> <p>Development within AONBs shall normally only be small-scale, to meet local needs and should be sensitively located and designed, for instance clay at traditional brickworks to provide handmade bricks for building in the vernacular style and for the repair of historic buildings.”</p>	
<p>Issue 11 Is the detailed assessment proposed for Sieve 3 appropriate? (Please select one answer) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>General Statement of Representations and Response:</p> <p>Detailed Site Assessment criteria – Representations reiterated points similar to those raised above for major constraints. In addition to many representations raising issues which would be dealt with at a site specific stage.</p>				

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<p>Taking account of the representations received, it is proposed to amend the site selection methodology to include ancient woodland within Sieve 3 with an additional 'dark red' category in the scoring framework. This will allow for international and national designations (including ancient woodland) subject to an exceptions or alternatives test in national policy to be highlighted through the use of the 'dark red' category in the scoring.</p> <p>For sieve 3, each criteria proposed will be considered in turn to inform a detailed comparative evaluation following the sieving process. This process would look at the potential site/area options, drawing on the findings of the Sustainability Appraisal (which incorporates the Strategic Environmental Assessment (SEA)). It is proposed that justification would be provided for each score given and a site may not be discounted wholly based on one or more 'red' score(s). If an area/site is located partly within this designation there may be the potential to alter the boundary of the mineral site or reduce the size to ensure that the 'specific' site area excludes the designation rather than discounting the whole site. Any judgements will be recorded. It is also important to note that there are examples in the UK of minerals extraction occurring within internationally designated sites e.g. National Parks, therefore whilst they are provided the highest level of protection, which will be considered in Sieve 3, they are not absolute constraints.</p> <p>This detailed assessment (sieve 3) would inform any recommendations as to which sites/areas are included within the draft Minerals Local Plan. The evaluation process is not a means of pre-judging the outcome of subsequent planning applications and sites will still be subject to assessment at the planning application stage and may be subject to further detailed environment assessment (which may include an Environment Impact Assessment).</p> <p>Mitigation measures need to be assessed on a site by site basis and will be looked at during both the comparative evaluation process and if and when a planning application is brought forward.</p>				
MLPIC6	11	Trustees of the Brocket Estate (Stuart Gray)	Yes	Selection noted. No response necessary.
MLPIC16	11	Herts and Middx Wildlife Trust (Matt Dodds)	No - Criterion 2 (National and International ecological designations) should be moved from Sieve 3 to Sieve 2 due to its	See General Statement. The wording can be changed in the criteria from 'certain' to 'occasional'

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			<p>incompatibility with minerals development. The phrase 'in certain situations, minerals development can have positive effects on these designations.' should be removed as it is misleading and wholly unlikely. The terminology used in Criterion 4 needs amending; locally important sites for nature are known as Local Wildlife Sites, not local nature reserves. For local sites or priority habitats and species, it should state that only plans that result in net gain to biodiversity will be permitted. The wording in criterion 2, 4 and 10 that it is possible for mineral extraction to have positive effects on BAP habitats, species and local, national and international sites of nature conservation significance is overly enabling and does not reflect reality.</p>	<p>situations. Hertfordshire has Local Wildlife Sites (non-statutory designated by local authorities) of which there are approximately 2,000 sites in Hertfordshire. In addition Hertfordshire has in the region of 38 Local Nature Reserves which are statutory, but not national designations. A Local Nature Reserve may also cover the same area as a Local Wildlife Site. Therefore it is proposed that the criteria includes both terms. Sieve 3 criteria allows for a 'positive scoring element' where opportunities may exist for sites to contribute towards or have beneficial impact. This may not be the case for all sites looked at as part of the process.</p>
MLPIC19	11	Anglian Water Services Ltd (Stewart Patience)	<p>No - We note that it was considered that drainage should not be included in the detailed site assessment methodology. Maps of Anglian Water assets are available to view on the Digdat website (http://digdat.co.uk/). Therefore we consider that there is information available</p>	<p>Drainage has been discounted from the criteria as it is a site specific matter that would be dealt with at the planning application stage. Detailed site briefs or site specific policies could include wording highlighting where existing Anglian</p>

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			<p>to HCC which could be used as part of the site selection process.</p> <p>Our preference is that areas containing existing Anglian Water assets are not formally allocated as sand and gravel sites within the Herts MLP.</p> <p>Landowners/developers should have regard to the requirements of Section 14 of the Water Industry Act 1991 where sand and gravel extraction is proposed within close proximity to existing Anglian Water assets.</p>	<p>Water assets are in close proximity to a site or area.</p>
MLPIC25	11	North Hertfordshire & Stevenage Green Party (Karen Harmel)	<p>No - a major problem is that there are too many assessments in Sieve 3 and numerous ecological issues are scored to give an overall impression with enormous loss of relevant detail and cancelling out of different aspects. Important information about sites will be lost. Some of the more important criteria (such as pollution, biodiversity, or rare species) need to be moved up into Sieve 2.</p> <p>Several criteria for the suitability of sites are included in the MLP Site Selection Methodology Report (LUC) but have been weakened/removed in draft MLP e.g. Local Nature Reserves, groundwater vulnerability, pollution, noise, vibration, cumulative effects. These criteria should</p>	<p>See General Statement. The tables used to record the information from the sieving exercise will be same template for each site.</p> <p>It is not proposed to include pollution, biodiversity or rare species in Sieve 2 as these cannot be considered absolute constraints. Sieve 3 includes criterion for local nature reserves, groundwater vulnerability, cumulative effects at strategic level and Criteria 13 'Sensitive land uses' includes effects on health and amenity of local residents and communities from dust, noise and vibrations; and pollution is covered by a number of</p>

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			be re-instated.	criteria.
MLPIC38	11	Hertsmere Borough Council (Richard Blackburn)	Yes - Detailed assessment proposed for Sieve 3 is appropriate.	Selection noted. No response necessary.
MLPIC69	11	Three Rivers District Council (Martin Wells)	Yes - the detailed assessment for sieve 3 is appropriate. Support the evaluation framework however would wish to see the Chilterns AONB added to the list of exclusionary criteria under sieve 2.	See General Statement.
MLPIC89	11	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes - detailed assessment for sieve 3 is appropriate. A high or red score should not necessarily rule out a site as mitigation may be possible and acceptable or need for the development outweighs the impacts.	See General Statement.
MLPIC96	11	Historic England (Kayleigh Wood)	No - It is acknowledged that Sieve 3 provides the detailed assessment of sites in terms of impact on the Historic Environment. It is acknowledged that designated sites are proposed to be highlighted at this stage, which is welcomed. However, it is not clear which of the three categories of site (sites which do not overlap with heritage designations, sites which partly overlap or are immediately adjacent to heritage designations and sites that contain heritage designations) would or would not be taken forward after this stage of the	See General Statement. The MPA would seek information and views from statutory consultees and internal officers, including the County Archaeologists and Historical Environment Unit throughout the process which will feed into the site selection process, including the issue of setting. The evaluation process is not a means of pre-judging the outcome of subsequent planning applications and sites will still be subject to assessment at the planning

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			<p>sieve.</p> <p>It is considered that the impact on setting should be considered at this early strategic stage. The NPPF highlights the importance of setting as a consideration and if it is not considered at this early stage it is likely that fundamentally inappropriate sites could come forward to the more detailed application stages. I have attached links to guidance on significance (Managing Significance in Decision-Taking in the Historic Environment, Historic England Good Practice Advice in Planning: 2), setting (The Setting of Heritage Assets, Historic England Good Practice Advice in Planning:3) and site allocations (The Historic Environment and Site Allocations in Local Plan, Historic England Advice Note, Consultation Draft 08 June 2015) for more information.</p> <p>It is also acknowledged that the impact on non-designated heritage assets will not be taken into consideration at this stage. It is considered that their possible existence on sites should be acknowledged at this stage and explored as non-designated heritage assets make a significant contribution to the sum of the Historic</p>	<p>application stage and may be subject to further detailed environment assessment (which may include an Environment Impact Assessment).</p> <p>An initial assessment of heritage assets will be explored as part of the assessment process (Sieve 3). Information could feed into specific site policies or site brief depending on the approach taken by the council. More detailed investigations and the restoration of mineral sites to improve the setting of heritage assets would be important issues if and when a planning application were to come forward.</p>

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			<p>Environment and are an important consideration in development proposals. Records of non-designated heritage assets can be found on the Local Heritage Gateway- Historic Environment Record.</p>	
MLPIC110	11	Aylesbury Vale District Council (David Broadley)	<p>Landscapes - locally valued landscapes in Herts and neighbouring authorities should be taken into account in the site allocations and policies, particularly if designated landscapes have been subject to public consultation.</p>	<p>As part of the Site Selection Process, the consultants will be undertaking a landscape sensitivity study assessing the landscape sensitivity of the sites put forward through the Call for Sites process. This will inform recommendations on the extent to which each site might be able to accommodate mineral development without having a detrimental effect on the landscape character and visual amenity of the immediate and wider area.</p> <p>This work will make use of the Hertfordshire Landscape Character Assessment.</p> <p>A landscape policy is also proposed as part of the plan which can incorporate the relevant national and local policy for Hertfordshire. Reference will also be included to local landscape designations in Table 4.1.</p>

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MLPIC118	11	Central Bedfordshire Council (Natalie Chillcott)	Yes	Selection noted. No response necessary.
MLPIC133	11	Hertfordshire County Council - Highways (Manjinder Sehmi)	Most of the mineral sites would be required to gain access to the strategic road network, but how will this be done? Sieve 2 and 3 are therefore vital in terms of determining accessibility of sites selected or establishing the kind of traffic management measures required to mitigate the adverse traffic impacts of mineral extraction and associated development.	Sustainable Transport is covered by Sieve 3. Details of access arrangements will be required through the call for site proforma. The MPA would seek information and views from statutory consultees and internal officers throughout the process. Most mineral planning applications will require further transport studies for assessment as a requirement of a planning application.
MLPIC146	11	Highways England (Jenny Volp)	At this early stage of the process, limited information has been provided in the document regarding the development of new sites or locations. Once the potential sites are known, Highways England should be consulted again.	No response necessary. The MPA would seek information and views from statutory consultees and internal officers throughout the process.
MLPIC153	11	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Yes - sieve 3 is appropriate	Selection noted. No response necessary.
MLPIC165	11	Transport for London (Andrew Hiley)	Evaluation framework criterion 7 mentions air quality but not road safety.	The MPA would seek information and views from statutory consultees and internal officers throughout the process.

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				Road safety would be a detailed consideration at the planning application stage, if and when a planning application were to come forward.
MLPIC170	11	Mineral Products Association (David Payne)	Yes - It will be important to ensure that even where a site may score 'high' or red against a criterion, this should not necessarily rule it out as more detailed investigation may indicate that mitigation is possible and acceptable or that the need for development of the site outweighs impacts	See General Statement
MLPIC193	11	Tarmac (Mike Pendock)	Yes - In undertaking the assessment, it will be important to ensure that even where a site may score 'high' or red against a criterion, this should not necessarily rule it out as more detailed investigation may indicate that mitigation is possible and acceptable or that the need for the development of the site outweighs the impact.	See General Statement
MLPIC203	11	CPRE Hertfordshire (Steve Baker)	No - see comments on Sieve 1. Criteria 1 to 3 - Areas abutting or which would otherwise potentially have an adverse impact on the protected designations set out in Sieve 1, should always be graded '4' (red). Only in the event that Sieve 3 is unable to identify unconstrained areas	See General Statement. If following the process not enough sites/areas are identified, sites discounted at an earlier stage may have to be re-assessed or a further call for sites process undertaken. Cumulative impact of sites in a

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>that can supply sufficient land-won aggregates, should areas subject to national and international policy protection as set out in the NPPF, be re-assessed to identify areas that will do so with the least harmful impact.</p> <p>Criterion 9 – Cumulative impact cannot be assessed without having first assessed individual impacts, but these are not included in the Sieve 3 criteria. The relationship of this criterion with criterion 13 (Sensitive Land Uses) needs to be reconsidered because at present they do not address the key sieving requirement of enabling a comparison between potential areas for their degree of impact in terms of environmental and human impact, either alone or cumulatively.</p> <p>Criterion 18 – Green Belt – Sites in the Green Belt ‘which conflict with the purposes for its designation’ should by definition be graded ‘4’ (red) not ‘3’ because they would conflict with NPPF paragraph 14.</p>	<p>particular area will be considered in the sustainability appraisal and will also be assessed on a case by case if and when a planning application were to come forward. The timing of sites coming forward could impact upon any potential cumulative impact.</p> <p>It is considered the scoring criteria for Green Belt is suitable as mineral extraction as a form of development is not inappropriate in the Green Belt providing that it preserves the openness and does not conflict with the purpose of including land in the Green Belt.</p>
MLPIC212	11	RSPB (Mark Nowers)	<p>No - Evaluation framework for Sieve 3, Criterion 2. These designations should be placed in Sieve 2 as explained in Issue 10 above.</p> <p>We agree with HWMT that it is highly</p>	<p>See General Statement.</p> <p>The consideration of chalkstreams is a site specific issue which should be dealt with at the planning application, if and when a planning</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>unlikely that mineral extraction would be compatible with the ecological status of protected sites as intimated on page 14 of the Selection Methodology Report. The RSPB would welcome an additional Criterion of "Chalkstreams". There are only 180 chalkstreams in the world of which 85% are found in England, and a significant proportion of these are in Hertfordshire. Whilst they may be captured among other criterion, we feel that clarity is essential in order that their protection and enhancement is achieved.</p> <p>The RSPB also recommends that the Plan identifies Areas of Search that incorporate the potential to deliver strategic restoration objectives into identifying where mineral development should be located. The steps involved in this approach are as follows:</p> <ol style="list-style-type: none"> 1. Assess all aggregate resources to identify which are likely to be significant. 2. Identify where these significant resources cluster into groups that are big enough to develop a strategy that would deliver co-ordinated, strategic restoration benefits. 3. Identify whether these clusters of 	<p>application were to come forward. There is an example in Hertfordshire of an existing mineral site which has a chalk stream located on site. Minerals can only be worked where they are found; predominately this is in the south of Hertfordshire. The methodology includes criteria for 'restoration'. In addition a policy is proposed to be included in the revised MLP. Restoration is an intrinsic part of a mineral planning application, the general scheme for restoration can be considered at the outset even before an application is submitted. Scope to feed into a wider restoration scheme could be a potential option. It is acknowledged that restoration can have a positive benefit dependent upon the nature and proposed design of the restoration of a minerals site. The issue of large scale restoration opportunities was discussed in advance of the interested parties' day event. This was partly the reason for the cumulative effects section being added. It is</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>resources have the potential to serve likely areas of demand for aggregates.</p> <p>4. Use these considerations to identify Areas of Search, which form the basis for a Spatial Strategy.</p> <p>In terms of Step 2, 200ha would be a minimum area at which strategic restoration objectives, including the landscape-scale restoration of priority habitat, can be delivered. On this basis, 200ha is also the minimum size for their Areas of Search.</p>	<p>considered that the criteria are sufficient to allow this restoration to be considered, given the limited extent and potential for this type of approach in the sand and gravel belt in Hertfordshire.</p>
MLPIC219	11	D K Symes Associates (D K Symes)	<p>No - sieve 3 is not appropriate. Should be designed to identify broad areas of search to direct industry to find sites. Should not identify specific sites as these need investigation to prove viability and availability.</p>	<p>The NPPG on 'planning for mineral extraction' states that MPAs should plan for the steady and adequate supply of minerals in one or more of the following ways (<u>in order of priority</u>): (<i>emphasis added</i>)</p> <ol style="list-style-type: none"> 1. designating Specific Sites 2. designating Preferred Areas, and/or 3. designating Areas of Search <p>The site selection methodology is crucial to the process to be able to identify specific site (through the call for sites process), preferred areas and/or areas of search.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>The resource areas identified and sites promoted through the call for sites will be assessed against detailed criteria and discounted from further consideration where necessary.</p> <p>Once potential sites and/or areas have been assessed, consideration will be given as to whether each of them should be identified as Specific Sites, Preferred Areas or Areas of Search. This will depend on the level of information and known degree of deliverability of the areas/sites.</p>
MLPIC233	11	North Herts District Council (David Hill)	The list of criteria for Sieve 3 seem reasonable, however, I do believe the European designations should be within Sieve 2.	See General Statement.
MLPIC239	11	Turnberry Planning Ltd on behalf of Hertfordshire University (Stephanie Gray)	A three-sieve site selection is logical. Do not consider sufficient weight is afforded to existing sensitive receptors such as Bayfordbury Observatory. Suggest an additional criterion to assess proximity of potential mineral extraction sites to particularly sensitive receptors where air quality is vital to their successful functioning.	Criteria 13 'Sensitive land uses' could be expanded to ensure it is clear that this can include known sensitive receptors. This could include the effects on the operation of equipment as well as health and amenity. Although it would also be noted that in many cases this will be on a case by case basis if and when a planning application were to come

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				forward.
MLPIC245	11	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	Yes - sites that pass through Sieve 2 will need to be assessed against a list of more detailed criteria. This should be a fair and open assessment from start to finish.	Selection noted. No response necessary.
MLPIC255	11	Buckinghamshire County Council (Emily Hodgson)	Yes - sieve 3 is appropriate	Selection noted. No response necessary.
MLPIC263	11	Stansted Airport (Keeley Briggs)	No - The restoration of a mineral site can often include the formation of large water bodies which can increase the level of bird activity in the vicinity of the airport. Consequently such proposals require a detailed assessment to ensure the risk of bird strike is not increased. We would therefore welcome consideration of aerodrome safeguarding as part of the Minerals Local Plan and recognition of the potential constraints to development within the site selection methodology for mineral sites.	Due to the strategic level of the site selection study it may not be appropriate to finalise the details of the restoration schemes. The methodology proposes to evaluate the opportunities for restoration and aftercare through information provided as part of the call for sites. The risk of bird strike is a site specific issue, as the potential for bird strike is not just influenced by the location of the water body, but also feeding areas such as landfill or agricultural land. Wording can be added to detailed site briefs or site specific policy highlighting areas of concern for bird strike and when further detailed assessment is likely to be needed to support a planning application if and when a site were to come forward. Aerodrome

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				safeguarding maps would be referred to during the determination of applications in close proximity to airports.
MLPIC272	11	Natural England (Gordon Wyatt)	Yes - Natural England is generally supportive of the proposed methodology. The council may wish to consider whether some of the constraints relating to designated sites and other existing areas of semi-natural habitat may in some cases also potentially offer opportunities to expand or link such areas of existing habitat through habitat creation as part of the mineral site restoration.	Sieve 3 criteria allows for a 'positive scoring element' where opportunities may exist for sites to contribute towards or have beneficial impact, for example the criteria for cumulative impact. This will also be examined as part of a comparative evaluation following the sieving exercise.
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - Assessment for landscape designations is not specific and does not consider relative importance of different designations.	As part of the Site Selection Process, the consultants will be undertaking a landscape sensitivity study assessing the landscape sensitivity of the sites put forward through the Call for Sites process. This will inform recommendations on the extent to which each site might be able to accommodate mineral development without having a detrimental effect on the landscape character and visual amenity of the immediate and wider area. This work will make use of the

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				Hertfordshire Landscape Character Assessment. A landscape policy is also proposed as part of the plan which can incorporate the relevant national and local policy for Hertfordshire.
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - Assessment of impact on local nature reserves does not consider the importance of the local nature reserves and discounts any potential benefit at the sieving stage. Where a positive impact can be shown, a proposed site should be considered against the proposed beneficial impact.	The sieve 3 criteria allows for a 'positive scoring element' where opportunities may exist for sites to contribute towards or have beneficial impact. This will also be examined as part of a comparative evaluation following the sieving exercise.
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - The scoring for impact on aquifers is overly cautious and does not take into account that mineral working for sand and gravel is unlikely to have any detrimental impact on aquifer status. Also that almost all sand and gravel is worked from deposits with an aquifer status and therefore this scoring would unduly prejudice almost all future sand and gravel working unnecessarily. This criterion is unnecessary.	This criterion will be used to establish a baseline position of the site/area location in terms of aquifer designation. The criterion states that mitigation measures and/or a precautionary approach to the operation of mineral workings can often be implemented. Further detail would be assessed at planning application stage.
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - The sustainable transport scoring criteria is unnecessary, Hertfordshire is a net importer of aggregates and thus would be most unlikely to have sufficient	Maximum use of other modes to road transport of minerals is supported. Rail aggregate depots are safeguarded for their potential

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			processed mineral available to allow any significant export from the county. The existing rail and waterway infrastructure is unable to accommodate any local intra county transfers of aggregates, this criterion is unnecessary	contribution of sustainable transport of minerals. This criterion will be used to establish a baseline position of the site/area location in terms of proximity to the rail network and navigable waterway network. The encouragement of sustainable transport is included as part of the vision for the MLP.
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - The scoring under the cumulative effects criterion is too broad brush and does not take into effect the relative impact of cumulative working on sites with proximity to small settlement or few sensitive receptors. Minerals sites generally have a positive impact on ecological habitats and species the justification makes no mention of this and the scoring takes no account of positive impacts, the criterion is unnecessary.	Cumulative impact of sites in a particular area will be considered in the sustainability appraisal and will also be assessed on a case by case if and when a planning application were to come forward. The timing of sites coming forward could impact upon any potential cumulative impact. The impact on ecological habitats and species is covered by criterion for 'International and national ecological designations' and 'Local Nature Reserves/Local Wildlife Sites'.
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - The sensitive land criterion does not explain what sensitive land uses are and the relative impact of noise dust or vibration on the sensitive use. The scoring takes no account of the available	See General Statement. Criteria 13 'Sensitive land uses' could be expanded to ensure it is clear that this can include known sensitive receptors.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			mitigation measures that all operators use in managing their operations	
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - The criterion for best and most versatile (BMV) land is too restrictive and the scoring is badly worded. If it is long been recognised that minerals working can be accommodated on BMV land then the need for a criterion does not exist.	NPPF para 112 states 'Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'. This criteria will be used to establish a baseline position of the site/area location of BMV land, and all else being equal could provide an indication of one area being preferable when compared to another.
MLPIC282	11	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - Provided that sand and gravel sites are designed to an acceptable standard then sand and gravel working in flood zone 3b should be scored in the green category. The scoring should be amended.	This criterion will be used to establish a baseline position of the site/area location for flood risk, and all else being equal could provide an indication of one area being preferable when compared to another. Flood risk would be assessed as part of the Strategic Flood Risk Assessment (SFRA) and also if and when a planning application were to come forward. The scoring criteria will be amended

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				for the 'amber' category.
MLPIC290	11	HCC Ecology (Martin Hicks)	No - High level national designations should be considered prior to the detailed Site Assessment Stage, as they are by default of national importance and should be regarded as a fundamental constraint unless it is judged to be in the national interest to do otherwise. Non-statutory designations – other than those incorporating ancient woodland – should be considered at this stage, following NPPF and the mitigation hierarchy approach given that there are methods and mechanisms potentially available to re-create some types of habitat.	See the General Statement regarding the proposed changes to areas of high level national designations. It was considered to have a circular process for the original sieves 2 and 3. However it was felt that this could unnecessarily knock out some areas that could be viable sites too early on in the process.
MLPIC296	11	HCC Landscape (Jennifer Clarke)	No - The assessment of sites needs to take account of locally designated landscape areas, and locally valued landscapes. (See comments in MLPIC297 regarding All Landscapes Matter ...'landscape assessment should also take account of landscape value and sensitivity, the ability of the landscape to accommodate mineral development without causing unacceptable harm to the character and quality of the landscape').	As part of the Site Selection Process, the consultants will be undertaking a landscape sensitivity study assessing the landscape sensitivity of the sites put forward through the Call for Sites process. This will inform recommendations on the extent to which each site might be able to accommodate mineral development without having a detrimental effect on the landscape character and visual amenity of the immediate and wider area.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>This work will make use of the Hertfordshire Landscape Character Assessment.</p> <p>A landscape policy is also proposed as part of the plan which can incorporate the relevant national and local policy for Hertfordshire.</p>
MLPIC303	11	Bedford Borough Council (Natalie Chillcott)	Yes	Selection noted. No response necessary
MLPIC312	11	HCC - Natural, Historic and Built Environment (Alison Tinniswood)	<p>Criterion 1. Heritage designations should be altered to 'Heritage assets', to reflect the fact that these include both designated and undesignated heritage assets, and that this should also be defined clearly within the text for 'Justification'. Both designated and undesignated heritage assets should be assessed at an early stage in site selection (i.e. prior to the submission of any planning application) in order to identify those sites that may contain archaeological remains that are not scheduled but are nationally important, and thereby worthy of preservation in situ (NPPF para 139), and also those sites which may contain previously unknown heritage assets of archaeological interest.</p> <p>The County Historic Environment Record</p>	<p>See General Statement. An initial assessment of heritage assets will be explored as part of the assessment process (Sieve 3). Information could feed into a specific site policies or site brief depending on the approach taken by the council. More detailed investigations and the restoration of mineral sites to improve the setting of heritage assets would be important issues if and when a planning application were to come forward.</p> <p>The data available has been noted and the MPA would seek information and views from the County Archaeologists and Historical Environment Unit in</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			could be added to the 'Data available' section. This database, which contains over 30,000 records, forms the basis for HCC's GIS data on the historic environment, and for the advice provided to HCC and other planning authorities.	addition to statutory consultees throughout the process.
MLPIC317	11	Environment Agency (Kai Mitchell)	Yes - We are pleased to see the inclusion of points 5,6,12 and 20 within the site selection methodology report for sieve 3. The inclusion of these points combined with the final Development Management policies should help to ensure that there are no unnecessary adverse effects on the natural environment.	Selection noted. No response necessary
MLPIC336	11	Welwyn Hatfield Borough Council (Sue Tiley)	<p>1) The methodology does not give an assessment of the positive benefits or opportunities associated with particular sites but focuses on the impacts.</p> <p>2) The evaluation table would benefit from an additional column assessing the potential for mitigation.</p> <p>3) Paragraph 4.21 in the supporting Site Selection Methodology states that there are no local designations for areas of high landscape value and local wildlife sites. This is incorrect as there a large number of local wildlife sites.</p> <p>4) WHBC welcomes the inclusion of Criterion 14 Proximity of allocated</p>	<p>See General Statement.</p> <p>Sieve 3 criteria allows for a 'positive scoring element' where opportunities may exist for sites to contribute towards or have beneficial impact. This will also be examined as part of a comparative evaluation following the sieving exercise.</p> <p>Hertfordshire has Local Wildlife Sites (non-statutory designated by local authorities) of which there are approximately 2,000 sites in Hertfordshire. In addition Hertfordshire has in the region of 38</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>residential or built development. This criterion would recognise Local Plan proposals particularly of a strategic nature but it is unclear what stage of the Local Plan process this relates to. Preferred options should be given some weight particularly where an authority is struggling to meet the full need for housing or employment. It would be perverse if the identification of sites to provide minerals for construction actually resulted in development not coming forward. The objectives do make provision for minerals to be extracted before development takes place and this should form part of the considerations for the site selection process.</p> <p>5) Criterion 17 Landownership - unavailability of the site should rule out the site. Lack of availability must surely be a key factor and should score the highest impact after sites not in the control of the industry.</p> <p>6) Criterion 18 Green Belt. The NPPF sets out the circumstances whereby mineral extraction can be appropriate development. Mineral extraction which does not fall within the definition should therefore be scored as having a high</p>	<p>Local Nature Reserves which are statutory, but not national designations. A Local Nature Reserve may also cover the same area as a Local Wildlife Site. Therefore it is proposed that the criteria includes both terms and the report amended.</p> <p>It is proposed that the proximity of allocated residential or built development comprises those areas/sites included in adopted Local Plans. Emerging proposals may be considered but this depends on the timing of the Local Plan process i.e. how close to adoption it is.</p> <p>As part of the call for sites process, promoters will be asked to submit sites for mineral extraction where they have an interest as landowner, or through landowner's permission for the site coming forward. The extent to which options put forward by industry are within their control can have a bearing on the likelihood sites will be available during the emerging MLP plan period.</p> <p>It is considered the scoring criteria</p>

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			<p>impact score. The Minerals Local Plan should not as a matter of course be allocating sites for inappropriate development.</p>	<p>for Green Belt is suitable as mineral extraction as a form of development is not inappropriate in the Green Belt providing that it preserves the openness and does not conflict with the purpose of including land in the Green Belt.</p>
MLPIC345	11	Chilterns Conservation Board (Lucy Murfett)	<p>"AONB should be promoted to sieve 2 and removed from sieve 3. Since the traffic light system in appendix 1 identifies sites entirely within the AONB as red (i.e. not for taking forward) time and money will be saved by eliminating it at the sieve 2 stage.</p> <p>This does not give enough weight to AONBs or properly reflect the policy tests in NPPF para 116. Remove text suggesting that designated landscapes can be enhanced through mineral working, and that this can be left to the planning application stage."</p>	<p>See General Statement.</p> <p>As part of the Site Selection Process, the consultants will be undertaking a landscape sensitivity study assessing the landscape sensitivity of the sites put forward through the Call for Sites process. This will inform recommendations on the extent to which each site might be able to accommodate mineral development without having a detrimental effect on the landscape character and visual amenity of the immediate and wider area.</p> <p>Restoration is an intrinsic part of a mineral planning application. The general scheme for restoration can be considered at the outset even before an application is submitted, however further details would be submitted at a planning application</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>stage. It is acknowledged that restoration can have a positive benefit dependent upon the nature and proposed design of the restoration of a minerals site. Therefore it is not proposed to amend the wording.</p>

Equality Impact Assessment (EqIA) Addendum for the Hertfordshire Minerals Local Plan Review – Call for Sites

Guidance is available on [Compass](#). Completion of an EqIA should be proportional and relevant to the anticipated impact of the project on equalities. The form can be tailored to your project and should be completed before decisions are made. Key EqIAs should be reviewed by the Business Manager or Service Head, signed off by your department's Equality Action Group (EAG) and sent to the Equality and Diversity team to publish on HertsDirect. For support and advice please contact equalities@hertfordshire.gov.uk.

Overview: Responsibility and involvement

Title of proposal/ project/strategy/ procurement/policy	Review of Minerals Local Plan – Call for Sites Stage	Head of Service or Business Manager	J Tiley
Names of those involved in completing the EqIA:	T Carter-Lyons (TCL) G Nicholson (GN) J Greaves (JG) D Hodbod (DH)	Lead officer contact details:	T Carter-Lyons 01992 556254 G Nicholson 01992 556732
Date completed:	November 2015	Review date:	(Consultation date)

The Minerals Planning Authority has produced this addendum to the EqIA for the Minerals Local Plan dated January 2015 to address the call for sites consultation.

Background to the Minerals Local Plan EqIA

A full Equality Impact Assessment (EqIA) was written for the review of the Minerals Local Plan in January 2015 in preparation for the early stages of plan preparation and the first formal stage of consultation. The first consultation was undertaken from 3 August to 16 October 2015 and covered a variety of topic areas which would inform the Minerals Local Plan review.

The EqIA for the Minerals Local Plan concluded that potential equality impacts may arise during stakeholder events and consultations and proposed a range of reasonable mitigations to minimise the potential impacts.

Purpose of the Call for Sites Consultation

The purpose of the call for sites consultation is to invite landowners, operators or agents to put forward potential sites for mineral extraction which can be assessed against the site selection methodology to identify sites for inclusion within the Minerals Local Plan review.

The call for sites consultation will be targeted to potential site promoters. However, in order to ensure that the actions identified by the main EqIA are taken into account and to ensure that the protected characteristics of those who may not already be engaging with the county council for the Minerals Local Plan are fully aware of the call for sites, the following approach is proposed:

- Inform the district and borough councils of the call for sites and request that the letter is placed at the deposit points

Equality Impact Assessment (EqIA) Addendum for the Hertfordshire Minerals Local Plan Review – Call for Sites

- Publish a press release
- Make the documents and information for the call for sites available online
- Notify known landowners, operators and agents of mineral bearing land

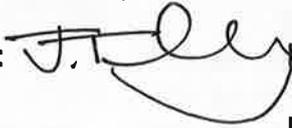
It is, therefore, not anticipated that people with protected characteristics will be affected disproportionately by the undertaking of a call for sites.

The Minerals Planning Authority considers that a separate EqIA is not required for the call for sites consultation, as this stage does not allocate new sites or introduce new policies in addition to those contained within the adopted Minerals Local Plan.

It is intended that this EqIA will be reviewed at each work phase and at each consultation stage.

This EqIA has been reviewed and signed off by:

Head of Service or Business Manager:



Date: 15.1.2016

Equality Action Group Chair:

Date:

HERTFORDSHIRE COUNTY COUNCIL

**ENVIRONMENT, PLANNING & TRANSPORT
CABINET PANEL**

TUESDAY, 2 FEBRUARY 2016 AT 10.00 AM



**IMPLEMENTATION OF THE SITE SELECTION METHODOLOGY AND TO
UNDERTAKE THE CALL FOR SITES FOR THE MINERALS LOCAL PLAN
REVIEW**

Report of the Chief Executive and Director of Environment

Author: Gemma Nicholson, Planning Officer – Policy (Tel: 01992 556 732)

Executive Member: Derrick Ashley, Executive Member for Environment,
Planning & Transport

1. Purpose of report

1.1 To present to Members the proposed site selection methodology for sand and gravel (Appendix 1), and to inform Members of the next stages of plan production to undertake a call for sites for the Minerals Local Plan review.

2. Summary

2.1 The Minerals Planning Authority (MPA) has a statutory responsibility to prepare a Minerals Local Plan in line with national policy and regulations. National policy requires the MPA to identify/allocate sites for future mineral extraction to ensure there is a steady and adequate supply of minerals for Hertfordshire.

2.2 The proposed site selection methodology for sand and gravel is being presented to Members following a formal consultation on the draft site selection methodology. The draft methodology was previously presented to Environment, Planning and Transport Cabinet Panel in July 2015 as part of the Minerals Local Plan Initial Consultation.

2.3 The process involves identifying potential sites through a call for sites and potential areas through a resource assessment, followed by a sieving exercise (outlined further in Section 4) to identify the most appropriate sites and/or areas for allocation within the Minerals Local Plan.

2.4 The purpose of the methodology is to ensure that the sites and/or areas identified within the plan are likely to be economically viable, have been assessed against a set of local planning and environment

constraints and sustainability findings to ensure that they are deliverable in practice.

- 2.5 The next stage of plan production is to implement the proposed site selection methodology through a call for sites and subsequent detailed site assessment. This work will establish an evidence base to inform the decision as to which sites go forward into the draft plan.

