

**HERTFORDSHIRE COUNTY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE  
FRIDAY 13 JULY, AT 10.30 A.M.**

Agenda No.

**6**

**EAST HERTFORDSHIRE DISTRICT**

**SUBMISSION OF SCHEMES FOR APPROVAL AS REQUIRED BY PLANNING  
CONDITIONS (RESTORATION SCHEME AND FURTHER DETAILS) AT  
POLLARDS QUARRY, WATER HALL QUARRY COMPLEX, NR HERTFORD**

**Report of the Director of Environment**

**Contact:- Brian Owen, County Development Unit, tel: 01992 556255**

**Local Member:- Bryan Hammond**

**1. Purpose of the report**

To consider submissions for approval of details as required by conditions 84, 91, and 93 of planning permission 3/0003-99 (updated conditions for Water Hall Quarry Complex incorporating subsequent amendments) at Pollards Quarry, Water Hall Quarry, nr. Hertford.

**2. Summary**

2.1 New conditions for the Water Hall Quarry Complex were imposed in February 1998 under the provisions of the Environment Act 1995 as part of the Review of Mineral Planning Permissions. This report considers the submission of details required by conditions 84, 91, and 93 of the updated permission, relating, respectively, to a detailed working and outline restoration scheme, dust mitigation scheme and scheme for the improvement of the access at Pollards Quarry, which forms part of the quarry complex.

2.2 The restoration scheme provides details of final contours, which would require some 414,000 cubic metres of, fill material to achieve them. The proposal is to use inert material which could include material arising from the recycling facility at Water Hall and overburden from Bunkers Hill Quarry and Southfield Wood (also part of the quarry complex) and inert waste from external sources for restoration of the Quarry.

2.3 No proposals are submitted for improving the access to Pollards Quarry from the B158 as it is intended that this access will be closed once the haul road linking Bunkers Hill Quarry and Pollards Quarry, which is currently being constructed, is complete. Access would then be via the Bunkers Hill Quarry access.

### **3. CONCLUSIONS**

The report concludes that the Director of Environment should be authorised to approve the submissions for:

- (i) the scheme of working, including proposed noise mitigation subject to provision of further noise bunding if this proves necessary;
- (ii) the outline scheme of restoration in respect of the final contours and the phasing of restoration;
- (iii) the scheme for dust mitigation.

## 1 Background to the proposals and summary of submitted schemes

- 1.1 Pollards Quarry, which forms part of the Water Hall Complex, has an area of 11.4 hectares and is located south of the B158. Permission for the extraction of sand and gravel was first granted in January 1948 as part of an Interim Development Order approval. A further permission was granted on 24 June 1952 to extend the workings. Later permissions were granted in 1961 and 1981. The latter planning permission, relating to the southern part of the site, was time limited and required restoration of the area subject of the permission within ten years. Working and restoration were not completed within this time. An application to amend the condition was submitted in 1991, and given approval allowing a further ten-year period to complete works in this area.
- 1.2 Planning conditions at the Water Hall Quarry complex, which comprises the main Water Hall site and the Southfield Wood, Bunkers and Pollards Quarries, were reviewed under the provisions of the Environment Act 1995, Review of Old Mineral Planning Permissions (RoMPP). A new set of conditions was issued on 2 February 1998. These include specific conditions relating to the restoration of Pollards Quarry. In accordance with Environment Act guidance, the date for the completion of restoration of the majority of Pollards Quarry within the Review conditions is 2042. However, as the area in the south of the quarry was already time limited by earlier consents, it has a restoration date of 31 December 2001.
- 1.3 The following conditions required the submission and approval of further details before restoration can take place:
- Condition 84 - detailed working scheme and outline restoration scheme.
- Condition 91 - dust mitigation scheme.
- Condition 93 - scheme for the improvement of the existing access to the B158
- 1.4 All extraction of sand and gravel at Pollards Quarry is now complete, and a void with capacity in excess of 400,000 m<sup>3</sup> now exists at the quarry. The planning conditions at Pollards Quarry allow the infill of Category A and B Waste, but the Waste Disposal Licence limits the type of waste to inert (Cat.A).
- 1.5 Condition 84 - the detailed working scheme and outline restoration scheme: the proposals include a pre-settlement restoration plan that would require an estimated at 414,000m<sup>3</sup> of fill material to achieve the proposed contours. The scheme proposes phased infilling of the Quarry with inert waste and restoring the site to agriculture over a ten-year period.
- 1.6 The inert waste could be imported from a number of sources, these are:-
- inert waste from the recycling facility at Water Hall (potential estimated at 25,000 - 30,000 m<sup>3</sup> of waste per annum);
  - the potential for a total of 75,000 - 150,000 m<sup>3</sup> of overburden, soil, clay and other overburden from Bunkers Hill;

