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Environment Agency

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

Our ref: NE/2016/124652/02-L01
Your ref: PL\0755\16

Date: 5 September 2016

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. Additional information.

Thank you for consulting us on the amended flood risk assessment and justification for not restoring the River Nast. We are now in a position to **remove** our objections if the following measures are implemented and secured by way of planning conditions on any planning permission.

Condition 1
No development shall take place until a water management plan has been submitted to and approved by the local planning authority in writing. The plan shall include but not be limited to:

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. 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.

Reason
To protect controlled waters throughout the mineral extraction phasing, and to ensure there is no deleterious impact to groundwater quality.

This condition is in line with your waste development framework policy 16: Soil, Air and Water and National Planning Policy Framework paragraph 109, which states that the planning system should contribute to and enhance the natural and

local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

Condition 2
No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities

Reason
This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

Environmental Permits

This development must comply with the Environmental Permitting (England and Wales) Regulations 2010 (as amended) and will require an Environmental Permit to be issued by the Environment Agency. Based on the information provided, the development will be a waste disposal operation (landfill). An Environmental Permit Application will need to demonstrate the development will comply with the Landfill Directive and relevant sector guidance. The applicant is advised to contact Rob Devonshire on 0203 025 9152 to discuss the issues likely to be raised.

Extractive Waste (Mining Waste)
The Operator must submit an Extractive Materials Management Statement (EMMS) to the Environment Agency for assessment. Written information on the materials and the waste needs to be collated and submitted to our Permitting Support Centre (PSC) in Sheffield for assessment. This needs to be signed off by a verifier before being submitted to us.

The quarry industry (represented by the CBI minerals group) has developed their own guidance known as Minerals Industry Guidance Note for Extractive

Materials. It describes the procedure they will follow to assess their extractive materials against our Position Statement (PS015), Their guidance also specifies the information necessary to be included in an EMMS and has a template statement. It also describes the knowledge and experience necessary to be a verifier of an EMMS.

This development will also require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Nast, designated a 'main river'.

This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted.

Further details and guidance are available on the GOV.UK website: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits

Oil storage
given the vulnerability of the aquifer, particularly where soils and unsaturated aquifer have been removed it is essential that the oil storage regulations are followed.

It is a requirement of the Control of Pollution (Oil Storage) (England) Regulations 2001 that any facilities for the storage of oils, or fuels shall be provided with secondary containment that is impermeable to both the oil, fuel and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment.

The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

Abstraction advice to applicant

Licensing
The use of dewatering in mineral extraction is currently exempt from licensing control. However, under the New Authorisations programme (currently under consultation) some currently exempt activities, including dewatering, will be brought under regulation. Further information about this process can be found here: https://consult.defra.gov.uk/water/water-abstraction-licensing-exemptions.

Although currently still exempt from licensing, we advise that the applicant is aware of this proposed change moving forward with their planning application. The present timetable provided would indicate this exemption will be removed before the end of 2016.

Potential derogation
The application lists licensed abstractions within a 2km radius (Pg.15, Chapter 6). Cemex UK Materials Ltd (Licence No: 28/39/28/0598/R01) is the only licence holder also abstracting from the gravel layers, approximately 449m west of the proposed site. The applicant will need to demonstrate no derogation issues will result from their dewatering activities on the licensed abstractions and/or non licensed abstractions (private water supplies) listed in section 6.59 Chapter 6 Water Environment.

Water requirement
Chapter 3 Development description provides details of an intention to include concrete batching plant (section 3.5). There is further reference to a wheel washing facility (section 3.19) and dust suppression (section 3.67) requirement. All these activities will require a water supply, and where this source of water is not provided by the local water company then an abstraction licence could be required.

The proposed Hatfield Aerodrome Quarry site is situated in the headwaters of the River Colne. The Environment Agency has published the licensing policies for managing abstractions in the Colne CAMS area. This document can be downloaded at https://www.gov.uk/government/publications/colne-catchment-abstraction-licensing-strategy

The licensing strategy divides abstractions into consumptive and non consumptive activities. Mineral washing is normally considered to be non consumptive subject to the actual process involved but water used for dust suppression and concrete production is considered to be consumptive. The licensing strategy for the Colne catchment does not permit new consumptive abstractions proposals. All non consumptive abstraction proposals are subject to a local assessment before a decision is made on any licensing proposal. We would advise the applicant to contact us to discuss their requirements for water as this could have significant implications for their proposal.

