

HERTFORDSHIRE COUNTY COUNCIL

AGGREGATES PANEL

THURSDAY 22 APRIL 2004 AT 10 A.M.

~~Draft for CABINET~~

~~MONDAY 10 MAY 2004 AT 2.00 P.M.~~

~~Draft for COUNTY COUNCIL~~

~~TUESDAY 18 MAY 2004 AT 10.30 A.M.~~

**SUBJECT: MINERALS LOCAL PLAN REVIEW 2002 – 2016
DRAFT PROPOSED PRE-INQUIRY CHANGES FOR PUBLIC
CONSULTATION**

Report of the Director of Environment

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Tel: 01992 556227

Executive Member: Derrick Ashley

1. Purpose of report

To seek ~~the comments of the Aggregates Panel on the: approval for the~~ draft Proposed Pre-Inquiry Changes document in light of the representations made to the Second Deposit Draft and several accidental omissions from Respondent No. 228 (Kennedy's); ~~and. Also, to seek approval of the public consultation arrangements and the overall timetable for progressing the Pre-Inquiry Changes.~~

2. Summary

- 2.1 The Minerals Local Plan, adopted in July 1998, forms part of the Development Plan for Hertfordshire, guiding how and where mineral extraction should take place within the county. Government advice is that plans should be reviewed at least every five years and the adopted Plan includes a commitment for any review of the Plan to include an evaluation of all resources from which areas for future working will be identified.
- 2.2 The Hertfordshire Minerals Local Plan Review is being progressed under the existing Development Plan process, however, proposed changes to the planning system outlined in the Planning and Compulsory Purchase Bill have been taken into account. The Plan draws together strategic and operational policies, with much of the latter adopting a criteria based approach. This is supported by draft Supplementary Planning Guidance (SPG) to explain in greater depth how many of the policies would be implemented, but which is not part of the Development Plan.

Agenda Item
No.

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2.3 The First Deposit Draft of the Minerals Local Plan Review 2002 – 2016 was approved by Cabinet and County Council September 2002 following a comprehensive site evaluation process, together with a review of all the policies in the Plan to identify gaps and the areas that the Plan needed to take into account as part of the Review. The Second Deposit Draft incorporated amendments that had been recommended by the Aggregates Panel in response to representations made as a result of the public consultation on the First Deposit Draft.

2.4 The Second Deposit Draft of the Minerals Local Plan Review 2002 – 2016 was placed on public consultation between 13 October and 24 November 2003. The County Council received over 400 forms in relation to this document, of which only twenty-two (22) were regarded as new, duly-made objections (submitted by 12 objectors in total).

2.5 Pre-Inquiry Changes (PIC's) are now proposed to the document. Whilst they do not form formal changes to the Plan, the PIC's will assist in any Further Modifications as a result of the impending Public Local Inquiry and Inspector's Report and Recommendations on further revisions to the Plan. PIC's also provide an opportunity for Council to keep respondents informed of its thinking in terms of outstanding objections that have been accepted by Council and for which changes are proposed to the existing Plan.

2.6 The PIC's stage is also a useful opportunity for HCC to identify sites that have been put forward by consultees for inclusion in the Plan, but which have been reviewed and intentionally omitted by Council as part of the plan development process. This helps to inform the Inspector of previous correspondence in relation to alternative sites, which is an issue that is likely to be raised at the Inquiry by several respondents.

3. Conclusion

3.1 The Panel is invited ~~Cabinet are asked to:~~

- consider the representations made to the Second Deposit Draft and agree appropriate responses (Appendix A);
- consider ~~and approve~~ the draft Pre-Inquiry Changes (PIC's) document (Appendix C);
- consider the proposed consultation on the PIC's and ~~approve~~ the process; and
- ~~make recommendations on the above to full Council.~~

And make recommendations to Cabinet as appropriate.

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1. Background to Pre-Inquiry Changes (PIC's)

