

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

Our ref: NE/2016/124652/06-L01
Your ref: PL\0755\16
Date: 3 July 2020

Dear Chay

Land at Hatfield Aerodrome, Off Hatfield Road

Application for the establishment of a new quarry on land at the former Hatfield aerodrome, including a new access onto the a1057, aggregate processing plant, concrete batching plant and other ancillary facilities, together with the importation of inert fill materials for the restoration of the minerals working.

Thank you for consulting us on the additional information, we have now reviewed:

- HATFIELD ROAD QUARRY. Planning Permission [PL/0755/16]. Details required under Condition [26] and [30]. Groundwater and Water Management Plan. Final (Version 5). Prepared for: Brett Aggregates Limited by SLR consulting.
- HATFIELD ROAD QUARRY - Bromate and Bromide Groundwater Quality (Aug 2013 - Nov 2019).

The applicant has provided a significant body of site-specific hydrogeological information, which includes periods of extreme low and high groundwater level. We have carefully considered the application as a whole and in the context of the wider information regarding the groundwater pollution and activities on neighboring sites. We are satisfied that the recent monitoring results are in keeping with those presented as part of the initial planning application in 2016 and updated in 2019.

The Groundwater and Water Management Plan satisfies the previously recommended planning conditions for a Groundwater Management Plan. However the Groundwater and Water Management Plan covers the whole site and it recommends refining the water management plan for each phase of the development. We agree with this approach and have amended our previously requested condition (letter ref. NE/2016/124652/04-L01 dated 10 October 2019) to the following condition to secure the revisions of the water management plan prior to commencement of each Phase of the development:

Environment Agency position

Controlled waters are particularly sensitive in this location because the proposed development site lies close to groundwater pollution of bromate and bromide from an off-site source.

As previously stated, we advise that:

- No mineral is extracted from within the existing plume of bromate and bromide

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- groundwater pollution
- any activities close to the plume must not change the existing hydrogeological flow regime
- any activities close to the plume must not interfere with the remediation of the bromate and bromide pollution.

The submitted information demonstrates that the applicant will be able to fulfil these points and manage the risks posed to controlled waters by this development. Further detailed information will however be required before each phase of development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if it proceeds in line with the submitted documents referred to above, and a planning condition is included requiring the submission of a Water Monitoring & Management Plan for each phase. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition

Each phase of the development hereby permitted shall not commence until a Water Monitoring & Management Plan, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason

To protect controlled waters and to not exacerbate the existing groundwater pollution.

- ensuring no deleterious impact to groundwater quality, in accordance with Policy 16 (Soil, Air and Water) of the Hertfordshire Waste Core Strategy 2012;
- To prevent development that would have an unacceptable risk or adversely affect water pollution;
- To minimise the risks associated the flow and quantity of surface and groundwater and migration of contamination from the site, in accordance with paragraph 143 of the NPPF.

The Water Monitoring and Management Plan for each phase shall refine the Groundwater and Water Management Plan. Final (Version 5). Prepared for: Brett Aggregates Limited by SLR consulting and shall include:

1. Details of construction and water management during construction of the two infiltration lagoons.
2. Clarification of the restored site discharge point for the UML back-drain.
3. A long-term groundwater monitoring plan to continue during and post the operational phase.
4. A mechanism for periodic review.

The plan should include monitoring and reporting programs, location of monitoring

points including additional monitoring boreholes particularly in the vicinity of the infiltration lagoons, analytical suites, limits of detection and groundwater level monitoring. Details of contingency actions in the event of impact shall also be included. The two infiltration lagoons and back drain shall be constructed in accordance with the approved Groundwater Management Plan prior to the commencement of mineral extraction.

Groundwater monitoring shall be conducted by the Mineral Operator in accordance with the long-term groundwater monitoring plan for the lifetime of the development. Prior to mineral extraction in each Phase, the Groundwater Management plan shall be reviewed and an updated plan submitted and approved in writing by the Mineral Planning Authority.

The management of water shall be carried out in accordance with the approved Plan, or as otherwise agreed by the Mineral Planning Authority under the periodic review process, for the lifetime of the development.

Advice

Soils affected by contamination may be encountered at the start of the development (e.g. topsoil removal), owing to the site history as an aerodrome.

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005

'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on gov.uk for more information.

Permit Advice

The proposed landfill activities on this site have been granted a permit (Case reference: EAWML 403832, Permit number: EPR/EB3808HD) under the Environmental Permitting Regulations (England and Wales) 2016.

We considered the following areas of potential harm when assessed and approved the permit application:

- Management - evidence that the operator has an environmental management system, will install site security and be adequately financed. We will consider implications for multiple operator installations and how the operator will deal with accidents.
- Operations - evidence that the operator has considered the entire landfill life cycle, including the landfill design and its construction (landfill engineering), the day to day operation of the site (including how they will confirm they are only accepting wastes appropriate for this site) and how they plan to close the site and manage it to prevent pollution during the aftercare phase once waste disposal stops.

- Emissions and monitoring - evidence that the operator will manage permitted emissions to water, air and land to prevent or where that is not possible, reduce pollution. Evidence that the operator has procedures in place to manage the impact of odour, noise and pests, and that emissions from the site will be monitored to confirm that mitigation measures are effective.

Yours sincerely

Mr Kai Mitchell
Sustainable Places Planning Specialist

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