HERTFORDSHIRE COUNTY COUNCIL

GROWTH, INFRASTRUCTURE, PLANNING AND THE ECONOMY CABINET PANEL

WEDNESDAY, 14 NOVEMBER 2018 AT 2.00PM

ANNUAL LOCAL AGGREGATES ASSESSMENT AND AUTHORITY’S MONITORING REPORT

Report of the Director of Environment and Infrastructure

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Executive Member: Derrick Ashley, Growth, Infrastructure, Planning & The Economy

1. Purpose of report

1.1 To consider the Minerals and Waste Planning Authority’s annual monitoring reports; Hertfordshire’s Authority’s Monitoring Report (AMR) (attached at Appendix 1) and Hertfordshire’s Local Aggregate Assessment (LAA) (attached at Appendix 2).

2. Summary and background to Hertfordshire’s Authority’s Monitoring Report (AMR) and Local Aggregate Assessment (LAA)

2.1 Both the AMR and LAA are statutory documents. The AMR is a reporting mechanism used by the county council, as Minerals and Waste Planning Authority, to monitor the implementation of the adopted Minerals and Waste Local Plan documents and progress of plan production.

2.2 The LAA monitors the level of permitted reserves and landbank level on an annual basis and serves as an evidence base document to inform the Minerals Local Plan review, as it helps to forecast the need of sand and gravel over the period that the emerging Minerals Local Plan will cover.

3. Recommendation

3.1 The Cabinet Panel is invited to:

   i) Consider and note both the AMR and the LAA as outlined in this report and attached at Appendix 1 (AMR) and Appendix 2 (LAA) and
ii) Acknowledge that both documents will be placed on the County Council’s website.

4. **Summary of key points from this year’s AMR and LAA**

**Authority’s Monitoring Report**

4.1 The AMR covers the period from 1 April 2017 to 31 March 2018. The following data provides a summary of the key points;

**Capacity Provided Through Determined Waste Planning Applications**

4.2 During the period that the AMR covers the county council determined 13 county matter (two minerals applications and eleven waste applications) planning applications. Only one of the eleven approved waste applications contributed additional capacity to the shortfalls identified in Hertfordshire’s Waste Local Plan. The other permitted waste applications were for ancillary uses (e.g. welfare) and variations of conditions on existing planning permissions.

4.3 The application which provided additional capacity was for the expansion of the Household Waste Recycling Centre (HWRC) in Ware.

4.4 The application (approved on 13 March 2018) permitted the site to deal with up to an additional 10,000 tonnes of waste per annum (of Local Authority Collected waste and a small portion of Commercial and Industrial waste) and also incorporated a Re-Use Centre and staff office and welfare facilities.

4.5 In addition to the additional capacity permitted at the Ware HWRC, an application was permitted at Waterdale Waste Transfer Station which allowed for a re-use centre, which, although not providing additional capacity, moves waste up the hierarchy.

4.6 Details of the determined Minerals and Waste planning applications are set out in Appendix 3 and Appendix 4 of the AMR, as attached at Appendix 1 to this report.

**Implementation of the Minerals and Waste Local Plan Policies**

4.7 The AMR reports on the use of adopted policies. Out of the 22 adopted waste policies, six were not used to determine applications. The reason for this is that the unused waste policies were not applicable to the determined applications. For this reason it is considered that no steps are necessary to ensure their future implementation.

4.8 Out of the 19 adopted Minerals Local Plan Policies, 13 were not used to determine applications. The reason for the high number of unused minerals policies is due to the very low number of determined minerals
planning applications. The 13 unused policies were not applicable to the two determined minerals applications. For this reason, no further steps are considered necessary to ensure their future implementation.

4.9 Further details of the implementation of the minerals and waste local plan policies can be seen in Chapter 2 of the AMR as attached at Appendix 1 to this report. An overview of all determined minerals and waste applications can also be seen in Appendix 3 and Appendix 4 of the AMR.

Progress made in reviewing the Minerals and Waste Local Plan Documents

4.10 The AMR states that both the emerging Minerals and Waste Local Plan documents reached key stages in their review timelines. Details are provided below:

- Emerging Minerals Local Plan: Consultation on the Draft Minerals Local Plan took place from 04 December 2017 to 09 February 2018

- Emerging Waste Local Plan: Consultation on the Waste Local Plan Initial Consultation Document took place from 05 February 2018 to 30 March 2018

4.11 Due to the need for more technical work, the consultation on the Draft Minerals Local Plan took place at a later date than set out in the timetable of the adopted Minerals and Waste Development Scheme (MWDS) 2016. The Initial Consultation on the emerging Waste Local Plan took place during the period anticipated within the adopted MWDS.