- 1.1 The Hertfordshire Minerals Local Plan has now been through several stages of review and public consultation. The first round involved public review of the Key Issues document in October 2001, which resulted in the 'First Deposit Draft' of the Minerals Local Plan Review. This document was placed on public 'deposit' between 7th October and 16th December 2002. The Cabinet and County Council examined all responses received from the First Deposit in detail, in meetings held on 8 September 2003 and 16 September 2003 respectively. Where the County Council considered changes proposed by consultees were acceptable, these were incorporated in the 'Second Deposit Draft'.
- 1.2 The Second Deposit Draft was approved for public release by the County Council on 16 September 2003 and placed on exhibition for public comment from 13 October to 24 November 2003. The Second Deposit Plan is the second formal stage in reviewing the County Council's existing Minerals Local Plan 1998.
- 1.3 The County Council received over 400 forms concerning the Second Deposit Draft, including 22 new objections, 248 objections to the Plan being maintained (from First Deposit submissions) and 46 objections (to the First Deposit Draft) being withdrawn. The remainder were considered to be invalid objections as they either restated First Deposit objections or did not relate to changes made between the First and Second Deposit Drafts.
- 1.4 Second Deposit representations have been considered on two occasions by the Aggregates Panel, in meetings held on 15 December 2003 and 26 February 2004.
- 1.5 At this stage of the process the Council can only consider duly made representations to the Plan. Planning Policy Guide Note 12 – Development Plans, states that at second deposit stage, objections can only be made regarding the changes that have been made (e.g. as a result of a previous objection). The County Council can not accept representations that should have been made at the first deposit stage. A summary of the duly made representations is attached at Appendix A, which sets out the suggested response by the County Council as recommended by the Aggregates Panel. A list of those whose representations are not considered duly made, together with the reasons why is attached at Appendix B.
- 1.6 Where it is recommended that further changes to the Plan should be made Appendix C sets out the existing wording in the Draft Plan and the proposed revised wording. If agreed, these changes would then form Pre-Inquiry Changes, which would be the subject of further consultation.
- 1.7 Due to an administrative error, not all representations from Respondent No. 228 were acknowledged in the Second Deposit Draft. Significant correspondence has taken place between County Council and the

individual Respondent (Kennedy family) to rectify this, culminating in comprehensive consideration of all objections made by this family at the Aggregates Panel meeting on 15 December 2003. Of the 35 objections received, seven were accepted and of these, three were overlooked in the Second Deposit Draft document. These have been rectified as part of the Proposed Pre-Inquiry Changes.

- 1.8 Other proposed Pre-Inquiry Changes relate to objections received on Second Deposit Draft, and where proposed Hertfordshire County Council responses were endorsed by the Aggregates Panel in a meeting held 26 February 2004, or where further improvements to the Plan are considered appropriate at this stage.
- 1.9 Landowner consent is generally in place with each of the three Preferred Areas, although in the case of Preferred Area 1, BAe Hatfield, the landowner (Arlington Property Developments Limited) has outlined some reservations regarding inclusion of land in the plan. Scott Brownrigg and Turner have made formal written representation to both First and Second Deposit Drafts on Arlington's behalf, raising several issues. HCC has sought Counsel opinion on applicability of these issues, and concluded that only one can be considered duly made, covering Inset Map Number 8 and associated buffer areas. Other comments are not considered duly made. None-the-less regard has been given to their submission because of the potential implications for the supply provision set out in the Plan. EXPAND ONCE FURTHER CORRESPONDENCE RECEIVED FROM SBT/ARLINGTON AFTER MEETING ON 19/04/04.
- 1.10 Next Steps
If approved by Cabinet and County Council then Pre-Inquiry Changes would be placed on deposit for a 6-week period from the end of May. At this stage they would not be formal amendments to the Plan but can be considered by the Inspector at the Local Plan Inquiry and, if supported by the Inspector, would then be proposed as Modifications to the Plan.
- 1.11 A Public Local Inquiry is to be held to hear unresolved objections made to the First and Second Deposit Drafts of the Minerals Local Plan Review. The Inquiry will open on 7 September for an estimated 4 weeks. The Inspector is Ms Mary T O'Rourke BA (Hons) DipTP MRTPI.
- 1.12 The duration of the Inquiry will become clearer following the Pre-Inquiry Meeting to be held on 27 May at which Objectors should have clarified whether they wish to appear at the Inquiry or have their objections considered as written representations. Both methods carry equal weight. The purpose of the Pre-Inquiry Meeting is to help the inspector and all interested parties to prepare for the Inquiry. The Inspector will outline how the Inquiry will be conducted and the procedures to be followed.
- 1.13 A *Programme Officer* has been appointed for the Inquiry. He will deal with all procedural, administrative and programming matters. The Programme

Officer is not a Council officer but works under the direction of the Inspector. The Programme Officer's contact details are as follows:

Mr Jeremy Herring
Programme Officer
Minerals Local Plan Review – Public Inquiry
County Hall, Pegs Lane
Hertford Herts SG13 8DN
Tel. 01992 555652
Fax. 01992 555644
Email. jeremy.herring@hertscc.gov.uk

2. Update on Aggregates Provision and Implications for PIC's

- 2.1 Uncertainty around Government advice as to how much primary land-won aggregate (sand and gravel in Hertfordshire's case) needs to be planned for has also been an issue for the Plan Review. *The National and Regional Guidelines for Aggregate Provision in England 2001 – 2016* have now been published and the new figure for the East of England is to make provision for 256 million tonnes of land-won sand and gravel. The Regional Planning Panel for East of England apportioned this amongst the six planning authorities in the region in a meeting held 21 November 2003. Using the ten year method the annual call on reserves will be 1.99 million tonnes for Hertfordshire. It was noted at this meeting that Hertfordshire County Council had reservations with the methodology used to calculate this.
- 2.2 The Hertfordshire Minerals Local Plan was progressed on the basis of testing three supply scenarios (high, medium and low), ranging from the current apportionment figure (high – 2.4 mtpa) to the average of the last three years sales (low – 1.63 mtpa). Given that the overall figure for the region has been reduced, the Plan is robust enough to accommodate an apportionment based on the low-to-medium estimates. The figure released in November 2003 (1.99mtpa) is regarded as being in this order.
- 2.3 The First and Second Deposit Drafts of the Minerals Local Plan Review identified three preferred areas for possible future gravel extraction. These three preferred areas (land north of Hertford, land at British Aerospace, Hatfield and land at Coursers Road, near London Colney) remain the same in the Pre-Inquiry Changes.