3. Recommendation

- 3.1 That the Panel notes the proposed site selection methodology as set out in Section 4 and Appendix 1 and recommends to Cabinet that Cabinet approves the implementation of the site selection methodology and the undertaking of the call for sites.

4. Background

- 4.1 In line with the national policy¹, Mineral Planning Authorities should plan for the steady and adequate supply of minerals through designating Specific Sites, Preferred Areas and/or Areas of Search.
- 4.2 In order to achieve this requirement, the County Council has produced a draft site selection methodology for the Minerals Local Plan to assess and identify sites which may form part of the next iteration of the plan.
- 4.3 The site selection methodology for sand and gravel forms a key part of the review of the adopted Minerals Local Plan. The site selection methodology has been developed with independent consultants appointed to undertake the Site Selection Study.
- 4.4 The draft site selection methodology was subject to a formal consultation from 3 August 2015 to 16 October 2015. There were 39 representations (comprising 115 individual comments) received on the draft site selection methodology. A summary of the responses received together with the County Council's responses to them are attached at Appendix 2.
- 4.5 The main issues arising from the consultation are summarised below:
- 4.6 **Economic Viability Criteria** - The consultation representations received indicated confusion regarding the use of the economic viability criteria for industry promoted sites. The main issue identified was that economic viability would be determined by the promoter before putting a site forward, and therefore the criteria were not flexible.
- 4.7 **Major Constraints criteria** - Representations to the consultation largely questioned the placement of ancient woodland in major constraints, either suggesting that it should lie within the detailed site

¹ National Planning Policy Framework March 2012 and the National Planning Practice Guidance, March 2014

assessment criteria or that other international and national nature designations should be moved to major constraints. Representations also highlighted the importance of international and national nature conservation designations.

- 4.8 **Detailed Site Assessment criteria** – Representations reiterated points similar to those raised above for major constraints. In addition to many representations raising issues which would be dealt with at a site specific stage.
- 4.9 Taking account of the representations received, the methodology has been amended and is set out below. The purpose of the original economic viability criteria has been re-examined and has led to the original Sieves 1 and 2 being switched round, so that major constraints are examined first.
- 4.10 The final proposed methodology also includes ancient woodland within Sieve 3 with an additional 'dark red' (very high) category in the scoring framework. This will allow for international and national designations (including ancient woodland) subject to an exceptions or alternatives test in national policy, to be highlighted through the use of the 'dark red' (very high) category in the scoring.

Proposed Site Selection Methodology (Appendix 1 includes the scoring criteria)

Sieve 1 – Major Constraints

- Urban areas
- Sites with extant planning permission for other development; for the identification of preferred areas or areas of search , these will be limited to those sites whose area is greater than 5ha due to difficulties associated with collection of data for smaller planning permissions such as house extensions etc.
- Previously worked sites

- 4.11 Areas identified within the sieve 1 criteria outlined above will be identified and removed from the process.

Sieve 2 – Resource and Economic Viability

- 4.12 Sieve 2 is not an exclusionary sieving stage. It is the overall viability that will be checked as part of Sieve 2. For sites put forward during the call for sites process, it is assumed that the operator or owner will already have determined that the resources are economically viable. It would be expected that a certain level of information is provided by the site promoter to demonstrate that their proposed site is economically viable.
- 4.13 In relation to the identification of broad areas of search and/or preferred areas, the British Geological Survey (BGS) resource maps

will be amended where practicable with available up-to-date information.

Sieve 3 – Detailed Site Assessments

Criteria for:

- Ancient Woodland
- Aquifers
- Biodiversity Action Plan priority species or habitats
- Best and Most Versatile agricultural land
- Cumulative effects
- Ecological status of water bodies
- Flood Risk
- Geodiversity
- Green Belt
- Groundwater vulnerability
- Heritage designations
- International and national ecological designations
- Land ownership
- Landscape designations
- Local Nature Reserves
- Local Wildlife Sites
- Proximity of allocated residential or built development
- Recreation
- Restoration
- Sensitive land uses
- Sustainable transport
- Sustainable transport and pollution to the environment (dust, air and water)

- 4.14 For sieve 3, each criterion proposed will be considered in turn to inform a detailed comparative evaluation following the sieving process. This process would look at the potential site/area options, drawing on the findings of the Sustainability Appraisal (which incorporates the Strategic Environmental Assessment (SEA)). This detailed assessment would inform any recommendations as to which sites/areas are included within the draft Minerals Local Plan.

5. Next Steps

- 5.1 It is proposed that the call for sites takes place from 29 February 2016 to 10 April 2016. A proforma has been drafted (Appendix 1) setting out the minimum requirements for the submission of sites.
- 5.2 Following this, any sites put forward will be assessed against the site selection methodology and proposed sieving criteria.
- 5.3 It is anticipated that the specific sites (allocated) will be selected from those put forward through the call for sites process and following the

sieving stages identified in the Draft Plan of the Minerals Local Plan review.

- 5.4 Broad areas of search and/or preferred areas for inclusion within the draft plan will be identified using the British Geological Survey resource maps, amended where practicable with available up-to-date information.

6. Financial Implications

- 6.1 Development of the Site Selection Methodology and undertaking the call for sites, including employing consultants to carry out the work, are included in existing budgets. The approximate costs of document production are set out in the Minerals and Waste Development Scheme.

7. Equality Impact Assessment (EqIA)

- 7.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered, the equality implications of the decision that they are making.
- 7.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 7.4 An Equality Impact Assessment (EqIA) has been undertaken for the review of the Minerals Local Plan. This was previously presented to the Environment, Planning and Transport Cabinet Panel in July 2015 as part of the Minerals Local Plan Initial Consultation.
- 7.5 An addendum to the Minerals Local Plan review EqIA has been produced for this particular stage of the process as attached at Appendix 3. It is not anticipated that people with protected characteristics will be affected disproportionately by the undertaking of a call for sites, as at this stage it does not allocate new sites or

introduce new policies in addition to those contained within the adopted Minerals Local Plan.

- 7.6 In order to ensure that the actions identified by the main EqIA are taken into account and, to ensure that the protected characteristics of those who may not already be engaging with the County Council for the Minerals Local Plan are not affected disproportionately and are fully aware of the call for sites, the following approach is proposed:
- Inform the district and borough councils of the call for sites and request that the letter is placed at the deposit points
 - Publish a press release
 - Make the documents and information for the call for sites available online
 - Notify known landowners, operators and agents of mineral bearing land

Appendix 1 – (LUC Site Selection Report December 2015 including Call for Sites Proforma) available at this link: [Hertfordshire Minerals Local Plan Site Selection Methodology Report](#)

Appendix 2 – Summary of Site Selection Methodology Representations made to Initial Consultation available at this link: [Summary of Representation for Site Selection for Sand and Gravel Extraction \(Issues 8-11\)](#)

Appendix 3 – EqIA Addendum December 2015

Background documents referred to and used in writing this report:

Hertfordshire Minerals Local Plan Initial Consultation document (August 2015)
<http://www.hertsdirect.org/docs/pdf/h/18857322/hertsminlocplninitcons.pdf>

Equality Impact Assessment (EqIA) Hertfordshire Minerals Local Plan Review January 2015, <http://www.hertsdirect.org/docs/pdf/m/eqiahmlp.pdf>

Minerals and Waste Development Scheme (adopted November 2014),
<http://www.hertsdirect.org/services/envplan/plan/hccdevplan/mwds/>

The National Planning Policy Framework (2012), DCLG
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

National Planning Practice Guidance (2014), DCLG
<http://planningguidance.communities.gov.uk/blog/guidance/minerals/>

Town and Country Planning (Local Planning) (England) Regulations 2012
http://www.legislation.gov.uk/ukxi/2012/767/pdfs/ukxi_20120767_en.pdf

HERTFORDSHIRE COUNTY COUNCIL

**ENVIRONMENT, PLANNING & TRANSPORT
CABINET PANEL**

TUESDAY, 02 FEBRUARY 2016, AT 10:00 AM

Agenda Item No.

3

**MINERALS LOCAL PLAN REVIEW, SUMMARY OF REPRESENTATIONS MADE
TO THE INITIAL CONSULTATION**

Report of the Chief Executive and Director of Environment

Author: David Hodbod Tel: 01992 556404

Executive Member: Derrick Ashley, Executive Member for Environment, Planning &
Transport

Note This panel paper relates to one other report on this agenda: “Implementation of the Site Selection Methodology and to undertake the call for sites for the Minerals Local Plan review”, which describes the Site Selection Methodology to be used to identify sites for inclusion in the Minerals Local Plan review to maintain a steady and adequate supply of minerals for Hertfordshire.

1. Purpose of report

1.1 To present to the Cabinet Panel a summary of the representations made during the Initial Consultation for the review of the Minerals Local Plan and the officers suggested response to these representations (Appendix 1 detailed at this link – [Appendix 1 – Summary of Representations to the Hertfordshire Minerals Local Plan Initial Consultation 2015](#) : A hard copy of this appendix is available for Members in the Members’ Lounge; a copy will also be available at the meeting for Members to refer to if they wish. If any Member wishes to receive a hard copy, please contact Theresa Baker on telephone number 01992 556545 or by email to Theresa.baker@hertfordshire.gov.uk).

2. Summary

2.1 As Minerals Planning Authority for Hertfordshire, the County Council has a statutory responsibility to prepare, implement and review a Minerals Local Plan in line with national policy and regulations¹.

2.2 Hertfordshire County Council is in the early stages of a review process. The outcome of the completed review will be the adoption of a new Minerals Local Plan that will replace the existing Minerals Local Plan, adopted in 2007, as part of the Development Plan² for Hertfordshire.

¹ The main considerations are the National Planning Policy Framework (NPPF) (2012), the Localism Act (2011), the Planning and Compulsory Purchase Act (2004) and the Town and Country Planning Act (1990) as amended.

² The Development Plan for Hertfordshire consists of the 10 District & Borough Local Plans, the Minerals Local Plan, the Waste Local Plan and adopted Neighbourhood Plans

- 2.3 The first formal stage of consultation prescribed by legislation and set out in the adopted Statement of Community Involvement (SCI)³ is an Initial Consultation. The purpose of an Initial Consultation is to seek views from interested parties on the subject of the planning document being prepared and to invite representations to be made regarding the contents of the future plan.
- 2.4 The County Council developed an Initial Consultation document which was subject to a ten week period of consultation from 03 August until 16 October 2015. The document contained 25 issues related to the contents of the emerging plan, for which consultees could select their preferred option/s from a suggested list and provide reasoning for their selection or alternative suggestions. One issue allowed consultees to provide comments on topics they believed pertinent to the Minerals Local Plan but not covered by the Initial Consultation document.
- 2.5 A total of 58 consultees responded, making 347 representations between them. This equated to 616 comments on the issues of the consultation document. An overview of the main themes of the representations for each chapter is included within this report.
- 2.6 In addition, a summary of all the representations and the County Council's responses to them are listed in a series of tables in Appendix 1 which can be found at [Appendix 1 – Summary of Representations to the Hertfordshire Minerals Local Plan Initial Consultation 2015](#). A general statement is included for each issue, summarising the main themes of the representations and the Council's response. A bespoke response has been included for the other representations which raised points in addition to the main themes.
- 2.7 The County Council will take into account all representations in the preparation of the draft Minerals Local Plan.

3. Recommendation

- 3.1 That the Panel notes and endorses the schedule of representations to the consultation and the County Council's suggested response to them (Appendix 1 to the report).

4. Background to the Minerals Local Plan Initial Consultation document

- 4.1 In accordance with Part 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012, interested parties must be notified of the subject of a Local Plan that the local authority is preparing and must be invited to make representations about what the Local Plan ought to contain.
- 4.2 The Initial Consultation document addressed this by allowing interested parties to make representations regarding the contents of the Minerals Local

³ This Statement of Community Involvement takes into account the most recent changes in legislation through the Localism Act 2011 and subsequent Town and Country Planning (Local Planning) (England) Regulations 2012.

Plan at an early stage of the review process, before policies are drafted and sites are identified in subsequent consultation stages.

- 4.3 The document provided a background to minerals planning in Hertfordshire before focussing on individual topics, organised by chapter, in sufficient detail for consultees to understand the subject and give their views on the issues identified in the document.
- 4.4 The document contained 25 issues, the first 24 of which were presented with a number of options together with an opportunity to provide reasoning for the selection or any additional comments related to the issue.
- 4.5 The issues covered a broad range of topics including draft versions of the Plan Vision and Objectives, options for key strategic issues such as the quantity of mineral that the County Council should plan for, draft methodologies to identify sites for potential mineral extraction and safeguarding, and alternatives for non-compulsory items the adopted Plan could include. Each topic will be discussed in further detail, including a summary of the representations made and proposed Hertfordshire County Council responses, in section 6.
- 4.6 Consultees could also provide additional comments on topics they thought important for the emerging Plan that were not covered by the Initial Consultation document.

5. Sustainability Appraisal and Strategic Environmental Assessment

- 5.1 Land Use Consultants (LUC) were appointed to undertake the required Sustainability Appraisal of the Minerals Local Plan review.
- 5.2 Following feedback at the Interested Parties event on 19 March 2015, LUC produced a Sustainability Appraisal (SA) scoping report. This incorporates a Strategic Environmental Assessment (SEA) which details how the Minerals Local Plan review process will be assessed in relation to environmental, social and economic issues.
- 5.3 Whilst there are only three statutory consultees for the Sustainability Appraisal, the headline objectives of the appraisal framework were included in the Initial Consultation document to ensure that a wider audience could be consulted and have input on the final appraisal process. The full scoping report was published as a supporting document to the consultation and the statutory consultees were asked to provide their representations as part of the Initial Consultation. In addition, LUC undertook an SA/SEA Appraisal of the options included in the Initial Consultation document.
- 5.4 The representations made regarding the scoping report are included in the summary table (Appendix 1) with The County Council responses. The representations have been forwarded to LUC to be incorporated into the Sustainability Appraisal framework to be used for the remainder of the Plan review.

6. Summary of Main Representations and Hertfordshire County Council Actions

- 6.1 A brief summary of the main representations made and Hertfordshire County Council responses are shown below, organised by chapter.

Vision

- 6.2 Preferences between the two alternative visions included in the document were roughly split, with members of industry preferring the emphasis on the requirements of the National Planning Policy Framework (NPPF) in Vision 1 and those more interested in the impact on landscape and character perceiving Vision 2 to have more of a focus on these aspects.
- 6.3 Along with a few minor amendments to terminology, it is therefore proposed that the vision to be included in the draft Plan will be a merged version of Visions 1 and 2. The content and language of Vision 1 will be combined with the shorter paragraphs and slightly re-ordered Vision 2. The timescale specified at the start of the vision will be amended to match the Plan period (which was not confirmed at the time of the Initial Consultation publication) rather than the period to 2040 as in Vision 2.

Objectives

- 6.4 The main concern of the consultation is to ensure that all aspects of the reworded vision are incorporated into the list of objectives. Ideally, this should not require an increase in the number of objectives, nor the significant lengthening of individual objectives. There were requests for additional detail to be included in a number of objectives, however it is considered that this detail can be reflected in the policies and supporting text. Potential merges of objectives were suggested and may be incorporated when reviewed against the new vision, as will some minor amendments to terminology.

Plan Length

- 6.5 There was overwhelming support for the use of a 15 year Plan, specified as the preferable plan length by the NPPF, with only two suggestions to use other time periods.
- 6.6 The majority of support for a 15-year plan incorporated support for the identification of 22 years' sand and gravel supply so that a 7-year landbank can be maintained at all times up to the end of the Plan. This is also a requirement of the NPPF. It was suggested by a small proportion of consultees that future reviews of the Plan could be used to identify the extra supply as an alternative to identifying a 22-year supply at the outset of the plan. However, given the requirements set out in the NPPF and taking account of the representations, it is proposed that the additional 7 years' supply will be identified in the Plan. This will provide more certainty to Local Planning Authorities over the long term designation of land-use.

Quantity of Sand and Gravel Provision

- 6.7 Approximately two-thirds of responses supported the use of the East of England Aggregate Working Party (EEAWP) apportionment figure of 1.39

million tonnes per year as the figure on which to base future sand and gravel supply. Members of the EEAWP have agreed as a group to use apportionment figures. They are considered a more realistic estimate of future minerals demand for the East of England than historical average sales when considering the growth agenda promoted by Government, the housing currently being planned for in Local Planning Authority Local Plans and the relatively low output of housing and infrastructure during the past decade of recession. Therefore, it is proposed to use 1.39 million tonnes per year as a suitable basis for the draft Plan.

- 6.8 However, the NPPF states that Local Aggregate Assessments⁴ should be based on a rolling average of 10-year sales data and other relevant local information. The relevant local information will need to be presented during the development of the Plan to justify the use of the apportionment figure rather than the 10-year average sales figure in the Plan.

Sterilisation and Windfall Sites

- 6.9 Representations suggest the draft Plan should contain two separate policies related to the prevention of minerals sterilisation. One policy would identify the extent of Minerals Safeguarding Areas and Minerals Consultation Areas. It would also set the thresholds for proposed developments, on which the County Council as the minerals planning authority, must be consulted by district/borough councils. The second policy would encourage the prior extraction of minerals for appropriate non-mineral developments where reserves of minerals could be used onsite by the development and would otherwise be sterilised.
- 6.10 The existing Minerals Consultation Areas in the Hertfordshire Supplementary Planning Document could be incorporated into the first policy, though the contents of this document would need to be reviewed prior to being amalgamated into the draft Plan.
- 6.11 The issue of how to incorporate windfall sites into the Plan received a split response. The slightly favoured option was to incorporate windfalls sites into a policy related to mineral extraction applications outside of Specific Sites and Preferred Areas. Therefore, it is proposed to strengthen the wording of Minerals Policy 4 from the existing Minerals Local Plan to implement this.

Minerals Safeguarding Areas and Minerals Consultation Areas

- 6.12 The proposed selection methodology for Minerals Safeguarding Areas and Minerals Consultation Areas, which follows national guidance closely, was considered an appropriate methodology to use. The methodology will use British Geological Survey (BGS) digital resource information to outline the extent of Safeguarding Areas for sand and gravel, clay and chalk resources around the county. This will be included and consulted on as part of the draft Minerals Local Plan in autumn 2016.

⁴ The Local Aggregate Assessment is the Minerals Planning Authority's annually updated monitoring report and should be a key document to be used to plan for a steady and adequate supply of aggregates.

Clay

- 6.13 The Initial Consultation received equal support for the three suggested options to encourage the extraction of brick clay to meet the requirement of the NPPF to have 25 years' worth of permitted reserves.
- 6.14 It is therefore proposed that the Plan will contain a general policy to promote extraction of clay where it can be demonstrated that the level of permitted reserves is insufficient to maintain brick clay production for 25 years. To ensure additional flexibility, Minerals Safeguarding Areas and Minerals Consultation Areas will be identified to prevent the sterilisation of clay reserves by non-minerals development, as required by the NPPF.

Chalk

- 6.15 As the county does not have a cement works to maintain, there is no requirement in the NPPF to safeguard chalk reserves or promote the extraction of chalk in Hertfordshire. However, responses to the consultation document contained support for the protection of the mineral. It is therefore considered appropriate to protect chalk reserves and the existing extraction operations to ensure the on-going supply of chalk, and to prevent unnecessary sterilisation of mineral reserves by non-mineral development.
- 6.16 The Plan could aim to do this by including a policy to safeguard existing extraction operations and by designating Minerals Safeguarding Areas and Mineral Consultation Areas to protect chalk reserves. The extent of these areas will be consulted on in the draft Minerals Local Plan in autumn 2016.

Secondary and Recycled Aggregate

- 6.17 Responses to the consultation gave overwhelming backing for the Plan to continue to support the production of secondary and recycled aggregates for use as an alternative to primary, land-won minerals. Whilst there was a varied response to how this should be done, it is proposed to strengthen the policy wording and supporting text of the existing Minerals Local Plan, and make a clear reference to the overlap this issue has with the Waste Local Plan.
- 6.18 Further work will be undertaken to determine any additional requirements for inclusion in the draft Plan.

Policies used to Determine Applications

- 6.19 There was a general consensus that the two lists of policy headings contained the necessary topics related to minerals planning.
- 6.20 Several comments were received stating that pairs of policies could be merged but there are also legitimate reasons for the County Council to keep the policies separate for all of the suggested cases. There were also comments related to topics that might have been omitted, but in all cases the suggested topics are due to be included as part of the policies listed so additional policies are not required. It was not always clear where a particular topic would be included, consequently the policy headings will be reviewed to ensure clarity in the draft Minerals Local Plan.

- 6.21 The two lists of policies may be grouped together in the final Plan, though this decision will be based on the layout and clarity of the document together with policy considerations. Policy wording will be included and consulted on as part of the draft Minerals Local Plan in autumn 2016.

Sustainability Appraisal

- 6.22 In general, the headline objectives of the Land Use Consultants (LUC) Sustainability Appraisal scoping report are considered to be appropriate to determine the sustainability of the Plan review. However, comments were submitted regarding several technical aspects of the report, including clarity and consistency of the use of terminology, which will be addressed.
- 6.23 Hertfordshire County Council officer comments have been included in Appendix 1 and have been forwarded to LUC who will continue to appraise the review of the Plan. The appraisal will use the framework set out in the scoping report, as amended following this consultation.

Additional Comments

- 6.24 Issue 25 was included to provide consultees with an opportunity to raise any matters they thought had not been covered by the rest of the consultation.
- 6.25 Some consultees used this opportunity to re-iterate a point they had made earlier in the response form, and some consultees used it to provide examples of guidance that should be referred to in the development of the draft Plan. Additionally, many comments were made that relate to site selection and the content of policies. The comments had therefore already been responded to within other chapters, although the suggested guidance documents have been noted and will be reviewed as policies and supporting text are drafted.

7. Next Steps

- 7.1 The responses to the representations will be taken into account in the development of a draft Minerals Local Plan which will be subject to a separate period of consultation currently planned for autumn 2016. The draft Minerals Local Plan will contain sites for mineral extraction, identified by implementing the site selection methodology presented in the following report on this agenda, and policy wording and supporting text to be used when determining planning applications for minerals extraction in the county.

8. Financial Implications

- 8.1 The costs of producing the Minerals Local Plan, (printing, distribution, adverts etc) and employing consultants to carry out the required Site Selection and Sustainability Appraisal are included in existing budgets.

9. Equality Impact Assessment (EqIA)

- 9.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equality implications of the decision that they are making.

- 9.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 9.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 9.4 The Minerals Local Plan review EqIA concludes that potential equality impacts may arise during stakeholder events and consultations and proposes a range of reasonable mitigations to minimise the potential impacts. It is not anticipated that people with protected characteristics will be affected disproportionately by the publishing of responses set out in the report and Appendix 1. The EqIA will be reviewed at each work phase and at each consultation.

Appendix 1 – Summary of Representations to the Initial Consultation available at this link: [Appendix 1 – Summary of Representations to the Hertfordshire Minerals Local Plan Initial Consultation 2015](#)

Background documents referred to and used in writing this report:

Hertfordshire Minerals Local Plan Initial Consultation document (August 2015),
<http://www.hertsdirect.org/docs/pdf/h/18857322/hertsminlocplninitcons.pdf>

Hertfordshire Minerals Local plan Sustainability Appraisal and Strategic / environmental Assessment Scoping Report (June 2015),
<http://www.hertsdirect.org/docs/pdf/h/18857322/luchertminlocplansustappscoprep.pdf>

Habitats Regulations Assessment of the Hertfordshire minerals Local Plan Scoping Report (June 2015),
<http://www.hertsdirect.org/docs/pdf/h/18857322/luchertsminlocplanhrascoprep.pdf>

Hertfordshire Minerals Local Plan Review 2002-2016 (adopted March 2007),
<http://www.hertsdirect.org/infobase/docs/pdfstore/mlpradoptionmarch2007.pdf>

Waste Core Strategy and Development Management Policies document (adopted November 2012), <http://www.hertsdirect.org/docs/pdf/w/twcsadmpd.pdf>

Waste Site Allocations document (adopted July 2014),
<http://www.hertsdirect.org/docs/pdf/w/wsaalldoc.pdf>

Minerals and Waste Development Scheme (adopted November 2014),
<http://www.hertsdirect.org/services/envplan/plan/hccdevplan/mwds/>

Equality Impact Assessment (EqIA) – Hertfordshire Minerals Local Plan
<http://www.hertsdirect.org/docs/pdf/m/eqiahmlp.pdf>

The National Planning Policy Framework (2012), DCLG
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Town and Country Planning (Local Planning) (England) Regulations 2012
http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_20120767_en.pdf

Appendix 1 – Summary of Representations to the Hertfordshire Minerals Local Plan Initial Consultation 2015

Responses are in Issue order

Table 1: Vision – Issues 1-3

General Statement covering Vision 1 & 2:

Planning positively and providing points that can be translated into policy were both within the top few selections made by respondents to both versions of the vision.

Preferences between the two alternative visions included in the document were roughly split, with members of industry preferring the emphasis on the requirements of the NPPF in Vision 1 and those more interested in the impact on landscape and character perceiving Vision 2 to have more of a focus on these aspects.

Along with a few minor amendments to terminology, it is therefore proposed the vision to be included in the draft Plan will be a merged version of Visions 1 and 2. The content and language of Vision 1 will be combined with the shorter paragraphs and slightly re-ordered Vision 2.

The timescale specified at the start of the vision will be amended to match the Plan period (which was not confirmed at the time of the Initial Consultation publication) rather than the period to 2040 as in Vision 2. Whilst forward thinking, the vision refers to a limited period of time within which the plan can have influence (15 year plan period). As such the vision should be forward thinking up to 2032.

Comments received stated that there should not be a distinction between the landscape and natural environment. The term 'natural environment' is included to refer to the species and habitats as opposed to the visual aspect of the landscape which is why two terms have been included. Consideration will be given to using the terms character and quality.

In response to comments regarding sustainable transport, this is promoted within the NPPF although it is recognised that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The nature and location of the site has an impact upon whether or not the use of sustainable transport modes is appropriate. The encouragement to use alternative modes of transport to the road network will be included within a policy in the Plan. The potential use of sustainable transport methods will be included within the sustainability appraisal and will be determined on a case by case basis. Due to the location of mineral reserves in relation to alternative transport modes, it may result in HGV movements being the main method of transporting minerals. A transport assessment would be required to support a mineral planning application and the use of sustainable transport would be addressed.

The need to maintain a landbank of reserves would be written into supporting text within the Plan and is included within the need to provide a steady and adequate supply. The permitted reserves for Hertfordshire are set out within the Local Aggregates Assessment. Agree there should be reference made to permitting reserves in the county.

In response to comments regarding the protection of specific designations, the vision sets out the broad aims of the Minerals Local Plan. The protection of specific designated sites such as AONB, SSSI, RAMSAR etc is not referred to in the vision. This issue will be addressed within the site selection methodology and policy in the Plan.

The AONB is a designated area and does not describe the environment. Whilst it is similar to the Green Belt, with its designation indicating a rural character, the presence of the AONB is not overwhelming like the Green Belt.

Mitigation should be carried out only after there are efforts to avoid impacts and reduce them where possible. All impacts of mineral extraction cannot be avoided and there needs to be recognition that they need to be dealt with if they arise. They could however be reduced in the first place and therefore the term 'minimised' would be appropriate. The term 'seek to' does not give any certainty that this will happen and therefore is not considered appropriate.

In respect of the comments surrounding the terminology of rural and urban areas, the visions refer to the rural character/areas of the county with towns and some densely populated urban areas. Villages and hamlets are implied as part of the rural character. The City of St Albans is not specified either. The vision should refer to urban areas or settlements as an all-encompassing term to cover all populated areas.

A number of comments were received regarding the Green Belt. The Green Belt aims to prevent urban sprawl and as such is mainly within rural areas. The vision makes reference to the Green Belt within the county which contributes to its predominant rural character. Its policy designation does not however reflect the quality of the landscape. Hertfordshire has a large expanse of Green Belt compared with other counties, which provides its distinction. Omitting reference to the Green Belt would not provide a true impression of Hertfordshire. Green Belt is a land designation that is a material consideration for any mineral development. However, its boundary can be amended by district councils. The Minerals Planning Authority will take this into account throughout plan production and seeks to include a policy on Green Belt in the Minerals Local Plan.

Restoration has been identified as another area of concern from the comments received. Restoration is an integral part of a mineral planning application and opportunities for improvements will be sought in the most appropriate form on a case by case basis. All opportunities should be encouraged where possible which is the essence of the overall vision. However opportunities for all forms of improvement may not necessarily be possible, an example would be biodiversity improvements potentially being hindered by the introduction of outdoor recreation in the immediate vicinity. Planning applications will be considered against policies within the Plan to seek positive restoration to maximise improvements on the natural environment after mineral extraction has taken place. This is sought to be put into practice as soon as extraction ceases. Being time specific is not always appropriate and is best if it starts to