- the potential for a total of 10,000 - 15,000m<sup>3</sup> clay and overburden from Southfield Wood;
  - inert waste materials from other external sources.
- 1.7 The proposed restoration, shown on the attached plan, is divided into four phases, starting in the south-west, then proceeding through north-west and north-east, to finish in the south-east of the site. The restoration of Phase 1 would be completed before infilling commences in Phase 3 with the same principle applying to Phases 2 and 4. The phasing has been designed to take account of:
- the need to fill the south western corner first as access would otherwise be difficult. In addition infilling this area first would enable restoration of some 15% of the site to be achieved quickly;
  - there are some long distance views of Phases 2 and 3 from footpaths to the north and filling these phases from north to south would minimise the visual impact;
  - a new haul road, linking Bunkers Hill Quarry and Pollards Quarry is currently under construction which accesses Pollards Quarry in the south east corner, consequently this area needs to be infilled last.
- 1.8 The maximum duration of infilling is expected to be around a total of 10 years, with Phase 1 taking less than one year, Phase 2 up to three years, Phase 3 up to five years and Phase 4 approximately one year.
- 1.9 The proposed landform as revised, would have a maximum height of over 74m Above Ordnance Datum (AOD). The submission estimates that settlement of waste would not exceed 5% and a maximum depth of settlement would be 0.6m. The proposed pre-settlement slopes have gradients of between 1:11 and 1:20.
- 1.10 There is a limited soil resource available at Pollards Quarry for restoration, which is not likely to provide sufficient quantities of stored top and subsoil. It is proposed to use overburden material from Pollards and Bunkers to provide subsoil material. Topsoil would need to be created from imported materials and ‘manufactured’ topsoil from the materials recovery facility at Water Hall.
- 1.11 The proposed after-use of the site is primarily pasture with some areas of tree and shrub planting to blend with the pattern of woodland in the surrounding area. The applicants propose to submit a detailed restoration and after-use scheme, as required by Condition 101 within twelve months of the start of infilling operations in Phase 1.
- 1.12 As part of a noise mitigation scheme the proposals would leave existing screening mounds in place for as long as possible, dependent upon the phasing. It is proposed to use one bulldozer on site, which would be fitted with an ‘intelligent’ reversing bleeper, which would take account of noise levels in the immediate vicinity of the machine to minimise intrusiveness.
- 1.13 Dust Mitigation Scheme: the following are proposed as part of the dust mitigation scheme:

- a water bowser to be available at all times;
- vehicle speeds within the quarry to be limited to 20mph;
- existing perimeter planting to be retained;
- existing screening mounds would be retained whilst operations were taking place within the phase adjacent to the mounds.

1.14 Condition 93 - Scheme for improvement of the existing access to Pollards Quarry

No proposals are submitted for the improvement of the existing access as it is proposed that access to Pollards for vehicles importing restoration material would be via Bunkers Quarry and the internal haul road which was granted planning permission on 17 January 2000 and is currently under construction. Once completed, the existing Pollards access from the B158 will be closed.

1.15 Submissions relating to schemes of working and restoration are usually dealt with under officer delegated powers following a more limited consultation with the local district and parish councils and relevant technical advisory bodies. However, given the level of public interest in the Water Hall complex as a whole, the schemes for both Bunkers Hill and Pollards Quarries have been the subject of a wider consultation and are being brought to the Committee for decision.

## **2. Consultations and Representations**

2.1 East Herts District Council state that restoration levels should be in-keeping with the original landform.

2.2 Hertford Town Council express a concern that increased lorry movements along the B158 would cause many problems.

2.3 Bayford Parish Council expressed concern that restoration levels may become too high.

2.4 Essendon Parish Council have no objections but state that lorry movements should not increase and, therefore, neither should noise and dust levels.

2.5 Little Berkhamsted Parish Council object to the prolonged disruption that would be inflicted on residents.

2.6 The Environment Agency have no objections, provided a condition would be imposed on the permission to prevent increased risk of flooding and to improve water quality. A surface water source control measure should be carried out in accordance with details submitted to and approved by the Local Planning Authority.

2.7 MAFF (now DEFRA) has no objections to the development, provided that agricultural after-use was carried out satisfactorily.