3. Public Consultation Proposals

- 3.1 The Pre-Inquiry Changes consultation process is not a formal stage of the Plan Review, although will assist in clarifying any outstanding issues for some respondents at the Inquiry. It may also result in some respondents withdrawing objections prior to the Inquiry.

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- 3.2 The Town and Country Planning (Development Plan) (England) Regulations 1999 recommends that PIC's be: '*advertised in the same way as the deposited plan, and objections and representations invited.*' Interested parties will be able to object, support or make comments on the proposed changes by filling in the appropriate form.
- 3.3 This Pre-Inquiry Changes stage is for the public and organisations to consider the changes that are proposed to the Second Deposit Draft and decide whether they are acceptable, and in particular to establish whether the changes would enable the withdrawal of those objections that the changes seek to meet.
- 3.4 In addition to the prescribed consultation and publicity for the Plan, it is recommended that the following methods be used:
- Direct mailing of consultation documents to significant organisations and stakeholders, including Parish Councils;
 - Writing to all those who indicated that they want to be kept informed of the Plan's progress following the First and Second Deposit Drafts; and
 - A copy of the consultation documents be made available on HertsDirect, together with on-line response forms.
- 3.5 All representations made in relation to the PIC's will be summarised and County Council's response made available to all relevant respondents, prior to their due date for submission of Proofs of Evidence. The timing of this process, presuming the PIC's are released soon after the County Council meeting, is tight but achievable, and includes:
- PIC's deposit period – 31 May to 9 July 2004 (six weeks)
 - HCC consideration of response, Aggregates Panel agreement – by Friday 16 July 2004
 - Notification of HCC response to all relevant respondents – by Wednesday 21 July 2004
 - Due date for respondents Proofs of Evidence – Tuesday 27 July 2004 (six weeks prior to Inquiry start date)
 - Due date for HCC response to respondents Proofs – Tuesday 10 August 2004

4. Overall Programme for the Minerals Local Plan Review

- 4.1 PPG12 advises that local authorities should publicly adopt a timetable leading to the adoption of the Plan at the start of the Plan preparation process. Such a timetable needs to be indicative until the scale of objection to plan proposals is known. An indicative timetable, updated from that presented in September 2003, is presented below.

Timetable for Minerals Local Plan Review

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2002	September	County Council approval of First Deposit Draft Plan
2002	October-December	Public consultation on First Deposit Draft Plan
2003	Spring/Summer	Consideration of responses to First Deposit Draft Plan and preparation of Second Deposit Draft Plan
2003	September	County Council approval of Second Deposit Draft Plan
2003	October-November	Public consultation on Second Deposit Draft Plan
2004	February	Aggregates Panel consideration and endorsement of HCC response on submissions to Second Deposit Draft
2004	22 April	Aggregates Panel recommendations on proposed Pre-Inquiry Changes
2004	10 & 18 May	Cabinet and County Council approval of proposed Pre-Inquiry Changes
2004	27 May	Pre-Inquiry Meeting, Council Chambers
2004	May-July	Public consultation on Pre-Inquiry Changes
2004	July 2004 27 July 2004 10 August 2004	Assessment of representations to Pre-Inquiry Changes and Aggregates Panel / County Council approval of proposed response. Receipt of Respondent Proofs of Evidence HCC Response to Respondent Proofs of Evidence and other material for Public Local Inquiry
2004	7 September - 8 October	Public Local Inquiry
2004	Autumn/ Winter	Inspector's Report and Recommendations
2005	Winter/ Spring	Further Modifications
2005	Spring/ Summer	Adoption

5. Financial Implications

- 5.1 The costs of printing and other costs associated with the consultation process can be met from existing budgets.
- 5.2 The costs of the Local Plan Inquiry have been budgeted for separately.

6. Conclusions

- 6.1 This report sets out the various stages that have been undertaken to progress the Review of the Minerals Local Plan, the outcomes of the First and Second Deposit Draft consultations, the advice of the Aggregates Panel, proposals for consultation on the Pre-Inquiry Changes and an indicative timetable for the remainder of the Review process.