take place in a phased approach before the extraction ceases and before any closure of a site. The term ‘subsequent management’ refers to the need to ensure that the high quality restoration is maintained into the future. Not all benefits such as improved ecology can be established immediately upon completion of restoration and therefore requires on-going management. There is a prescribed after-care process beyond the restoration stage and in certain cases there may be the need for a management company to manage the land beyond this stage.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 1 Which aspects of national policy and Hertfordshire County Council priorities does Vision 1 cover adequately? (Please select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Planning positively <input type="checkbox"/> Driving towards sustainable development and economic growth <input type="checkbox"/> Locally distinctive to Hertfordshire <input type="checkbox"/> Provides a vision for what the county will be like in 20 years <input type="checkbox"/> Based on current trends and trajectories <input type="checkbox"/> Clear <input type="checkbox"/> Concise <input type="checkbox"/> Realistic <input type="checkbox"/> Measurable <input type="checkbox"/> Provide points that can be translated into policy <input type="checkbox"/> Shared vision for future development <input type="checkbox"/> Meets the needs of the communities <input type="checkbox"/> Protects against sterilisation of minerals citizen focussed <input type="checkbox"/> Acting with integrity <input type="checkbox"/> Getting things right <input type="checkbox"/> Innovative <input type="checkbox"/> Every penny counts 				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>General Statement:</p> <p>Of the aspects listed in Vision 1 it was considered that the top three aspects that the vision covers adequately were:</p> <ul style="list-style-type: none"> • planning positively, • driving towards sustainable development and economic growth; & • provides points that can be translated into policy. <p>The three aspects that were not considered to be covered by the vision adequately were:</p> <ul style="list-style-type: none"> • Innovative; • Every penny counts; & • Getting things right. <p>The average number of selections that respondents made was 5 which means that most respondents were happy that vision 1 covered approximately a third of the aspects adequately. The main issues raised related to the format of the vision, the importance of the Green Belt and AONB, rural character of the county and suggested additions to the wording of the vision.</p>				
MLPIC2	1	Trustees of the Brocket Estate (Stuart Gray)	Positive Sustainable Acts with integrity	Selections noted. No response necessary.
MLPIC21	1	North Hertfordshire & Stevenage Green Party (Karen Harmel)	<p>Sustainable; Locally distinctive; Current trends; Concise; Translates into policy; and Protects against sterilisation.</p> <p>Clear on mineral extraction and how to fulfil national policy. It is not compatible with Green Party policies on the economy, which emphasise that increasing</p>	<p>Selections noted.</p> <p>The county council as Minerals Planning Authority has a statutory duty to produce a Minerals Local Plan and identify reserves with potential for extraction that can be used to assist with economic growth. The Minerals Planning Authority is continuing with its requirement that has been in place over some period of time and has a legal duty to take carry out a</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>resource extraction, industrial throughput and waste production is incompatible with ecological sustainability.</p> <p>Vision is unclear with important aspects missing. The terms "sustainable" in this context means "can continue" and "positive" means "in favour of" - which makes the Vision unclear to people who associate a different meaning to those words.</p> <p>The wording is vague and allows partial or non-effective response to environmental issues. Recycling/re-use is not defined (belies the "every penny counts"). CD&E waste reduction is not defined although it is an intrinsic part of the MLP where it overlaps with the WLP.</p> <p>The needs of citizens/the community are not met. Lacks integrity (lots of wriggle room) towards environmental issues and is definitely not "getting things right". Vision is not positive, realistic or measurable and leads to lack of shared vision of the county for the future. The plan is not innovative.</p> <p>Phrases like "respect" for the Greenbelt must change to "protect" the Greenbelt. It's not enough to "mitigate against the impacts" or "seek to improve", should be prevent impacts, conditions should improve and should say how this will be shown.</p>	<p>Sustainability Appraisal/Strategic Environmental Assessment of the Minerals Local Plan to ensure compliance with sustainable development principles in terms of environmental, social and economic matters.</p> <p>Minerals are finite resources and can only be extracted where they are found. However sustainability is taken into account to ensure mineral extraction is not to the detriment of the environment. Mitigation measures will be considered to ensure protection is in place where needed. Sustainability does not imply that extraction will continue indefinitely nor does it imply that it should not take place at all. The words positive or in favour of are not included in draft vision 1.</p> <p>There is no specific reference to recycling, re-use and CD&E waste reduction within the draft vision which requires a definition. These are detailed within the main body of the document.</p> <p>The vision aims to meet all needs of the community in all aspects of mineral planning to account for the needs and the supply of minerals in the most appropriate way. There are different groups and individuals with different aspirations for</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			"Restoration as early as possible" leaves a lot of room for manoeuvre, this needs to be clarified, for example "within one year of closure". The natural environment is only "conserved and enhanced" <i>after</i> mineral extraction and part of the Vision needs to focus on the current conservation of species and habitat protection. There are nearly 200 nature reserves and conservation sites in Hertfordshire and these sites need properly worded protection.	the county in terms of future development who need to share the vision. Mitigation can be put in place within the MLP where there is the need for this. Prevention cannot always be achieved to accommodate all shared visions for future development and the Minerals Local Plan needs to be aware of this. See General Statement regarding Green Belt. See General Statement for restoration.
MLPIC45	1	Wheathampstead Parish Council (Julia Warren)	Planning Positively	Selections noted. No response necessary.
MLPIC57	1	Bovingdon Brickworks Ltd. (Les Cook)	Planning Positively Driving towards sustainable development and economic growth Clear Concise Realistic	Selections noted. No response necessary.
MLPIC65	1	Three Rivers District Council (Martin Wells)	The vision adequately covers all aspects of national policy listed. Vision 1 provides broad overview of the intention for minerals planning and the need to identify sites. Support the encouragement of high quality restoration at the earliest opportunity particularly as the district contains a number of landscape areas. Object to mineral workings in Chilterns AONB which the district is partly within.	See General Statement regarding specific designations.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC85	1	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	<p>Positive Sustainable Locally distinctive Translates to policy Community needs Prevents sterilisation Integrity. Concise but jumbled and loses clarity e.g. Sustainable transport does not relate to steady and adequate supply of aggregates. Should have reference to maintaining landbanks of permitted reserves and state provision would be from sources in Herts. Secondary aggregates should be stated earlier.</p>	<p>Selections noted. Vision 2 was written for the reason of trying to separate issues and is the preference for this respondent.</p> <p>See General Statement regarding sustainable transport and landbanks.</p>
MLPIC92	1	Historic England (Kayleigh Wood)	<p>Clear Concise Translates to policy Historic England welcomes the general notion of Vision 1 and that the vision not only highlights the need to mitigate adverse impacts on the Historic Environment through mineral operations but also aspires to improve.</p>	<p>Selections noted. No response necessary.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC114	1	Central Bedfordshire Council (Natalie Chillcott)	Positive Sustainable Locally distinctive 20 year vision Clear Realistic Measurable Translates to policy Shared Community needs Prevents sterilisation Citizen focussed Acts with integrity Getting things right	Selections noted. No response necessary.
MLPIC150	1	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Positive Sustainable Locally distinctive Clear Realistic Translates to policy Shared Community needs Prevents sterilisation Citizen focussed Encapsulates the principles of NPPF, future extraction and supply in Herts which is welcomed. Statement flows. Provides positive vision.	Selections noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC166	1	Mineral Products Association (David Payne)	Positive Sustainable Clear Realistic Translates to policy Community needs Vision 1 sets the right tone for positively planning to maintain a steady & adequate supply of materials throughout the plan period. However, this should be followed by clear reference to this being through permitting sand and gravel extraction as well as import of rock that then informs the objectives.	Selections noted. Agree there should be reference made to permitting reserves in the county. In addition vision 1 lacks the reference to importing non-indigenous rock like vision 2, which should be inserted.
MLPIC178	1	Tarmac (Mike Pendock)	Sustainable 20 year vision Prevents sterilisation Vision 1 sets the right tone in terms of positively planning to maintain a steady and adequate supply to meet local and wider needs but the link to the permitting of applications for sand and gravel extraction could be made more explicit.	Selections noted. Agree that there should be reference made to permitting reserves in the county.
MLPIC185	1	Codicote Parish Council (Lorraine Ellis)	20 year vision Current trends Translates to policy Not driving towards sustainable development, doesn't meet the needs of communities and is not a shared vision. It is not clear, concise, realistic and measurable. Vision does not include villages.	Selections noted. See General Statement for rural and urban terms.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC199	1	CPRE Hertfordshire (Steve Baker)	<p>It is not a NPPF requirement to express overall aims of Plan as a 'Vision', and the HCC 'corporate' plan is not relevant to the Plan's function as a statutory DPD. The wording does not adequately address the fundamental necessity of protection of the people living in the County, and of the environment, from harm, while meeting the expectations of national policy to supply minerals.</p> <p>In any amended wording, the word 'towns' in first paragraph of the Vision, should be changed to 'settlements' to reflect the equal contribution of distinct villages and hamlets to the character of the County.</p>	<p>The council has a statutory function as the Minerals Planning Authority to produce a Minerals Local Plan. Alongside this the council has a corporate plan which sets out the key priorities for the county and how the council intends to deliver its vision for Hertfordshire, the County of Opportunity. Whilst this is produced as a separate function of council policy, the council in the work that it does needs to ensure that there is no indirect impact upon residents being able to thrive and have healthy lives, make active contribution to local areas and impact on Hertfordshire's economy.</p> <p>See General Statement for rural and urban terms.</p>
MLPIC215	1	D K Symes Associates (D K Symes)	<p>Positive Current trends Locally distinctive Clear Concise Realistic Measurable Translates to policy Community needs</p>	<p>Selections noted. No response necessary.</p>
MLPIC251	1	Buckinghamshire County Council (Emily Hodgson)	<p>No comment</p>	<p>No response necessary.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC287	1	HCC Ecology (Martin Hicks)	<p>Positive Sustainable Locally distinctive 20 year vision There can be conflicts between the demands of outdoor recreation and improved biodiversity due to disturbances associated with the former. Furthermore, ecological interest may be dependent upon some form of ongoing management – such as appropriate grazing - which is not so readily delivered as a new footpath with a sign.</p>	<p>Selections noted.</p> <p>See General Statement for restoration.</p>
MLPIC294	1	HCC Landscape (Jennifer Clarke)	<p>The Vision could look beyond the plan period and be more aspirational and descriptive and demonstrate that it will contribute to the strategic vision for landscape across the County, as set out in relevant landscape strategies (ie. Green Infrastructure plans).</p> <p>The "rural" character of Hertfordshire is too specific - It should say "the distinct character" of Hertfordshire to respect other important landscapes such as per-urban & industrial. Green Belt is referenced as a feature of Hertfordshire's rural character - Green Belt is a strategic area on a map to prevent urban sprawl and is NOT designated with regard to the character or quality of the landscape. The "sustainable and beneficial" uses of materials need clarifying - what are they and what will they mitigate the impacts of? NPPF para 143 can give guidance for clarifying the nature of impacts</p>	<p>See General Statement for time period.</p> <p>As with the corporate aims, there is a need to be joined up in the approach to delivering the strategic vision for landscape and therefore reference should be made within the vision. The principal character of the county has been used in the term 'rural'. Whilst it is understood that there are other landscapes to protect, 'distinct character' does not indicate what these are. Vision 2 is more explicit by stating that the rural character is the predominant character and therefore vision 1 should align with this.</p> <p>See General Statement regarding Green Belt.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>(positive/negative or acceptable/unacceptable etc)</p> <p>The Vision should reference the "effects of climate change" rather than improving "Climate Change"</p> <p>High quality restoration should be "started" as early as possible, and "carried out for the long term", not "carried out as early as possible".</p> <p>There should not be a distinction between the landscape and natural environment - Landscape includes aspect of the natural environment. The vision should be worded "...to conserve and enhance the character and quality of Hertfordshire's landscapes".</p>	<p>Agree that it is the effects of climate change that need to be considered.</p> <p>See General Statement for restoration. .</p> <p>See general statement regarding natural environment.</p>
MLPIC299	1	Bedford Borough Council (Natalie Chillcott)	<p>Positive</p> <p>Sustainable</p> <p>Locally distinctive</p> <p>20 year vision</p> <p>Clear</p> <p>Realistic</p> <p>Measurable</p> <p>Translates to policy</p> <p>Shared</p> <p>Community needs</p> <p>Prevents sterilisation</p> <p>Citizen focussed</p> <p>Acts with integrity</p> <p>Getting things right</p>	<p>Selections noted. No response necessary.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC320	1	East Herts District Council (Jenny Pierce)	East Herts supports the wording of Vision 1 but recommend that the paragraphs are further divided.	Agree that the vision needs to be broken down into paragraphs for ease of reading.
MLPIC343	1	Chilterns Conservation Board (Lucy Murfett)	<p>Add reference to Chilterns AONB in the vision eg “Mineral extraction will respect the rural character of Hertfordshire with its Area of Outstanding Natural Beauty, large expanse of Green Belt...”</p> <p>The vision should introduce a sequential approach by avoiding or reducing harm, before you consider mitigating it, by adding wording as follows: “The sustainable and beneficial use of materials will seek to avoid, reduce and mitigate against impacts”</p>	<p>See General Statement regarding specific designations.</p> <p>Mitigation should be carried out only after there are efforts to avoid impacts and reduce them where possible. All impacts of mineral extraction cannot be avoided and there needs to be recognition that they need to be dealt with if they arise. They could however be reduced in the first place and therefore the term ‘minimised’ would be appropriate. The term ‘seek to’ does not give any certainty that this will happen and therefore is not considered appropriate.</p>

Issue 2

Which aspects of national policy and Hertfordshire County Council priorities does Vision 2 cover adequately?

(Please select all that apply)

- Planning positively**
- Driving towards sustainable development and economic growth**
- Locally distinctive to Hertfordshire**
- Provides a vision for what the county will be like in 20 years**
- Based on current trends and trajectories**
- Clear**
- Concise**
- Realistic**

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p> <input type="checkbox"/> Measurable <input type="checkbox"/> Provide points that can be translated into policy <input type="checkbox"/> Shared vision for future development <input type="checkbox"/> Meets the needs of the communities <input type="checkbox"/> Protects against sterilisation of minerals citizen focussed <input type="checkbox"/> Acting with integrity <input type="checkbox"/> Getting things right <input type="checkbox"/> Innovative <input type="checkbox"/> Every penny counts </p> <p>General Statement:</p> <p>Of the aspects listed in Vision 2 it was considered that the top three aspects that the vision covers adequately were:</p> <ul style="list-style-type: none"> • planning positively, • locally distinctive to Hertfordshire; & • provides points that can be translated into policy. <p>The three aspects that were not considered to be covered by the vision adequately were:</p> <ul style="list-style-type: none"> • Every penny counts; • Innovative; & • Getting things right; plus jointly - based on current trends and trajectories. <p>The average number of selections that respondents made was 5 which means that most respondents were happy that vision 2 covered approximately a third of the aspects adequately. The main issues raised related to the vision being beyond the plan period, the importance of the Green Belt and AONB, rural character of the county, sustainable transport not being deliverable, impact on District Local Plans, Corporate Plan's aims not being relevant and suggested additions to the wording of the vision.</p>				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC2	2	Trustees of the Brocket Estate (Stuart Gray)	Positive Sustainable Locally distinctive Translates to policy Shared Community needs Prevents sterilisation Innovative	Selections noted. No response necessary.
MLPIC21	2	North Hertfordshire & Stevenage Green Party (Karen Harmel)	Sustainable; Locally distinctive; 20 year vision; Current trends; Concise; Translates to policy. This Vision starts in 2040 and therefore beyond the scope of this plan which should only be 15 years long. This is the reason the vision should be rejected - it isn't yet relevant and will have a reduced effect on daily operations. The wording and emphasis appears to be different from Vision 1, but the two visions hardly vary at all. The similarity between the vision is given away by the fact that the objective list fits both visions. Neither Vision is acceptable in current form as the Greenbelt, the environment, biodiversity, climate change, human health, outdoor recreation, land and water management are afterthoughts/buzzwords in each vision with weak non-specific protection. The two Visions are not equivalent to each other and a choice between one or the other is not a choice of "like compared	Selections noted. See General Statement for time period. Vision 2 does not differ from that of vision 1 in that they both provide a basis from which the plan objectives are formed. The order within which the issues are mentioned including the acknowledgement of the presence of over half of the county covered by Green Belt designation and the need to conserve and enhance all aspects of the environment are not in order of ranking. All of the issues mentioned are of equal importance. The plan will provide further details within the policies and site briefs regarding the specific means of protection that should be afforded to each aspect of environmental protection.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			with like".	
MLPIC34	2	Hertsmere Borough Council (Richard Blackburn)	Positive Sustainable Locally distinctive 20 year vision Current trends Clear Concise Realistic Measurable Translates to policy Shared	Selections noted. No response necessary.
MLPIC45	2	Wheathampstead Parish Council (Julia Warren)	Planning Positively	Selections noted. No response necessary.
MLPIC57	2	Bovingdon Brickworks Ltd. (Les Cook)	Planning Positively Sustainable Clear Concise Realistic Shared Community needs Prevents sterilisation Integrity	Selections noted. No response necessary.
MLPIC65	2	Three Rivers District Council (Martin Wells)	Prefer vision 1 due to comments stated in MLPIC65 - Issue 1.	See General Statement regarding specific designations.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC85	2	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	<p>Positive Sustainable Locally distinctive clear concise realistic Translates to policy Shared Community needs Prevents sterilisation Citizen focused Integrity. Much clearer. Should have reference to maintaining landbanks of permitted reserves and state provision would be from sources in Herts. Mineral extraction and associated activities are not inconsistent with the aims of green belt policy. Sustainable transport methods may not be deliverable. HGV may remain the main method.</p>	<p>Selections noted. Vision 2 was written for the reason of trying to separate issues. The need to maintain a landbank of reserves would be written into supporting text within the Plan and is included within the need to provide a steady and adequate supply. It is a means of measuring the permitted reserves of which can only be counted if they are reserves permitted within Hertfordshire to which the Plan relates. Agree that there should be reference made to permitting reserves in the county. See General Statement regarding Green Belt. See General Statement regarding sustainable transport and landbanks.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC92	2	Historic England (Kayleigh Wood)	<p>Positive Locally distinctive Clear Concise Realistic Measurable Translates to policy Historic England supports the general notion of vision 2. Vision 2 seems to go one step further than Vision 1 in terms of protecting the Historic Environment by seeking that minerals operations will have 'maximised improvements on the ... Historic Environment'. Historic England strongly supports this stance and considers it more consistent with National Policy.</p>	Selections noted. No response necessary.
MLPIC114	2	Central Bedfordshire Council (Natalie Chillcott)	<p>Positive Sustainable Locally distinctive 20 year vision Clear Realistic Measurable Translates to policy Shared Community needs Prevents sterilisation Citizen focussed Acts with integrity Getting things right</p>	Selections noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC150	2	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Sustainable Locally distinctive 20 years Translates to policy Prevents sterilisation Citizen focussed Vision is ridged and does not evoke positive planning. Provides clear direction.	Selections noted. No response necessary.
MLPIC166	2	Mineral Products Association (David Payne)	Positive Locally distinctive 20 year vision Clear Realistic Translates to policy This Vision reads better in setting out conditions expected at the end of the Plan period. Reference to the 'steady; and adequate supply' of sand and gravel should be first, given that this is for the Minerals Plan.	Selections noted. Vision 2 sets the scene with regards to the character of Hertfordshire being the starting point and drawing on the local distinctiveness of the county, before the consideration of any mineral extraction. The aim of the Minerals Local Plan is to ensure sufficient mineral reserves are identified which is the following paragraph. The emphasis on this vision is the character of the county. This comment makes it apparent that a balance has to be made between the provision of minerals and the need to protect the environment, both of which are requirements within the NPPF.
MLPIC185	2	Codicote Parish Council (Lorraine Ellis)	Not driving towards sustainable development, doesn't meet the needs of communities and is not a shared vision. It is not clear, concise, realistic and measureable. Vision does not include villages.	See General Statement for rural and urban terms.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC199	2	CPRE Hertfordshire (Steve Baker)	It is not a NPPF requirement to express overall aims of Plan as a 'Vision', and the HCC 'corporate' plan is not relevant to the Plan's function as a statutory DPD. The wording does not adequately address the fundamental necessity of protection of the people living in the County, and of the environment, from harm, while meeting the expectations of national policy to supply minerals. In any amended wording, the word 'towns' in first paragraph of the Vision, should be changed to 'settlements' to reflect the equal contribution of distinct villages and hamlets to the character of the County.	The council has a statutory function as the Minerals Planning Authority to produce a Minerals Local Plan. Alongside this the council has a corporate plan which sets out the key priorities for the county and how the council intends to deliver its vision for Hertfordshire, the County of Opportunity. Whilst this is produced as a separate function of council policy, the council in the work that it does need to ensure that there is no indirect impact upon residents being able to thrive and have healthy lives, make active contribution to local areas and impact on Hertfordshire's economy. See General Statement for rural and urban terms.
MLPIC215	2	D K Symes Associates (D K Symes)	Positive Current trends Locally distinctive Clear Concise Realistic Measurable Translates to policy Community needs	Selections noted. No response necessary.
MLPIC251	2	Buckinghamshire County Council (Emily Hodgson)	No comment	No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC287	2	HCC Ecology (Martin Hicks)	<p>Positive Sustainable Locally distinctive 20 year vision</p> <p>In respect of the rural character, former mineral extraction sites can significantly modify the local or traditional landscape character, and often degrade the rural nature of the environment. The selection of new sites and the restoration of these and existing sites will need to have due regard to their existing and future nature and management requirements, if this vision is to be met.</p> <p>As above, there can be conflicts between the demands of outdoor recreation and improved biodiversity due to disturbance associated with the former. Furthermore, ecological interest may be dependent upon some form of ongoing management – such as appropriate grazing - which is not so readily delivered as a new footpath with a sign.</p>	<p>Selections noted. See representation MLPIC287 under issue 1.</p>
MLPIC294	2	HCC Landscape (Jennifer Clarke)	<p>The Vision could look beyond the plan period and be more aspirational and descriptive and demonstrate that it will contribute to the strategic vision for landscape across the County, as set out in relevant landscape strategies (ie. Green Infrastructure plans).</p> <p>The "rural" character of Hertfordshire is too specific - It should say "the distinct character" of Hertfordshire to respect other important landscapes such as per-urban & industrial. Green Belt is referenced as a feature of Hertfordshire's rural character - Green Belt is a</p>	<p>See General Statement for time period.</p> <p>As with the corporate aims, there is a need to be joined up in the approach to delivering the strategic vision for landscape and therefore reference should be made within the vision.</p> <p>The principal character of the county has been used in the term 'rural'. Whilst it is understood that there are other landscapes to protect, 'distinct character' does not indicate what these are. Vision 2</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>strategic area on a map to prevent urban sprawl and is NOT designated with regard to the character or quality of the landscape.</p> <p>The "sustainable and beneficial" uses of materials need clarifying - what are they and what will they mitigate the impacts of? NPPF para 143 can give guidance for clarifying the nature of impacts (positive/negative or acceptable/unacceptable etc)</p> <p>The Vision should reference the "effects of climate change" rather than improving "Climate Change"</p> <p>High quality restoration should be "started" as early as possible, and "carried out for the long term", not "carried out as early as possible".</p> <p>There should not be a distinction between the landscape and natural environment - Landscape includes aspect of the natural environment. The vision should be worded "...to conserve and enhance the character and quality of Hertfordshire's landscapes".</p>	<p>is more explicit by stating that the rural character is the predominant character and therefore vision 1 should align with this.</p> <p>See General Statement regarding Green Belt.</p> <p>Agree that it is the effects of climate change that need to be considered.</p> <p>See General Statement for restoration.</p> <p>See General Statement regarding natural environment.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC299	2	Bedford Borough Council (Natalie Chillcott)	Positive Sustainable Locally distinctive 20 year vision Clear Realistic Measurable Translates to policy Shared Community needs Prevents sterilisation Citizen focussed Acts with integrity Getting things right	Selections noted. No response necessary.
MLPIC320	2	East Herts District Council (Jenny Pierce)	Vision 2 goes beyond the scope of a minerals local plan and makes commitments that may prejudice the ability of Local Planning Authorities to plan effectively. For example, paragraph 1 of the vision states that green belt will be maintained but Green Belt may need to be released in order to accommodate the housing needs of boroughs and districts. This statement is therefore pre-empting and possibly constraining the efficacy of LPA plan-making. The third paragraph states that the transportation of minerals will be by sustainable transport measures. Is this fully achievable in the 20 year timeframe proposed? The first sentence of the final paragraph is unclear.	See General Statement for time period. This is a clearer time frame for which the Local Planning Authority can accept that the vision for minerals planning will be up until. It is acknowledged that there is a difference in time scale between the Minerals Local Plan and the District Local Plan within which decisions are made about the release of Green Belt land for other development purposes. The county council has a duty to cooperate with district councils with regard to local plan making and will seek a way forward in terms of the appropriate level of reserves being identified alongside the recognition of delivering housing sites.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>See General Statement regarding Green Belt.</p> <p>See General Statement regarding sustainable transport.</p> <p>The tense of the first sentence of the final paragraph does not assist its understanding. The means of expressing the sustainable use of minerals is described in the fourth paragraph but this is not explicit. Reference to this paragraph describing sustainable in terms of mineral extraction needs to be added.</p>
MLPIC332	2	Welwyn Hatfield Borough Council (Sue Tiley)	<p>The opening paragraph sets out a view of Hertfordshire which would seem to relate more to a development strategy than one relating to a minerals plan. If this opening paragraph refers to a vision for the county set out in the Hertfordshire Spatial Framework this could provide an important link between the two documents otherwise it is not clear why this is relevant. The final sentence in the first vision perhaps explains the relationship more clearly.</p> <p>It is not clear what is intended by the sentence ""prior extraction in cooperation with interested parties will be expected before other development takes place on land".</p>	<p>Vision 2 sets the scene with regards to the character of Hertfordshire being the starting point and drawing on the local distinctiveness of the county, before the consideration of any mineral extraction. The aim of the Minerals Local Plan is to ensure sufficient mineral reserves are identified which is the following paragraph. The emphasis on this vision is the character of the county. This comment makes it apparent that a balance has to be made between the provision of minerals and the need to protect the environment, both of which are requirements within the NPPF.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>The sentence regarding prior extraction refers to the need to engage in discussions with local planning authorities, landowners and mineral operators and their agents to ensure that where there is a potential need for mineral bearing land to be developed for non-mineral development, sterilisation does not occur. Further investigations may be needed to establish the level and quality of the reserve and a phased approach to the delivery of other forms of development may be a desired outcome to ensure that mineral sterilisation does not occur but at the same time the delivery of housing can also take place in the future.</p>
MLPIC343	2	Chilterns Conservation Board (Lucy Murfett)	<p>Add reference to Chilterns AONB in the vision eg “Mineral extraction will respect the rural character of Hertfordshire with its Area of Outstanding Natural Beauty, large expanse of Green Belt...”</p> <p>The vision should introduce a sequential approach by avoiding or reducing harm, before you consider mitigating it, by adding wording as follows: “The sustainable and beneficial use of materials will seek to avoid, reduce and mitigate against impacts”</p>	<p>See General Statement regarding specific designations.</p> <p>Mitigation should be carried out only after there are efforts to avoid impacts and reduce them where possible. All impacts of mineral extraction cannot be avoided and there needs to be recognition that they need to be dealt with if they arise. They could however be reduced in the first place and therefore the term ‘minimised’ would be appropriate. The term ‘seek to’ does not give any certainty that this will happen and therefore is not</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				considered appropriate.
<p>Issue 3 Which style of vision to you prefer? (Please select one answer)</p> <p><input type="checkbox"/> Version 1 <input type="checkbox"/> Version 2</p> <p>General Statement: There was an almost even split of responses to each vision, with a slight preference for vision 1 which comprised 13 votes to 10 votes for vision 2.</p>				
MLPIC2	3	Trustees of the Brocket Estate (Stuart Gray)	Prefers "Version 2"	Selection noted. No response necessary.
MLPIC14	3	Herts and Middx Wildlife Trust (Matt Dodds)	Version 1 - makes it clearer that the MLP will deliver net gains in biodiversity and the natural environment, particularly regarding restoration and subsequent management.	Comment noted. No response necessary.
MLPIC21	3	North Hertfordshire & Stevenage Green Party (Karen Harmel)	Version 1 is preferred. The Vision needs re-wording, and it not complete, but at least Vision 1 applied to the current day (or from 2018 forward).	Comment noted. The consultation responses have identified some improvements.
MLPIC34	3	Hertsmere Borough Council (Richard Blackburn)	Prefers "Version 2"	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC45	3	Wheathampstead Parish Council (Julia Warren)	Prefers "Version 1"	Selection noted. No response necessary.
MLPIC57	3	Bovingdon Brickworks Ltd. (Les Cook)	Prefers "Version 2"	Selection noted. No response necessary.
MLPIC65	3	Three Rivers District Council (Martin Wells)	Vision 1 - due to comments stated in MLPIC65 - Issue 1.	Vision 2 is mostly preferred by other consultees. Ensure all elements of vision 1 are included in vision 2.
MLPIC85	3	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Prefers "Version 2"	Selection noted. No response necessary.
MLPIC92	3	Historic England (Kayleigh Wood)	Version 2 - Whilst both Visions are considered acceptable in terms of how they cover the Historic Environment, it is considered that Vision 2 goes one step further in terms of protection, which is particularly welcomed.	Selection noted.
MLPIC114	3	Central Bedfordshire Council (Natalie Chillcott)	Version 2 - The two versions are very similar to each other and as such it is difficult to select a preference, although Vision 2 offers the benefit of using a number of small paragraphs which helps the reader understand the discrete elements of the Vision.	Selection noted. The ease of reading is welcomed and could be used for either vision.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC131	3	Hertfordshire County Council - Highways (Manjinder Sehmi)	Version 2 - Although both options refer to the transport of materials by sustainable transport methods, Option 2 expands further to state that Infrastructure will be protected to enable this to continue.	Selection noted. Vision 2 is specific to the protection of the railheads for transporting minerals. It is this infrastructure that the Minerals Local Plan can protect and not the wider transport infrastructure.
MLPIC138	3	Stevenage Borough Council (Richard Javes)	Version 1 - We support the general principles outlined in the consultation document. We consider that Version 1 better sets out the vision that the Hertfordshire LPAs share.	Selection noted.
MLPIC144	3	Highways England (Jenny Volp)	Whilst they have a similar approach to sustainable transport, Draft Vision 2 identifies the need to conserve mineral supplies for future generations and may therefore reduce the long term impact on the SRN and be more favourable to Highways England. However the overall impact to the SRN should be considered and in some instances Vision 1 may result in less or shorter trips on the SRN, depending on the alternative source of materials required.	Selection noted.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC147	3	On behalf of Gascoyne Cecil Estate Ltd (Gordon Wood)	Version 1 - Neither Vision seems to confront the possible scenario of a much developed outer London fringe over the next 20 years or so. Vision 1 is favoured but with qualification. Demand for a "steady and adequate supply of sand and gravel" does not seem to be consistent with the need to provide housing schools and infrastructure throughout the same period. Perhaps Vision 1 should read "...demand appropriate to the needs of local and regional development will be met by the opening up of Windfall sites local to the developments taking place"	Selection noted. The Minerals Local Plan needs to be provided in accordance with the NPPF which sets out the requirement to plan for a steady and adequate supply of sand and gravel. Alongside this there is the recognition that there will be an increase in housing provision over the plan period and infrastructure to support this. As a result the need for sand and gravel is elevated due to this increased demand for development. The Minerals Local Plan will establish the appropriate amount of mineral provision to plan for based on the best available data at the time of plan production. It is intended that the Plan will include a policy relating to windfall sites.
MLPIC150	3	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Version 1	Selection noted.
MLPIC161	3	Transport for London (Andrew Hiley)	Version 1 - visions mention 'strategic transport routes connecting with London' and version 1 specifically states 'This will be achieved through sustainable transport options including the sustainable importation of non-indigenous rock. Infrastructure will be protected to enable this to continue.'	Selection noted.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC166	3	Mineral Products Association (David Payne)	Version 1 - Version 2 reads more like a Vision of where the County wants to be in 2040, whereas Vision 1, although reading more 'positively' in terms of planning for provision of minerals, is more a series of statements and does not appear as coherent.	Selection noted.
MLPIC178	3	Tarmac (Mike Pendock)	Version 1 - Version 1 is preferred as it required continuous adoption of the Vision 'throughout the Plan period' not merely as an aspirational goal as is set out in Vision 2. With regards to high quality restoration (last sentence of Vision 1) it is proposed that reference is made to providing development platforms as part of consideration to allow sustainable reuse of previously worked land. For example, "Opportunities for improving previously worked land to meet future development, outdoor recreation, improved biodiversity, improved agricultural land and water management will be delivered."	Selection noted. The aim of the Minerals Local Plan is not directly to 'meet future development'. The outcomes of some restoration projects may assist this delivery, although restoration schemes are not determined on the basis of any future development activity taking place on previously worked land.
MLPIC185	3	Codicote Parish Council (Lorraine Ellis)	Neither - What about the impact on communities, enforcement and monitoring?	Enforcement and monitoring is an integral part of mineral planning. It is intended to include a policy relating to this within the Minerals Local Plan. Impact on communities is an objective flowing from the vision and policies will consider the extraction of minerals in relation to impacts upon communities. Conditions are attached to planning permissions to ensure that impacts are minimised and monitored. Enforcement action can take place if conditions are not adhered to by

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				mineral operators.
MLPIC199	3	CPRE Hertfordshire (Steve Baker)	Neither wording provides an adequate balance between the exploitation of minerals in line with Government policy and protection of the County's communities and the environment from harm.	Comment noted. The Minerals Local Plan will include policies alongside the vision and objectives to ensure there is a balance between the need for minerals and protection of communities and the natural environment.
MLPIC210	3	RSPB (Mark Nowers)	Version 1 - The minerals industry is uniquely placed to help halt and reverse the massive - and ongoing - decline in biodiversity. Mineral site restoration has the potential to deliver 100% of the habitat creation targets for nine priority habitats. This habitat creation needs to be carried out at a landscape-scale (ideally, providing contiguous blocks of habitat covering 200ha), in order for these habitats to be viable in the long-term, both ecologically and financially. Providing a net-gain in biodiversity, in this context, means that the development will result in more priority habitat (and habitat of a higher quality) than was present before the development began. Providing a net-gain in biodiversity is also a requirement of the NPPF (paras. 9 and 109). The RSPB welcomes that the draft vision identifies "conserving and enhancing" as central components of the Plan, particularly as the real legacy is what the mineral development leaves behind.	Selection noted. See General Statement for restoration.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>Paragraph 109 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural environment by "...establishing coherent ecological networks" and as such the Vision should be much clearer in delivering strategic restoration objectives, including the landscape-scale creation of priority habitats. Suggested additional wording for the Vision is as follows:</p> <ol style="list-style-type: none"> 1. A restoration-led approach to the location, operation and restoration of minerals development will have resulted in the delivery of strategic restoration objectives. 2. Minerals development will have made a significant contribution to delivering a net-gain in biodiversity - and establishing a coherent and resilient ecological network - primarily through the landscape-scale creation of priority habitat. 	
MLPIC215	3	D K Symes Associates (D K Symes)	Version 2 - Recognise that minerals are only a temporary land use. Maintaining a steady supply to meet local and wider needs is not reflected in vision. Misleading that alternative transport to lorry is realistic option.	Selection noted. Reference is made in paragraph two of vision 2 to a steady and adequate supply to meet wider and national supply obligations.
MLPIC230	3	North Herts District Council (David Hill)	Vision 1 appears to be more focused and seemingly guided by economic factors, whereas Vision 2 is more concerned with place. A combination of the two might be a good way forward.	Improvements will be made to either vision taken forward.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC241	3	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	We would expect the vision to reflect guidance set out in the National Planning Policy Framework in the preparation of a Minerals Local Plan. This should include giving great weight to the benefits of mineral extraction as well as setting out policies to encourage the prior extraction of minerals if it is necessary for non-mineral development to take place. If we were asked to indicate a preference it would be for vision 1 which we read as being slightly more positive.	Selection noted.
MLPIC251	3	Buckinghamshire County Council (Emily Hodgson)	No preference	Comment noted.
MLPIC268	3	Natural England (Gordon Wyatt)	No particular preference	Comment noted.
MLPIC287	3	HCC Ecology (Martin Hicks)	Version 1 - more succinct and less ambitious in respect of the claim to preserve rural character, which I consider is less credible as described given that many other factors will continue to degrade this without any mineral activities.	Selection noted.
MLPIC299	3	Bedford Borough Council (Natalie Chillcott)	Version 2 - The two versions are very similar to each other and as such it is difficult to select a preference, although Vision 2 offers the benefit of using a number of small paragraphs which helps the reader understand the discrete elements of the Vision.	Selection noted.
MLPIC315	3	Environment Agency (Kai Mitchell)	Vision 2 - Worded more favourably in terms of maximising and delivering environmental benefits	Selection noted.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC332	3	Welwyn Hatfield Borough Council (Sue Tiley)	<p>The Council supports the inclusion of a vision. Both visions seem to contain the same aspirations.</p> <p>Whichever vision is selected should also include a reference to not prejudicing other types of development, which need to come forward to help meet the needs of Hertfordshire.</p>	<p>Selection noted.</p> <p>The needs of Hertfordshire are set out in the visions where there is reference to providing a steady and adequate supply of sand and gravel to meet wider and national supply obligations required under the NPPF. Prior extraction is mentioned within the visions which means that other developments can take place. The demand for sand and gravel is emphasised in the increased level of housing provision being planned for within District Local Plans, with infrastructure required to support it.</p>

Table 2: Objectives – Issues 4-5

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 4 Would meeting all of the objectives ensure that the visions presented in Chapter 4 are achieved? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>General Statement:</p> <p>The response to this Issue was split with 11 responses agreeing and 12 responses disagreeing. The main concern of the consultation is to ensure that all aspects of the reworded vision are incorporated into the list of objectives. Ideally, this should not require an increase in the number of objectives, nor the significant lengthening of individual objectives. There were requests for additional detail to be included in a number of objectives, however it is considered that this detail can be reflected in the policies and supporting text. Potential merges of objectives were suggested and may be incorporated when reviewed against the new vision, provided no detail is lost, and some minor amendments to terminology will be considered.</p>				
MLPIC3	4	Trustees of the Brocket Estate (Stuart Gray)	Yes	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC15	4	Herts and Middx Wildlife Trust (Matt Dodds)	No - Greater clarity is required to demonstrate how biodiversity will be enhanced by restoration. A mechanism for measuring biodiversity, quantitatively, before and after extraction, should be specified. The Biodiversity Impact Assessment Calculator is the most effective system to do this.	It is considered that this is not an issue for the objectives of the Minerals Local Plan, but for the relevant policy and supporting text. These will be written following the initial consultation period and will be published for as part of a draft Minerals Local Plan for further public consultation.
MLPIC22	4	North Hertfordshire & Stevenage Green Party (Karen Harmel)	No, it looks as if the Objective were written first and the Visions written to accommodate them. Given that one is incomplete it follows that the other is also incomplete. The Objectives ignore most of the Sustainability Report headings of landscape, natural habitats, species and geological features, and these items need to be appropriately and adequately covered. Both Vision statement and Objectives need to be re-written. The HCC Objectives also don't mention the protection of water resources from pollution or over-abstraction: trying to avoid flooding in susceptible areas: and improvement in health for individuals or communities.	The vision is the overarching statement of intent from which the specific objectives flow. The protection of the natural environment is within Objectives 5 and 7 as an all-encompassing term which includes the aspects listed in the respondent's comment and which will be assessed as part of the sustainability appraisal of the Plan. Reference to water management is required as this is mentioned within the vision.
MLPIC35	4	Hertsmere Borough Council (Richard Blackburn)	Yes	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC46	4	Wheathampstead Parish Council (Julia Warren)	No - Obj 2 and Obj 4 may undermine the vision if machinery and process 'non-indigenous aggregates' is added to existing mineral extraction sites. Great weight needs to be given to the protection of Green Belts and identify the harm caused by traffic movements of quarry vehicles on rural roads.	The infrastructure to support non-indigenous aggregates is reference to the safeguarding of railheads that import hard rock which Hertfordshire does not contain, but which is required as a building material. There will be a requirement for some processing of this aggregate, however the wording of the objective needs to be reconsidered to ensure that there is no reliance on the county for there to be any machinery and processing facilities specifically for non-indigenous aggregates that are not to be used in construction within the county.
MLPIC58	4	Bovingdon Brickworks Ltd. (Les Cook)	Yes	Selection noted. No response necessary.
MLPIC66	4	Three Rivers District Council (Martin Wells)	Yes - meeting all the objectives would ensure that the vision presented is achieved. The nine objectives satisfactorily reflect both visions.	Selection noted. No response necessary.
MLPIC78	4	Hampshire County Council (Rob Sellen)	Both visions reflect an aspiration to provide minerals on a regional and national scale, yet the objectives do not allude to how this can be achieved.	Objective 2 could be expanded to include the need to meet wider and national supply obligations above and beyond the supply to Hertfordshire.
MLPIC86	4	SLR Consulting Ltd on behalf of Brett	No - objective 8 should be first objective and have reference to supporting the local	The order of the objective needs to be reconsidered in light of the format of

