

Aggregates Panel Members:- R N Copping (Chairman), F Clayton (sub), B Engel (sub), G Churchard, R Roberts, R Sanderson, HM Saunders, WA Storey, B York.

**An Overview of the Recent Planning History of the BAe Hatfield site.**

Author:- Clare Foxwell (01992 556229), County Development Unit

**1. The purpose of the report**

- 1.1 In response to the Panel's request at their last meeting, this report gives a brief review of the planning history and identifies the permitted land uses for the former British Aerospace site (BAe) at Hatfield, together with the inter-relationship with mineral extraction.

**2. Background and Planning History**

- 2.1 The former British Aerospace (BAe) site at Hatfield has a long association with the area, having been a major employer within Hertfordshire from the original connections with DeHavilland and as the manufacturer of the Comet. The site had become redundant with the closure of the BAe manufacturing site in 1993 and subsequent closure of the runway in 1994. The following sets out the relevant policy chronology.

- BAe site was a manufacturing site and operational airfield until the total closure in 1994 – manufacturing ceased 1993.
- Welwyn Hatfield Local Plan 1993 – Redesignation of the Green Belt boundary to exclude the Commercial Works and Dynamics sites which were designated as employment areas. The remaining land is identified as an Area of Special Restraint
- Hertfordshire Structure Plan 1991-2011 (adopted 1998) identified as Land at BAe Hatfield Aerodrome as a Key Employment site.
- Welwyn Hatfield Local Plan 1998 - referred to land as an Inset Site with Policies BAe 1 – 4, including identifying the non-Green Belt land as Future Development Land (FDL). The release of the land to be in accordance with the Master Plan (approved November 1999).
- Public Inquiry into the Minerals Local Plan Planning Inspector's report dated May 1997 recommended Future Development Land to be included as a preferred area for mineral extraction – not just green belt.
- Hertfordshire Minerals Local Plan 1991 – 2006 (adopted July 1998) - Green Belt land at BAe Identified as a Preferred Area for mineral extraction.
- SPG/Master Plan November 1999 – Adopted by Welwyn Hatfield and St Albans District Councils. It includes detailed management proposals for the Green Belt area and the formation of Ellenbrook Trust together with

a provisional landscape scheme to allow for the possible extraction of minerals and a restoration scheme to improve the current landscape profile.

- Welwyn Hatfield Revised 2<sup>nd</sup> Draft Deposit June 2002 sets out the key principles for the site's development – awaiting Inspector's Report. The supporting text makes reference (para 14.8) to the preferred area for mineral extraction (together with reference to the Waste Local Plan and identification of land as an area of search for the waste materials recovery) Policy HATAER3 refers to the need for development to be in accordance with the adopted Masterplan. Supporting text also indicates that the Masterplan will be adopted as Supplementary Planning Guidance.

2.2 Planning Permissions have been granted to the following applications that are linked together through a Section 106 Agreement (details shown below) completed on 29<sup>th</sup> December 2000:

S6/1064/99/OP, S6/1106/99/OP (Duplicate Application) granting permission for a mixed-use development.

S6/1999/0884/FP Residential development 370 dwellings, roads, cycleways, footpaths, landscaping and public open space.

S6/1999/0971/FP Residential development 144 houses and 26 flats with associated access roads, garages, parking areas and public open spaces, cycleways and footpaths.

S6/1999/1115/OP Residential development including access to public highway (Outline).

2.4 The site is presently under development and proposals include distinct areas of employment, residential dwellings, the University of Hatfield, schools, a commercial area and an area of Green Belt that contains a potential for minerals to be extracted. There also is a District Centre where community facilities are available, shops, medical centre and a library.

### **3.0 Supplementary Planning Guidance (SPG) Approved November 1999 and guidance on mineral extraction**

3.1 The SPG was prepared by Welwyn Hatfield and St Albans District Councils and Hertfordshire County Council in consultation with British Aerospace, Arlington Property Developments Ltd, GoEast, the Highways Agency and other relevant bodies and agencies and this gives details of the complete re-development of the site.

3.2 Para 9.7 of the SPG states that *"It is considered important, particularly in respect of the principle of the Green Belt area that proposals for mineral extraction are seen as part of a wider process relating to landscape/habitat creation, recreation and open space uses. This should be achieved by "joined up thinking" in dealing with the various issues during formalisation and implementation of the development proposals."*

- 3.3 Paragraphs 9.19 to 9.35 give guidance on mineral extraction. The SPG makes it clear that whilst the extraction of minerals does not form part of the current development proposals, the SPG sets out key principles in respect of future mineral extraction and restoration at the site in the interests of achieving a sustainable approach to long term development.
- 3.4 Whilst the Minerals Local Plan did not identify the FDL as a preferred area for extraction the SPG encourages prior extraction of minerals in this area in the interests of sustainable development. Principles for extraction from the Green Belt land are then set out.
- 3.5 Para 9.27 of the SPG identifies that any proposals need to ensure *“that the surface development proposals do not unreasonably affect the future extraction of minerals from the preferred area and that the amenity of the future development proposals will not be unreasonably affected in the event that minerals are extracted. In determining future minerals applications, the County Council will need to strike a balance between:*
- ◆ *Maximising the use of the mineral resource;*
  - ◆ *Protecting the amenity of existing residents at Ellenbrook and Smallford and other existing occupiers/users;*
  - ◆ *Protecting the amenity of existing and proposed development on the FDL.”*
- 3.6 Para 9.32 requires that a strategy be prepared for setting out how the Green Belt area will be managed prior to, during and after mineral extraction and restoration.