~~6.2 The Cabinet is asked to make an appropriate recommendation to County Council regarding endorsement of responses to the Second Deposit Draft and individual respondent No. 228, approval of the Pre-Inquiry~~

<u>Mr R Litchfield 018/4077</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr Kasim 020/4079</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr N Oakden 027/4086</u>	<u>General response numbers 1 & 2</u>	<u>Object to HCC response not to the Plan.</u>
<u>Mrs P Oakden 028/4087</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Cllr McMullen 33/4305</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr & Mrs Winsor 38/4097</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr S Hillen 41/4100</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Faulkners on behalve of Mrs Beetham 43/4102</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>M C Dulin 46/4105</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr D Gordon 059/4117</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms A Clarke 064/4122</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs C Wren 065/4123</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms L Walczak 067/4125</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>P Ludwell 068/4126</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr J Ingham, Great Munden Parish Council 074/4133</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs J Long 076/4135</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr P Long 080/4139</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr I Anderson 084/4143</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr Draper 091/4526</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr Draper 091/4161</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr P & Mrs H Barrows 097/4175</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms C Hyland 098/4176</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr G. H Sandell 100/4178</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr G. H Sandell 100/4179</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr G. H Sandell 100/4180</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr I McKenna 109/4191</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms L O'Conner 110/4192</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs A Townell 115/4197</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms J Tennant 152/4237</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>M.P McMullen 156/4241</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms Nissen 159/4244</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs A Young 164/4249</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr Parker 167/4252</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr T Knight 179/4294</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr M Walden 182/4297</u>	<u>Rickneys</u>	<u>Repeat Objection</u>

<u>Mrs A Walden</u> 183/4298	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>K. A Witt 188/4303</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr N Young 189/4304</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr A Smith 192/4309</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs Y Edge 194/4314</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs M Young 200/4321</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr C Kemp 201/4323</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>G. A Williams 207/4330</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms C Brewer 211/4789</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr R Willoughby</u> 213/4336	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs J Martin 217/4340</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>C & K Orchard</u> 219/4342	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr & Mrs RW Day</u> 220/4343	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>E. J Mean 221/4344</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs S Smith 232/4360</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs N Garton 233/4361</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms SE Townsend</u> 238/4366	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr DJ Townsend</u> 239/4367	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms V Payne 241/4369</u>	<u>Rickneys s</u>	<u>Repeat Objection</u>
<u>Ms M Henley 243/4703</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr & Mrs Coker</u> 250/4378	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr R Norris 252/4380</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr & Mrs Sime</u> 261/4389	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr DW Martin 265/4393</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>M D Catherall 266/4394</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mrs J Leary 271/4399</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms G Coleman</u> 273/4401	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr & Mrs Mildren</u> 274/4402	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>H & H Voller 277/4405</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr C Leary 279/2207</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr A Mabbett 284/4412</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr P Eveleigh 285/4413</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Strutt & Parker</u> 286/4414	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>BAA plc 287/4415</u>	<u>Safeguarding</u> <u>Aerodromes</u>	<u>Repeat Objection</u>
<u>Mr & Mrs TE Paque</u> 288/4416	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms C Sime 302/4430</u>	<u>Lack of Greenbelt Policy</u>	<u>Repeat Objection</u>

<u>Ms H Mansfield</u> <u>315/4443</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr T Mansfield</u> <u>316/4444</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr C Geeves 321/4505</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>K Lupton 322/4650</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Ms J Murrell 337/4679</u>	<u>Rickneys</u>	<u>Repeat Objection</u>
<u>Mr D Vaughan Hall</u> <u>338/4682</u>	<u>Rickneys</u>	<u>Repeat Objection</u>



Hertfordshire County Council

Minerals Local Plan 2002
– 2016 Review

Supplementary Report to Proposed
Pre-Inquiry Changes – “Omission”
Sites Proposed in Objections and
Representations

May 2004

Supplement - “Omission” Sites Proposed in Objections and Representations

THESE PROPOSALS HAVE BEEN MADE BY OBJECTORS AND ARE NOT ENDORSED BY HERTFORDSHIRE COUNTY COUNCIL

In some cases, if these Sites were to be included in the Adopted Minerals Local Plan, the boundaries of other sites, in the area covered by the Inset Map, would need to be shown. They are presented on separate sheets in this document rather than on a reproduced index map, to avoid confusion.

THIS PAGE ILLUSTRATES THE CHANGES WHICH WOULD BE REQUIRED IF AREAS OF SEARCH PROPOSED BY OBJECTORS WERE INCLUDED IN THE HERTFORDSHIRE MINERALS LOCAL PLAN

APPENDIX 8 – INSET MAPS INCLUDING PREFERRED AREAS

MINERALS POLICY 3 – SITES FOR SAND AND GRAVEL EXTRACTION AND THE WORKING OF PREFERRED AREAS

Specific Sites for sand and gravel extraction are identified on the Proposals Map and listed at Appendix 5. These are:

- i) sites which have a valid planning permission for mineral extraction including active sites with unworked permitted reserves and sites on which extraction has not commenced; and
- ii) sites which are subject to a resolution of the County Council to grant planning permission.