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Aggregates Ltd (Chris Lowden)	<p>economy. Refer to maintaining landbanks. Expand reference to prior extraction to safeguarding areas to prevent other development taking place close to allocated or permitted mineral extraction sites.</p> <p>Objective 2- not clear that MASS requires MPAs which have adequate resources of aggregates to make an appropriate contribution to national as well as local supply.</p> <p>Objective 7 - unsure how timely extraction will assist in contributing to natural environment and cultural heritage. More related to supporting the local economy and ensuring there is not over capacity.</p>	<p>the vision.</p> <p>Landbank calculations are dealt with in the Local Aggregate Assessment that is mentioned in Objective 2. The objective states that the requirements of the LAA need to be met and therefore it is not considered that there is a need to refer to landbanks. Objective 2 could be expanded to include the need to meet wider and national supply obligations above and beyond the supply to Hertfordshire. There needs to be clarification regarding timely mineral extraction in respect of restoration which is the context of this term. The objective could be simplified to refer to progressive and timely restoration.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC93	4	Historic England (Kayleigh Wood)	No - Historic England acknowledges and welcomes the consideration of the Historic Environment in Objective 5 and Objective 7. Objective 5 should be altered slightly to ensure that it not only seeks to mitigate adverse impacts on the Historic Environment but also seeks to improve the Historic Environment in accordance with the wider vision of the plan. This can be done by revealing and better understanding existing assets or increasing significance through improvements to setting, as examples. In Objective 7, 'cultural heritage' should be changed to the 'Historic Environment' as Historic Environment is an all-encompassing term which takes into account the tangible physical assets and the intangible elements of heritage such as cultural heritage, sense of time depth, etc.	The emphasis in the objective is on protection against harm to the historic environment. There could be scope to include improvements in Objective 7 where the term 'historic environment' could be used in place of 'cultural heritage'.
MLPIC115	4	Central Bedfordshire Council (Natalie Chillcott)	Yes	Selection noted. No response necessary.
MLPIC151	4	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	No - vision doesn't reference Climate Change. The objective should identify the need to provide a steady and adequate supply of minerals through the plan period.	The reference to climate change is within the vision and also within Objective 6. A steady and adequate supply of mineral is referenced in Objective 8.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC162	4	Transport for London (Andrew Hiley)	Minimising additional lorry movements will reduce potential impacts on TfL Road Network and other roads for example on cycle safety. Supports objective 4. Suggest adding 'and wharves' to objective 4 to make it consistent with Policy 13 (Railheads and Wharves).	Support noted. The county does not have any wharves to bring in marine-dredged aggregate, although there is the potential to use the canals within the county. It is agreed that the title of the policy needs to be reflected in the objective, once the policy is formed.
MLPIC167	4	Mineral Products Association (David Payne)	No - Objective 2 focuses on 'local' economic growth while the Visions refer to wider and national supply. Obj 2 should therefore refer to 'local and wider'.	It is agreed that the wording in the vision needs to be carried through to the objective as there is a need to plan for wider and national needs as well as local needs.
MLPIC179	4	Tarmac (Mike Pendock)	No - it does not include restoration to facilitate development (employment, housing) as a potentially beneficially after-use.	Restoration of mineral sites does not necessarily facilitate further development such as employment or housing. Whilst this may be developed at a later date, the process of restoration is considered at planning application stage. This will be considered on a site by site basis.
MLPIC186	4	Codicote Parish Council (Lorraine Ellis)	No - The vision needs to address Objectives more Objective 4 - yes if near infrastructure Objective 7 & 9 are very important	Comments noted.
MLPIC211	4	RSPB (Mark Nowers)	No - The RSPB supports the comments made by the Hertfordshire and Middlesex Wildlife Trust (MLPIC15 Issue 4) that greater clarity is required to demonstrate exactly how	It is considered that this is not an issue for the objectives of the Minerals Local Plan, but for the relevant policy and supporting text. These will be

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			biodiversity will be enhanced by restoration schemes	written following the initial consultation period and will be published for as part of a draft Minerals Local Plan for further public consultation.
MLPIC216	4	D K Symes Associates (D K Symes)	Yes - meeting objectives ensures visions are achieved. Needs to be referenced that the Plan will be reviewed every 5 years so it is a rolling 15 year plan.	The objective of plan making is to have an up to date Plan. This will be referenced within the introduction of the Minerals Local Plan.
MLPIC242	4	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	Yes the draft objectives are supportive of the vision and generally accord with available guidance.	Selection noted. No response necessary.
MLPIC252	4	Buckinghamshire County Council (Emily Hodgson)	Yes - meeting objectives ensures visions are achieved.	Selection noted. No response necessary.
MLPIC269	4	Natural England (Gordon Wyatt)	Yes	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC288	4	HCC Ecology (Martin Hicks)	<p>No - It is not true to say that biodiversity will be enhanced by enhancing amenity value of land. Access to nature may be improved, but in turn that nature will be influenced by the access itself. The issue relates to increased access and amenity (Obj 9) conflicting with some aspects of natural environment (Objs 7 and 9) or also its management. Sensitive birds and mammals are affected by increasing levels of disturbance whilst increased access, invariably associated with dogs, can also have a negative impact on some forms of grazing management. Unless these issues are addressed, the full biodiversity potential of some sites will not be achieved.</p> <p>Furthermore, the ability to manage restored sites will in some situations be dependent on land managers wholly outside of the extraction industry – such as local farmers, assuming they too still exist in the local area.</p>	<p>A similar issue is raised in representations MLPIC15 and 211 (Issue 5).</p> <p>The Minerals Local Plan will deal with a number of mineral extraction sites over the plan period, each with a specific restoration scheme which will be dealt with on a case by case basis. As a whole the Plan should have objectives to improve both public access and enhance biodiversity. Objective 9 should be reworded to be specifically about the amenity value. Rather than creating a separate objective it is suggested that biodiversity should be dealt with in Objective 7.</p>
MLPIC300	4	Bedford Borough Council (Natalie Chillcott)	Yes	Selection noted. No response necessary.
MLPIC316	4	Environment Agency (Kai Mitchell)	Yes - we believe that if all the objectives were met this would ensure that the overarching vision would be achieved	Selection noted. No response necessary.
Issue 5				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Having developed the list of objectives in accordance with the available guidance, and having taken account of feedback from a public consultation event, do you think the county council has developed the correct set of objectives? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>General Statement: There was a majority that agreed that the council has developed the correct set of objectives, with 16 votes to 8 disagreeing.</p>				
MLPIC3	5	Trustees of the Brocket Estate (Stuart Gray)	Yes	Selection noted. No response necessary.
MLPIC15	5	Herts and Middx Wildlife Trust (Matt Dodds)	No - Objective 9 may be contradictory as increasing public access to sites can result in declines in biodiversity. It is possible to improve the amenity value of land and to increase its biodiversity, but only by carefully managing access. Suggested splitting Objective 9 into two objectives. 9. To increase public access to the countryside through enhancing the amenity value of land when restoring extraction sites 10. To ensure restoration schemes improve the biodiversity of the site	A similar issue is raised in representations MLPIC211 and 288 (Issue 4). The Minerals Local Plan will deal with a number of mineral extraction sites over the plan period, each with a specific restoration scheme which will be dealt with on a case by case basis. As a whole the Plan should have objectives to improve both public access and enhance biodiversity. Objective 9 should be reworded to be specifically about the amenity value. Rather than creating a separate objective it is suggested that biodiversity should be dealt with in Objective 7.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC22	5	North Hertfordshire & Stevenage Green Party (Karen Harmel)	<p>The Objectives ignore most of the 10 Sustainability Report Headlines issues to do with protection of landscape, natural habitats, species and geological features, hence the approx. 200 nature sites in Hertfordshire are not sufficiently protected. Environmental factors are insufficiently separated and named in the Objectives. They also don't mention quality/quantity of water or flooding or people's health and are therefore incomplete. The wording in regard to environmental factors is weak e.g. "to encourage" "to mitigate against" "to address" which will allow a partial or ineffective response.</p>	<p>The protection of the natural environment is within Objectives 5 and 7 as an all-encompassing term which includes the aspects listed in the respondent's comment and which will be assessed as part of the sustainability appraisal of the Plan. Reference to water management is required as this is mentioned within the vision.</p> <p>A beneficial after-use, improved natural environment and increased public access to the countryside all contribute towards an improvement in people's health.</p> <p>The terminology will be reconsidered with regards to ensuring where possible that there are definite positive statements rather than wording that allows only a partial fulfilment to the objective.</p>
MLPIC35	5	Hertsmere Borough Council (Richard Blackburn)	<p>Council has developed correct set of objectives.</p>	<p>Selection noted. No response necessary.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC46	5	Wheathampstead Parish Council (Julia Warren)	<p>No - The processing of secondary and recycled aggregates needs to be managed in a way that does not cause significant harm to the Green Belt quality of life. Objective 1 - not necessary to support the processing of recycled aggregates at quarrying sites. Objective 2, second part from safeguarding..to.. infrastructure, not necessarily. Proposed additional objective is added to protect existing Green Belt countryside.</p>	<p>Objective 1 refers to the use of secondary and recycled aggregates. Whilst it does not refer to its processing for use in construction, this process will be managed by way of conditions on any planning permission for a permanent processing facility. Where there are temporary concrete crushing facilities, these are moveable and covered by Environment Agency licencing. This process can occur on Green Belt designated land. The temporary nature of some facilities will not remain in situ for a long period of time and the permanent facilities will be regulated by planning conditions. The location of secondary and recycled facilities need not be at quarry sites. Each application will be dealt with on a case by case basis regarding its appropriateness at its proposed location.</p> <p>There is a requirement within the NPPF to safeguard railheads and wharves and as such the latter part of Objective 2 refers to this.</p> <p>The infrastructure to support non-indigenous aggregates is reference to the safeguarding of railheads that</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				import hard rock which Hertfordshire does not contain, but which is required as a building material. There will be a requirement for some processing of this aggregate, however the wording of the objective needs to be reconsidered to ensure that there is no reliance on the county for there to be any machinery and processing facilities specifically for non-indigenous aggregates that are not to be used in construction within the county.
MLPIC58	5	Bovingdon Brickworks Ltd. (Les Cook)	Yes - the county council has developed the correct set of objectives	Selection noted. No response necessary.
MLPIC66	5	Three Rivers District Council (Martin Wells)	Yes - developed the correct set of objectives. The objectives satisfactorily cover the requirements of minerals planning in the county for the next plan period and are sufficient to be used as a mechanism to monitor the delivery of the plan.	Comment noted.
MLPIC86	5	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes	Selection noted. No response necessary.
MLPIC93	5	Historic England (Kayleigh Wood)	Yes	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC115	5	Central Bedfordshire Council (Natalie Chillcott)	Yes - Obj 3: Chalk should be included in the objective. Obj 6: In light of draft vision 1 which states... "seek to improve...climate change..." could obj 6 be amended so that it "addresses and minimises the impacts..."?	There is no requirement in the NPPF to plan for chalk for this reason this is omitted from Objective 3. The suggested addition of the words 'and minimises' is agreed as a positive addition to Objective 6.
MLPIC132	5	Hertfordshire County Council - Highways (Manjinder Sehmi)	Objectives 4 and 5 (Page 4) cover sustainable transport and delivery of minerals, whilst protecting people, the environment from harm and mitigating against adverse cumulative impacts. The Highway Authority supports these objectives. Objective 8 refers to steady and adequate supply of minerals. This needs to be considered in conjunction with planned urban growth without unnecessary long transport distances.	Comment noted. The site selection methodology will consider transport infrastructure and access to sites. Comments will be sought from highway colleagues regarding the appropriateness of the transport network when identifying suitable mineral extraction sites. Planned growth will be an aspect to consider in line with District Local Plans and any key planned infrastructure developments.
MLPIC139	5	Stevenage Borough Council (Richard Javes)	No - We support the principles that underpin the nine draft objectives that are proposed, but we question whether it might not be possible to reduce that number to a shorter list that is more manageable.	The need to ensure that a number of different aspects are considered has resulted in the list of nine objectives with comments to subdivide objectives and therefore increasing the number. It is considered that this number is manageable.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC151	5	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Yes - correct set of objectives.	Selection noted. No response necessary.
MLPIC167	5	Mineral Products Association (David Payne)	Yes - Objectives 3 and 8, addressing long-term safeguarding and conservation of resources, could be combined. Reference to 'steady and adequate supply' may better sit in Objective 2 rather than 8?	The suggestion of combining Objectives 3 and 8 is similar to rep MLPIC321 for issue 5. It is agreed that this could be an improvement providing clarity to the objectives. If combining Objective 8 with 3, the remaining text of providing a steady and adequate supply of minerals needs to be slotted into another objective due to this being important text from the NPPF. Objective 2 could accommodate this.
MLPIC179	5	Tarmac (Mike Pendock)	No - under Objective 7 a reference should be added under after use to include opportunities for meeting housing and economic growth for Hertfordshire as potential beneficial after-uses.	Restoration of mineral sites does not necessarily facilitate further development such as employment or housing. Whilst this may be developed at a later date, the process of restoration is considered at planning application stage. This will be considered on a site by site basis.
MLPIC186	5	Codicote Parish Council (Lorraine Ellis)	Yes - providing there are more of the comments from MLPIC185 - Issues 1-3	Comment noted.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC200	5	CPRE Hertfordshire (Steve Baker)	<p>No. Objective 2 – the word ‘sites’ should be changed to ‘defined areas’ to reflect NPPF paragraph 145.</p> <p>Objective 5 – the word ‘against’ after ‘mitigate’ is superfluous.</p> <p>Objective 6 – the objective should be to mitigate the impact that mineral-related development would otherwise have on climate change.</p> <p>Objective 7 – add at the end of the first sentence ‘consistent with the adopted Development Plan’ to ensure the after-use is appropriate. This objective should also include the restoration of land after working as soon as possible in accordance with NPPF paragraph 143.</p>	<p>There is the need to identify specific sites and preferred areas and therefore Objective 2 should be reworded to state ‘sites/areas’.</p> <p>The wording of Objective 5 flows with the inclusion of ‘mitigating against’.</p> <p>The term minimise is suggested as an addition.</p> <p>Restoration of mineral sites does not necessarily facilitate further development such as employment or housing. Whilst this may be developed at a later date, the process of restoration is considered at planning application stage. This will be considered on a site by site basis. It is agreed that restoration in a timely way needs to be included.</p>
MLPIC211	5	RSPB (Mark Nowers)	<p>No - The RSPB supports the aspirations of the objectives, particularly 5, 6 and 7, but there is little that highlights the importance of landscape-scale restoration, which would accord with the MPA's obligations under paragraph 109 of the NPPF. To that end, we would suggest that wording an Objective as below, could capture, more concisely, a number of these aspirations:</p> <p>"Implementing a strategic, landscape-scale, restoration-led approach, which maximizes</p>	<p>The suggested wording incorporates issues set out in a number of existing objectives. Whilst the suggestion could provide positive clarity it is not considered that there is a need for an additional objective. These changes will be considered alongside other suggested amendments when re-wording the objectives in line with the vision.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>benefits for biodiversity, recreation opportunities and climate change adaptation through reclamation of mineral workings."</p> <p>As per HWMT comments (MLPIC15 - Issue 5), we question the wording of Objective 9. Improving access will not lead to improved biodiversity. Whilst we welcome and support the value of connecting people with nature, amenity access must be managed sensitively in order that biodiversity is not unduly impacted.</p>	<p>A similar issue is raised in representations MLPIC15 and 288 (Issue 4). Objective 9 should be reworded to be specifically about the amenity value. Rather than creating a separate objective it is suggested that biodiversity should be dealt with in Objective 7.</p>
MLPIC216	5	D K Symes Associates (D K Symes)	Yes - correct set of objectives.	Selection noted. No response necessary.
MLPIC231	5	North Herts District Council (David Hill)	The chosen objectives seem sensible and appear to cover all relevant aspects of the plan.	Selection noted. No response necessary.
MLPIC238	5	Turnberry Planning Ltd on behalf of Hertfordshire University (Stephanie Gray)	Concerned vision and objectives do not robustly consider the impact of mineral extraction on neighbouring land uses especially nationally and internationally sensitive sites. Suggest an additional objective ' Objective 10: Ensure that Mineral Development assesses and addresses the impacts it will have on neighbouring sites and land uses.'	The impact of mineral extraction will be assessed on a case by case basis using the policies within the Minerals Local Plan and the relevant District Local Plan. There is not considered a need to add a further objective as the issues that would affect any neighbouring use are already covered.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC242	5	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	Yes the draft objectives are supportive of the vision and generally accord with available guidance.	Selection noted. No response necessary.
MLPIC248	5	Veolia Environmental Services (Nick Hollands)	Veolia supports the general principle of safeguarding sites and infrastructure, including railheads and wharves.	Comment noted.
MLPIC252	5	Buckinghamshire County Council (Emily Hodgson)	Yes - correct set of objectives.	Selection noted. No response necessary.
MLPIC269	5	Natural England (Gordon Wyatt)	Yes	Selection noted. No response necessary.
MLPIC288	5	HCC Ecology (Martin Hicks)	Whilst the Objectives are broadly sound in seeking to deliver the outcomes, some of them will generate conflicts. Some recognition of which objectives may need to take precedence – where justified – may be required if the objectives are to be met. Furthermore, many sites will remain in private ownership and this may also create reasonable expectations that will not in all cases necessarily deliver the objectives – such as restoration to ‘agriculture’ compared to the natural environment.	The ordering of the objectives will be considered in line with the vision. Restoration schemes will be considered as part of any planning application for mineral extraction.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC295	5	HCC Landscape (Jennifer Clarke)	<p>No - There should be an objective for the delivery of temporary or permanent landscape mitigation measures/enhancements in advance of, and during, the operational stage of any development.</p> <p>Measures that are characteristic of the local landscape character e.g. woodland, hedgerows etc. should be encouraged.</p> <p>Permanent measures that are not characteristic of the local landscape should be avoided.</p> <p>Temporary measures that are not characteristic of the local landscape may be deemed acceptable in the short term where they deliver benefits such as visual screening. For example bunds, should be limited in height with shallow sloping sides and seeded/covered to help blend with its landscape setting.</p>	<p>Bunds and any other temporary landscape feature that is not deemed to be appropriate in the long term will be dealt with as part of any planning application. In addition restoration schemes will be dealt with and sites will enter a period of after-use once restoration is complete and will be monitored for a set period of time to ensure restoration planting schemes etc have established.</p> <p>It is not considered that there is a need for a further objective related to landscape.</p>
MLPIC300	5	Bedford Borough Council (Natalie Chillcott)	<p>Yes -</p> <p>Obj 3: Chalk should be included in the objective.</p> <p>Obj 6: In light of draft vision 1 which states... "seek to improve...climate change..." could obj 6 be amended so that it "addresses and minimises the impacts..."?</p>	<p>There is no requirement in the NPPF to plan for chalk for this reason this is omitted from Objective 3.</p> <p>The suggested addition of the words 'and minimises' is agreed as a positive addition to Objective 6.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC311	5	HCC - Natural, Historic and Built Environment (Alison Tinniswood)	Obj7 – we would suggest that the wording should read ‘the natural, built and historic environments’, as per Obj5 (the term ‘historic environment’ is widely used elsewhere in the document, and in the draft sustainability appraisal headline objectives, on p65).	As per rep MLPIC93 for issue 4 and in line with Objective 5 it is agreed that ‘natural, built and historic environment’ should be used.
MLPIC316	5	Environment Agency (Kai Mitchell)	Yes - we are happy with the objectives that have been proposed.	Selection noted. No response necessary.
MLPIC321	5	East Herts District Council (Jenny Pierce)	<p>Objectives 3, 5 and 8 are very similar. Objective 8 could be reworked into Objective 3:</p> <p>Obj 3. To conserve sand, gravel and clay resources for current and future generations, which includes the safeguarding of resources for future use, extracting minerals prior to other development taking place and using minerals in construction in the land from which they are extracted.</p> <p>Objective 5 could then be: Obj 5. To ensure that where mineral extraction and restoration of sites occurs, that people, the natural, built and historic environments are protected from harm, and adverse cumulative impacts are mitigated against.</p>	<p>The suggestion of combining Objectives 3 and 8 is similar to rep MLPIC167 for Issue 5. It is agreed that this could be an improvement providing clarity to the objectives.</p> <p>If combining Objective 8 with 3, the remaining text of providing a steady and adequate supply of minerals needs to be slotted into another objective due to this being important text from the NPPF. Objective 2 could accommodate this.</p> <p>Objective 5: The text regarding sustainable delivery will be reassessed in light of other changes to objectives.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>Similarly, Objectives 7 and 9 are also very similar and could be combined: Obj 7. To ensure timely mineral extraction and high quality and progressive restoration to achieve a beneficial after use with increased public access to the countryside, greater amenity value of land and the enhancement of biodiversity through landscaping and planting.</p>	<p>Objectives 7 and 9: The need to maintain all aspects of the two objectives is important including landscape improvements and positive contribution to the natural, built and historic environment, to accommodate rep MLPIC311 for Issue 5.</p>
MLPIC333	5	Welwyn Hatfield Borough Council (Sue Tiley)	<p>The draft objectives would seem to be sensible although objective 8 would be clarified by the addition of “where viable” following “extracting minerals”.</p>	<p>The objective is clear that prior extraction should occur to ensure sustainability of the use of the resource otherwise there is a conflict with the sustainable use of the mineral. However on an operational level, duty to cooperate meetings will be held with interested parties as stated within the vision and further information will be sought to establish the reserve and consider this in light of development proposals in District Local Plans.</p>
MLPIC345	5	Chilterns Conservation Board (Lucy Murfett)	<p>Add reference to the national designated Chilterns AONB in objective 5. Add text stating “When formulating plan policy or considering proposals for minerals</p>	<p>The statutory duty is understood with regards to the AONB, as there are statutory duties to protect other designated sites. It is intended that there will be a policy within the</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			development in the Chilterns Area of Outstanding Natural Beauty (AONB) the County Council has a statutory duty under section 85 of the Countryside and Rights and Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of that area”.	Minerals Local Plan to ensure the protection of designated sites. The objective is to protect and enhance the environment which is already written into Objective 5 and therefore it is not considered that there is a need to add further text.

Table 3: Plan Length – Issue 6

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 6 How long should the duration of the Minerals Local Plan be? (Please select one answer)</p> <p> <input type="checkbox"/> 15yrs with the identification of an additional 7yrs’ sand and gravel supply <input type="checkbox"/> 25yrs with the identification of an additional 7yrs’ sand and gravel supply <input type="checkbox"/> An alternative length </p> <p>General Statement:</p> <p>There was overwhelming support for the use of a 15 year Plan with only two suggestions to use another Plan length. Therefore, it is proposed that the Plan period be 2016-2031. The period of the existing Minerals Local Plan will end in 2016 and the first version of the emerging Plan will be published, in the form of the Draft Minerals Local Plan, in the same year.</p> <p>Along with this support for a 15-year plan, the majority of responses provided backing to identify a 22-year supply of sand and gravel in the Plan so that a 7-year landbank can be maintained at all times up to the end of the Plan, as is required by the NPPF. Sufficient sites for 22 years’ worth of sand and gravel supply will therefore be included in the draft Minerals Local Plan, which will be published for consultation in autumn 2016.</p> <p>An alternative to identifying a 22-year supply at the outset of the Plan was to review the plan and identify sand and gravel extraction for the latter stages of the Plan period at a later date, perhaps undertaking an early review of the Plan after 5 years. It is considered more appropriate to identify the full 22-year supply at the outset of the Plan to ensure the stipulation of the NPPF to maintain a 7-year landbank at all times can be met, and provide more certainty to Local Planning Authorities over the long term designation of land-use.</p>				
MLPIC4	6	Trustees of the Brocket Estate (Stuart Gray)	15 year plan. Any longer period would fail to allow consideration of changing demand/supply and local/national pressures	Selection noted. The Plan will be monitored continually and if a review of the Plan is deemed necessary to consider changes to demand/supply

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				and local/national pressures, it could happen before the end of the initially-planned Plan period.
MLPIC23	6	North Hertfordshire & Stevenage Green Party (Karen Harmel)	The plan should be 15 years with the identification of an additional 7 years' sand and gravel supply. The plan should be as short as possible to allow for early corrections in direction/content if needed. National Policy dictates that the minimum time is preferably 15 years (but it could be less, down to 7 years landbank) however 15 years seems a good compromise length.	It is not considered that Local Plans should be as short as possible. The NPPF (para 157) states that plans should "be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date". The Plan will be monitored continually and if a review of the Plan is deemed necessary to keep it up to date, this could happen before the end of the initially-planned Plan period.
MLPIC36	6	Hertsmere Borough Council (Richard Blackburn)	15 years with additional 7 years for sand and gravel supply. Planning to at least 2036 would link with evidence on housing/employment development needs in SW Herts.	See General Statement
MLPIC47	6	Wheathampstead Parish Council (Julia Warren)	15 years with the identification of an additional 7 years sand and gravel supply.	See General Statement
MLPIC59	6	Bovingdon Brickworks Ltd. (Les Cook)	An alternative length should be used - 18 years (18+7) would provide continuity with the 25 years for brick clay.	Whilst this suggestion is a clear compromise between the preferable Plan-length stated in the NPPF (para 157), the required landbank for sand and gravel (para 145), and the levels

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				of permitted reserves for clay (para 146), it is considered important to plan in line with the 15-year period preferred by the NPPF.
MLPIC67	6	Three Rivers District Council (Martin Wells)	15 years with the identification of an additional 7 years sand and gravel supply is sufficient as stated within para 157 of the NPPF. There may be a need to review the plan before the end of its 25 year period due to the statutory requirement for local plans to be kept up-to-date at least annually.	See General Statement The Plan will be monitored continually and if a review of the Plan is deemed necessary to consider changes to demand/supply and local/national pressures, it could happen before the end of the initially-planned Plan period.
MLPIC87	6	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	15 year plan. Would be consistent with other plans in the region e.g. Essex and Cambs. Any longer may make the plan inflexible and unable to accommodate changes. Minimum 7 year landbank for sand and gravel should be provided at the end of the plan period.	See General Statement It is considered that a 15 year plan would provide consistency with other plans in the region and provide certainty to Local Planning Authorities.
MLPIC94	6	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC116	6	Central Bedfordshire Council (Natalie Chillcott)	An alternative length. 15 years, without an additional 7 years for sand and gravel supply. The NPPF requires a 7 year landbank to be maintained, and future reviews of the Plan could identify additional sites, if necessary.	See General Statement

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MLPIC140	6	Stevenage Borough Council (Richard Javes)	The Borough Council has no preference for one end-date over another, except that it should run to at least 2031 [the end-date of most local plans in the county]. Close co-ordination will be necessary with district councils to ensure that any provisions of the MLP that post-date the end-date of local plans do not create future conflicts over competing claims for land (e.g. a good long-term housing site versus a sand and gravel site).	See General Statement The Plan will undergo further stages of Consultation in the preparation of the Plan and Duty to Cooperate meetings between the county council and the Hertfordshire's 10 district and borough councils will remain ongoing in order to mitigate conflict where possible.
MLPIC168	6	Mineral Products Association (David Payne)	15 Years plus additional 7 years' sand & gravel supply - we strongly back the intention to plan for provision for maintenance of a sand and gravel landbank of at least 7 years throughout the plan period.	See General Statement
MLPIC180	6	Tarmac (Mike Pendock)	15 years with additional 7 years' for sand and gravel supply - we support the intention to plan for provision for maintenance of a sand and gravel landbank of at least 7 years throughout the plan period.	See General Statement
MLPIC187	6	Codicote Parish Council (Lorraine Ellis)	15 years with additional 7 years' sand and gravel supply - Not chalk extraction as well?	See General Statement. Because the chalk extracted in Hertfordshire is extracted for agricultural use rather than as an aggregate in cement production, the Minerals Local Plan does not need to provide a stock of permitted reserves

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				for the mineral (NPPF para 146). Therefore, there is no reason to incorporate the issue of chalk supply as a determining factor in the length of the Plan period.
MLPIC201	6	CPRE Hertfordshire (Steve Baker)	An alternative length, The timescale should be 15 years but with an enforced commitment to review and updating to ensure that there is always a minimum of 7 years supply available. NPPF paragraph 17 does not mean that a longer Plan period is necessary, and a longer period would result in inconsistency with other elements of the Development Plan, and in particular the district Local Plans, an important issue when dealing with the extraction of minerals in advance of development, and 'safeguarding'.	See General Statement The Plan will be continually monitored and if a review of the Plan is deemed necessary, it could happen before the end of the initially-planned Plan period. It is considered that a 15 year Plan period would provide certainty for Local Planning Authorities that have adopted similar-length Local Plans.
MLPIC217	6	D K Symes Associates (D K Symes)	15 years with additional 7 years' sand and gravel supply	See General Statement
MLPIC232	6	North Herts District Council (David Hill)	A 15 year plan timeframe would meet with national guidance and so would appear to be the most appropriate approach.	See General Statement
MLPIC243	6	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	The MLP period should be for a minimum of 15 years with regular reviews to ensure that a minimum of a 7 year landbank is available throughout the plan period and beyond.	The Plan will be continually monitored and if a review of the Plan is deemed necessary, it could happen before the end of the initially-planned Plan period.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC253	6	Buckinghamshire County Council (Emily Hodgson)	15 year plan period with an early review after 5 years to ensure policies are kept up to date. Circumstances nationally and locally can change very rapidly and a longer plan period may be unwise.	The Plan will be continually monitored and if a review of the Plan is deemed necessary, it could happen before the end of the initially-planned Plan period.
MLPIC270	6	Natural England (Gordon Wyatt)	No preference	No response necessary.
MLPIC280	6	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	15 years with the identification of an additional 7yrs sand and gravel supply	See General Statement
MLPIC289	6	HCC Ecology (Martin Hicks)	15 years with the identification of additional 7 years' sand and gravel supply - would appear consistent with Government guidance	See General Statement
MLPIC301	6	Bedford Borough Council (Natalie Chillcott)	An alternative length. 15 years, without an additional 7 years for sand and gravel supply. The NPPF requires a 7 year landbank to be maintained, and future reviews of the Plan could identify additional sites, if necessary.	See General Statement
MLPIC322	6	East Herts District Council (Jenny Pierce)	25 years with identification of additional 7 years' worth of sand and gravel - the longer plan period offers more certainty for Local Planning Authorities, particularly in light of the NPPF requirements to plan proactively for beyond emerging Plan periods	It is considered important to plan in line with the preferable 15-year period stated in the NPPF to provide consistency with other Minerals Local Plans in the East of England. The landbank should provide certainty of mineral supply beyond the plan period and would allow proactive planning beyond 2031.