- 2.8 The County Council as Highway Authority does not wish to restrict the granting of the application subject to a planning condition requiring best practicable means to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site.
- 2.9 Hertford Civic Society state that they think S Q Environmental are only proposing this change in order to gain a greater void space at Southfield Wood and Bunkers Hill.
- 2.10 The Hertingfordbury Preservation Society state that the soil proposed to be transported to Pollards Quarry, should instead be used to restore the Southfield Wood and Newfield sites.
- 2.11 The East Herts Footpath Society expresses concern about the haul road crossing the existing bridleway.
- 2.12 The Herts & Middlesex Badger Group state that under ‘The Protection of Badgers Act’ 1992, no interference within 30m of a sett is permitted and there is a sett to the west of Pollards Quarry.
- 2.13 19 letters of representation have been received and the objections that have been expressed are:
- negative impact of increased lorry movements on the insufficient local roads, especially the B158: rat-running through the villages and also damaging the roadside verges;
  - likely increase of noise pollution and wind borne dusts from increased lorry movements;
  - it is unacceptable for residents to have to suffer disruption for an extended period of time;
  - footpath and bridleway users would suffer greater disruption.

### **3. Planning Considerations**

- 3.1 Pollards Quarry has been worked out and now requires restoration. Policy 26 of the Hertfordshire Minerals Local Plan (landfill) requires that any infilling of pits be achieved rapidly. The proposed scheme would achieve restoration of Pollards Quarry, which has been delayed for some considerable period of time. The proposal estimates that the quarry would be restored within 10 years, which is well within the 2042 completion date for the majority of the site area. The southern part of the site (proposed Phases 1 and 4), however, requires restoration to be completed by 21 December 2001. The company has recently submitted an application to postpone this date for a further ten years to be coincident with the proposed scheme of working and restoration, both in terms of the overall timescale and to reflect the fact that the area where the internal haul road enters the quarry would need to be restored last.

- 3.2 The proposal does involve the importation of 414,000m<sup>3</sup> of inert material. It is proposed that some of this material would be sourced from overburden stockpiles at Bunkers Hill, transferred via the internal haul road that is currently under construction. However, the remaining balance would involve use of the B158, either crossing from the Water Hall entrance to the Bunkers Hill entrance or direct from external sources. The overall number of vehicle movements at the quarry complex, which includes Pollards Quarry, is controlled by the legal agreement.
- 3.3 The proposed phasing represents a reasonable sequence to achieve restoration of the site and minimise visual impacts. It is recognised that accepting this phasing means that the whole of southern part of the site cannot be restored by December 2001 and to an extent pre-empts a decision on the recently submitted application to extend this time period. However, it should be possible to restore the south west part in less than a year. An area of the south eastern part would, in any event, need to be restored last because of the access point of the internal haul road.
- 3.4 Following discussion with the applicant, the restoration levels originally submitted have been revised. The new proposed levels are considered to be those that best reflect the original landform and keep the amount of material required for restoration to a minimum.
- 3.5 The submission includes measures to control dust to ensure that it does not become a nuisance and these are considered acceptable. There are existing conditions, which include limits for noise at the site, and the scheme of working includes a noise mitigation scheme to address the potential effects on the nearest properties - Water Hall Cottages, Little Stockings House and Park Cottage. It would however be appropriate to require additional noise bunding should this prove necessary through measurement.
- 3.6 The Company is currently constructing the haul road between Bunkers Hill and Pollards Quarries. Access to Pollards will then be via the existing Bunkers Hill access and haul road. When completed, the current access to Pollards from the B158, which is not suitable in highway terms and cannot be adequately improved, would cease to be used. On this basis, a scheme for improving the existing Pollards is no longer required.

#### **4. Conclusions**

- 4.1 The schemes submitted are considered to be broadly acceptable and it is concluded that the working and outline scheme of restoration should be approved in respect of the revised final contours and the phasing of restoration.
- 4.2 The schemes for dust and noise are also acceptable subject to provision of further noise bunding if this proves necessary through measurement.

#### **4. Financial Implications**

- 4.1 Applications for approval of matters required under conditions should be determined on the basis of material planning considerations, and not on the basis of their financial implications for the County Council. However, it is a requirement of the County Council to advise all Committees of the financial implications that may arise from a decision of the Committee.
- 4.2 If an application for approval of matters required by condition is refused or is not determined within a specific period, the applicant has a right of appeal. Any appeal would result in additional costs, which in part can be met from existing budget provisions. However, a major public inquiry may give rise to significant costs for which there is no specific budget provision. If the County Council refuses an application without reasonable planning grounds on which to base its decision, it may be liable to pay the costs of the applicant in contesting the appeal.

*Background information used by the author in writing this report.*

*Application for consideration of details under conditions 84, 91 and 93 of planning permission 3/0453-97*

*Consultation responses and representations received  
Hertfordshire Minerals Local Plan July 1998*