The following sites as defined on the Proposals and Inset Maps are identified as Preferred Areas for future mineral working:

- Preferred Area 1: Land at former British Aerospace, Hatfield
- Preferred Area 2: Land adjoining Rickneys Quarry, near Hertford
- Preferred Area 2: Land at Coursers Road, near London Colney

Proposed mineral working within the Preferred Areas defined in this Plan will be permitted only when:

- a) they contribute to maintaining the County’s appropriate contribution to local, regional and national aggregate needs, including the maintenance of a landbank in accordance with Mineral Policy 1; and
- b) the application satisfactorily fulfils the requirements of the Proposals for that Preferred Area as identified with the Inset Maps.

THIS PAGE ILLUSTRATES THE CHANGES WHICH WOULD BE REQUIRED IF AREAS OF SEARCH PROPOSED BY OBJECTORS WERE INCLUDED IN THE HERTFORDSHIRE MINERALS LOCAL PLAN

APPENDIX 8 – INSET MAPS INCLUDING PREFERRED AREAS

<u>Inset Maps Including Preferred Areas</u>		<u>Reason / Industry Promoter</u>
<u>Inset Map No 1</u>	<u>Anstey Chalk Pit</u>	
<u>Inset Map No 2</u>	<u>Bedwell Park Quarry</u>	
<u>Inset Map No 3</u>	<u>Bovingdon Brickworks</u>	
<u>Inset Map No 4</u>	<u>Codicote Quarry</u>	
<u>Inset Map No 5</u>	<u>Dobbs Weir</u>	
<u>Inset Map No 6</u>	<u>Dobbs Weir Caravan Park</u>	Lee Valley Park Regional Authority 94/4171 1DD
<u>Inset Map No 76</u>	<u>Flaunden Chalk Pit</u>	
<u>Inset Map No 87</u>	<u>Hatfield Quarry and Preferred Area No 1 (land BAe)</u>	
<u>Inset Map No 98</u>	<u>Great Westwood</u>	
<u>Inset Map No 109</u>	<u>Harper Lane</u>	
<u>Inset Map No 110</u>	<u>Hoddesdon Quarry</u>	
<u>Inset Map No 121</u>	<u>Hollingson Meads and Pole Hole</u>	
<u>Inset Map No 132</u>	<u>Panshanger</u>	
<u>Inset Map No 14</u>	<u>Panshanger / Bramfield Park</u>	Lafarge Aggregates Ltd 304/4618 1DD
<u>Inset Map No 15</u>	<u>Plashes Farm, Colliers End</u>	Mr B Ellis 311/4662 1DD
<u>Inset Map No 163</u>	<u>Rickneys Quarry and Preferred Area No 2</u>	
<u>Inset Map No 17</u>	<u>Ryemeads Sewage Treatment Works</u>	Thames Water Property Services 104/4184 1DD
<u>Inset Map No 18</u>	<u>South-west of Sawbridgeworth</u>	RJD Ltd 242/4370 1DD / Frank Lyons Group 312/4440 1DD / Trustees of the Wentworth Stanley Settlement Trust 334/4669 1DD
<u>Inset Map No 19</u>	<u>South-west of Welwyn-Garden City, extension to Hatfield</u>	RMC Aggregates (UK) Ltd 240/4502 1DD
<u>Inset Map No 2014</u>	<u>Tythenanger and Preferred Area 3 (land at Coursers Road)</u>	
<u>Inset Map No 1521</u>	<u>Ware Quarry and Westmill Quarry</u>	
<u>Inset Map No 1622</u>	<u>Water Hall Quarry</u>	
<u>Inset Map No 23</u>	<u>Water Hall Complex</u>	SQ Environmental 227/4451, 4454, 4455, 4830 1DD

Hertfordshire County Council

Minerals Local Plan 2002 **– 2016 Review**

Proposed Pre-Inquiry Changes to
the Second Deposit Draft

May 2004

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1. Overview

Changes are proposed to the Minerals Local Plan 2002 – 2016, in response to the objections and supporting representations made during Second Deposit public consultation (13 October to 24 November 2003). Changes are also proposed to address accidental omissions in the Second Deposit Draft of Council-endorsed responses to certain objections made by Respondent No. 228.

This document contains all the proposed pre-inquiry changes (PICs) to the Revised Deposit version of the Hertfordshire Minerals Local Plan and should be read in conjunction with the Second Deposit Draft 2003. Only those sections of the Plan for which there are further changes proposed appear in this document. Proposed changes are presented as follows:

- Proposed Change No. – e.g. PIC001
- Paragraph No. / Policy Reference
- Text as it appears in Second Deposit Draft 2003
- Proposed Pre-Inquiry Changes (PIC) to text in the Second Deposit Draft 2003.