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MLPIC334	6	Welwyn Hatfield Borough Council (Sue Tiley)	<p>Clearly for the longer timeframe the County Council will need to be able to identify sufficient capacity for 32 years in order to ensure an additional 7 years supply as a landbank. It is understood that the current preferred mineral site in Hatfield Aerodrome has a thirty year supply so it would appear this would not be an issue. However the requirement for a longer time period appears to relate to the need for 25 years supply of brick and clay which are in short supply and therefore may not be achievable.</p> <p>As a general principle the plan should provide as much certainty as possible and avoid needlessly sterilising land over the longer term.</p>	<p>See General Statement</p> <p>It is considered that a 15 year Plan period would provide certainty for Local Planning Authorities that have adopted similar-length Local Plans.</p>

Table 4: Quantity of Sand and Gravel – Issue 7

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 7</p> <p>What quantity of sand and gravel should the county council plan for each year? (Please select one answer)</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1.39million tonnes, as specified by the East of England Aggregate Working Party apportionment figure <input type="checkbox"/> 1.12million tonnes, based on the 10-year average sales figures <input type="checkbox"/> An alternative quantity <p>General Statement:</p> <p>Approximately two-thirds of responses supported the use of the East of England Aggregate Working Party (EEAWP) apportionment figure of 1.39 million tonnes per year as the figure on which to plan for a steady and adequate supply of sand and gravel supply so this is what the Minerals Local Plan will use.</p> <p>The NPPF (para 145) states that Local Aggregate Assessments should be based on a rolling average of 10-year sales data and other relevant local information. The relevant local information will need to be presented during the development of the Plan in order to provide robust justification for the use of a figure other than the 10-year average sales figure in the Plan. However, when considering the growth agenda promoted by Government, the housing currently being planned for in Local Planning Authority Local Plans and the relatively low output of housing and infrastructure during the past decade of recession, the 10-year average sales figure is unlikely to provide any flexibility should demand increase at all.</p> <p>The NPPF (para 145) also states that minerals planning authorities should participate in the operation of an Aggregate Working Party and take advice of that Party into account when preparing their Local Aggregate Assessment. Member-counties of the EEAWP have agreed as a group to use apportionment figures as they are considered a more realistic estimate of future minerals demand for the East of England so the use of the apportionment figure will provide consistency with neighbouring Plans.</p>				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC5	7	Trustees of the Brocket Estate (Stuart Gray)	1.39 million tonnes per year. Increasing housing pressures should guide policymaking to an objective figure rather than historic average	See General Statement
MLPIC24	7	North Hertfordshire & Stevenage Green Party (Karen Harmel)	1.12mt based on the 10 year average sales. This figure is based on the LAA, based on a 10 year rolling average sales which are real (as possible) figures NOT estimates. These figures have remained relatively constant over the last few years and real sales have been consistently below the EEAWP apportionment every year from 2004-2013. There is no justification for increasing the amount to be extracted. The LAA report describes the figures as "inaccurate, inconsistent and incomplete" which means that extrapolating them will compound any errors. Encouragement of increased recycling and re-use will also reduce reliance on the primary extracted material, and also encouragement towards re-development of brownfield sites as the demolition waste can be re-used on site. Due to Hertfordshire's plans for house building the system needs to remain flexible, which can be done by safeguarding sites. The principle of Demand Management should be applied. It is against Green Party policy (particularly IN207 and TR020) to exploit natural resources based on	See General Statement Using <i>real</i> average-sale figures would not provide flexibility to the Plan should demand increase at all. The extraction sites in Hertfordshire are already experiencing an upturn in demand as illustrated by the current operational practice to transport mineral off-site as soon as it is extracted, without the need to stockpile significant amounts of material on site before transportation. The apportionment figure includes a portion of secondary and recycled aggregate and so the supply of non-primary aggregates is incorporated into the figure. This would not be the case if the Plan was based on the 10-year average sales figure. Mineral operators require time to assemble machinery, facilities, a workforce and transportation prior to

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			a projected or anticipated need. Mineral extraction should be kept to the current 10 year predicted annual sales level unless real demand increases.	extraction. Restricting extraction until a demand exists would therefore delay the very construction projects demanding the material.
MLPIC37	7	Hertsmere Borough Council (Richard Blackburn)	1.39 million tonnes pa of sand and gravel. Alternative depends on better information and/or accurate forecasting of development.	See General Statement
MLPIC48	7	Wheathampstead Parish Council (Julia Warren)	An alternative quantity should be used - We should guestimate at what point the extraction of sand and gravel becomes an unsustainable use of valuable land within the county. Extraction of sand and gravel cannot continue indefinitely and the county council should plan for the decrease in extraction at sites in Hertfordshire.	<p>The NPPF (para 142) states that “Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs”. With the projected increase in demand for minerals, the Minerals Local Plan is obligated to identify sufficient quantities of mineral within the county for use as construction material to be used in the housing and infrastructure developments planned within adopted and emerging Local Plans.</p> <p>The Plan will attempt to protect the mineral resources by planning for an appropriate quantity of extraction and safeguarding reserves not to be</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				sterilised by non-minerals development.
MLPIC60	7	Bovingdon Brickworks Ltd. (Les Cook)	1.39 million tonnes per year as specified by the AWP apportionment figure should be used.	See General Statement
MLPIC68	7	Three Rivers District Council (Martin Wells)	1.39 million tonnes apportionment is appropriate. Agree with the LAA that the last 10 years sales figures do not show a true picture of the demand for sand and gravel due to the recession.	See General Statement
MLPIC88	7	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	1.39 mtpa. Minimum 7 year landbank will dictate the release of reserves avoiding over supply (unless landbank is tied up in one site). Cambs and Essex have adopted sub-regional apportionment. 10 year average is skewed by recession. Ref NPPF 174 - 10 year average would focus on low economic activity. Planned growth in document and LAA and important to ensure sufficient and suitable reserves are identified.	See General Statement
MLPIC95	7	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC117	7	Central Bedfordshire Council (Natalie Chillcott)	1.12 million tonnes. It is widely accepted that apportionment figures over estimate future demand. The NPPF requires a 7 year landbank to be maintained, and future reviews of the Plan could identify additional sites, if necessary. The Shared Service	The East of England AWP has agreed, as a whole, to plan for minerals supply using the apportionment figures rather than 10-year average sales. Rather than overestimating future demand, it is

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			recommends that Hertfordshire CC take account of discussions with the AWP.	considered that the apportionment figures will provide more flexibility to meet the demand for minerals should the 10-year average sales figures significantly underestimate future demand.
MLPIC126	7	Cambridgeshire County Council (Ann Barnes)	1.39 million tonnes - this is a more realistic assessment of likely call on reserves for the reasons stated in the text.	See General Statement
MLPIC148	7	On behalf of Gascoyne Cecil Estate Ltd (Gordon Wood)	1.39 million tonnes. Clearly the past seven years has seen a depressed construction market which is presently recovering. Future demand could exceed current forecasts. To improve and maintain the landbank provision throughout the plan period supply needs to be matched to demand. Flexibility will help.	See General Statement It is considered that the 10-year average has been skewed by the period of recession.
MLPIC152	7	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	1.12 - Although a higher apportionment figure is always promoted this would be contrary to NPPF. Hopes the production of LAA and identification of 3yr trends would prompt a Local Plan review if the apportionment figure became out dated.	The NPPF (para 145) states that the LAA should be based on a rolling average of 10 years sales data and other relevant local information. The use of the apportionment figure incorporates local information including the expected demand for minerals when taking account of the housing being planned in LPA Local Plans and the obligation to provide aggregate for construction to areas outside of Hertfordshire. The sub-regional apportionment was approved

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>by the East of England Aggregate Working Party based on the Managed Aggregate Supply System (MASS) which was in operation at the time and now forms part of the NPPG (para 060)</p> <p>The LAA will be produced annually and takes account of supply and sales figures and will be a key piece of evidence that identifies whether the Minerals Local Plan requires a review.</p>
MLPIC169	7	Mineral Products Association (David Payne)	<p>1.39 million tonnes - The NPPF and Planning Practice Guidance make it clear that the Plan should make provision based on the LAA which should be based on 10-year average of sales and other relevant local information. The LAA takes local information into account and makes it clear that it is anticipated that demand will increase given the growth agenda in the East of England, and that the 3 year average of sales indicates that the 10 year average of sales would represent too low a figure on which to base future provision. Advice of the AWP is rightly given weight in this decision to plan for 1.39mt per annum. Further work will need to be taken to support this approach as the interpretation of 'relevant local information' needs to be robust</p>	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			in order to justify deviation from using the 10-year average sales.	
MLPIC181	7	Tarmac (Mike Pendock)	1.39 million tonnes - The LAA makes it clear that it is anticipated that demand will increase given the growth agenda in the East of England, and that the 3 year average of sales indicates that the 10 year average of sales would represent too low a figure on which to base future provision. The advice of the AWP is rightly given weight in deciding to plan for provision at an average rate of 1.39 mt per annum. In setting out and explaining future provision, the plan should not just look back at historic patterns of supply but also examine likely future patterns of demand for infrastructure and housing being planned by each district authority in the County	See General Statement
MLPIC188	7	Codicote Parish Council (Lorraine Ellis)	Concur with objective 7	Comment noted.
MLPIC197	7	Northamptonshire County Council (Laura Burton)	Unless adequate justification can be provided local plans should be compliant with the NPPF i.e. provision should be based on 10yr average sales.	See General Statement
MLPIC202	7	CPRE Hertfordshire (Steve Baker)	An alternative quantity, the appropriate quantity should be based on the scale of development set out in adopted district Local	It is considered impossible to calculate an accurate figure for mineral demand across the Plan

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>Plans and statutory infrastructure plans. Plans at an early draft stage with controversial large scale housing targets should not be used as a basis for assumptions in the Plan.</p> <p>The quantity of sand and gravel extraction should also reflect the reality of the recession, not attempt to compensate for it. The Regional Apportionment figure is excessive in this respect, but the 10-year average will be too low because the length and depth of the recession should be treated as exceptional, and unlikely to be repeated during the Plan period.</p>	<p>period based on the contents of adopted Local Plans and infrastructure plans. Only four of the Hertfordshire LPAs have an adopted Local Plan, with the other six LPAs at different stages of the Local Plan production process.</p> <p>The Hertfordshire LAA does take account of housing projections (from adopted Plans as well as other sources) and also contains an overview of the major development schemes detailed within the Local Enterprise Partnership Strategic Economic Plan that the LPAs are considering for planning permission. However, there is no certainty that these projects will ever be developed and a prediction for the quantity of mineral required for any one project would require large assumptions.</p> <p>It is agreed that the 10-year average has been skewed by the period of recession, but it is considered that the apportionment figure would provide the necessary flexibility to meet increases in demand in line with the Government's agenda for growth.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC218	7	D K Symes Associates (D K Symes)	1.39 mtpa. Increased demand on minerals in Herts due to proximity to GLA. Additional pressure on provision should be acknowledged.	See General Statement
MLPIC244	7	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	The County Council should use the EEAWP Apportionment figure. The 10 year average is based on a historic data and does not take into account the pick-up in construction activity as the economy moves out of recession.	See General Statement
MLPIC254	7	Buckinghamshire County Council (Emily Hodgson)	1.12 million tonnes. That method is given primary emphasis in the NPPF.	See General Statement
MLPIC271	7	Natural England (Gordon Wyatt)	1.39 million tonnes - Natural England supports the council's rationale in selecting the higher figure.	See General Statement
MLPIC281	7	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	1.39 million tonnes - Long term plans having apportionment based on historical sales figures does not provide sufficient flexibility to respond to short term economic cycles. It also ensure shortages during periods of growth and oversupply in periods of decline. Whilst a strategic plan should provide for long term provision, 15 years is barely adequate, an actual figures should be reviewed annually as a reflection of the current market conditions and how these relate to the strategic average.	See General Statement The Hertfordshire LAA will continue to be produced annually and takes account of supply and sales figures. It will be a key piece of evidence that identifies whether the Minerals Local Plan requires a review.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC302	7	Bedford Borough Council (Natalie Chillcott)	1.12 million tonnes - It is widely accepted that apportionment figures over estimate future demand. The NPPF requires a 7 year landbank to be maintained, and future reviews of the Plan could identify additional sites, if necessary. The Shared Service recommends that Hertfordshire CC take account of discussions with the AWP.	The East of England AWP has agreed, as a whole, to plan for minerals supply using the apportionment figures rather than 10-year average sales. Rather than overestimating future demand, it is considered that the apportionment figures will provide more flexibility to meet the demand for minerals should the 10-year average sales figures significantly underestimate future demand.
MLPIC323	7	East Herts District Council (Jenny Pierce)	1.39 million tonnes - However, this period extends only to 2020 and will therefore need to be reviewed, forcing a review of the Hertfordshire MLP, regardless of whichever period is planned for.	<p>Whilst the National and Regional Guidelines for Aggregates Provision in England is for the period 2005-2020, the sub-regional apportionment was approved by the East of England Aggregate Working Party based on the Managed Aggregate Supply System (MASS) which was in operation at the time, now forms part of the NPPG (para 060) and will remain so until a time when the NPPG is changed.</p> <p>The Hertfordshire LAA will be produced annually and will take account of supply and sales figures. It will be a key piece of evidence that</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				identifies whether the Minerals Local Plan requires a review at any stage or the plan period.
MLPIC335	7	Welwyn Hatfield Borough Council (Sue Tiley)	County Council should as a general principle avoid allocating land which is unlikely to be needed over the plan period and which might be required to meet other needs. However the average sales figure over the last 10 years is unlikely to reflect future demand if house building rates increase which seems highly likely. It may be that a figure between the two estimates is the most appropriate.	<p>The Plan will allocate sufficient sites to meet the requirements of the county. It is not the Plan's intention to allocate sites beyond these needs.</p> <p>It is agreed that the 10-year average has been skewed by the period of recession, but it is considered that the apportionment figure would provide the necessary flexibility to meet increases in demand in line with the Government's agenda for growth.</p>

A summary of the representations received regarding the site selection methodology for sand and gravel (Issues 8-11) and the HCC responses to these representations are included within the separate Cabinet Panel report: "Implementation of the Site Selection Methodology and to undertake the Call for Sites for the Minerals Local Plan review" – February 2016

Table 5: Sterilisation and Windfall Sites – Issues 12-14

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 12 How should the Minerals Local Plan support the prevention of mineral sterilisation? (Please select one answer)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Include a policy that identifies the Minerals Safeguarding Areas and Minerals Consultation Areas and sets the thresholds for non-mineral proposals in these areas which the county council wishes to be consulted on <input type="checkbox"/> Include a policy on minerals sterilisation which encourages the prior extraction of minerals before non-mineral developments <input type="checkbox"/> Include a policy that combines the identification of Minerals Safeguarding Areas and Minerals Consultation Areas with the encouragement of prior extraction to avoid the sterilisation of minerals by non-minerals development. <input type="checkbox"/> Include two separate policies. One policy identifying the Minerals Safeguarding Areas and Minerals Consultation Areas and the thresholds for non-minerals proposals which ensure consultation with the county council, and one policy encouraging the prior extraction of minerals to prevent the sterilisation of minerals buy non-mineral developments <input type="checkbox"/> Deal with proposals on a site-by-site bases as a windfall site <p>General Statement:</p> <p>Generally the representations received suggest that the draft Plan should contain two separate policies for Minerals Safeguarding Areas and Minerals Consultation Areas and mineral sterilisation.</p> <p>It may be appropriate to have more than one policy within the review of the MLP for MSA & MCAs and a policy for mineral sterilisation in which prior extraction would be encouraged. It is suggested to have two separate policies to ensure that the relevant policies and criteria can be easily applied. Both policies would need to be in line with paragraph 143 of the NPPF.</p> <p>The adopted MLP contains Policy 5: Mineral Sterilisation which encourages prior extraction and it is considered that whilst the detailed wording from the policy will be reviewed the general aim of the policy will remain.</p>				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>As part of the review of the MLP, it is intended that the existing Minerals Consultation Area SPD is also reviewed and could be incorporated into the suggested policies within the MLP.</p> <p>It is proposed that windfall sites (sites which become available which were not specifically allocated within the plan) will be dealt with on a site by site basis if and when planning applications come forward and determined against the policies contained within the MLP and on the merits of the application.</p>				
MLPIC7	12	Trustees of the Brocket Estate (Stuart Gray)	Sterilisation Policy encouraging prior extraction	See General Statement.
MLPIC26	12	North Hertfordshire & Stevenage Green Party (Karen Harmel)	Deal with proposals on a site-by-site basis as windfall site. Any policy set up in advance for all local authorities could force mineral extraction on site, even if there are good reasons for not going ahead. A case-by-case method has maximum sensitivity and flexibility. It also agrees with the way HCC want to treat large windfall sites. There should be a protocol set up to decide if extraction is the right option for any sites; consulting with an approved list of partners and independent competent planning inspectorates.	See General Statement. Policies within local plans set out the criteria by which individual planning applications can be assessed. The necessary consultation processes will be undertaken during both the preparation of Minerals Local Plan and individual planning applications.
MLPIC39	12	Hertsmere Borough Council (Richard Blackburn)	Should include one policy for MSA, MCA and thresholds for non-mineral proposals and another policy for prior extraction	See General Statement
MLPIC50	12	Wheathampstead Parish Council (Julia Warren)	The MLP should support prevention of mineral sterilisation by including a policy that identifies the Minerals Safeguarding Areas and Mineral Consultation Areas and sets the	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			thresholds for non-mineral proposals in these areas which the county council wishes to be consulted on AND include a policy on minerals sterilisation which encourages the prior extraction of minerals before non-mineral development.	
MLPIC70	12	Three Rivers District Council (Martin Wells)	Should include a policy on minerals sterilisation which encourages the prior extraction of minerals before non-mineral developments. Existing policy 5 is noted in the adopted MLP. A new policy would be supported provided any temporary extraction sites would not result in an adverse cumulative impact.	It is proposed to include a policy on mineral sterilisation in the review of the MLP. Policy 5 of the adopted MLP will be reviewed. Any sites which come forward for mineral extraction would still be subject to other policy considerations contained within the development management policies.
MLPIC79	12	Hampshire County Council (Rob Sellen)	Useful to encourage that the MPA should be consulted at the earliest opportunity, at pre-application, before an application is submitted to facilitate the recovery of minerals prior to development.	Engagement is encouraged at the earliest opportunity through the current Mineral Consultation Areas SPD. HCC also continues to have regular Duty to Cooperate discussions and would provide comments to district/borough council during local plan preparation for potential sites allocations where mineral maybe an issue. HCC would also continue to seek to be consulted on any subsequent planning application.
MLPIC90	12	SLR Consulting Ltd on behalf of Brett	Include 2 separate policies. One or two policies as splitting the 2 aspects allows for	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Aggregates Ltd (Chris Lowden)	greater clarity. Application of policies for MSAs and MCAs needs to be clear.	
MLPIC97	12	Historic England (Kayleigh Wood)	No preferred option selected. The council should consider how the local plan might address the issue of identifying and safeguarding minerals for conservation purposes. Whilst it is appreciated that there is not much building stone resource in Hertfordshire (and not much across the East of England), chalk (as clunch) and brick clay can contribute towards the repair of old buildings and the sourcing of appropriate materials for new build in historic locations. It is considered that the document should explore this issue.	Minerals Safeguarding Areas and Minerals Consultation Areas is covered by Issue 10 of the consultation document. It is proposed to include safeguarding areas within the MLP. In addition, it is proposed that the clay and chalk resources in the county will be safeguarded. Some of the bricks produced by Bovington Brickworks and the flint extracted with the chalk at Codicote Quarry are known to be used in restoration and conservation projects.
MLPIC111	12	Ptarmigan C/O Barton Willmore (Claire Brindley)	Include a policy that encourages prior extraction before non-mineral developments. Balance needs to be struck between not unnecessarily constraining strategic growth and preventing sterilisation. Policy should not be a mandatory requirement due to use of secondary and recycled aggregates. Prior extract if quality of mineral, practicable, financially and environmentally feasible. Site selection should be conscious of the most sustainable areas which may be used for planned growth adjacent to settlements.	Paragraph 143 of the NPPF states that in preparing Local Plans, local planning authorities should set out policies to encourage the prior extraction of minerals, where <u>practicable and environmentally feasible</u> , if it is necessary for non-mineral development to take place' (emphasis added). It is intended that the MLP will include a criteria based policy for prior extraction. In cases where prior extraction is not viable, or

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>practicable/feasible to extract mineral prior to other non-mineral development, it would be expected that this is proven within a supporting document such as mineral resource assessment report for the Mineral Planning Authority to consider.</p> <p>The MLP will also encourage the use of secondary and recycled aggregates to reduce the reliance on land won minerals. The proposed site selection methodology includes criteria for assessing the proximity of allocated residential or built development.</p>
MLPIC119	12	Central Bedfordshire Council (Natalie Chillcott)	Include policy that combines the identification of MSAs and MCAs with the encouragement of prior extraction before non-mineral developments.	See General Statement
MLPIC128	12	Cambridgeshire County Council (Ann Barnes)	As long as MSAs and MCAs are identified, thresholds are set for consultation when a site falls within a MCA, and prior extraction is encouraged, it could be either through one or two policies. It may depend if the MSA area has the same geographic area as the MCA. These matters should be addressed through a clear policy rather than an ad hoc approach as windfall sites come forward.	See General Statement
MLPIC142	12	Stevenage Borough Council (Richard	Include two separate policies.	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Javes)		
MLPIC154	12	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Include 2 separate policies.	See General Statement
MLPIC171	12	Mineral Products Association (David Payne)	Include two separate policies - No strong opinion on whether there should be one or two policies but issues that must be addressed in policy are the identification of MSAS/MCAs, clear application of the safeguarding process, and encouragement of prior extraction where non-minerals development in a MSA is permitted. 2 policies could make the safeguarding process and the encouragement of prior extraction clearer in development management terms Prior extraction can allow for phasing of minerals and housing development and need not mean full extraction of the deposit in order that non-minerals development remains viable.	See General Statement It is intended that the MLP will include a criteria based policy for prior extraction and sterilisation. In cases where prior extraction is not viable, or practicable/feasible to extract mineral prior to other non-mineral development or partial mineral extraction provided a better opportunity, it would be expected that this is proven within a supporting document such as mineral resource assessment report.
MLPIC182	12	Tarmac (Mike Pendock)	Include two separate policies - Whilst they are complimentary, they have separate aims. Any minerals released by prior extraction should be treated as a windfall. An early proactive approach to prior extraction should be adopted as otherwise opportunities will be lost. This will also enable an integrated approach to planning of the phasing of the	See General Statement and response to MLPIC171 Issue 12. Engagement is encouraged at the earliest opportunity through the current Mineral Consultation Areas SPD. HCC also continues to have regular Duty to Cooperate discussions

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>mineral and built development to take place. We also believe that a policy on minerals sterilisation should take a practical approach and that partial extraction of the deposit may be the best outcome. For example on sites with high water tables or that have particularly deep deposits it may be sensible to only work to a depth that creates a landform suitable for the intended non mineral use.</p>	<p>and would provide comments to district/borough council during local plan preparation for potential sites allocations where mineral maybe an issue. HCC would also continue to seek to be consulted on any subsequent planning application.</p>
MLPIC204	12	CPRE Hertfordshire (Steve Baker)	<p>The MLP should include two separate policies for identifying the Minerals Safeguarding Areas and Minerals Consultation Areas and one policy encouraging the prior extraction of minerals to prevent the sterilisation. There would still need to be separate policies for MSAs and MCAs which are identified for different purposes, with MSA's only likely to cover parts of the MCA's.</p>	<p>See General Statement</p>
MLPIC220	12	D K Symes Associates (D K Symes)	<p>Include 2 separate policies. Greater clarity needed between windfall site and minerals available for prior extraction.</p>	<p>See General Statement Prior extraction would be encouraged on non-mineral development sites where extraction would meet the criteria of DM policies and where the opportunity exists to prevent sterilisation. This process would be linked with the Mineral Safeguarding and Mineral Consultation Areas.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC234	12	North Herts District Council (David Hill)	Prior extraction of minerals should be encouraged where appropriate and the local plan should define minerals consultation areas and sterilisation areas in accordance with national guidance.	The MLP will encourage prior extraction where appropriate and define MSA and MCAs in line with paragraph 143 to 'define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas'.
MLPIC246	12	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	The MLP should include a policy that combines the identification of Minerals Safeguarding Areas and Mineral Consultation Areas with encouragement of prior extraction to avoid the sterilisation of minerals by non-minerals development. This should be qualified by NPPF guidance which says prior extraction where practical and environmentally feasible.	See General Statement
MLPIC256	12	Buckinghamshire County Council (Emily Hodgson)	Include 2 separate policies for MSAs and MCAs.	See General Statement
MLPIC273	12	Natural England (Gordon Wyatt)	No preference - Natural England considers that both Safeguarding Areas and a policy on	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			sterilisation are necessary; but has no preference between the third option (combined policy) and the fourth option (two separate policies).	
MLPIC283	12	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	Consultee selected ALL 5 OPTIONS	Selection noted. See General Statement
MLPIC291	12	HCC Ecology (Martin Hicks)	Not sure where Objective 7 fits in	Objective 7 links to many of the topic areas with regards to timely mineral extraction and high quality and progressive restoration to achieve beneficial after use. This objective may be subject to change following the initial consultation.
MLPIC304	12	Bedford Borough Council (Natalie Chillcott)	Include a policy that combines MSA/MCAs with the encouragement of prior extraction	See General Statement
MLPIC325	12	East Herts District Council (Jenny Pierce)	Include 2 separate policies - officers rely on clear policies and thresholds, so two policies, and a process of consulting with the Minerals Team, should clearly set out considerations for the issue of sterilisation.	See General Statement
MLPIC337	12	Welwyn Hatfield Borough Council (Sue Tiley)	The council has no view on whether to split or combine policies regarding Mineral Safeguarding Areas and Mineral Consultation Areas in the MLP as the impact is similar.	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 13 Should the Minerals Local Plan continue to use the formal consultation process introduced in the Mineral Consultation Areas in Hertfordshire Supplementary Planning Document? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes – but amendments are required for the excluded categories <input type="checkbox"/> No – the county council should be consulted on all proposals for non-minerals development in Minerals Consultation area</p>				
MLPIC7	13	Trustees of the Brocket Estate (Stuart Gray)	Yes - with amendments to the excluded categories	Selection noted. No response necessary.
MLPIC26	13	North Hertfordshire & Stevenage Green Party (Karen Harmel)	Yes - The Minerals Local Plan should continue to use the formal consultation process introduced in the Minerals Consultation Areas in Hertfordshire SPD.	Selection noted. No response necessary.
MLPIC39	13	Hertsmere Borough Council (Richard Blackburn)	Yes - Continue to use the consultation process in the MCA SPD	Selection noted. No response necessary.
MLPIC50	13	Wheathampstead Parish Council (Julia Warren)	Yes - The MLP should continue to use the formal consultation procedure	Selection noted. No response necessary.
MLPIC70	13	Three Rivers District Council (Martin Wells)	Yes - should use the formal consultation process in the MCA SPD. Consultation requirements in section 5 of the SPD are relevant and support its continued use. Types	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			of exempt planning applications are also still relevant and continued application of these thresholds would be supported.	
MLPIC79	13	Hampshire County Council (Rob Sellen)	Worth considering to exclude developments which fall outside of the excluded from consultation list e.g. greenfield proposals within MSA which fail to exceed a reasonable threshold eg 3 or 5 ha. This may help to exclude minor developments which yield a small resource economically unviable and unattractive to industry and in line with para 9.11 to protect significant resources.	HCC will consider whether it is appropriate to include criteria for considering developments not within MCAs but with MSA for larger greenfield development over a certain threshold. This will be subject to further consultation.
MLPIC90	13	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes - use formal consultation process for MCAs. Criterion (iv) - consideration needs to be given to long standing allocations in District Plans that may not have fully considered mineral sterilisation in sufficient detail especially where plans pre-date NPPF.	It is expected that sites allocated within more recent district local plans will have been subject to consultation with the Mineral Planning Authority during plan preparation and therefore any mineral sterilisation issues that need taking into account would have been highlighted at an earlier stage to allow for phasing and timing to be considered. However, HCC also continues to have regular Duty to Cooperate discussions and would provide comments to district/borough council where necessary for larger sites coming forward and would continue to seek to be consulted on any subsequent

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				planning application.
MLPIC97	13	Historic England (Kayleigh Wood)	No comments.	No respond necessary.
MLPIC111	13	Ptarmigan C/O Barton Willmore (Claire Brindley)	Yes - should use the formal consultation process in the MCA SPD but amendments required. 'Broad locations for development' and other area designations specified in Local Plans should also be excluded where there is a clear intent that future long term residential development may take place.	The Mineral Planning Authority engages with Local Planning Authorities during local plan preparation to provide comments to district/borough councils for potential sites allocations/broad locations where mineral sterilisation maybe an issue and would need to be fully considered as part of the development approach. This ensures where broad locations with mineral sterilisation issues are identified, consideration for the prior extraction of minerals can be considered at an early stage. Only general comments are provided for broad locations as there is no defined site outline and therefore it is still considered necessary for the MPA to be consulted when specific sites are identified.
MLPIC119	13	Central Bedfordshire Council (Natalie Chillcott)	Yes	Selection noted. No response necessary.
MLPIC154	13	Cemex UK Operations Ltd (Kirsten Hannaford-	Yes - but amendments are required for the excluded categories	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Hill)		
MLPIC171	13	Mineral Products Association (David Payne)	Yes but amendments are required - ii) 'infilling is rather imprecise and not required if (i) applies iv) given that MSAs were not previously delineated, and many District Councils did not consider minerals safeguarding properly, including when allocating sites within their development plans, it is important that prior extraction applies to existing local plan allocations (as in 9.23) and that safeguarding is properly taken into account in all new/emerging local plans. This criterion would need to be re-visited - particularly given the proposal to address 'windfall' sites in the following section.	The terminology may be reviewed as part of the review of the SPD, although it is considered that infilling (a specific built-development term) can occur on land that has not previously been built on so ii) remains valid. See response to MLPIC90 Issue 13.
MLPIC182	13	Tarmac (Mike Pendock)	Yes - (iv) given that MSA's were not previously delineated, and many District Councils did not consider minerals safeguarding properly, including when allocating sites in their development plans it is important that prior extraction applies to existing local plan allocations (as in 9.23) and that safeguarding is properly taken into account in all new/ emerging local plans.	See response to MLPIC90 Issue 13.
MLPIC189	13	Codicote Parish Council (Lorraine Ellis)	Yes	Selection noted. No response necessary.
MLPIC220	13	D K Symes	Yes - continue to use the consultation	Selection noted. No response

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Associates (D K Symes)	process in the MCA SPD. Provided it works effectively. Consultation is only a first stage, if criteria can be used to rule out prior extraction this can be done at consultation stage.	necessary.
MLPIC234	13	North Herts District Council (David Hill)	Continuing to use the existing consultation procedure would seem sensible.	Selection noted. No response necessary.
MLPIC246	13	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	No - the county council should be consulted on all proposals for development in Minerals Consultation Areas.	It is not considered practical or reasonable for the MPA to be consulted on all development as this would include small household extensions which would not have significant mineral sterilisation issues. The purpose of MSA and MCA is to protect known areas of mineral resources from unnecessary sterilisation.
MLPIC256	13	Buckinghamshire County Council (Emily Hodgson)	Yes - use formal consultation procedure	Selection noted. No response necessary.
MLPIC273	13	Natural England (Gordon Wyatt)	Yes	Selection noted. No response necessary.
MLPIC283	13	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	Yes	Selection noted. No response necessary.
MLPIC291	13	HCC Ecology (Martin Hicks)	Not sure where Objective 7 fits in	Objective 7 links to many of the topic areas with regards to timely mineral extraction and high quality and

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				progressive restoration to achieve beneficial after use. This objective may be subject to change following the initial consultation.
MLPIC304	13	Bedford Borough Council (Natalie Chillcott)	Yes	Selection noted. No response necessary.
MLPIC325	13	East Herts District Council (Jenny Pierce)	On the matter of developments that do not require consultation with the Minerals Team, this assumes that the local plan has been prepared in accordance with the Minerals Local Plan and in consultation with the Minerals Team.	The Minerals Local Plan forms part of the development plan and therefore it is anticipated that the district/borough councils are in accordance with the MLP. Engagement is encouraged at the earliest opportunity through the plan preparation and in addition through consultation stages. HCC also continues to have regular Duty to Cooperate discussions and would provide comments to district/borough council during local plan preparation for potential sites allocations where mineral maybe an issue. HCC would also continue to seek to be consulted on any subsequent planning application.
MLPIC337	13	Welwyn Hatfield Borough Council (Sue Tiley)	Yes - agree that the Plan should continue to use the formal consultation procedure	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 14 How should the Minerals Local Plan cover the topic of windfall sites? (Please select one answer)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Incorporate windfall sites into a policy related to mineral extraction applications for sites outside of Specific Site and Preferred Areas <input type="checkbox"/> Include a policy specifically about the use of windfall sites for mineral extraction, promoting a phased approach to development to allow the gradual extraction of minerals in sync with the non-mineral development <p>General Statement:</p> <p>The issue of how to incorporate windfall sites into the Plan received a varied response to the consultation. Generally, the favoured option would be to incorporate windfall sites into a policy related to mineral extraction applications outside of Specific Sites and Preferred Areas.</p> <p>Windfall sites are sites which become available but are not specifically allocated within the plan. It is therefore not possible to plan the timing of when these sites would come forward. It is suggested that windfall sites be dealt with on a site by site basis if and when planning applications come forward and determined against the policies contained within the MLP and on the merits of the application. For that reason, it is proposed to strengthen the wording of Minerals Policy 4: Applications outside Preferred Areas from the adopted Minerals Local Plan, in addition to proposing policies for mineral sterilisation and Mineral Safeguarding Areas and Mineral Consultation Areas. Policies can encourage the progressive restoration and phasing within the sites to ensure that sites are restored at the earliest opportunity, in addition to encouraging the consideration of a phased approach to prior extraction where sites would be used for non-mineral development.</p>				
MLPIC7	14	Trustees of the Brocket Estate (Stuart Gray)	Specific windfall site policy	Selection noted. See General Statement
MLPIC26	14	North Hertfordshire & Stevenage Green	The Minerals Local Plan should incorporate windfall sites into a policy related to mineral	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Party (Karen Harmel)	extraction applications for sites outside of Specific Sites and Preferred Areas. The sites should be considered on a case-by-case basis, according to an agreed protocol and agreed weighting/scoring system.	
MLPIC39	14	Hertsmere Borough Council (Richard Blackburn)	Include policy about use of windfall sites for mineral extraction, provided windfall is related to phasing of planned sites which should have priority.	See General Statement
MLPIC50	14	Wheathampstead Parish Council (Julia Warren)	The MLP should cover windfall sites by including a policy specifically about the use of windfall sites for mineral extraction, promoting a phased approach to development to allow the gradual extraction of minerals in sync with the non-mineral development.	See General Statement
MLPIC70	14	Three Rivers District Council (Martin Wells)	Incorporate windfall sites into a single policy that covers windfall sites and other sites that fall outside of specific sites/preferred areas would be sufficient.	Selection noted. See General Statement
MLPIC90	14	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Incorporate windfall sites into a policy for sites outside of specific sites and preferred areas.	Selection noted. See General Statement
MLPIC97	14	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC119	14	Central Bedfordshire Council (Natalie Chillcott)	Incorporate windfall site into a policy related to mineral extraction applications for sites outside of Specific Sites and Preferred Areas.	Selection noted. See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC134	14	Hertfordshire County Council - Highways (Manjinder Sehmi)	Detailed discussion required at a later date.	No response necessary.
MLPIC149	14	On behalf of Gascoyne Cecil Estate Ltd (Gordon Wood)	<p>A “Windfall” is something unexpected which benefits those receiving it. “Windfall” and “Sterilisation” are not the same thing. Sterilisation may occur for a variety of sometimes commercial reasons on a known site or Preferred Site which then has the effect of reducing supply from sites which have been through the consultation process sometimes throughout the period of several local mineral plans.</p> <p>Policy for Windfall sites on a site specific basis is not possible but it is the view that a distinct policy for “Windfall Sites” is required which allows future such sites to be introduced into the planning system without the confusion of being mixed in with known sites. It is not clear how the county council intends to deal with applications from competing sites where Windfall sites are in competition with known sites.</p>	See General Response Mineral extraction as a windfall site may come forward in order to prevent mineral sterilisation. It is acknowledged that sterilisation may occur for a number of reasons, including non-mineral development and at existing mineral sites where reserves are too small to be worked as a standalone site in the future. It may be appropriate for policy wording to include criteria for dealing with competing sites.
MLPIC154	14	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Incorporate windfall sites into a policy related to mineral extraction applications for sites outside of Specific Sites and Preferred Areas	Selection noted. No response necessary.
MLPIC171	14	Mineral Products Association (David	Include policy specifically about the use of windfall sites for mineral extraction -	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Payne)	Safeguarding and prior extraction policies (Issue 12) will apply. A policy on windfall should be concerning the contribution to supply from prior extraction. There is also a need for a policy related to sites for mineral extraction coming forward that are outside of Specific Sites and Preferred Areas but not 'windfall' sites/supplies.	
MLPIC182	14	Tarmac (Mike Pendock)	Include a policy specifically about the use of windfall sites for mineral extraction - The two policies are not mutually exclusive and consideration should be given to their separate applications. Para 9.24 is of potential concern. The decision of whether to extract the mineral or to sterilise the resource by non-mineral development should be considered in the one policy so that the balance of needs can be weighed and / or overriding need for the development shown.	See General Statement
MLPIC204	14	CPRE Hertfordshire (Steve Baker)	The MLP should incorporate windfall sites into a policy related to mineral extraction applications for sites outside of Specific Sites and Preferred Areas	Selection noted. See General Statement
MLPIC220	14	D K Symes Associates (D K Symes)	Incorporate windfall sites into a policy for sites outside of specific sites and preferred areas. Unclear definition of windfall sites. If prior extraction - cover this by a policy. Caution needed as insisting on prior	See General Statement It is also proposed that it may be appropriate for the MLP to include two policies, one for MSA & MCAs and a second policy for mineral sterilisation

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			extraction may result in non-mineral development not taking place, then nobody wins. Windfall is site where minerals have to be excavated as integral part of the development (reservoirs, marinas, fishing lakes). Should be policy for mineral sites outside of preferred areas.	in which prior extraction would be encouraged on sites for non-mineral development to prevent sterilisation. It is recognised that these policies are related to similar issues. However supporting text can be incorporated to provide clear guidance as to the aim and context of the policy. It is proposed that separate policies are included for reservoirs and borrow pits, however this is still subject to further consultation.
MLPIC246	14	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	Incorporate windfall sites into a policy related to mineral extraction applications for sites outside of Specific Sites and Preferred Areas. Policy needs to be clear as to what constitutes a windfall site (agricultural reservoir etc) and what is meant by extraction prior to development (in mineral safeguarding areas).	See General Statement and response to MLPIC220 Issue 14.
MLPIC256	14	Buckinghamshire County Council (Emily Hodgson)	Include a policy specifically about the use of windfall sites, promoting a phased approach	See General Statement
MLPIC273	14	Natural England (Gordon Wyatt)	No specific preferences	No response necessary.
MLPIC283	14	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	Include a policy specifically about the use of windfall sites for mineral extraction	Selection noted. See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC291	14	HCC Ecology (Martin Hicks)	Not sure where Objective 7 fits in	Objective 7 links to many of the topic areas with regards to timely mineral extraction and high quality and progressive restoration to achieve beneficial after use. This objective may be subject to change following the initial consultation.
MLPIC304	14	Bedford borough Council (Natalie Chillcott)	Incorporate windfall sites into a policy related to mineral extraction applications outside of Specific Sites and Preferred Areas	Selection noted. See General Statement
MLPIC325	14	East Herts District Council (Jenny Pierce)	A policy should be included that requires a phased approach to extraction alongside development in order to ensure mineral resources are worked where possible and not sterilised. Material extracted can be utilised on-site if necessary.	See General Statement The opportunistic extraction of sand and gravel for use of site would need to be considered on a site by site basis.