#### **4.0 Details of the S106 Agreement**

- 4.1 The following are joined in covenant through the S106 Agreement attached to the permission for the redevelopment of the former BAe site comprising of mixed developments:
- Welwyn Hatfield District Council  
Hertfordshire County Council  
City and District of St Albans District Council  
BAE Systems PLC  
Arlington Property Developments Ltd  
The University of Hertfordshire Higher Education Corporation  
Hatfield Business Park Limited
- 4.2 The Section 106 agreement looks after the County Council’s interest in the Preferred Area (as identified in the Draft Minerals Local Plan), in the event that mineral extraction takes place.
- 4.3 The provision of Open Space is in line with the Specification that has been approved by the District Council and the objectives of this approved

scheme is to enable the site “to be used for landscape, wildlife, airports, recreational and amenity...to ensure residents have access at all reasonable times”<sup>1</sup>

- 4.4 Approved Landscape schemes for the management of the Green Belt area are also provided, noting that should there be mineral extraction then the Landscape Management Document (part of the S106) “should be flexible enough to ensure that any future mineral extraction proposals are not unreasonably affected”<sup>2</sup>.
- 4.5 Ellenbrook Park is denoted as within the Green Belt area and is part of the Preferred Area identified within the 2<sup>nd</sup> Draft Deposit Minerals Local Plan (effectively the buffer zone adjacent to the FDL).
- 4.6 The S106 gives details of the Ellenbrook Park Trust that is to be set up with representatives from Welwyn Hatfield, St Albans District Council, Watling Chase Community Forest, Hatfield Town Council, Colney Heath Parish Council and Arlington. This Trust will be activated when a trigger point is reached and this is linked to the road system improvements, with the last modification joining Ellenbrook due to be completed in April 2004. The trigger points are linked to four Bonds as detailed in the S106 agreement.
- 4.7 Arlington are responsible for the management by providing financial payments for the day to day running costs and in joint partnership with the Trustees, aim to meet the objective of the Ellenbrook Trust. The objective is that the green belt land known as Ellenbrook is “fit for use and in accordance with sound landscape and open space management practices and shall ensure available at all times for controlled access and use by the public including residents”<sup>5</sup>

## **5.0 The current situation**

- 5.1 The current situation is that the trigger point is due to be reached in April 2004 with the completion of the road improvement scheme, and Welwyn Hatfield are now in discussions as to the activation of the Ellenbrook Park Trust and the Land Management Scheme that applies to the Green Belt land which is also identified in the Draft Minerals Local Plan as a preferred area. There is a meeting scheduled to take place during the week commencing 16<sup>th</sup> February 2004 and it is expected that an update from this meeting will be available for the Aggregates Panel meeting on the 26<sup>th</sup> February 2004.

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<sup>2</sup> Schedule 21 Hatfield Greenbelt S106 Ellenbrook Park Landscape Framework Document

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**Recommendations following the Public Inquiry into the Adopted Minerals Local Plan 1991 – 2006**

1. Following the Public Inquiry into the adopted Minerals Local Plan Review, the Planning Inspector made relevant statements that are of importance to the former BAe site at Hatfield.
2. The Inspector was considering the green belt area where the majority of reserves in this site are found and concluded that these could be worked without prejudicing the redevelopment of the former aerodrome site. The objectors (Welwyn Hatfield and Arlington) to this statement were seeking precedence for economic development on the whole of the BAe site.
3. The argument put forward by Hertfordshire County Council into the problem of sterilisation of minerals, the Inspector made comment “that he found no evidence to suggest that the proposed development planned for the BAe site over the next two decades is of such importance that they justified writing into the Minerals Local Plan (now the adopted plan) a provision in effect, authorising an exception to national and development plan policies”
4. The Inspector’s report was presented to the Environment Committee on 14<sup>th</sup> October 1997, who endorsed the Inspectors conclusion that “National policy is not something to be set aside when it is inconvenient” and the emphasis was to produce a hierarchy of sites identified in the Plan with the Preferred Areas being extracted ahead of any other identified areas.
5. In particular the Inspector made reference that all areas of the Former BAe site (including the Future Development Land) should be regarded as possible mineral extraction areas – not just the area within the Green Belt.