The proposed changes are shown as strike-through of the original text and underlining of the new text, i.e. ~~The old text~~ is replaced by The proposed new text.

- Reason:
 - ⇒ Personal Objector reference number – from 1 to 343, used to identify the objector/submitter only, giving each person/group/organisation its own individual reference number; and
 - ⇒ Individual Objection number – this is used to identify each objection, and numbering starts at 4057.

Representations have been referenced in accordance with recommendations from The Planning Inspectorate.

This document will be placed on deposit for a six-week period. The proposed changes herein are not formal amendments to the plan but can be considered by the Inspector at the Public Inquiry and, if supported by the Inspector, will then be proposed as further modifications to the Plan.

A Supplementary Report is also attached that outlines proposals and sites put forward by objectors throughout the consultation process. These have **not** been endorsed by Hertfordshire County Council. They are repeated here for comprehensiveness and to inform the Minerals Local Plan Review Inquiry Process only.

Representations can only be made in respect to the changes listed in this document. If making representations, please use the forms provided.

2. Schedule of Proposed Changes

<u>No.</u>	<u>Para / Policy</u>	<u>Second Deposit Draft Version (2DD)</u>	<u>Proposed Pre-Inquiry Change (PIC)</u>	<u>Reason</u>
PIC00 1	1.5.5 (previous y para 1.5.6)	<p><u>Regional guidelines, based on the regional commentaries proposed by the Regional Aggregates Working Parties, are also contained in MPG 6.</u></p> <p><u>Hertfordshire (together with Bedfordshire and Essex) is now within the East of England Region.</u></p>	<p><u>Regional guidelines, based on the regional commentaries proposed by the Regional Aggregates Working Parties, are also contained in MPG 6. Hertfordshire (together with Bedfordshire and Essex) is now within the East of England Region. Hertfordshire's apportionment was 2.4 million tonnes per year. However from 10 June 2003 'National and Regional Guidelines for Aggregate Provision in England 2001-2006' replaced Annex A of MPG6. The apportionment of the regional guidelines to minerals planning authority areas is the responsibility of the Regional Planning Body, and the June 2003 note stated that the Secretary of State expected the sub-regional apportionment to individual MPA's to be completed within six months. The Note (para 6) suggested that initial apportionment should be carried out on the basis of recent production. In</u></p>	<p><u>In response to Objection No. 311/4851 & Objection No. 312/4825</u></p> <p><u>In response to Objection No. 311/4850 &</u></p>

			<p><u>November 2003 the Regional Planning Panel of the East of England Region gave final endorsement to sub-regional apportionment including a requirement in Hertfordshire for an annual call on reserves of land won sand and gravel of 1.99 million tonnes, although the report noted Hertfordshire's concerns with the apportionment methodology.</u></p>	<p><u>Objection No. 312/4824</u></p>	
<u>No.</u>	<u>Para/ Policy</u>	<u>Second Deposit Draft Version</u>	<u>Proposed Further Modification</u>	<u>Reason</u>	
<u>PIC00 2</u>	<u>3.1.2</u>	<p><u>Certain areas in the county are prone to flooding. Mineral workings must be planned so they do not exacerbate flooding issues and, where appropriate, enhance protection from flooding.</u></p>	<p><u>Certain areas in the county are prone to flooding. Mineral workings must developments can provide opportunities to enhance protection from flooding but must, however, be planned so they do not exacerbate flooding issues. and, where appropriate, enhance protection from flooding</u></p>	<p><u>In response to Objection No. 304/4838 Lafarge Aggregates Ltd</u></p>	
<u>PIC00 3</u>	<u>4.3.4 Minerals</u>	<p><u>Development proposals will be expected to:</u></p>	<p><u>Development proposals will be expected required to:</u></p>	<p><u>In response to Objection No.</u></p>	

	<u>Policy 11</u> <u>Landscap</u> <u>e</u>			<u>228/4810</u>	
<u>PIC00</u> <u>4</u>	<u>4.4.3</u> <u>Minerals</u> <u>Policy 12</u> <u>Reclamat</u> <u>ion</u> <u>Scheme</u>	<u>All applications for mineral workings must be accompanied by a detailed, full proposal for progressive reclamation.</u>	<u>All applications for mineral workings must be accompanied by a detailed, full proposal for progressive reclamation wherever practical.</u>	<u>In response to</u> <u>Objection No.</u> <u>304/4840</u> <u>Lafarge</u> <u>Aggregates Ltd</u>	