Table 6: Minerals Safeguarding Areas and Mineral Consultation Areas Site Selection – Issue 15

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 15 Is the proposed selection procedure for Minerals Safeguarding Areas and Minerals Consultation Areas appropriate? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>General Statement:</p> <p>The proposed selection methodology for Minerals Safeguarding Areas and Minerals Consultation Areas, which follows national guidance closely, was considered an appropriate methodology to use. The NPPF (para 143) states that local planning authorities should define Minerals Safeguarding Areas and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be ever worked.</p> <p>The methodology will use British Geological Survey (BGS) digital resource information to outline the extent of Safeguarding Areas for sand and gravel, clay and chalk resources around the county which will be included and consulted on as part of the draft Minerals Local Plan in autumn 2016.</p>				
MLPIC8	15	Trustees of the Brocket Estate (Stuart Gray)	Yes	See General Statement
MLPIC27	15	North Hertfordshire & Stevenage Green Party (Karen Harmel)	Yes - The safeguarding of MSAs is a legal requirement from the NPPF. The methodology is that recommended by BGS. Consultation on MSAs will lead to site-specific decisions, the width of buffer needed and which sites to exclude. It is assumed that	See General Statement. The process of identifying buffer zones around resources for consultation purposes with non-minerals development will be determined in the ongoing work with

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			an EIA will be part of the site analysis, and that this environment assessment will not be rendered meaningless by an inappropriate scoring system. It is important that this site-specific consultation asks the right questions for the environment.	consultants. Specific developments are required to submit an EIA alongside a planning application. Such developments include most minerals workings. Should a non-mineral development be proposed within a safeguarded area, preferred area, area of search or a specific site, the planning application for that development should discuss the potential effects on the mineral resource. HCC would be a statutory consultee in such a situation and would be able to request that the application include a mineral assessment.
MLPIC40	15	Hertsmere Borough Council (Richard Blackburn)	Yes - Appropriate election procedure for MSAs and MCAs	See General Statement
MLPIC51	15	Wheathampstead Parish Council (Julia Warren)	Yes - the proposed selection procedure for MSA and MCA is appropriate.	See General Statement
MLPIC61	15	Bovingdon Brickworks Ltd. (Les Cook)	Yes - the proposed selection procedure for MSA and MCA is appropriate.	See General Statement
MLPIC71	15	Three Rivers District Council (Martin Wells)	Yes - selection procedure for MSA and MCAs is appropriate and robust. Acknowledge the district is predominantly within the sand and gravel belt identified as a MCA in the MCA	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			SPD.	
MLPIC80	15	Hampshire County Council (Rob Sellen)	Questions if existing, planned and potential mineral processing sites e.g. concrete batching plants and aggregate recycling facilities should be safeguarded and included in MCAs due to the role in which secondary aggregates contribute to the supply of minerals. Also refers to chapter 13 - secondary and recycled aggregates.	This is the current intention as identified as a requirement within paragraph 143 of the NPPF to safeguard existing planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products, and the handling, processing and distribution of substitute, recycled and secondary aggregate material. Agree that secondary and recycled aggregates play an important part in contributing to the supply of minerals. Such sites are safeguarded under waste policy 5 of the Waste Core Strategy and Development Management Policies document.
MLPIC81	15	Hampshire County Council (Rob Sellen)	Para 10.7 refers to areas excluded from coverage of MSA. Suggests it may be appropriate to review EA historic landfill data to restrict the MPA being consulted on non-minerals developments unnecessarily and needless further exploratory work of the proposed site.	The use of the Environment Agency historic landfill data (particularly since the mineral resource maps were produced) may be useful to highlight the areas that have previously been worked and therefore would assist with fewer consultations and unnecessary further exploratory work.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC91	15	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes - selection procedure for MSA and MCAs is appropriate. Care needs to be given to determining the viability of a mineral resource.	See General Statement. Viability is an aspect of the site selection process that will be refined.
MLPIC98	15	Historic England (Kayleigh Wood)	No comments.	No response necessary
MLPIC112	15	Ptarmigan C/O Barton Willmore (Claire Brindley)	No - MSA & MCA selection procedure is not appropriate. Strategic value of the site for other development and economic viability of mineral deposits should be material factors to avoid conflict of MSAs with strategic growth. Suggest encouraging a policy of best practice to commercially evaluate the viability for using resources. Surrey, Wiltshire & Swindon's MLP policies emphasise important non-mineral development should not be compromised.	Mineral resources are finite and can only be dug where they are found. There may be a conflict of interest with land being proposed through the District Local Plan process for other development. Plans gain more weight as they progress through the Local Plan process. Designated land and policies within an adopted District Local Plan will be a material consideration as having been through the Local Plan process and considered to be a deliverable development. The county council would wish to see mineral extracted prior to other development on mineral bearing land. Economic viability of extracting minerals will be a consideration that is taken into account. The details of economic viability will be established as part of the site selection process. Where minerals development is not

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				considered likely to occur, a balance is required between minerals development and non-minerals development.
MLPIC120	15	Central Bedfordshire Council (Natalie Chillcott)	Yes - Safeguarding should be included in the Mineral Local Plan, and referenced in District Plans. This would be quicker, more consistent and would reduce the risk of mineral sterilisation.	See General Statement. Agree that sign posting and inclusion of the MSAs and MCAs in District Local Plans would ensure mineral is not sterilised. This is referenced in paragraph 9.7 of the Initial Consultation document.
MLPIC129	15	Cambridgeshire County Council (Ann Barnes)	If there is a policy on MSA in the Herts MLP, there should be no need to have corresponding policies in district Local Plans as the MLP is part of the overarching Development Plan for all developments.	See General Statement. Sign posting and inclusion of the MSAs and MCAs in District Local Plans would ensure mineral is not sterilised.
MLPIC135	15	Hertfordshire County Council - Highways (Manjinder Sehmi)	Yes - The proposed selection procedure is considered appropriate.	See General Statement
MLPIC155	15	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Yes - selection for MSA and MCAs is appropriate. Advise speaking with Leicestershire County Council regarding a recent planning decision on housing in a MSA as this could influence policy formation.	Selection noted. A key issue in regards to this decision is the inclusion of a MSA/MCA policy without a published supporting map. Seek further information regarding the decision on housing in Leicestershire in a MSA.
MLPIC172	15	Mineral Products Association (David Payne)	Yes - The MPA attended the consultation event and commend the County Council on its organisation and the approach taken to	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			preparing the plan.	
MLPIC183	15	Tarmac (Mike Pendock)	Yes	See General Statement
MLPIC205	15	CPRE Hertfordshire (Steve Baker)	The wording implies that MSA's and MCA's will cover the same areas, and would appear to be inconsistent with the approach described in Chapter 9. Only parts of the areas within which minerals exist will need to be categorised as MCA's within which the County Council would need to be consulted when a relevant application is submitted to the district council, and smaller areas within those MCA's protected from future development by MSA designation.	MCAs will be based on MSAs where the District Councils will need to consult the Mineral Planning Authority for any proposals for non-minerals development not included on the excluded development list. Chapter 9 is concerned with the approach to ensuring that mineral sterilisation is prevented. The remaining economically viable resource that needs to be protected from sterilisation needs to be established to then realise the consultation areas around this. Selecting the safeguarding area and potentially having excluded development set out could reduce the need to be consulted by the District Councils.
MLPIC213	15	RSPB (Mark Nowers)	No - The RSPB is of the view that it would be sensible and pragmatic to include a presumption against extraction to international and national statutory protected sites for conservation (SPAs, SACs, Ramsar, SSSIs, NNRs). This would reflect the high	Nationally and internationally designated sites for conservation are afforded protection. Designated sites are afforded the same level of protection regardless of the type of land use or development being

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			level of legal protection these sites have and would be consistent with the NPPF (paras. 14 and 119).The RSPB is of the view that these should be entwined in Item 4 of the MSA Selection procedure.	proposed i.e. mineral or non-mineral development. These sites may not come forward for any type of development. The protection of these sites is a material consideration as part of the determination of planning applications. These could be considered as part of the MSA if areas are excluded from showing potential mineral resource.
MLPIC221	15	D K Symes Associates (D K Symes)	Yes - selection for MSA and MCAs is appropriate.	See General Statement
MLPIC247	15	Savills on behalf of Ware Park Estate Trustees (Martin Ott)	Yes the selection procedure is appropriate. Reference to NPPF guidance on extraction prior to development where practical and environmentally feasible is appropriate here.	See General Statement NPPF states in paragraph 143: ' <i>In preparing Local Plans, local planning authorities should: set out policies to encourage the prior extraction of minerals where practicable and environmentally feasible, if it is necessary for non-mineral development to take place</i> '. This will be dealt with under the policies of the Draft Plan.
MLPIC257	15	Buckinghamshire County Council (Emily Hodgson)	Yes - selection procedure for MSAs and MCAs is appropriate	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC274	15	Natural England (Gordon Wyatt)	Yes	See General Statement
MLPIC284	15	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	Yes	See General Statement
MLPIC291	15	HCC Ecology (Martin Hicks)	Not sure where Objective 7 fits in	Issue 15: Minerals Safeguarding Areas and Minerals Consultation Areas Site Selection included Plan Objective 7. This was with regard to timely mineral extraction. Prior extraction is potentially required should there be the need to extract the mineral prior to other non-mineral development being implemented.
MLPIC305	15	Bedford Borough Council (Natalie Chillcott)	Yes - Safeguarding should be included in the Mineral Local Plan, and referenced in District Plans. This would be quicker, more consistent and would reduce the risk of mineral sterilisation.	See General Statement. Agree that sign posting and inclusion of the MSAs and MCAs in District Local Plans would ensure mineral is not sterilised. This is referenced in paragraph 9.7 of the Initial Consultation document.
MLPIC326	15	East Herts District Council (Jenny Pierce)	Yes - However, it is noted that the MSA and MCA areas will not be defined until the summer of 2016. Therefore it will be necessary to work with local planning authorities to ensure the appropriate policy cover is provided in emerging local plans that	A clear definition of MSAs and MCAs will be included within the MLP. In addition sign posting and inclusion of the MSAs and MCAs in District Local Plans would ensure mineral is not sterilised. The council will continue

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>will be published for pre-submission or examination prior to the adoption of the Minerals Local Plan.</p> <p>It is also recommended that the County Council are clear in their definition of MSAs and MCAs to avoid confusion and the misuse of the policy.</p>	<p>with Duty to Cooperate meetings and other meetings as necessary during plan production.</p>
MLPIC338	15	Welwyn Hatfield Borough Council (Sue Tiley)	<p>MSAs are a new concept and it is important that these areas do not sterilise other development. It is not clear from the supporting document if the definition of these areas would result in the whole of the sand and gravel belt falling within such an area. The methodology set out in the supporting document seems to imply that it would relate to where the known resource is and not include any assessment of constraints. If this area is drawn too extensively it could prevent the ability of LPAs to plan to meet future needs for housing. It is noted that Planning Policy Guidance on minerals does make provision for prior extraction of minerals where practicable if it is necessary for non-mineral development to take place. It is considered that duty to cooperate discussions on the extent of the safeguarded areas should be held prior to the draft plan development.</p>	<p>MSAs are not a new concept but have not previously been identified by the Hertfordshire MLP. The purpose of these areas is to safeguard mineral resource from unnecessary sterilisation, not to prevent other forms of development coming forward. In line with the NPPG the MSA would cover areas of known mineral deposits.</p> <p>Mineral resources are finite and can only be dug where they are found. There may be a conflict of interest with land being proposed through the District Local Plan process for other development.</p> <p>However it is intended that policies are established which encourage prior extraction and sterilisation. In cases where prior extraction is not viable or practicable/feasible prior to other non-mineral development, or partial</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>mineral extraction provided a better opportunity, it would be expected that this is proven within a supporting document such as mineral resource assessment report for the Local Planning Authority and Mineral Planning Authority to consider.</p> <p>The county council would wish to see mineral extracted prior to other development on mineral bearing land. Economic viability of extracting minerals will be a consideration that is taken into account. The details of economic viability will be established as part of the site selection process. Where minerals development is not considered likely to occur, a balance is required between minerals development and non-minerals development.</p> <p>The council would seek views of district and borough councils as well as other stakeholders when identifying MSAs and MCAs and would continue to hold discussion with the districts during plan production.</p>

Table 7: Clay – Issue 16

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 16 How should the Minerals Local Plan encourage and support the extraction of brick clay so that the county can meet the requirement of national policy to have 25 years' worth of permitted reserves? (Please select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Identify Minerals Safeguarding Areas and Minerals Consultation Areas to safeguard clay resources from sterilisation by non-minerals development <input type="checkbox"/> Identify Preferred Areas where the county council would ideally like clay extraction to occur <input type="checkbox"/> Include a policy that provides general support to planning applications that propose to extract brick clay <p>General Statement: The consultation received equal support for the three suggested options to encourage the extraction of brick clay. It is proposed that the MLP will identify MSA and MCAs based on the available BGS information to safeguard clay resources. It is also intended the MLP will include a policy for clay. However, it is not considered suitable to assess the clay resources with a similar site selection methodology to sand and gravel in order to identify preferred areas due to difficulties for land ownership and the availability of data. It is considered that identifying MSA and MCA and including a policy within the plan meets the council's requirements for the provision of clay.</p>				
MLPIC9	16	Trustees of the Brocket Estate (Stuart Gray)	Identify Preferred Areas Include policy to support extraction	See General Statement
MLPIC28	16	North Hertfordshire & Stevenage Green Party (Karen Harmel)	The MLP should identify MSAs and MCAs to safeguard clay resources from sterilisation by non-mineral development. There is only one brick clay works in Hertfordshire which has 11 years'	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			worth of clay, with a potential for 18.7 years (29.7 years in total, from the LAA Report 2014). Not much more is likely to be needed. Designation of MSAs and MCAs is the preferred option as it does less environmental harm, doesn't depend on the questionable "call for sites" and doesn't generate a blanket general support policy that then may have to be overcome.	
MLPIC52	16	Wheathampstead Parish Council (Julia Warren)	The MLP should encourage and support the extraction of brick clay by identifying Minerals Safeguarding Areas and Minerals Consultation areas to safeguard clay resources from sterilisation by non –mineral development AND identify Preferred Areas where the county council would ideally like clay extraction to occur.	See General Statement
MLPIC62	16	Bovingdon Brickworks Ltd. (Les Cook)	The MLP should encourage and support the extraction of brick clay by identifying Preferred Areas where the county council would ideally like clay extraction to occur AND include a policy that provides general support to planning applications that propose to extract brick clay.	See General Statement
MLPIC72	16	Three Rivers District Council (Martin Wells)	Do not have a view about the requirement for clay extraction in the county. The current clay working does not impact on any adjoining settlements in Three Rivers District Council.	No response necessary.
MLPIC99	16	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC121	16	Central Bedfordshire Council (Natalie Chillcott)	Identify MSA/MCAs Identify Preferred Areas Include policy to support extraction	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC156	16	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Identify MSA/MCAs Include policy to support extraction	See General Statement
MLPIC173	16	Mineral Products Association (David Payne)	Identify Preferred Areas - Given the likely limited demand for material and sites, identifying Preferred Areas may be appropriate.	See General Statement
MLPIC206	16	CPRE Hertfordshire (Steve Baker)	The MLP should include a policy that provides general support to planning applications that propose to extract brick clay. Such support should be conditional on the proposal meeting appropriate criteria to ensure that extraction avoids sensitive locations and avoids harm to communities and the environment.	See General Statement
MLPIC222	16	D K Symes Associates (D K Symes)	Include policy that provides support to extract brick clay.	See General Statement
MLPIC258	16	Buckinghamshire County Council (Emily Hodgson)	Identify MSAs and MCAs to safeguard clay resources	See General Statement
MLPIC267	16	Dacorum Borough Council (Francis Whittaker)	Dacorum's comments focus on Chapter 11: Clay due to clay being the principal mineral working in the borough. Notes that the MLP and the Clay Topic Paper state the need to ensure a 25-year supply of brick clay and Bovington brickworks would contribute towards this aim. Support the continued working of clays in this location (subject to environmental controls and restoration measures being in place) and the local jobs the Brickworks provides. With regards to Issue 16, we have no strong views over the suggested options as they affect the rest of the County. It is likely that each has its role to play in ensuring supply is	It is recognised that the main clay resource area which supports the current brickworks in the county falls within the Dacorum Borough. It is proposed that the MLP will identify MSA and MCAs based on the available BGS information to safeguard clay resources from sterilisation by non-minerals development. It is intended that the MCA for clay will follow a similar consultation procedure to MCAs for sand and gravel. The MPA should be consulted on applications within this area to provide

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>secured/maintained dependent on circumstances. Main concern is that any MSAs, MCAs and Preferred Areas defined under Options a and b should be designated sensibly so as not to affect other forms of necessary development in the County coming forward. The districts are having to face the challenge of accommodating significant future growth in housing and associated infrastructure in the County, and this approach should not sterilise opportunities for necessary development. Notes the methodology applied to MSA/MCA for sand and gravel resources in Chapter 10 and we assume a similar general approach would be applied to clay workings. Option c (support for applications to extract clay) seems a reasonable approach given the importance of brick clay, but it is essential that this does not override the need for environmental controls and restoration measures in each case. We are pleased to see this point is highlighted in para. 11.14 of the MLP. Support the principle of identifying a MSA/MCA for the Bovingdon brickworks under Option a. This would seem a prudent approach given its important role. The works fall a reasonable distance from the south western edge of the village so would not immediately interfere with any future development options should we consider this route in looking at future housing growth. Should you seek to identify a MSA/MCA then we would like the opportunity to comment on the boundary(ies) at the appropriate stage.</p>	<p>comment on sterilisation issues, however it is recognised that there is competing pressure for growth and the MSA/MCAs do not create the presumption that all minerals will be worked. The council would seek views of Dacorum Borough Council and other stakeholders when identifying MSAs and MCAs and would continue to hold discussion with the districts during plan production. It is also intended the MLP will include a policy for clay. However applications for brick clay extraction would still be subject to assessment against the other policies contained within the MLP for environmental measures and restoration. It is not considered suitable to assess the clay resources with a similar site selection methodology to sand and gravel in order to identify preferred areas due to difficulties for land ownership and the availability of data.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC275	16	Natural England (Gordon Wyatt)	Identify MSA/MCAs Identify Preferred Areas	See General Statement
MLPIC306	16	Bedford Borough Council (Natalie Chillcott)	Identify MSA/MCAs Identify Preferred Areas Include policy to support extraction	See General Statement
MLPIC327	16	East Herts District Council (Jenny Pierce)	Identify MSA/MCAs Identify Preferred Areas Include policy to support extraction The MLP should safeguard resources to avoid sterilisation, should identify PAs and should have a policy approach which provides general support for applications that do not conflict with other policy provisions of the MLP and local plans.	See General Statement

Table 8: Chalk – Issues 17-18

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 17 Should the Minerals Local Plan support the safeguarding of chalk resources by identifying Minerals Safeguarding Areas and Minerals Consultation areas? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>General Statement: The NPPF (para 146) states that minerals planning authorities should plan for a steady and adequate supply of industrial minerals by providing a stock of permitted reserves of at least 15 years for chalk to maintain existing plants. There are no operational cement works in Hertfordshire and as such there is no obligation to safeguard chalk resources in the Plan. However, though the representations were fairly fragmented, they contained support for the protection of the mineral and it is considered appropriate to protect chalk reserves for future generations by designating Minerals Safeguarding Areas and Minerals Consultation Areas to prevent the unnecessary sterilisation of minerals by non-minerals development. The safeguarded areas would be based on BGS digital resource information and consulted on in the draft Minerals Local Plan in autumn 2016.</p>				
MLPIC10	17	Trustees of the Brocket Estate (Stuart Gray)	Yes	See General Statement
MLPIC29	17	North Hertfordshire & Stevenage Green Party (Karen Harmel)	As chalk is only used agriculturally, HCC is not obliged to maintain a supply in the present day. However, future generations might want to extract more chalk. The industry should be supported by modest	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			safeguarding and reserves should not be needlessly sterilised.	
MLPIC53	17	Wheathampstead Parish Council (Julia Warren)	Yes - 12.9 'on the other hand, to provide further support to the chalk industry, the MLP could include a policy that looks to safeguard the three sites for the continued extraction beyond their current planning permission cessation dates.'	Selection noted. It is considered that the comment submitted related to the safeguarding of existing facilities is more relevant to Issue 18. See General Statement for Issue 18.
MLPIC73	17	Three Rivers District Council (Martin Wells)	Do not have a view on safeguarding chalk resources. Any chalk reserves in Three Rivers District would be in the Chilterns AONB which would not be a viable location for mineral extraction.	Suitable sites will be determined by implementing the 7-step MSA/MCA site selection methodology proposed in Chapter 10 of the consultation document which follows national guidance.
MLPIC100	17	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC122	17	Central Bedfordshire Council (Natalie Chillcott)	No	See General Statement
MLPIC157	17	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	No - should not support the safeguarding of chalk resources with MSA/MCAs	See General Statement
MLPIC174	17	Mineral Products Association (David Payne)	No - Likely to be excessive to apply safeguarding for a widespread resource with limited likely demand for new sites	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC190	17	Codicote Parish Council (Lorraine Ellis)	Yes - It should specify the periods for extraction for each year, particularly relating to chalk in Codicote. There are 3 alternative sites in the County with better infrastructure	See General Statement
MLPIC207	17	CPRE Hertfordshire (Steve Baker)	No	See General Statement
MLPIC223	17	D K Symes Associates (D K Symes)	No - should not support the safeguarding of chalk resources with MSA/MCAs	See General Statement
MLPIC259	17	Buckinghamshire County Council (Emily Hodgson)	Yes - should support safeguarding of chalk with MSAs and MCAs	See General Statement
MLPIC276	17	Natural England (Gordon Wyatt)	Yes	See General Statement
MLPIC307	17	Bedford Borough Council (Natalie Chillcott)	No	See General Statement

Issue 18

How should the Minerals Local Plan support the extraction of chalk resources?

(Please select one answer)

- It shouldn't – current extraction levels are appropriate for the use of chalk in the county
- It should include policy to support the safeguarding of active extraction sites
- It should keep the existing non-energy mineral policy which would only grant permission to chalk extraction if the need for minerals cannot be met by existing reserves
- It should include policy to encourage new, small-scale extraction operations.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>General Statement:</p> <p>There was a consensus in the representations that support should be included for the extraction of chalk in the draft Minerals Local Plan, and that the existing policy should be reviewed to ensure there is sufficient detail to determine such applications. Although there was a mixed response regarding the method to do support extraction, it may be appropriate to promote continuing levels of extraction by including a chalk policy that safeguards the existing extraction operations and looks to provide flexibility by supporting new extraction operations where it can be shown that demand cannot be met by the current supply, and that the need can be clearly demonstrated to outweigh all adverse effects of the proposals.</p>				
MLPIC10	18	Trustees of the Brocket Estate (Stuart Gray)	Keep the existing non-energy mineral policy	See General Statement
MLPIC29	18	North Hertfordshire & Stevenage Green Party (Karen Harmel)	The MLP should include policy to support the safeguarding of active extraction sites. There is no national policy requirement to maintain a landbank. Safeguarding active sites (of which there are 3 in Hertfordshire) is preferred as it retains flexibility and discretion via the planning application process should any site want to expand - therefore supporting the industry.	See General Statement
MLPIC53	18	Wheathampstead Parish Council (Julia Warren)	The MLP shouldn't support the extraction of chalk. Current extraction levels are appropriate for the use of chalk in the county. It is not reasonable to extend planning permission beyond cessation dates. It is at odds with policy objectives to restore sites for amenity and wildlife. It creates long term harm for communities and Green Belt.	See General Statement. An extension to an existing planning permission would be determined through the submission of a planning application.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC73	18	Three Rivers District Council (Martin Wells)	Do not have a view about the requirement for chalk extraction. There is no requirement in the NPPF to maintain a permitted landbank for this as the county does not have a cement works to maintain. Any chalk reserves in Three Rivers District would be in the Chilterns AONB which would not be a viable location for mineral extraction.	See General Statement. Should there be a demonstrated need for additional chalk extraction sites, the suitability of sites will be assessed against the Development Management policies which would cover AONB.
MLPIC100	18	Historic England (Kayleigh Wood)	No comments.	Noted.
MLPIC122	18	Central Bedfordshire Council (Natalie Chillcott)	Consultee selected two options: The MLP should include policy to support the safeguarding of active extraction sites. Keep the existing non-energy mineral policy which would only grant permission to chalk extraction if the need for minerals cannot be met by existing reserves	See General Statement
MLPIC157	18	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Should include policy to support the safeguarding of active extraction sites	See General Statement
MLPIC174	18	Mineral Products Association (David Payne)	It should include policy to support the safeguarding of existing sites	See General Statement
MLPIC190	18	Codicote Parish Council (Lorraine Ellis)	If should include policy to support the safeguarding of active extraction sites.	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC207	18	CPRE Hertfordshire (Steve Baker)	Keep the existing non-energy mineral policy which would only grant permission to chalk extraction if the need for minerals cannot be met by existing reserves	See General Statement
MLPIC223	18	D K Symes Associates (D K Symes)	Only grant permission to extract chalk if need cannot be met by existing reserves	See General Statement
MLPIC259	18	Buckinghamshire County Council (Emily Hodgson)	Keep the existing non-energy mineral policy, only grant permission if the need for minerals cannot be met by existing reserves	See General Statement
MLPIC276	18	Natural England (Gordon Wyatt)	Keep the existing non-energy mineral policy	See General Statement
MLPIC307	18	Bedford Borough Council (Natalie Chillcott)	Consultee selected multiple options: Include Policy to support the safeguarding of existing sites. Keep the existing non-energy policy.	See General Statement
MLPIC328	18	East Herts District Council (Jenny Pierce)	Chalk is an important mineral for the agricultural industry. As a large proportion of East Herts is farmed, it is important that the viability of the industry is protected. East Herts Council supports an approach which ensures long term supplies of this mineral are maintained. However, this should not come at a cost to the environment. Hertfordshire has some of the rarest chalkstream environments in the world and it is important that any future extraction (of chalk and other minerals) does not harm these environments.	See General Statement Should there be a demonstrated need for additional chalk extraction sites, applications will be determined against Development Management policies which would seek to minimise impacts and improve the natural, built and historic environment.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC339	18	Welwyn Hatfield Borough Council (Sue Tiley)	WHBC considers that it would be excessive to safeguard large areas for chalk extraction given the low levels of extraction that currently take place and should restrict chalk extraction to situations where it cannot be met by existing reserves.	See General Statement

Table 9: Secondary and Recycled Aggregate – Issues 19-20

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 19 How should the Minerals Local Plan support the production of secondary and recycled aggregate for use as an alternative to primary, land-won minerals? (Please select one answer)</p> <ul style="list-style-type: none"> <input type="checkbox"/> It should not provide any support <input type="checkbox"/> Maintain the same stance as the existing Minerals Local Plan and provide support to the installation of secondary and recycled aggregate processing facilities in appropriate locations <input type="checkbox"/> Encourage the provision of secondary and recycled aggregates but refer applicants to the Waste Local Plan for further information and guiding policy <input type="checkbox"/> Strengthen policy and text to compliment the Waste Local Plan by encouraging the installation of secondary and recycled aggregate facilities to produce alternative materials <input type="checkbox"/> Identify sites that may currently be being used to produce secondary and recycled aggregates as well as strengthening policy and text to encourage the installation of secondary and recycled aggregate facilities <p>General Statement:</p> <p>Overall the responses to the consultation gave an overwhelming backing for the Plan to continue to support the production of secondary and recycled aggregates for use as an alternative to primary, land-won minerals, although there was a varied response to how this should be put forward within the Minerals Local Plan.</p> <p>Existing sites for waste management facilities, sites with planning permission and sites on which planning permission is subsequently granted for waste management will be safeguarded under Policy 5 of the Waste Local Plan. It is proposed to strengthen the current policy wording and supporting text of the adopted Minerals Local Plan for secondary and recycled aggregate. This would provide clear reference as to the overlap with the Waste Local Plan and highlight the importance of encouraging the use of secondary and recycled aggregates to reduce the reliance on land won material.</p>				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Any planning application for secondary and recycled aggregates would be determined against the policies contained within the Minerals Local Plan and Waste Local Plan and on the merits of the application.</p> <p>In regards to whether the Minerals Local Plan identifies sites for secondary and recycled aggregates, it is proposed further work will be undertaken to determine any requirements and the way forward for the draft Local Plan as there are overlaps with the Waste Local Plan.</p>				
MLPIC11	19	Trustees of the Brocket Estate (Stuart Gray)	Identify existing sites	See General Statement
MLPIC30	19	North Hertfordshire & Stevenage Green Party (Karen Harmel)	The MLP should identify sites that may currently be being used to produce secondary and recycled aggregates as well as strengthening policy and text. Minerals are a finite resource and it is important to secure their long-term conservation. The WLP aims to CD&E waste sent to landfill and this is an identified area of overlap between WLP and MLP, and a chance to increase coherence between the two plans. At present there are 9 sites in Hertfordshire with planning permission to recycle CD&E waste. Recycling reduces dependence on the primary material, and reduces landfill. The MLP should help enable supply of secondary and recycled aggregate in the strongest possible way, with the proviso that scrutiny of planning applications is not compromised, and objections are not downgraded. The principle	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			of recycling is endorsed in Green Party policy.	
MLPIC41	19	Hertsmere Borough Council (Richard Blackburn)	Keep the existing policy and provide support to installation of secondary and recycled aggregate facilities in appropriate locations.	See General Statement
MLPIC54	19	Wheathampstead Parish Council (Julia Warren)	HCC should seek specific locations where secondary aggregate can be recycled so that it does not result in the significant harm identified in para 13.10. This is a critical issue for communities located close to existing extraction sites and the benefits of processing secondary and recycled aggregate must be balanced against the harm caused. Any application must be judged against existing county and district development plan policies and ensure for public consultation.	See General Statement
MLPIC74	19	Three Rivers District Council (Martin Wells)	Strengthen policy and text to compliment the WLP by encouraging the installation of secondary and recycled aggregate facilities to produce alternative materials - Whilst none of the 9 sites in the LAA fall within Three Rivers district, they support the provision and production of these aggregates. Proposals for new facilities should take account of neighbouring land uses and not adversely affect them. Enforceable conditions should be used.	See General Statement
MLPIC101	19	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC105	19	SLR Consulting Ltd	Strengthen policy and text to compliment the	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		on behalf of Brett Aggregates Ltd (Chris Lowden)	WLP by encouraging the installation of secondary and recycled aggregate facilities to produce alternative materials.	
MLPIC113	19	Ptarmigan C/O Barton Willmore (Claire Brindley)	Maintain same stance as existing MLP to support installation of secondary and recycled aggregates processing facilities. Should support in preference to extraction of primary materials and provide suitable locations which do not impact on residential amenity.	See General Statement
MLPIC123	19	Central Bedfordshire Council (Natalie Chillcott)	Maintain same stance as existing MLP to support installation of secondary and recycled aggregates processing facilities in appropriate locations	See General Statement
MLPIC143	19	Stevenage Borough Council (Richard Javes)	The Borough Council strongly supports the MLP being proactive in its promotion of secondary and recycled aggregates. Measures that support sustainable construction are to be welcomed. It may be desirable to 'push at the envelope' in terms of what has traditionally been considered acceptable in policy terms to ensure that secondary and recycled aggregates are promoted to the fullest extent.	See General Statement
MLPIC175	19	Mineral Products Association (David Payne)	Strengthen policy and text to compliment the Waste Local Plan - the Plan should provide strong support for provision of secondary and recycled aggregate so as to be in the spirit of the NPPF, and as far as practicable taking account of the contribution that secondary	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			and recycled materials would make to supply.	
MLPIC191	19	Codicote Parish Council (Lorraine Ellis)	It should not provide any support - only if the road is suitable. Strict controls on materials and vehicle movements.	See General Statement
MLPIC196	19	Tarmac (Mike Pendock)	Strengthen policy and text to compliment the Waste Local Plan - the Plan should provide strong support for provision of secondary and recycled aggregate so as to be in the spirit of the NPPF, and as far as practicable taking account of the contribution that secondary and recycled materials would make to supply	See General Statement
MLPIC208	19	CPRE Hertfordshire (Steve Baker)	Option 1 conflicts with the NPPF which requires support for secondary aggregate production and use of recycled aggregate. Support should be through the MLP, not the WLP, but complement policies to encourage Recycling of waste materials in the Waste Local Plan. The call for sites should include inviting potential sites for secondary and recycled aggregate production, for 'sieving' as for primary minerals sites.	See General Statement The WLP includes policies for waste prevention and reduction and encourages recycling through the implementation of the waste hierarchy. It is proposed to undertake further work to establish the best approach to secondary and recycled aggregate. The purpose of the call for sites is to implement the site selection methodology to identify specific sites, preferred areas and/or areas of search for primary land won material, i.e. sand and gravel.
MLPIC224	19	D K Symes	Encourage provision of secondary and	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Associates (D K Symes)	recycled aggregates but refer applicants to WLP for information and guiding policy	
MLPIC235	19	North Herts District Council (David Hill)	Use of secondary and recycled aggregates should be encouraged in line with the Waste Local Plan.	See General Statement
MLPIC249	19	Veolia Environmental Services (Nick Hollands)	Veolia supports recognition of the contribution that secondary aggregates make to the supply chain and to the safeguarding of primary reserves, indeed Veolia is highly active in this sector and foresee ongoing evolution in terms of site requirements, processes and distribution networks that will by necessity also require a flexible and supportive approach through the Local Plan's provisions, objectives and policies.	The MLP will encourage the use of secondary and recycled aggregates to reduce the reliance on land won minerals.
MLPIC260	19	Buckinghamshire County Council (Emily Hodgson)	Identify sites being used to produce recycled aggregates and strengthen policy and text. Secondary aggregates are materials not normally used as aggregates but by-products of industrial process, such as Incinerator Bottom Ash, Pulverised Fuel Ash, and Colliery Spoil.	See General Statement
MLPIC277	19	Natural England (Gordon Wyatt)	Identify Sites that may currently being used to produce secondary and recycled aggregates	See General Statement
MLPIC285	19	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	Identify Sites that may currently being used to produce secondary and recycled aggregates	See General Statement
MLPIC308	19	Bedford Borough	Maintain same stance as existing MLP,	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Council (Natalie Chillcott)	provide support to the installation of secondary and recycled aggregate processing facilities in appropriate locations	
MLPIC329	19	East Herts District Council (Jenny Pierce)	<p>Links between the MLP and WLP need to be explained in both documents and effort should be made to ensure secondary and recycled aggregate is worked in an efficient way, in appropriate locations. The WLP does not currently provide enough certainty as to the type of operation that would be appropriate on any of its allocated sites - if this was made clearer, it could prevent unneighbourly development occurring in inappropriate locations.</p> <p>The MLP could produce a set of criteria to guide sites for re-processing aggregate in the future, such as sites that are not in close proximity to existing and future residential or sensitive uses. Mapping these would be a useful exercise to inform future applications of similar operations. If identifying current sites, only those with a permanent approved operation should be listed.</p>	<p>See General Statement</p> <p>Reference will be made to the adopted Waste Local Plan within the MLP. Both documents form part of the development plan and should be considered alongside the district/borough Local Plan.</p> <p>In regards to changes to the adopted WLP, this cannot be carried out until such time as the plan is reviewed.</p> <p>Adopted policies 7 and 8 of the MLP provide criteria for assessing planning applications for recycled and secondary aggregate sites.</p>
MLPIC340	19	Welwyn Hatfield Borough Council (Sue Tiley)	WHBC supports the principle of the production of secondary and recycled aggregates and would welcome discussion on the implications of the different options for the borough.	The MLP will encourage the use of secondary and recycled aggregates to reduce the reliance on land won minerals. HCC will continue to hold regular Duty to Co-operate discussions with district/borough

