

Mr Chay Dempster
Hertfordshire County Council
Minerals & Waste Planning
County Hall Pegs Lane
Hertford
Hertfordshire
SG13 8DN

Our ref: NE/2016/124652/05-L01
Your ref: PL\0755\16
Date: 18 December 2019

Dear Chay

Land at Hatfield Aerodrome, off Hatfield Road

Application for the establishment of a new quarry on land at the former Hatfield Aerodrome. Review of independent report.

We have now had the opportunity to review the independent report produced by Dr Rivett. Our questions to the specific numbered points queried by the County Council are below.

1. Further collection and interpretation of site-specific data could reasonably be expected

Whilst additional site characterisation might be desirable prior to determination, we consider that it is not necessary. Our position is that the applicant has provided sufficient data in order to make an informed decision that the risks to the water environment can be managed effectively through the proposed operational practices and a planning condition. We would only change our position and object to the application if further monitoring showed a dramatic departure from the existing results and that eventuality seems unlikely given the general stability of concentrations in the groundwater around the site.

The recommended planning condition stipulates that a Water Management Plan must be agreed prior to commencement of development. This planning condition will secure further collection and interpretation of site-specific data to inform the details of how the risks will be managed (i.e. operational practices). The recommended condition includes a requirement for regular review and discussion of the monitoring results and operation with the Planning Authority in consultation with ourselves, and we suggest, Affinity Water.

2. Further clarification should be provided by the EA as to how the bromate plume and bromide contamination are to be co-regulated based on existing site data available

The bromate and bromide pollution is being regulated under Part 2a of the Environmental Protection Act 1990.

For the purposes of practicable regulation of the existing CEMEX Hatfield Quarry, we have taken the position that bromate concentrations of concern are $\geq 2 \mu\text{g/l}$ (0.002 mg/l). It is consistent to apply this definition to neighbouring planning and permit applications for mineral extraction and landfill.

3. bromate/bromide concentrations are sensitive to seasonal conditions (varying rainfall and aquifer recharge) hence an evaluation of the concentration data over long time periods should be required to understand temporal variations in order to define the extent of the plumes

The monitoring data provided by the applicant covers August 2013 through February 2019, encompassing a period in Hertfordshire when groundwater levels were unusually high (Winter 2014-15) and another when groundwater levels were unusually low (autumn 2017). Consequently, we consider further groundwater monitoring to confirm seasonal variation in groundwater quality is of little benefit prior to determination. The recommended planning condition will secure further monitoring and review of that monitoring throughout the lifetime of the development.

**4. preliminary assessment of contamination data available -
a. failure to sufficiently document plumes based on existing boreholes**

Many of the boreholes were intentionally located around the perimeter of the site so as to be retained and provide a long time series of monitoring results throughout the lifetime of proposed operational activities. The recommended planning condition will secure further collection and interpretation of site-specific data to inform the details of how the risks will be managed (i.e. changes in operational practices). This can include additional monitoring points as required.

b. widespread elevated bromide concentrations higher than the plume definition of 500mg/l

Unlike bromate, there are many possible sources of bromide, including its natural occurrence in the environment.

c. risk of quarry operations drawing nearby high bromate groundwater on to the site

Dr Rivett acknowledges in his assessment that “It has not been checked in this review as to the degree that these aspects have been addressed in the submissions associated with the planned development.”

Our view is that the proposed operations and the requirements of the recommended planning condition will reduce and effectively manage this risk.

Dr Rivett’s assessment under this heading includes constructive suggestions. These measures go towards answering the question of ‘how to manage the risk’ rather than ‘whether or not the risk is unacceptable and can be managed’. We therefore consider these suggestions could be incorporated into the applicant’s Water Management Plan rather than being undertaken prior to determination.

d. anomalies in bromate/bromide concentrations within the site compared with relationships expected from the wider plume

It might be desirable to understand and explain the apparent anomalies between bromate and bromide concentrations within the site compared with the wider plume. However, we consider this is not necessary prior to determination. Our position remains that the applicant has provided sufficient information in order for us to make an informed decision that the risks to the water environment can be managed effectively through a planning condition.

5. increased risk of contamination by breaching the clay aquitard to get to the LMH

As previously mentioned, Dr Rivett acknowledges the assessment does not “review and critique documentation, submissions, reporting and correspondence associated with the planning application” and that “it is possible that some points raised may be covered fully, or to some degree” by those documents

Our view is that the proposed operations and the requirements of the recommended planning condition will reduce and effectively manage this risk.

6. lack of transparency inherent in a private operator agreement

This is a point for Affinity and Brett to respond to.

Yours sincerely

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