<u>No.</u>	<u>Para/ Policy</u>	<u>Second Deposit Draft Version</u>	<u>Proposed Further Modification</u>	<u>Reason</u>
<u>PIC00</u> <u>5</u>	<u>4.5.8</u> <u>Minerals</u> <u>Policy 14</u> <u>Landfill</u>	<u>When determining an application which includes filling, the County Council will pay particular regard to the standard of restoration which can be achieved and, where appropriate, to the past and present restoration record of the operator. Permission may be refused where there is serious doubt as to whether satisfactory restoration could be achieved.</u>	<u>When determining an application which includes filling, the County Council will pay particular regard to the standard of restoration which can be achieved and, where appropriate, to the past and present restoration record of the operator. Permission may will be refused where there is serious doubt as to whether satisfactory restoration could be achieved.</u>	<u>In response to</u> <u>Objection No.</u> <u>228/4794</u>
<u>PIC00</u> <u>6</u>	<u>4.9.1</u> <u>Minerals</u> <u>Policy 18 (ii)</u> <u>Operational</u> <u>Criteria for</u> <u>the Control</u> <u>of Mineral</u> <u>Developme</u> <u>nt</u>	<u>The final landform should be one that has the appearance of one created naturally and set harmoniously within the surrounding landscape, consistent with the landscape character of the area, be sustainable and pose no long term risk to the environment;</u>	<u>The final landform should be one that has the appearance of one created naturally and set harmoniously within the surrounding landscape, consistent with the landscape character of the area, be sustainable and pose no long term risk to the environment by way of reduced stability;</u>	<u>In response to</u> <u>Objection No.</u> <u>227/4848 SQ</u> <u>Environmental</u>

<u>PIC00</u> <u>7</u>	<u>4.9.1</u> <u>Minerals</u> <u>Policy 18</u> <u>(xiv)</u>	<u>demonstrate that the method of operation and</u> <u>manner of final restoration will not represent an</u> <u>unacceptable increase in birdstrike to aviation;</u>	<u>demonstrate that the method of operation</u> <u>and manner of final restoration</u> <u>reclamation will not represent an</u> <u>unacceptable increase in birdstrike to</u> <u>aviation;</u>	<u>In response to</u> <u>Objection No.</u> <u>287/4849 BAA</u> <u>Plc</u>	
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<u>No.</u>	<u>Para/ Policy</u>	<u>Second Deposit Draft Version</u>	<u>Proposed Further Modification</u>	<u>Reason</u>
<u>PIC008</u>	<u>4.9.1 Minerals Policy 18 (xiv)</u>	<u>demonstrate that the method of operation and manner of final restoration will not represent an unacceptable increase in birdstrike to aviation;</u>	<u>demonstrate that the method of operation and manner of final restoration reclamation will not represent an unacceptable increase in risk of birdstrike to aviation, where appropriate;</u>	<u>In response to Objection No. 304/4837 Lafarge Aggregates Ltd</u>
<u>PIC009</u>	<u>4.9.1 Minerals Policy 18 (xv)</u>	<u>include suitable buffer zones adjacent to open channel watercourses to ensure the ecology and integrity of the watercourse and river corridor is protected.</u>	<u>include suitable buffer zones adjacent to open channel watercourses to ensure the ecology and integrity of the watercourse and river corridor is protected where appropriate.</u>	<u>In response to Objection No. 304/4836 Lafarge Aggregates Ltd</u>
<u>PIC010</u>	<u>Paragraph A2.27</u>	<u>Any proposal to increase the areas for mineral extraction should, as part of the Environmental Impact Assessment, include assessment of the impact of works on groundwater resources and surface water features. Flood risk assessments should also be carried out, covering both the flood risk to the site and the impact of the works</u>	<u>The Environment Agency advice is that Any proposal to increase the areas for mineral extraction should, as part of the Environmental Impact Assessment, include assessment of the impact of works on groundwater resources and surface water features. Flood risk assessments</u>	<u>In response to Objection No. 304/4832 Lafarge Associates Ltd</u>

		<u>on flood risk elsewhere. This should include the control of surface water discharges from the site, both during the operation phase and on final restoration. The discharge rate should not exceed the existing 'greenfield' run-off rate up to and including the critical 1 in 100 year storm event.</u>	<u>should also be carried out, covering both the flood risk to the site and the impact of the works on flood risk elsewhere. This should include the control of surface water discharges from the site, both during the operation phase and on final restoration. The discharge rate should not exceed the existing 'greenfield' run-off rate up to and including the critical 1 in 100 year storm event.</u>		
<u>No.</u>	<u>Para/ Policy</u>	<u>Second Deposit Draft Version</u>	<u>Proposed Further Modification</u>	<u>Reason</u>	
<u>PIC01</u> <u>1</u>	<u>Preferred Area 1, Specific Considerations</u>	<u>The site is a possible area of archaeological investigations.</u>	<u>The site is a possible area of archaeological interest and any proposals should include provision for archaeological investigations.</u>	<u>In response to Objection No. 210/4815 English Heritage</u>	
<u>PIC01</u> <u>2</u>	<u>Preferred Area 2, Specific</u>	<u>The village of Chapmore End as well as some individual properties (in particular the properties on Sacombe Road, 'Stonyhills' and 'Dimmings')</u>	<u>The village of Chapmore End as well as some individual properties (in particular the properties on Sacombe Road,</u>	<u>In response to Objection No. 228/4805</u>	