4.12 Further details of the progress made in reviewing the Minerals and Waste Local Plan documents against the timeline of the adopted MWDS 2016, can be seen in Chapter 4 of the AMR. The timetable of the adopted MWDS 2016 can also be seen at Appendix 5 of the AMR.

Local Aggregate Assessment

4.13 The county council, as Minerals Planning Authority, is required to prepare a LAA and participate in an Aggregate Working Party (AWP), whose advice must be taken into account in its preparation\(^1\). The county council is part of the East of England Aggregate Working Party (EoEAWP). The LAA was presented to the EoEAWP on 24 October 2018 and advice received from members of this group has been taken into account in the preparation of the LAA.

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\(^1\) Paragraph 207 of the NPPF 2018
Headline Figures

4.14 The headline figures from the 2017 LAA are set out in the table below.

<table>
<thead>
<tr>
<th>Performance in 2017</th>
<th>Comparison with 2016</th>
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<tbody>
<tr>
<td>Land won sand and gravel sales (tonnes)</td>
<td>1,166,921.7</td>
</tr>
<tr>
<td>Permitted reserves of sand and gravel (tonnes)</td>
<td>10,458,309&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td>Landbank based on apportionment (years)</td>
<td>7.5</td>
</tr>
<tr>
<td>Landbank based on 10 year average sales (years)</td>
<td>9.0</td>
</tr>
<tr>
<td>Landbank based on 3 year average sales (years)</td>
<td>8.8</td>
</tr>
<tr>
<td>Rail depot imports (sand and gravel)</td>
<td>4,554</td>
</tr>
<tr>
<td>Rail depot imports (crushed rock)</td>
<td>495,789</td>
</tr>
</tbody>
</table>

Details of Sand and Gravel Quarries

4.15 There are currently seven active sand and gravel sites in Hertfordshire. Five of which have remaining reserves of sand and gravel to be work and two of which have worked all of their permitted reserves (Panshanger and Westmill) which can be seen in Table 2 of the LAA.

4.16 The County Council has two sand and gravel planning applications which have resolutions to grant permission subject to S106 agreements. These two sites are; BAE Hatfield Aerodrome (presented to Development Control Committee on 25 January 2017) and Furzefield- Hatfield Quarry (presented to Development Control Committee on 22 March 2017). These two sites will continue to be monitored through future LAA’s. Subject to the successful conclusion of the Section 106 agreements, these sites would add 8,450,000 tonnes of sand and gravel to the permitted reserves.

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<sup>2</sup> The 2017 permitted reserves figure is a re-calculation of reserves based on figures supplied through the responses to the 2017 Aggregate Monitoring Surveys. It is not calculated by subtracting the 2017 sales figures away from the end of 2016 permitted reserves figure.

<sup>3</sup> The 2016 LAA did not record any imports of sand and gravel through the Rail Depots.
5. **Next Steps**

5.1 As a result of this year’s AMR, it can be concluded that Hertfordshire’s Minerals and Waste Local Plan documents still remain a sound basis upon which to determine minerals and waste planning applications.

5.2 Subsequent AMR’s will continue to monitor the progress made in reviewing the Minerals and Waste Local Plan documents. The formal timetable for plan production (Minerals and Waste Development Scheme) is to be considered as a separate item by this Panel, which will set out a revised timeline for the reviews of both documents.

5.3 The LAA forms part of the evidence basis for the Minerals Local Plan and supports the need for its review. The LAA will continue take into account national and local legislative requirements, aggregate production and sales data can be added.

5.4 Both the AMR and LAA will be placed online and continue to be updated on an annual basis.

6. **Financial Implications**

6.1 The cost of producing the AMR and LAA are accounted for within existing budgets.

7. **Equalities Impact Assessment (EqIA)**

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 It is not anticipated that people with protected characteristics will be affected disproportionately by the proposals set out in the report.

7.5 There is no EqIA associated to this report

**Background documents used in writing this report;**

*National Planning Policy Framework (2018), DCLG*


*National Planning Practice Guidance, DCLG*


*Local Aggregate Assessment 2017 (covered calendar year of 2016), HCC*


*Practice Guidance on the production and use of Local Aggregate Assessments, Living Document (May 2017), Planning Officers Society and Minerals Products Association*


*Adopted Waste Core Strategy & Development Management Policies document, November 2012*


*The Planning and Compulsory Purchase Act 2004*


*The Localism Act 2011*


*Town and Country Planning (Local Planning) (England) Regulations 2012*