The applicant is advised to contact Alastair Wilson (Environment Planning Specialist, Water Resources) on 0203 025 8953 or via email at alastair.wilson@environment-agency.gov.uk

Water quality monitoring program
Due to the sensitivity regarding potential groundwater contamination from bromate, we assume that no secondary uses of the dewatering water are proposed. If this isn't the case, any secondary uses could be licensable and subject to water quality monitoring; we would ask the applicant to contact us and discuss this further.

Advice to County Council

Dust and Particulates
Although we now have a strategic duty relating to air quality, we do not have a duty to comment on this matter within the planning process. However, we feel that it is relevant and necessary to raise our concerns when commenting on this particular planning application. Therefore in principle we would recommend that the Planning Authority look to impose conditions that make this development, wherever possible, air quality neutral.

Although the site is not located in an Air Quality Management Zone (AQMZ), we feel this proposed development has the potential to contribute to the poor air

quality in the area if robust abatement measures and management systems are not put in place.

We strongly advise that robust conditions are placed on any permission granted to aim to address the air quality issues. The issues that we recommend that you address by planning conditions are:

Mineral Processing and Concrete Batching – These activities can give rise to dust and noise beyond the site boundary if it is not carefully located and managed. It is critical that modern plant is used and maintained at a high level to minimise impact to the environment and human health.

Road Sweeping – In 2008 and working in partnership with TfL we used contractors to carry out a study into the monitoring data at the Horn Lane area of Ealing. This study was to determine the most effective abatement measure to reduce dust emissions. The study showed that an increased frequency of road sweeping removed dust particulates and therefore reduced the risk of re-suspension of the particulates. As a result we consider that it is advisable that the planning permission should include a requirement that the public highway and the private haul road are swept by a high efficacy road sweeper on a daily basis.

Road Surfaces – We strongly recommend that site roads which are used on a daily basis are constructed of impermeable concrete or bituminous material or other easily cleaned surfaces to reduce PM10 emissions. A spine drain down the middle of road or impermeable surfaced area with short hard standing roads branching off it, will minimise the potential for PM10 to be generated. We support a maximum site speed limit of 10mph which will also help reduce the risk further.

Wheel Washing – The same 2008 report showed that wheel washing helps reduce mud and debris from escaping the site and reduce the re-suspension of dust from vehicles passing over it. A lack of space on sites can mean traditional wheel-wash systems are not always possible but smaller systems, designed to clean a single axle at a time are readily available. Please note a trough (bath) and/or spinner is not an acceptable alternative.

It would be consistent with other businesses in the waste management sector to install and operate a wheel-wash and ensure use by all vehicles using the site. The GLA's draft guidance in "The Control of Dust and Emissions During Construction and Demolition" also recommends the use of wheel washers.

Vehicle and Plant Emissions – We recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on non-road going machinery are imposed as a planning permission condition for the life of the site. As the site is sensitive for NO_2 emissions we recommend that the Tier 3b standard is required for all NRMMs on site and only vehicles rated to Euro5 and Euro6 emission standard are permitted to use the site.

Dealing with Spillages – We recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on spillages is imposed as a planning permission condition for the life of the site.

Reducing Vehicle Ideling – We recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on vehicle idling is imposed as a planning permission condition for the life of the site.

Construction Logistic Plans – We recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on construction logistic plans are imposed as a planning permission condition for the life of the site.

Travel Plans - Given the lack of parking facilities and the impact that uncontrolled parking is having on the ability to effectively road sweep local roads we recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on travel plans are imposed as a planning permission condition for the life of the site.

Diesel or Petrol Generators – We recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on diesel or petrol generators are imposed as a planning permission condition for the life of the site.

Chutes, conveyors and skips - As the site involved chutes and conveyors we recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on chutes, conveyors and skips are imposed as a planning permission condition for the life of the site.

Covering Vehicles – We recommend that the GLA's guidance in "The Control of Dust and Emissions During Construction and Demolition" on covering vehicles serving the quarry and landfilling operations are imposed as a planning permission condition for the life of the site.

Advice on use of dust suppressants – Using chemical dust suppressants can offer significant reductions in the level of dust and particulates produced in an area. They should not be used in isolation but form part of a comprehensive strategy to control dust at source. A targeted strategy using chemical dust suppressant can achieve up to 36% reduction in the level of dust and particulates escaping from dusty activities. As a result we advise that the GLA's guidance "The Control of Dust and Emissions During Construction and Demolition" on dust suppressants are adhered to and that the applicant should be required to comply with this guidance by a suitable planning condition for the life of the site.

Should you have any queries please contact me.

Yours sincerely

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