	<u>Considerations</u>	<u>are in close proximity to this preferred area and appropriate buffer zones will need to be imposed in order to minimise any impact of extraction.</u>	<u>'Stonyhills' and, 'Dimmings' and the Rickneys Hamlet) are in close proximity to this preferred area and appropriate buffer zones will need to be imposed in order to minimise any impact of extraction.</u>		
<u>PIC01</u> <u>3</u>	<u>Preferred Area 2, Advice from The Environment Agency</u>	<u>Proposals will need to include a comprehensive plan for Public Rights of Way to ensure that a network is maintained at all times.</u>	<u>Proposals will need to include a comprehensive plan for Public Rights of Way to ensure that a network is maintained and kept safe at all times.</u>	<u>In response to Objection No. 228/4805</u>	

<u>No.</u>	<u>Para/ Policy</u>	<u>Second Deposit Draft Version</u>	<u>Proposed Further Modification</u>	<u>Reason</u>
PIC01 4	Preferred Area 1, Specific Considerati ons	All restoration proposals should accord with the principles set out in the Supplementary Planning Guidance and planning permission ref. S6/1999/1064/OP for the BAe site as a whole.	All restoration proposals should accord with the principles set out in the Supplementary Planning Guidance and planning permission ref. S6/1999/1064/OP for the BAe site as a whole. It should be noted that not all of the area shown on the map as “Preferred” in the Second Deposit Draft is of the same quality aggregate composition. In particular the northern corner of the site is comprised of.....As a result, some areas (i.e. the northern part of the site) are considered unlikely to be worked. In addition, the linear Ellenbrook park will need to be shown on any revised plan and on detailed proposals for aggregate extraction activity in the area. The effect of this on the forecast aggregate reserves in this particular area (i.e. 12-15mt) is negligible.	In response to Objection No. 236/4364 Arlington Property Development Ltd / Scott Brownrigg

Preferred Area 1

<u>Address:</u>	<u>Land at former British Aerospace, Hatfield.</u>
<u>Location:</u>	<u>This preferred area lies to the west of Hatfield, on the Green Belt land of the former Hatfield Aerodrome.</u>
<u>Access:</u>	<u>Via the A1057 Hatfield Road eastbound to A1001.</u>
<u>Timing</u>	<u>This site should ideally be worked very early in the Plan period</u>
<u>Specific Considerations:</u>	<u>Appropriate buffer zones will be required to protect the amenity of residents at Ellenbrook, Smallford and Popefield Farm.</u>
	<u>A landscaped buffer zone shall be provided to the eastern part of the site with the boundary to the redeveloped area of the BAesite (non-Green Belt land) and the University playing fields.</u>
	<u>The site lies within the Watling Chase Community Forest, and so there is potential for restoration to include extensive new woodland combined with suitable amenity use.</u>
	<u>Appropriate measures shall be incorporated to ensure that Home Covert is not adversely affected.</u>
	<u>The site is a possible area of archaeological interest and any proposals should include provision for archaeological¹ investigations.</u>
	<u>All restoration proposals should accord with the principles set out in the Supplementary Planning Guidance and planning permission ref. S6/1999/1064/OP for the BAe site as a whole.</u>
	<u>It should be noted that not all of the area shown as Preferred in the Second Deposit Draft is of the same quality aggregate composition. Some areas are considered unlikely to be worked as a result. In addition, the linear Ellenbrook park will need to be shown on the plan and any detailed proposals for aggregate extraction activity in the area. The effect of this on the forecast aggregate reserves in the area is negligible.</u>

¹ In response to Objection No. 210/4815 English Heritage

Advice From The Environment Agency:

The Ellen Brook runs along the eastern edge of the preferred area in a north to south direction. The Environment Agency would seek to ensure that a buffer strip, a minimum of 30m wide between any excavation and the top of the riverbank. Additionally, 20 metres of the buffer strip should be vegetated and free from any development between the working area and the bank of the Ellen Brook. The purpose of the buffer strip would be to protect both the integrity of the watercourse and the ecology associated with the watercourse, and the river corridor.

The River Nast currently runs in a culvert through the preferred area. It may be acceptable to temporarily divert this culverted watercourse during the operational phase but on final restoration the watercourse should be reinstated in open channel through the site and appropriate buffer strips defined on each side of the watercourse.

The proposed site lies over an area contaminated with a plume of Bromate. A more robust risk assessment may be required at this site in order to determine the risk of impact on the Three Valleys Water source at the public water source at Bishops Rise.

The area lies over both groundwater protection zones II and III. The Environment Agency will object to the use of landfill for restoration in zone II unless it can be demonstrated that the waste used will be non-polluting matter such as inert, naturally excavated material. The Agency will not usually object to landfilling in zone III, provided it can be proved that the risk of pollution of groundwater can be mitigated. Proposals for individual landfills will be determined in detail at the application stage.