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				councils.
<p>Issue 20 Should the Minerals Local Plan encourage the installation of secondary and recycled aggregate facilities on existing minerals sites rather than at new sites? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>General Statement:</p> <p>A mixed response was received to this issue as part of the consultation. Adopted policies 7 and 8 of the MLP provide criteria for assessing planning applications for recycled and secondary aggregate sites located both on mineral sites and in other appropriate locations. Mineral Policy 8, in particular, includes criteria for ensuring proposals do not prejudice the long-term beneficial restoration of a mineral site and that facilities are located appropriately. It is therefore proposed that, whilst the detailed wording from the policies will be reviewed at a later stage in plan production, the general aim of the policy will remain and the policy wording will be strengthened to continue to cover both scenarios. Any planning application for secondary and recycled aggregates or extensions to existing sites will be determined against the policies contained within the MLP & WLP and on the merits of the application if and when a planning application were to come forward.</p>				
MLPIC11	20	Trustees of the Brocket Estate (Stuart Gray)	Selected "Yes" - no explanation	Selection noted. No response necessary.
MLPIC30	20	North Hertfordshire & Stevenage Green Party (Karen Harmel)	Yes - but with a proviso that planning applications for expansion are still scrutinised and rejected if the environmental cost is unacceptable. Green Party policy states that it is desirable to structure industry so that there is end-to-end care for secondary and	See General Statement The MLP will encourage the use of secondary and recycled aggregates to reduce the reliance on land won minerals.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			raw materials. Recycling facilities at primary extraction sites obey this principle. Also, only one site is used instead of two. Extensions to the site should only take place after the normal planning assessment and careful consideration covering the need for the material, environment impact including increased use of transport and cumulative impact.	
MLPIC41	20	Hertsmere Borough Council (Richard Blackburn)	Secondary and recycled facilities on existing mineral sites is a question of suitability of location, length of time and approach to restoration	See General Statement
MLPIC54	20	Wheathampstead Parish Council (Julia Warren)	The MLP should not encourage installation of secondary and recycled aggregates facilities on existing minerals sites rather than new sites for the reasons provided for Issue 19.	See General Statement
MLPIC74	20	Three Rivers District Council (Martin Wells)	Yes - support the installation of secondary and recycled aggregate facilities on existing mineral sites due to potential for less impact upon immediate surrounding land uses. Facilities should be time limited to that of a quarry working. Support this approach in existing minerals policy 8.	See General Statement
MLPIC101	20	Historic England (Kayleigh Wood)	No comments.	No response necessary.
MLPIC105	20	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris	No - should not encourage installation of secondary and recycled aggregate facilities on existing mineral sites rather than new	Selection noted. See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
		Lowden)	sites.	
MLPIC123	20	Central Bedfordshire Council (Natalie Chillcott)	It may be appropriate for temporary secondary/recycled aggregate facilities to be sited on existing mineral sites, but it may be more appropriate for new, permanent, secondary and recycled aggregate facilities to be located on other sites, (rather than on an existing mineral site which could jeopardise the long term restoration of the mineral sites).	See General Statement
MLPIC175	20	Mineral Products Association (David Payne)	No - It should be flexible in order to allow appropriate facilities on standalone sites as well as on or co-located with existing minerals and waste sites.	See General Statement
MLPIC191	20	Codicote Parish Council (Lorraine Ellis)	No - The road structure needs to be appropriate. 'Greenbelt'. Codicote chalk quarry is not a suitable location near village houses. Infrastructure, noise and dust cannot take it. Other sites are more appropriate near good infrastructure, rail and motorways.	See General Statement
MLPIC196	20	Tarmac (Mike Pendock)	Yes - Co-location of such operations at mineral sites has many advantages and is preferable particularly where these sites also are inert landfills. The policy should be flexible enough to allow standalone operations where the environmental criteria in respect of noise, dust and traffic can be met. Such a consideration needs to include potential for conflict with any committed/allocated residential land.	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC208	20	CPRE Hertfordshire (Steve Baker)	No - could be on both existing and new sites, but limited in duration to the period of mineral extraction from a minerals site, and in the case of existing sites, subject to them having existing on-site mineral processing plant, and in all cases, meeting criteria to prevent and mitigate harm to sensitive land uses and the environment.	See General Statement
MLPIC224	20	D K Symes Associates (D K Symes)	Yes - encourage secondary and recycled aggregate facilities on existing mineral sites	Selection noted. No response necessary.
MLPIC260	20	Buckinghamshire County Council (Emily Hodgson)	Merit in encouraging recycled aggregates production facilities at both existing mineral sites and new sites.	See General Statement
MLPIC277	20	Natural England (Gordon Wyatt)	Yes	Selection noted. No response necessary.
MLPIC285	20	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	No - Secondary and recycled aggregate facilities should be encouraged at any site proposed which can meet the environmental impact requirements, whether this is a new or existing site	See General Statement
MLPIC308	20	Bedford Borough Council (Natalie Chillcott)	It may be appropriate for temporary secondary/recycled aggregate facilities to be sited on existing mineral sites, but it may be more appropriate for new, permanent, secondary and recycled aggregate facilities to be located on other sites, (rather than on an existing mineral site which could jeopardise the long term restoration of the mineral sites).	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC329	20	East Herts District Council (Jenny Pierce)	The sharing of sites is preferable however where this is not possible, a case-by-case approach could be guided by some high-level principles set out in the MLP	See General Statement

Table 10: Policies used to Determine Applications – Issues 21-23

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 21 Does the list of strategic policy headings cover all the topics that should be included in the Minerals Local Plan? (Please select one answer)</p> <p> <input type="checkbox"/> Yes <input type="checkbox"/> The list is too extensive and could be streamlined <input type="checkbox"/> The list missed certain topics relevant to Hertfordshire. </p> <p>General Statement:</p> <p>There was a general consensus that the list of strategic policy headings contained the necessary topics related to minerals planning. It was not always clear to consultees where a particular topic would be included within policy so the policy headings will be reviewed to ensure clarity in the draft Minerals Local Plan.</p> <p>There was some confusion regarding the difference between Strategic Policies and Development Management policies. This may have been due to the two lists being separated in the Initial Consultation document. A decision will be made regarding whether or not to keep Strategic and Development Management policies separate in the draft Plan. This decision will be based on the layout and clarity of the document together with policy considerations.</p> <p>Specific policy wording will be included and consulted on as part of the draft Minerals Local Plan in autumn 2016.</p>				
MLPIC12	21	Trustees of the Brocket Estate (Stuart Gray)	Yes	See General Statement
MLPIC17	21	Herts and Middx Wildlife Trust (Matt Dodds)	Yes	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC31	21	North Hertfordshire & Stevenage Green Party (Karen Harmel)	<p>The list of strategic policy headings missed certain topics relevant to Hertfordshire - The Vision and Objectives are incomplete, so the Policy list is also incomplete. Climate change is the only environmental factor to have its own heading. Other environmental concerns (including Greenbelt, natural environment, heritage environment, human health, outdoor recreation, improved biodiversity, improved land and water management) are not mentioned in these policy headings. Unless the factors stand alone, they risk forming only a small percentage of the overall environmental impact of any planning application assessment. Objective 6 (climate change) wording is weak and obscure. The wording needs to be more specific e.g. use of fossil fuels in transport which produce greenhouse gases, and how this will be reduced. Hertfordshire and Central England show a long-term warming trend with lower than average rainfall, which may exacerbate any water stress. The second half of Objective 6 may or may not refer to flooding. The importance of safeguarding against flooding, or helping with flooding, is not specifically mentioned.</p>	<p>The strategic policy headings were included to set out the aims and major issues which would form part of the Plan. The environmental topics mentioned in the representation are a major focus of the Plan, and are currently included in the draft list of Development Management policies.</p> <p>National guidance states that plans should contain a limited suite of essential policies that prevent repetition of national policy. It is anticipated that the environmental-based policies will be criteria-based policies covering a number of issues. Policies will be drafted with significant input from the Development Management staff to give them sufficient detail when determining planning applications.</p> <p>Comment regarding Objective 6 is noted. The objectives will be reviewed with regards to incorporating flooding.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC42	21	Hertsmere Borough Council (Richard Blackburn)	Yes - Policy headings covers all topics provided it is handled succinctly.	See General Statement
MLPIC55	21	Wheathampstead Parish Council (Julia Warren)	It should include a policy on restoration and mitigation identifying timescales for restoration and the expectations of mineral companies to achieve high quality and timely restoration. Greater weight should be given to the identification of significant harm caused by mineral extraction and processing, particularly in relation to population, housing development, wildlife and amenity.	<p>The issue of restoration is a key element of the Plan and is included in the draft list of Development Management policies.</p> <p>Mitigating harm caused by mineral extraction and processing will form a key part of the Plan. Development Management policies will seek to ensure that the impact on the immediate and surrounding area is taken into account and will be assessed on a site-by-site basis.</p>
MLPIC75	21	Three Rivers District Council (Martin Wells)	List of strategic policy headings is too extensive and could be streamlined - Support the areas the policies cover. Policy 1 and 3 could be combined as they share objectives 1, 2, 3 & 8.	Whilst the theme of sustainability is common to both Policy 1 and 3, the intention is that the two policies will have different aims. Policy 1 will aim to ensure that any proposed development will improve on the three principles of sustainable development promoted in paragraph 7 of the NPPF (economic, social and environmental), whereas Policy 3 will aim to ensure that Hertfordshire's mineral reserves are used in a sustainable manner.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>This will include taking account of: the need for mineral extraction using the findings of the annual Local Aggregate Assessment; the status of the Hertfordshire landbank; timescales of extraction; and the use of secondary and recycled aggregate instead of finite mineral reserves. Therefore it is proposed to include the two separate policies in the draft Plan.</p>
MLPIC102	21	Historic England (Kayleigh Wood)	<p>The list missed certain topics relevant to Hertfordshire - Whilst it is appreciated that the Historic Environment could fall under a number of the topic headings it is considered that there should be a policy for the Historic Environment in its own right, to ensure the topic is given early and adequate consideration in mineral proposals, in accordance with the NPPF. Paragraph 156 of the NPPF highlights the need to include strategic policies that cover the Historic Environment and paragraph 126 expresses the need for a positive strategy towards the Historic Environment.</p>	<p>The draft Plan will be developed in general conformity with the NPPF and will ensure that the Historic Environment is given adequate consideration. It is proposed to group historic environment within a Development Management policy along with heritage, setting and archaeology. This is considered sensible to prevent the list of policies being unnecessarily long.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC106	21	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes - list of strategic policy headings cover all topics.	See General Statement
MLPIC108	21	Aylesbury Vale District Council (David Broadley)	Strategic policies: unclear how they relate to strategic policy matters in NPPF para 156, especially landscape and heritage.	<p>From the list of priorities mentioned in the NPPF (para 156), it is considered that the combined list of strategic and Development Management policies relates to the provision of minerals, climate change mitigation, natural and environmental environment and landscape. The other priorities fall outside of the scope of the MLP.</p> <p>Whilst landscape and heritage are listed as strategic priorities in NPPF para 156, they are considered Development Management issues in the MLP and as such, were included in the list of DM policies.</p>
MLPIC108	21	Aylesbury Vale District Council (David Broadley)	Neighbourhood Plans: designations within these may override policies in MLP where they cover the same topic e.g. landscape, heritage and development in countryside. Neighbourhood Plans can also be located in adjacent council areas.	Neighbourhood plans should not include minerals policy as this is the sole responsibility of the Mineral Planning Authority. The potential overlap of topics such as landscape and heritage should not be in direct conflict with the Plan as neighbourhood plans should support

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				the strategic development needs set out in Local Plans (NPPF para 016) rather than replace it.
MLPIC124	21	Central Bedfordshire Council (Natalie Chillcott)	Yes	See General Statement
MLPIC136	21	Hertfordshire County Council - Highways (Manjinder Sehmi)	<p>As mentioned above for objectives 4 and 5, the Highway Authority is fully supportive of sustainable transportation, although road haulage is likely to remain the predominant mode of transport for minerals and waste for the foreseeable future.</p> <p>For Minerals development that generate significant amount of movement, 'Transport Assessments' would be required in support of planning applications. It should provide information on the consideration given to the sustainable transport of minerals including impacts on highway safety and congestion. In addition, Both Site and Construction Management Plan would be required to set out developers' mechanisms to control traffic movements within the locality and the issues such as lorry routing, hours of movement and considerate driving. This will help minimise the environmental impacts of transporting minerals.</p>	Transport Assessments will be a requirement of the Development Management policies for developments that generate a significant amount of movement. A decision will be taken on a site-by-site basis as to what the transport assessment should contain and what other plans might be required in addition.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC158	21	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Yes - strategic policy headings cover all topics	See General Statement
MLPIC176	21	Mineral Products Association (David Payne)	Yes - There may be some duplication eg. Policies 8 and 9 both address Safeguarding and Sterilisation	The overriding response to Issue 12 was to include two separate policies on this subject, one to identify the extent of MSA and MCAs and the thresholds for consultation with the County Council, and one policy to encourage the prior extraction of minerals as part of non-minerals developments.
MLPIC184	21	Tarmac (Mike Pendock)	Yes - If not already covered, Policy 8 should include other added value and ancillary facilities to mineral extraction	Secondary and recycled aggregate plants at mineral sites are granted separate planning permissions under the Development Plan taking account of both the Minerals Local Plan and the Waste Local Plan and, once approved, are safeguarded under Policy 5: Safeguarding of Sites in the Waste Core Strategy and Development Management Policies document (adopted Nov 2012). Additionally, in compliance with NPPF para 143, the MLP will safeguard any existing, planned and potential concrete batching plants, the manufacture of coated materials,

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				<p>other concrete products, and the handling, processing and distribution of substitute, recycled and secondary aggregate material.</p>
MLPIC192	21	Codicote Parish Council (Lorraine Ellis)	<p>The list missed certain topics - Hertfordshire's roads are full. More focus is needed on sustainable transport.</p>	<p>Whilst the Plan aims to promote sustainable transport, it is accepted that the predominant method for the transportation of minerals will be by road. Opportunities to use alternative, non-road methods of transportation are paradoxically limited by the intention to use minerals close to their source, to reduce transportation distances, as rail or water transportation is economically and logistically unfeasible for short distances.</p> <p>The site selection methodology will incorporate the use of sustainable transportation by identifying sites for extraction that have good transportation links. Additionally, the Development Management policies will safeguard the existing sustainable transportation infrastructure to enable the use of rail and water transportation should the opportunity arise now or in the future.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC209	21	CPRE Hertfordshire (Steve Baker)	The list missed certain topics relevant to Hertfordshire. Environmental Criteria should be a separate 'topic' – not part of 'local amenities'. Meeting HCC's 'Corporate' Vision and Objectives is not an appropriate Minerals Planning criterion.	It is considered that environmental criteria will be covered by a variety of policies and that there is no need for an additional policy specifically for "Environmental Criteria". The titles of all the policies will be reviewed before publication of the draft Plan to ensure clarity.
MLPIC214	21	RSPB (Mark Nowers)	Yes	See General Statement
MLPIC225	21	D K Symes Associates (D K Symes)	Yes - strategic policy headings cover all topics	See General Statement
MLPIC250	21	Veolia Environmental Services (Nick Hollands)	Veolia supports the general principle of safeguarding sites and infrastructure, including railheads and wharves. However, in order to provide flexibility, for operators and developers to adapt to changing economics and circumstances, Veolia consider that policies should not be prescriptive and should ensure that criteria are included that enable the merits of site release to be assessed as exceptions to safeguarding objectives and policies. Such provisions are already included for example within the adopted Minerals Local Plan (eg Policy 10 dealing with the safeguarding of Railheads and Wharves). Veolia would not support any tightening of policy beyond that currently adopted.	Minerals Policy 10 in the existing Minerals Local Plan safeguards the existing railhead and wharves unless they can be satisfactorily relocated, the use of the site is no longer viable, or if replacement facilities are developed in appropriate locations. It is proposed to maintain similar policy wording in the draft Plan.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC261	21	Buckinghamshire County Council (Emily Hodgson)	Yes - strategic policy headings cover all topics	See General Statement
MLPIC278	21	Natural England (Gordon Wyatt)	Yes	See General Statement
MLPIC286	21	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	The list is too extensive and could be streamlined - Significant effort would be required to address and assess all the topics identified at this strategic level - this would be uneconomic for the operator and the council. Many of the topics could be left to the application stage when there is a greater degree of certainty that the proposal might come to fruition. A shorter list would be more efficient.	The list of strategic policies is considered a necessary review of the high-level principle of a development which developers would have to review prior to an application being submitted. It is unlikely that any application would be submitted without considering the relevant strategic issues from this list.
MLPIC309	21	Bedford Borough Council (Natalie Chillcott)	Yes	See General Statement
MLPIC317	21	Environment Agency (Kai Mitchell)	Yes - We believe that the list of strategic policy headings covers all the relevant topics for the minerals local plan	See General Statement
MLPIC341	21	Welwyn Hatfield Borough Council (Sue Tiley)	WHBC considers that there should be a strategic policy which sets out the requirements for different types of mineral, including sand and gravel, in the county and what the strategy is for delivering that. It is not clear from the list whether this will be covered.	The requirements for the quantities of different minerals will be set out in Policy and supporting text.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 22 Does the list of development management policy headings cover all the topics that should be included in the Minerals Local Plan? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> The list is too extensive and could be streamlined <input type="checkbox"/> The list missed certain topics relevant to Hertfordshire.</p> <p>General Statement: There was a general consensus from representations to the consultation and from Development Management input that the list of Development Management policy headings contained the necessary topics related to minerals planning. It was not always clear to consultees where a particular topic would be included within policy so the policy headings will be reviewed to ensure clarity in the draft Minerals Local Plan.</p> <p>A decision will be made regarding whether or not to keep Development Management policies separate from Strategic policies in the draft Plan. This decision will be based on the layout and clarity of the document together with policy considerations.</p> <p>Specific policy wording will be included and consulted on as part of the draft Minerals Local Plan in autumn 2016.</p>				
MLPIC12	22	Trustees of the Brocket Estate (Stuart Gray)	Yes	See General Statement

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC17	22	Herts and Middx Wildlife Trust (Matt Dodds)	Yes - However, net impacts must be quantified in an objective way to a nationally accepted standard. The Biodiversity Impact Assessment Calculator is the most appropriate mechanism of achieving this (see MLPIC15 - issue 4). It should be explicitly referred to in the text.	It is considered a mechanism that is a nationally accepted standard would be beneficial to objectively measure impacts of biodiversity and support the aspiration to provide net gains where possible. This could be included in the supporting text within the draft Plan.
MLPIC20	22	Individual (Ian Hardy)	The list missed certain topics - No explicit mention of rights of way contained within the document paragraphs (14.12-14.15, or 14.16-14.17). There is only one reference made to rights of way within the document and this is for Policy heading 24 in Table 6. "Rights of way" are not mentioned as a topic or an issue. The consultee is keen to see this policy developed.	It is intended that criteria will be included within the Development Management policies referring to Rights of Way to encourage improved and enhanced access into the countryside. The text within the Initial Consultation was included merely as an introduction to some of the requirements of the Plan.
MLPIC31	22	North Hertfordshire & Stevenage Green Party (Karen Harmel)	The list of development management policy headings missed certain topics relevant to Hertfordshire - The list highlights the inadequacy of the Objectives. 9 headline topics from the LUC SA 2015 Report are squeezed into Objective 5. This is a cover-all, this trivialises the topics because they are only 1/9th of an Objective each, whereas corporate/NPPF directives have whole Objectives to themselves. There is a risk that environmental factors won't be viewed with	Should the objectives be amended following this stage of consultation, the policies will be reviewed to ensure they match the new set of objectives. It is considered that environmental factors will form a vital component of the draft Plan and whilst they are not specifically covered by the titles of the draft list of policies, they will be contained within the Development

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			the correct level of importance. This is against Green Party policy for the countryside. The 9 topics are the same as the headline SA Objectives in the LUC SA Report 2015, detailed in the next section (Issue 24, Response MLPIC 32).	Management policies in the draft Plan.
MLPIC42	22	Hertsmere Borough Council (Richard Blackburn)	DM policy headings are too exhaustive. Grouping of policies would help.	Comment noted.
MLPIC55	22	Wheathampstead Parish Council (Julia Warren)	Yes - the list of development management policy headings cover all the topics.	See General Statement
MLPIC75	22	Three Rivers District Council (Martin Wells)	List of development management policy headings is too extensive and could be streamlined. Support the areas the policies cover. Policy 26 and 27 could be combined as they share objective 7.	Whilst the issues of Policy 26 (Restoration) and Policy 27 (After-care and After-use) are closely linked, the policies have differing aims which it is considered sensible to separate. Draft Policy 26 will aim to ensure that sites used for extraction do not become derelict following the end of extraction whereas Policy 27 aims to promote sustainable land-use following the restoration of the land.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC102	22	Historic England (Kayleigh Wood)	Yes - Historic England welcome the inclusion of Policy 19 on Heritage and Setting	Noted - retain policies.
MLPIC106	22	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes - list of development management policy headings cover all topics.	See General Statement
MLPIC108	22	Aylesbury Vale District Council (David Broadley)	Development and strategic policy headings: we support headings to cover impacts on natural environment. Plan should make it clear any impacts on allocated sites or planning applications consider the impacts on neighbouring districts.	Comment noted. Policies related to the natural environment will be retained. The Development Management Cumulative Impact policy will ensure that the impact on the immediate and surrounding area is taken into account.
MLPIC108	22	Aylesbury Vale District Council (David Broadley)	DM policies: question which topic area impacts such as a noise, light, dust and other pollutants will be taken into account, possibly Policy 22, although requires more clarity. Question the difference between water resources and reservoirs.	Draft Policy 22: General Environmental and Amenity Protection is proposed to contain reference to impacts from noise, light, dust and other pollutants. Draft Policy 15: Water Reservoirs, will seek to ensure that development does not leave water supply more vulnerable to the increased impacts of climate change whereas draft Policy 18: Water Resources will take account of the potential impacts by development to the water environment.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC124	22	Central Bedfordshire Council (Natalie Chillcott)	Yes	See General Statement
MLPIC130	22	Cambridgeshire County Council (Ann Barnes)	Policy 15 could be broadened to cover all incidental mineral extraction (not just reservoirs); this could pick up fish farms and marinas for example. Is airport safeguarding an issue in Hertfordshire e.g. the need for bird management plans? Could biodiversity also include Geodiversity if there are geological interests in the County? Is a policy on ancillary development useful e.g. limiting ancillary developments to the life of the quarry?	It is anticipated that the policy on Water Reservoirs will cover all developments causing incidental mineral extraction but with an emphasis on ensuring that sustainable water supplies are not affected by the increased impacts of climate change.
MLPIC136	22	Hertfordshire County Council - Highways (Manjinder Sehmi)	Yes - The minerals development policy headings related to "Transport" to be included in the MLP.	Comment noted. Transport policies to be retained.
MLPIC158	22	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Yes - development management policy headings cover all topics. Suggest adding depots/ancillary infrastructure to Policy 13.	Rail heads and associated infrastructure at the site will be safeguarded under Policy 13, as instructed by the NPPF (para 143), to ensure that infrastructure for sustainable transport of minerals by rail is available should there be a demand for it. Additional activities that may have permission from LPAs will not be included in the MLP.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC176	22	Mineral Products Association (David Payne)	Yes	See General Statement
MLPIC184	22	Tarmac (Mike Pendock)	Yes	See General Statement
MLPIC192	22	Codicote Parish Council (Lorraine Ellis)	The list missed certain topics - Hertfordshire's roads are full. More focus is needed on sustainable transport.	<p>Whilst the Plan aims to have a focus on sustainable transport, it is accepted that the predominant method for the transportation of minerals will be by road. Opportunities to use alternative, non-road methods of transportation are paradoxically limited by the intention to use minerals close to their source to reduce transportation distances.</p> <p>The site selection methodology will incorporate the use of sustainable transportation by identifying sites for extraction that have good transportation links. Additionally, Development Management policy will safeguard the existing sustainable transportation infrastructure to enable the use of rail and water transportation should the opportunity arise now or in the future.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC209	22	CPRE Hertfordshire (Steve Baker)	<p>The list missed certain topics relevant to Hertfordshire. MSA's and MCA's will need to have separate policy statements. There will need to be a policy or policies setting out appropriate criteria to avoid and mitigate environmental harm. In particular there are no policy headings for preventing noise, dust, air quality or visual (separate from 'landscape') impacts. The proposed policy (17) on Cumulative Impact should follow the other policies dealing with specific impacts that will then be considered cumulatively and in combination with impacts of other development.</p>	<p>As the extent of MCAs will be based on the identified MSAs, it is considered sensible to designate the two types of areas in the same policy rather than referencing back to the MSA policy when setting out the MCAs.</p> <p>Issues of noise, dust, air quality and visual impacts will be incorporated into draft Policy 22: General Environmental and Amenity Protection, though the title of the policy will be reviewed to ensure clarity in the draft Plan.</p> <p>The Cumulative Impact policy will ensure that the impact on the immediate and surrounding area is taken into account and will be considered in relation to: Natural and Historic Environment, human health, aviation safety, general amenity and community, multiple sites and multiple impacts to ensure that cumulative impacts from collective impacts of an individual development or the effects of a number of developments will not be significant.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC214	22	RSPB (Mark Nowers)	Yes - Please see our response to Issue 3 (MLPIC210) with regards to the strategic approach to strategic, biodiversity-driven restoration objectives.	Comment noted. Response in Table 1, Issue 3, Comment ID: MLPIC214.
MLPIC225	22	D K Symes Associates (D K Symes)	Yes - development management policy headings cover all topics.	See General Statement
MLPIC240	22	Turnberry Planning Ltd on behalf of Hertfordshire University (Stephanie Gray)	Development management policies should require applicants to fully assess and mitigate their impact on environmentally sensitive issues on neighbouring land uses, such as Bayfordbury Observatory. Should not consider applications where impact cannot be mitigated using precautionary principle where appropriate.	The Development Management policy on Cumulative Impact will ensure that the impact on the immediate and surrounding area is taken into account. This will be implemented by DM officers on a site-by-site basis and the existence of a sensitive receptor such as the Bayfordbury observatory would be taken into consideration.
MLPIC261	22	Buckinghamshire County Council (Emily Hodgson)	Yes - development management policy headings cover all topics	See General Statement
MLPIC264	22	Stansted Airport (Keeley Briggs)	The list missed certain topics - The safeguarded area for Stansted Airport extends into Hertfordshire and there is an obligation on Local Authorities to consult safeguarded airports on planning applications for developments which have the potential to impact the safe operation of aircraft or which may prejudice the airport's future development. For Hertfordshire this means	As part of the aerodrome safeguarding procedure (ODPM Circular 1/200316) local planning authorities are required to consult aerodrome operators on proposed developments. It is not considered that the Plan requires a specific Development Management policy relating to Aerodrome Safeguarding in

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			consulting the airport on any proposals within 13km of the aerodrome that have the potential to attract birds. Stansted Airport would encourage the development of a specific development policy relating to Aerodrome Safeguarding.	addition to this requirement. However, the DM policy on Cumulative Impact will ensure that the impact on the immediate and surrounding area is taken into account. It is intended that the list of criteria to be considered within the policy will include impact on aviation safety. This would also relate to the areas of Hertfordshire in the London Luton Aerodrome Safeguarding Area.
MLPIC265	22	Public Health (HCC) (Bethan Clemence)	Keen to ensure legacy of mineral extraction sites is planned with health and wellbeing in mind and restoration to improve green infrastructure for recreation and physical activity.	The Development Management policy on After-use and After-care in the draft Plan will encourage restoration schemes to promote health and wellbeing by considering: the improvement and increase of public access to the countryside and recreation, the creation or enhancement of water bodies for wildlife, sport and recreation, and the promotion of sustainable transport such as cycling.
MLPIC278	22	Natural England (Gordon Wyatt)	Yes	See General Statement
MLPIC286	22	TerraConsult (South) Ltd on behalf of Water Hall (England Ltd) (Tim Slaven)	The list is too extensive and could be streamlined - Significant effort would be required to address and assess all the topics identified at this strategic level - this would be	This comment matches the consultee's response to, and seems more suited to, Issue 21 regarding the list of strategic policies, which the

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>uneconomic for the operator and the council. Many of the topics could be left to the application stage when there is a greater degree of certainty that the proposal might come to fruition. a shorter list would be more efficient.</p>	<p>County Council has responded to in the relevant section of this table. The list of Development Management policies will be assessed at the application stage and operators will be required to overcome the criteria of all these policies in order to be granted planning permission.</p>
MLPIC292	22	HCC Ecology (Martin Hicks)	<p>Paragraphs 14.12 – 14.15 recognise that the natural environment is the main receptor for the impact of minerals extraction, as this will be directly damaged by the works themselves. Impacts can be addressed by means of appropriate restoration and aftercare to provide net gains. In Table 6, Policies 26 and 27 should also include Objectives 5 and 9, as in many cases these will be directly relevant to restoration and subsequent site management.</p>	<p>Comment noted. Once the objectives have been amended following this process of consultation, the objectives will be assigned to the relevant policies which will be drafted and included in the Draft Plan, currently scheduled for consultation in Autumn 2016.</p>
MLPIC298	22	HCC Landscape (Jennifer Clarke)	<p>In addition to the delivery of landscape and visual enhancements at restoration, there should also be objectives for the delivery of temporary or permanent landscape mitigation measures/enhancements in advance of, and during the operational stage of any development. Fully support reference to valued landscapes, the determination of value should be based upon best practice guidance.</p>	<p>It is considered that the delivery of temporary or permanent landscape mitigation measures in advance of, and during operational stages of a development would be taken on a site-by-site basis and would usually be detailed in a phasing plan for the extraction works.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC309	22	Bedford Borough Council (Natalie Chillcott)	Yes	See General Statement
MLPIC313	22	HCC - Natural, Historic and Built Environment (Alison Tinniswood)	We would welcome the inclusion of a statement specifically relating to Historic Environment, in line with those relating to Natural Environment, Transport, and Climate Change (p60-61).	Historic Environment will be included in the Heritage and Setting DM policy within the draft Plan. The text within the Initial Consultation was merely an introduction to some of the requirements of the Plan.
MLPIC330	22	East Herts District Council (Jenny Pierce)	If the Objectives are refined then Table 6 will need to be amended.	See General Statement
MLPIC341	22	Welwyn Hatfield Borough Council (Sue Tiley)	WHBC considers that the list of DM Policies should be expanded to cover the same issues used for the selection of sites for example the inclusion of proximity of allocated residential or built development and associate noise and dust impacts. It is not clear if these are all covered in this list.	It is considered that the contents of the DM policies will closely match the list of criteria in the Site Selection Methodology. Rather than duplicating the site selection list, the list of DM policies will have fewer headings but incorporate more detailed requirements that are required at the planning application stage. The two lists perform different roles and as such should be drawn up to perform these roles specifically. It is anticipated that the policy entitled General Environmental and Amenity Protection will contain reference to impacts from noise, light, dust and

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				other pollutants, though the title of the policy will be reviewed to ensure clarity in the draft Plan.
MLPIC346	22	Chilterns Conservation Board (Lucy Murfett)	The text 'highlight the importance of valued landscapes' does not give enough weight to AONBs or reflect the clear government policy in the NPPF about the status of AONBs (para 115) and that major developments in AONB should be refused unless there are exceptional circumstances (para 116).	Whilst it is recognised that AONBs are a designated area, they are not considered an absolute constraint to mineral extraction. If an area/site is located partly within this designation there may be the potential to alter the boundary or reduce the size to exclude the designation from the 'specific' site area rather than discounting the whole site. There may be an opportunity for positive effects on the ecological designation which could be demonstrated to be in the public interest and a reason to not refuse a major development (NPPF para 116). Any judgements would be recorded as appropriate.
<p>Issue 23 Referring back to Section 4: Objectives, does the draft list of policy headings meet the objectives which will be included in the Minerals Local Plan? (Please select one answer)</p> <p><input type="checkbox"/> Yes</p>				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<input type="checkbox"/> No General Statement: There was a general consensus that the draft list of policy headings meets the draft objectives. Following revisions to the draft objectives taking account of the representations received from this consultation, the policy headings will be reviewed to ensure clarity in the draft Plan and policy wording will be drafted with an aim to ensure the list of policies continues to meet the objectives.				
MLPIC12	23	Trustees of the Brocket Estate (Stuart Gray)	Yes	See General Comment
MLPIC17	23	Herts and Middx Wildlife Trust (Matt Dodds)	Yes	See General Comment
MLPIC31	23	North Hertfordshire & Stevenage Green Party (Karen Harmel)	No - The Objectives need to be expanded and firmed up to properly reflect environmental protection.	It is considered that the draft objectives already reflect environmental protection, with all nine objectives referring to the environment or sustainability. The objectives are a framework that will run through the development of, and the final adopted version of, the Minerals Local Plan. In addition to the MLP objectives, the MLP will be produced in line with the Sustainability Appraisal objectives which are currently weighed in favour of an environmental focus and will be sufficient to reflect the requirements of environmental protection.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC42	23	Hertsmere Borough Council (Richard Blackburn)	Yes - Policy headings meets objectives.	See General Comment
MLPIC55	23	Wheathampstead Parish Council (Julia Warren)	Yes - the draft list of policy headings meet the objectives which will be included in the MLP.	See General Comment
MLPIC75	23	Three Rivers District Council (Martin Wells)	Yes - draft list of strategic and DM policy headings meets the objectives.	See General Comment
MLPIC102	23	Historic England (Kayleigh Wood)	Historic England welcome the inclusion of Policy 19 on Heritage and Setting	Noted - retain policy.
MLPIC106	23	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes - policy headings meet the objectives.	See General Comment
MLPIC124	23	Central Bedfordshire Council (Natalie Chillcott)	Yes	See General Comment
MLPIC158	23	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Yes - Policy headings meets objectives.	See General Comment
MLPIC163	23	Transport for London (Andrew Hiley)	Determining applications in terms of Policies 12 (Sustainable Transport) and 13 (Railheads and Wharves) is supported.	Noted - retain policies.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC176	23	Mineral Products Association (David Payne)	Yes	See General Comment
MLPIC192	23	Codicote Parish Council (Lorraine Ellis)	No - Not enough focus on restoration plan and the commitment to the timeline, see our comments (in MLPIC 195 - Issue 25) with relation to chalk in Codicote.	Policy 26: Restoration and Policy 27: After-care and After-use will ensure that restoration is an aspect of any planning application that must be incorporated sufficiently in order to be granted permission. There will be a requirement to produce a restoration and aftercare plan for the site covering a minimum of 5 years with the proposals for after-care being consistent with the landscape character of the area.
MLPIC209	23	CPRE Hertfordshire (Steve Baker)	No - Objective 5 to protect people and the environment from harm is not met by the draft list of policies.	It is anticipated that the policy wording for General Environment and Amenity Protection will meet the needs of Objective 5 to protect people and the environment from harm.
MLPIC214	23	RSPB (Mark Nowers)	Yes	See General Comment
MLPIC225	23	D K Symes Associates (D K Symes)	Yes - Policy headings meets objectives.	See General Comment
MLPIC261	23	Buckinghamshire County Council (Emily Hodgson)	Yes - Policy headings meets objectives.	See General Comment

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC278	23	Natural England (Gordon Wyatt)	Yes	See General Comment
MLPIC309	23	Bedford Borough Council (Natalie Chillcott)	Yes	See General Comment
MLPIC341	23	Welwyn Hatfield Borough Council (Sue Tiley)	This will depend on the wording of the policies	Comment noted. The wording will be drafted and reviewed taking account of the objectives.

Table 11: Sustainability Appraisal – Issue 24

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 24 Are the headline objectives of the Sustainability Appraisal appropriate as a framework to determine the sustainability of the Minerals Local Plan? (Please select one answer)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>General Statement:</p> <p>Of the small number of comments submitted on this issue, there was overwhelming support that the headline objectives of the Sustainability Appraisal (SA) are appropriate as a framework to determine the sustainability of the Minerals Local Plan (MLP).</p> <p>Given that there were some suggestions for additions to the list of SA objectives with reasoning provided, there will be further consideration of these with the external consultants carrying out the SA of the MLP. In addition there were some technical responses received in relation to conducting the SA and Habitats Regulations Assessment which will also be provided to the consultants and further consideration of these to ensure that the most up to date information, Acts and guidance are referred to so that the SA and HRA process is carried out effectively and sustainability is considered appropriately.</p> <p>Comments were received relating to the suggestion that air quality should be included as an SA objective. Air quality is not specifically referenced in the list of SA objectives but it would be considered during the appraisal under sub-objectives 5.1 (in relation to greenhouse gas emissions) and 9.1 (human health and amenity). The objectives will be underpinned by a detailed set of assumptions which will highlight the more detailed information to be taken into account in the appraisals and this will include air quality (see paragraph 5.9 to 5.11 of the SA Scoping Report). The issue will also feature in the commentary to accompany each appraisal. The SA objectives will be revisited to determine whether specific reference to air quality in the objectives would be beneficial.</p>				

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC13	24	Trustees of the Brocket Estate (Stuart Gray)	Yes - The convenience of sites adjacent to existing reserves could be given careful consideration, where existing infrastructure could reduce the impact of further extraction on adjoining land.	New extraction sites adjacent to existing ones and extensions to existing sites may be put forward during Call for Sites and/or could be identified through the site selection process. All such sites will be sieved against the criteria in the site selection methodology. The use of existing infrastructure and continuation of extraction in a particular area may have environmental, economic and social benefits.
MLPIC18	24	Herts and Middx Wildlife Trust (Matt Dodds)	No - NPPF states that development should conserve and enhance biodiversity, resulting in net gains, rather than just seek to protect and enhance designated sites or priority species and habitats. The first headline objective should state: 1. To conserve and enhance biodiversity and geological features leading to net gains in species and habitats, with particular attention to those requiring conservation action under the UK Biodiversity Action Plan (UK BAP) and Biodiversity 2020. The mechanism to determine if enhancements can be achieved should be the Biodiversity Impact Assessment Calculator. This should be explicitly referenced in the text to avoid confusion and	Paragraph 152 of the NPPF states that ' <i>Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three.</i> ' In pursuing sustainable development the NPPF in paragraph 9 refers to 'moving from a net loss of bio-diversity to achieving net gains for nature'. All biodiversity is included. The SA objective distinguishes what is meant by the term biodiversity using the terms species and natural habitats. There is specific reference to the UK

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
			<p>dispute later. There is confusion over the terminology for Local Wildlife sites - no other term should be used.</p>	<p>Biodiversity Action Plan and Biodiversity 2020 which reinforces the importance of the biodiversity requiring conservation action. Will consider addition of reference to net gains in the over-arching objective 1, although this is included in sub-objective 1.2 and therefore will still feature heavily in the appraisal.</p> <p>Where applicable the SA and MLP should refer to Local Wildlife Sites.</p> <p>Reference to the Biodiversity Impact Assessment Calculator will be included within supporting text of the MLP as an example of a tool that can be used to determine if enhancements can be achieved. This would only be appropriate for use at a later stage when specific sites are to be developed. The Calculator is not an appropriate tool for the strategic appraisal of sites and will not be used in the SA.</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC32	24	North Hertfordshire & Stevenage Green Party (Karen Harmel)	<p>The wording of key sustainability issues identified in the LUC SA Report 2015 has been weakened from "preventing harm" to "mitigating against excess harm, and trying to redress harm done". The Consultee has enclosed a table comparing SA headline objectives to the MLP objectives to show where wording needs to be strengthened. This is summarised below:</p> <p>SA Objective 1 compared to HCC Objective 5. SA Objective 2 and 3 compared to HCC Objective 7. SA Objective 4 no comparison made to HCC Objectives. SA Objective 5 compared to HCC Objective 6. SA Objective 6 no comparison made to HCC Objectives. SA Objective 7 compared to HCC Objectives 1, 3 and 4. SA Objective 8 compared to HCC Objectives 2 and 8. SA Objectives 9 compared to HCC Objective 9. Water is not mentioned in the MLP Objectives although it was discussed at the meeting in March 2015 but dropped from the final MLP draft. Loss of water from abstraction, pollution and climate change are our main threats, and need to be properly protected against.</p>	<p>The key sustainability issues as listed in Table 4.1 of the SA scoping report June 2015, have been drawn up from baseline data including the SEA Directive requirements. These are the significant sustainability issues relevant to Hertfordshire and the implications for the Minerals Local Plan have been translated into SA objectives.</p> <p>The SA objectives have been worded 'to protect, conserve and enhance', 'minimise effects' and 'avoid risk'. It is not considered that there is any less protection afforded to the issues set out in the SA objectives than previously.</p> <p>Reference to water management is required within the Plan objectives as it is mentioned in the vision. This is dealt with under issue number 4 of the MLP Initial Consultation document</p>

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC43	24	Hertsmere Borough Council (Richard Blackburn)	Yes - Appropriate headline objectives of SA.	Selection noted. No response necessary.
MLPIC56	24	Wheathampstead Parish Council (Julia Warren)	Yes - But maximising economic benefits should have regard to environmental and social factors	Selection noted. It is acknowledged that the economic SA objective could in turn have indirect effects on the environmental and social dimensions of sustainable development. The environmental and social SA objectives are considered sufficiently robust to ensure sustainable development is achieved in all three dimensions.
MLPIC76	24	Three Rivers District Council (Martin Wells)	Yes - headline objectives of the SA are appropriate to determine sustainability.	Selection noted. No response necessary.
MLPIC103	24	Historic England (Kayleigh Wood)	Yes - Historic England welcomes draft sustainability appraisal headline Objective 2 which covers the Historic Environment and look forward to being consulted on the relevant stages of the development of the full report. Attached in the response is a link to Strategic Environmental Assessment, Sustainability Appraisal and the Historic Environment, Historic England, for guidance on how to ensure adequate consideration of the Historic Environment is covered within Sustainability Appraisals.	Selection noted. The web link will be forwarded onto consultants carrying out the SA/SEA/HRA work to ensure the historic environment is covered adequately.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC107	24	SLR Consulting Ltd on behalf of Brett Aggregates Ltd (Chris Lowden)	Yes - headline objectives of the SA are appropriate to determine sustainability.	Selection noted. No response necessary.
MLPIC125	24	Central Bedfordshire Council (Natalie Chillcott)	Yes - headline objectives of the SA are appropriate to determine sustainability.	Selection noted. No response necessary.
MLPIC137	24	Hertfordshire County Council - Highways (Manjinder Sehmi)	No - Consideration needs to be given to sustainable transportation of minerals and waste.	Sustainable transport is included in SA sub-objective 5.1 (under headline objective 5 'To minimise the effects of climate change and reduce emissions of greenhouse gases') (environmental) and will be considered in the appraisal. The Minerals Local Plan will include a policy which covers sustainable transport.
MLPIC159	24	Cemex UK Operations Ltd (Kirsten Hannaford-Hill)	Yes - headline objectives of the SA are appropriate to determine sustainability.	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC164	24	Transport for London (Andrew Hiley)	Encouragement of sustainable transport links to SA objective 9 (social) in terms of road safety and air pollution. Would also benefit people in London. Suggest the link is emphasised.	Sustainable transport is included in SA sub-objective 5.1 (under headline objective 5 'To minimise the effects of climate change and reduce emissions of greenhouse gases') (environmental) and will be considered in the appraisal. It is acknowledged that transport can have impacts in terms of road safety and air pollution (social). SA sub-objective 9.1 will be revisited to determine whether it is suitable to make more specific reference to the impacts of transport in the wording of this objective to link to air quality and road safety, or whether this is more appropriate in the assumptions that will underpin the assessment. Sustainable transport is also covered in Plan objective 4 and this will feature as a policy in the Minerals Local Plan.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC177	24	Mineral Products Association (David Payne)	Yes - The balance is clearly heavily towards environmental objectives. In undertaking appraisal and using its outcome to develop the Plan, appropriate weight needs to be given to the economic benefits and necessity of providing for a steady and adequate supply of minerals, reflecting the NPPF.	Each of the three aspects of sustainability: environmental, economic and social are dealt with on equal terms. However, there are numerous different aspects within the environment that need to be appraised, as a result these are listed separately. The means of maximising the economic benefits of mineral extraction is by way of maintaining a steady and adequate supply of minerals which is a requirement within national policy. Therefore the overall SA objective captures the economic requirement.
MLPIC194	24	Codicote Parish Council (Lorraine Ellis)	Yes - Objectives are fine providing they are monitored, controlled and enforced	Selection noted. The Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulations Assessment will be carried out at all stages of plan production to ensure sustainability is considered throughout.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC226	24	D K Symes Associates (D K Symes)	No - SA objectives are not appropriate. In terms of SA objective 6, sand and gravel extraction is defined as 'water compatible' and can result in an improvement/reduction to flood risk through restoration design.	The NPPG lists sand and gravel extraction as water compatible and are potentially suitable for all flood zones. The Environment Agency has standing advice that needs to be referred to dependent upon the flood risk where applicable. The flood risk will be considered in sieve 3 of the site selection methodology. Extraction should not increase flood risk elsewhere and needs to be designed, worked and restored appropriately. 'Directing development away from areas at highest risk' is not required due to water compatibility of extraction. A Strategic Flood Risk Assessment will be produced to support the plan and policies on flood risk and wording will be inserted into a policy. This SA objective will be underpinned by a detailed set of assumptions which will highlight the more detailed nuances associated with mineral extraction to be considered in the appraisal and the potential benefits outlined in the comment will be considered. These will be reflected in the commentary accompanying each appraisal.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
				Headline objective 6 will be revisited to determine whether it would benefit from revised wording to make this clearer.
MLPIC236	24	North Herts District Council (David Hill)	The headline objectives from the SA/SEA appear to meet the SEA Directive and provide a sound basis for assessment of the plan, however, the sub-objectives will also be important, to ensure all relevant issues are covered.	Comment noted. The sub-objectives are additional components of the main SA objectives which will be considered when assessing the MLP at each stage of its production.
MLPIC262	24	Buckinghamshire County Council (Emily Hodgson)	SA objectives are appropriate. Should include objectives for air quality and restoration and afteruse of mineral sites.	See General Statement for air quality. Restoration and after-use are covered in SA sub-objectives 1.2, 6.2, and 9.3. The Plan objectives will also cover restoration and after-use of mineral sites.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC266	24	Public Health (HCC) (Bethan Clemence)	Background information submitted regarding the Public Health responsibilities. Support SA social objective, although underlying detail could be improved with reference to the relevant indicators in the national Public Health Outcomes Framework. Plans and policies reviewed by SA should include Herts Public Health Strategy and Herts Air Quality Strategy (which requires the need to measure, monitor and reduce Particulate Matter PM2.5. Baseline data needs to pick up on PM2.5. MLP should be more specific in its requirements around Air Quality and PM2.5 and demonstrate consideration of health inequalities - direct impact on health, mental health and wellbeing; - impact on social, economic and environmental living conditions that would indirectly affect health; - affect individual's ability to improve own health and wellbeing.	The Public Health Strategy and Herts Air Quality Strategy were not included in the review of other plans and policies undertaken for and presented in the SA Scoping Report. Consultants will be made aware of these documents to ensure that they are referred to when conducting the sustainability appraisal of the document. PM2.5 will also be reflected in the SA. See General Statement for air quality. It is anticipated that air quality will be included within a policy in the Minerals Local Plan.
MLPIC279	24	Natural England (Gordon Wyatt)	Yes - headline objectives of the SA are appropriate to determine sustainability.	Selection noted. No response necessary.

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
MLPIC293	24	HCC Ecology (Martin Hicks)	<p>No - The BAP has technically been succeeded by the UK Post-2010 Biodiversity Framework 2012 which may be better referred to along with the aim of maintaining and enhancing Priority Habitats and Species. Suggest:</p> <p>"To protect, conserve and enhance natural habitats, species and geological features including those identified in s41 of the NERC Act 2006, consistent with the UK Post-2010 Biodiversity Framework, Biodiversity 2020 and the Local nature Partnership aims."</p>	<p>The SA is required to use valid and up to date information to assess potential impacts on natural habitats, species and geological features which includes technical work. This comment will be forwarded to the external consultants carrying out the SA to ensure the correct information is being used where applicable.</p> <p>The Local Nature Partnership will be consulted at each stage in the production of the Minerals Local Plan to provide comments on the acceptability of the options within the Minerals Local Plan in relation to LNP aims.</p> <p>The rewording of SA objective 1 will be considered with the consultants, although a succinct objective would be preferred where possible, with references to documents made explicit within the SA report itself.</p>

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MLPIC293	24	HCC Ecology (Martin Hicks)	<p>The SA omits any reference to the statutory need for a Habitats Regulations Assessment (HRA). It is vital that it is properly referenced and explained in this document.</p> <p>Technical details were provided regarding the HRA, including: the need to use up to date guidance with clear process, an explanation regarding the 500m threshold around European sites regarding noise, vibration and light pollution; the need to consider the effects of ammonia in terms of nitrogen deposition on and around European sites; the need to explain the influence and evaluate air pollution emissions on local roads in the vicinity of existing or proposed mineral extraction sites; the need to explain the outcomes of screening; & further explanation of in-combination' effects.</p>	The comments refer specifically to the SA scoping report and the HRA, not the SA objectives. The comments will be forwarded to the external consultants carrying out the SA and HRA for further consideration. A Habitats Regulations Assessment scoping report has been prepared and was on consultation alongside the Minerals Local Plan Initial Consultation document.
MLPIC310	24	Bedford Borough Council (Natalie Chillcott)	Yes - headline objectives of the SA are appropriate to determine sustainability.	Selection noted. No response necessary.
MLPIC319	24	Environment Agency (Kai Mitchell)	Yes - We are pleased to see the inclusion of points 1, 4 and 6 and the inclusion of GP3 within the relevant plans, policies and programs.	Comment noted.

Table 12: Additional Comments – Issue 25

Comment ID.	Issue No.	Name of Consultee	Summary of Representation	HCC Response
<p>Issue 25 If you have any additional comments relevant to the development of the Minerals Local Plan that are not covered by Issues 1-24, please provide them below</p> <p>General Statement:</p> <p>The majority of responses to Issue 25 re-iterated points made earlier in the response form, gave examples of guidance to consider during the development of the Plan or related to the site selection methodology or the content of policies. The comments had therefore already been responded to within other chapters, although the suggested guidance documents have been noted and will be reviewed as policies and supporting text are drafted.</p>				
MLPIC1	25	Health & Safety Executive (John Moran)	Have no comments to make at this stage, due to no sites being identified.	Comment noted. No response necessary.
MLPIC33	25	North Hertfordshire & Stevenage Green Party (Karen Harmel)	<ol style="list-style-type: none"> 1. The language used in the MLP is sometimes difficult to understand and should be written in plain English throughout examples "sustainable transport" or "planning positively". 2. The test Vision and Objectives are used throughout the document as if they have been accepted, but they need to be expanded and definitions need to be firmed up. 3. The MLP is to provide for sand and gravel in the face of the predicted growth. This is 	It is recognised that minerals planning documents are technical in their nature and, as such, are produced with the intention of using clear, plain English to prevent potential misunderstandings where possible. A glossary was published alongside the consultation documents on the county council's consultation portal and this will be included within the main consultation documents from now on, starting with the Draft Minerals Local

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			<p>against Green Party policy for Demand Management.</p> <p>4. Site selection depends on an initial "call for sites" from owner/operators which is against Green Party policy, commercial interests should not be allowed to influence planning decisions.</p> <p>5. Ecological constraints has been downgraded in importance from Sieve 2 to Sieve 3. Wording has been weakened and the scoring systems is trivialised for ecological protection.</p> <p>6. There is no specific protection for the approx. 200 Hertfordshire nature sites.</p>	<p>Plan.</p> <p>The draft Vision, Objectives and definitions within them will be reviewed taking account of feedback from this consultation.</p> <p>The NPPF (para 145) states that MPAs should plan for a steady and adequate supply of aggregates. The Plan for Hertfordshire must take into account, among other things, the amount of housing being planned for in LPA Local Plans and the resultant demand for construction material.</p> <p>Economic viability is a key issue when identifying sites for potential mineral extraction. If omitted from the site selection methodology, the Plan could base aggregate supply for the period of the Plan on identified mineral reserves that have no possibility of ever being extracted. The Plan would therefore have failed to ensure a steady and adequate supply of aggregate for the county and would need to be reviewed.</p>

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				<p>Sieves 1 and 2 will be used to rule out absolute constraints and to ensure economic viability of a site is considered. Although ecological designations are high level constraints to mineral development, they are not considered absolute constraints so are considered appropriate to include in Sieve 3. Detailed consideration of ecological designations will be undertaken in Sieve 3 which can score sites a 'red', depending on the circumstances of the site. This would then be used in the overall evaluation of the site.</p> <p>The site selection methodology takes account of International and National ecological designations. It also takes account of locally designated sites (of local importance) including Local Nature Reserves, Sites of Special Scientific Importance and, following this consultation, Local Wildlife Sites which total roughly 1900 sites across Hertfordshire.</p>
MLPIC44	25	Oxfordshire County Council (Peter Day)	Oxfordshire CC has no comments to make on the emerging Hertfordshire Minerals Local plan at this stage.	Comment noted. No response necessary.

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MLPIC63	25	Aldenham Parish Council (Paula Paley)	Aldenham Parish Council discussed this consultation on 21.9.15 and has decided not to comment.	Comment noted. No response necessary.
MLPIC64	25	St Albans City & District Council (Chris Briggs)	District Council supports the approach so far set out in the consultation document. Only some matters pertain directly to the district council. They look forward to commenting further when draft policies and mineral areas emerge and to both authorities continuing to support each other's Plan-making processes.	Comment noted. No response necessary.
MLPIC77	25	Hampshire County Council (Rob Sellen)	Hampshire CC also provides marine-won aggregates to Hertfordshire based on 2009 data	Comment noted. No response necessary.
MLPIC82	25	Hertfordshire County Council - Property (Ailsa Davis)	No comments.	Noted.
MLPIC84	25	Amec Foster Wheeler on behalf of National Grid (Julian Austin)	No comments.	Noted.
MLPIC104	25	Historic England (Kayleigh Wood)	To ensure the Historic Environment is adequately covered within the Minerals Local Plan, see our guidance, Mineral Extraction and the Historic Environment, Historic England.	Comment noted. These guidance documents will be reviewed when finalising policies, wording and definitions for subsequent stages of consultation.
MLPIC109	25	Aylesbury Vale District Council (David Broadley)	Duty to Cooperate: expect this to be referred to in the document and mechanisms should be in place to meet this duty including cross boundary effects of development and neighbouring districts.	The requirements of DtC will be referred to in the draft Plan, which will be the first policy-containing document produced for consultation in this review process.

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				<p>In addition, mechanisms are already in place to meet the duty. The adopted Statement of Community Involvement sets out how interested parties will be engaged in the review process. A Duty to Cooperate Protocol document, which is set to be issued publically, has been developed to set out how DtC will be undertaken throughout the review of the Plan. A Duty to Cooperate Statement of Evidence will be updated throughout the review of the Plan and will be made publically available to show how the duty has been met.</p>
MLPIC145	25	Highways England (Jenny Volp)	<p>I would recommend that the Hertfordshire MLP also emphasises the need to minimise the number of employee car trips to sites, through the encouragement of more sustainable transport methods. The NPPF states that all developments that generate significant amounts of movement, should be supported by a Transport Statement or Transport Assessment. I recommend that the sites identified which have the potential for a material impact on the SRN should be subject to a Transport Assessment. If mitigation measures are also</p>	<p>Numerous aspects of the Plan-making process will consider travel miles. Criterion 7 and 8 of sieve 3 in the draft Site Selection Methodology aim to identify sites that can incorporate sustainable levels of transport. The adopted MLP will contain policies related to transport, (eg. aiming to promote sustainable transport and mitigate the effect on the highways network). This will take account transportation and staff journeys. At the application stage, applications will</p>

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			<p>identified this should be stated in the Plan so that prospective developers are given advance warning that these may be required, and that these could potentially be attached as condition to any grant of planning permission.</p>	<p>be assessed against the Local Transport Plan and LPA Local Plans so it is considered unnecessary to include employee car trips in the MLP policy wording.</p> <p>Transport Assessments will be a requirement in Development Management Policy for developments that generate significant amount of movement. It is anticipated that sites within the adopted Minerals Local Plan will have detailed mitigation measures identified on a site-by-site basis that will be necessary to address at the planning application stage.</p>
MLPIC160	25	High Speed Two (HS2) Limited (James Fox)	<p>Area safeguarded by the Safeguarding Directions for the HS2 railway line project should be taken into account when preparing a Local Plan. It should be represented on the policies map in accordance with Regulation 9 of the Town and Country Planning (Local Planning) England Regulations 2012 as amended.</p>	<p>Noted - no action at present. Safeguarding of the HS2 line will be included in the Draft Plan.</p>

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MLPIC195	25	Codicote Parish Council (Lorraine Ellis)	<p>We would refer you to a meeting with Hertfordshire County Council Development Control and Codicote Parish Council on 17.4.13 where CPC asked for clarification on the improved restoration enforcement plan at Codicote Quarry and dates quoted for restoration in the Development Control report.</p> <p>The answer from HCC Development Control and in their report dated 27.3.13 6.31 page 18</p> <p>"The County Council has approved a restoration scheme that anticipates that the site will be restored in or around 2025" "The current planning permissions in respect of the winning and working of chalk allows for the subsequent restoration of the quarry no later than 2042"</p> <p>Codicote PC would wish to see the restoration earlier especially as the licence ends in 2022.</p> <p>At this meeting we asked for reassurance that the restoration plan and the Codicote Landscape Arable Valley Plan Report, which was commissioned by NHDC, is taken into account, we are still awaiting for reassurance on this.</p> <p>Also Brian Owen, HCC, agreed to contact NHDC Planning Dept re the restoration of a</p>	<p>Comment noted. It is considered that this relates to an existing site and is not related to the contents of the MLP. As such, no response is necessary but the comment has been passed onto the relevant case officer who will respond as appropriate.</p>

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			<p>piece of Codicote Quarry land which is a small triangle to the south of the site that was given retrospective planning permission in 2012 for 5years after Travellers appealed to the Planning inspectorate. (in the Minerals Local Plan 2002-2016 map no.5 dated September 2002). This should be restored in 2 years' time and not given further retrospective planning permission as has happened on another site on behalf of Travellers.</p> <p>This is GREENBELT land. A response from Brian Owen is still awaited. Codicote Parish Council strongly support the bringing forward the restoration plan on the whole site. But more urgently the land that has already been encroached upon, this issue needs to be rectified at the end of the 5 year period (2017).</p>	
MLPIC227	25	Ware Town Council (Jill Rowlinson)	Ware Town Council does not consider there are any suitable sites within the boundaries of Ware for further extraction.	Suitability of sites will be determined by implementing the three-sieve site selection methodology. There will be future opportunities to make representations regarding specific sites in subsequent stages of consultation.

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MLPIC228	25	Marine Management Organisation (Susan Davidson)	The MMO is committed to working with local authorities in the development of their local plans and the marine plans produced by the MMO. We have reviewed the minerals plan and do not have any comments as the local authority boundary lies outside the South marine plan area. We would however, suggest that the local authority considers that aggregate extraction, for the purposes of development on land, has a direct impact on the marine environment.	Comment noted. No response necessary.
MLPIC229	25	Greater London Authority (Peter Heath)	Given that your plan is at the Issues and Options stage it is at a very early phase in its development. At this point it is difficult to say anything substantial about the Plan other than to state that it appears you have identified the relevant issues and put forward reasonable options. The Mayor looks forward to seeing the next stage in your plan's development, at which point your plan will have matured further, and it will be possible to offer a more substantial response to your proposed policy approach. Oxfordshire County Council has recently finished consultation on its Core Strategy Minerals and Waste Plan (Part 1) and you may find it helpful to look at the range of issues set out in their plan and how they have set out their policy response to the issues their Plan	Comment noted. No response necessary.

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			identified.	
MLPIC237	25	Turnberry Planning Ltd on behalf of Hertfordshire University (Stephanie Gray)	<p>Object to Initial Consultation document. Concerned that vulnerable sites such as the University's observatory campus at Bayfordbury are not afforded sufficient protection in the draft screening methodology. Concern regarding mineral working in close proximity to the observatory. Objected to Water Hall Quarry application and defended its position at a recent appeal relating to detrimental effects of dust and particulate matter. MLP should align with that decision where weight was afforded to potential impact on observatory. Background information provided regarding the important function of Bayfordbury Observatory as one of the UK's leading astronomical observatories with atmospheric remote sensing and sensitive optical instrumentation which can be damaged by dust. Nationally and internationally significant work is undertaken which depends upon existing air quality to be maintained. The draft MLP does not seek to protect the observatory's characteristic setting from future mineral working and risks jeopardising the facility. Location is key to its success unaffected by nearby airborne pollution sources, recognised</p>	The issues raised would be dealt with via Development Management policies which will be drafted for the next stage of Plan production.

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			by NASA. Further development proposals at Water Hall Quarry are rigorously assessed through specific policies within the MLP.	
MLPIC297	25	HCC Landscape (Jennifer Clarke)	The European Landscape Convention establishes that landscape policy should promote the protection, management and planning of all landscapes, including protected landscapes and 'everyday' ordinary landscapes. In Hertfordshire local landscape policy is underpinned by the landscape county/local landscape character assessments, the AONB (a national designation), and local landscape designations (reflected in local plans). Plus the Green Infrastructure Plans. Landscape assessment should also take account of landscape value and sensitivity, the ability of the landscape to accommodate minerals development without causing unacceptable harm to the character and quality of the landscape.	Comment noted. These will be reviewed when drafting policies, wording and definitions for subsequent stages of consultation.
MLPIC314	25	HCC - Natural, Historic and Built Environment (Alison Tinniswood)	Our brief comments are in accordance with Historic England's recently issued Good Practice Advice Note 1 (<i>The Historic Environment in Local Plans</i> , March 2015). I note that further advice is available in <i>Mineral Extraction and Archaeology: A Practice Guide</i> English Heritage on behalf of the Minerals Historic Environment Forum, 2008	Comment noted. These will be reviewed when drafting policies, wording and definitions for subsequent stages of consultation.

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			(though this predates the NPPF and is currently under revision.	
MLPIC331	25	East Herts District Council (Jenny Pierce)	Given the timeframes involved, it is anticipated that the East Herts District Plan will be examined and adopted prior to the finalisation of the Minerals Local Plan. The next few months will be a crucial time in finalising the East Herts District Plan and it is important that the policies in the District Plan reflect emerging Minerals Local Plan policies. It is therefore requested that further Duty to Cooperate meetings take place at officer level to ensure alignment between the two Plans.	DtC will continue to be an important, ongoing consideration throughout the review, and beyond the adoption, of the Minerals Local Plan. Officer level DtC meetings between the county council and the ten district/borough councils in Hertfordshire are scheduled to occur roughly every six months. However, should there be a need/request for more frequent meetings, this can be arranged.
MLPIC342	25	Welwyn Hatfield Borough Council (Sue Tiley)	Duty to Co-operate is important with respect to balancing the aims of the MLP with the needs of Local Authorities to provide housing and employment allocations in their Local Plans. Continuing regular meetings are therefore welcomed	DtC will continue to be an important, ongoing consideration throughout the review, and beyond the adoption, of the Minerals Local Plan. Officer level DtC meetings between the county council and the ten district/borough councils in Hertfordshire are scheduled to occur roughly every six months. Should there be a need/request for more frequent meetings, these are arranged.
MLPIC347	25	Chilterns Conservation Board (Lucy Murfett)	As a protected landscape of equal planning status to National Parks, great weight should be given to conserving the landscape and	AONBs are included in Criterion 3: Landscape Designations in Sieve 3 of the Site Selection Methodology which

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			<p>scenic beauty of Areas of Outstanding Natural Beauty (NPPF para 115). The MLP consultation documents contain only two references to the AONB. More weight should be given to the Chilterns AONB to reflect your statutory duty under section 85 of the Countryside and Rights of Way Act 2000: It would also help the Herts Minerals Local Plan comply with the National Planning Policy Framework: Para 110 NPPF: "In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework." Para 115 NPPF: "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty." Para 116 NPPF: "Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be</p>	<p>forms part of the detailed assessment of sites as part of the Plan-making process. Whilst it is recognised that the Chilterns AONB is a designated area, it is not considered an absolute constraint to mineral extraction. If an area/site is located partly within this designation there may be the potential to alter the boundary or reduce the size to exclude the designation from the 'specific' site area rather than discounting the whole site. Any judgements would be recorded as appropriate.</p>

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			<p>demonstrated they are in the public interest. Consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> -the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; -the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and -any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated." 	