



**Town and Country Planning Act 1990 (as amended)**

**DECISION NOTICE**

**HCC Application No: 5/0394-16 (CM0961)**

**Description & location of development:**

**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**

**AT: LAND AT HATFIELD AERODROME, OFF HATFIELD ROAD**

**To: Brett Aggregates Limited  
Robert Brett House  
Ashford Road  
Canterbury  
Kent  
CT4 7PP**

**In pursuance of its powers under the above Act and the Orders and Regulations for the time being in force thereunder, the Council hereby REFUSES planning permission for the development proposed in your application dated 22<sup>nd</sup> January 2016 for the FOUR reasons detailed in the attached schedule**

**Dated: 6<sup>th</sup> day of January 2021 Signed:**

**TEAM LEADER, DEVELOPMENT MANAGEMENT**

## Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to **appeal** against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at: <https://amplanninginspectorate.aov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order

Dated: 6<sup>th</sup> day of January 2021 Signed:



**TEAM LEADER, DEVELOPMENT MANAGEMENT**

**SCHEDULE OF FOUR REASONS FOR REFUAL OF PLANNING PERMISSION FOR THE 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 APPLICATION REF: 5/0394-16 (CM0961)**

**REASONS**

1. The proposed mineral working would be inappropriate development within the Green Belt, specifically related to the erection and use of the processing plant, the concrete batching plant, the use of haul roads to transport mineral within the site and the erection and retention of perimeter bunds for the duration of development. The proposal would result in harm to the Green Belt, in particular openness, for the extended duration of the proposed development. Very special circumstances do not exist for the development to outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm. The proposal does not provide for adequate protection of the Green Belt and would be contrary to the provisions of the National Planning Policy Framework (Paragraphs 133, 134, 143, 144, 146).
2. The proposed rate and timing of the mineral working and restoration, lasting up to 32 years, would not provide for reclamation of the mineral working within a reasonable timescale. The proposed mineral working would thereby be contrary to Minerals Policy 13 (Reclamation Scheme) and Minerals Policy 2 (Need for Mineral Working) and Minerals Policy 18 (Operation Criteria for the Control of Mineral Development) of the Hertfordshire Minerals Local Plan Review 2002-2016 Adopted March 2017.
3. The proposed mineral working would have unacceptable impacts on the local environment related to the additional HGV traffic using the A1057, generating emissions to air (noise and dust), including the transport of minerals within the site and the use of local roads for the transport of minerals and inert fill. The proposal would result in unacceptable impacts on the local environment contrary to the provisions of Minerals Policy 16 (Transport) and Minerals Policy 18 (Operation Criteria for the Control of Mineral Development) of the Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted March

**Dated: 6<sup>th</sup> day of January 2021 Signed:**



**TEAM LEADER, DEVELOPMENT MANAGEMENT**

2017) and Policies R18 (Air Quality) and R19 (Noise and Vibration Pollution) of the Welwyn Hatfield District Plan (Adopted 2005). The impacts of concurrent mineral workings would adversely affect the local environment, contrary to Minerals Policy 11 (Cumulative Impact) of the Hertfordshire Minerals Local Plan Review 2002-2016, Adopted March 2017

**SCHEDULE OF FOUR REASONS FOR REFUAL OF PLANNING PERMISSION FOR THE 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 APPLICATION REF: 5/0394-16 (CM0961)**

4. The lower aquifer to the north of the application site is contaminated by Bromate. The application proposes the extraction of sand and gravels from within the lower aquifer in close proximity to groundwater contaminated by Bromate. There is a high level of local concern that extracting mineral from within the lower aquifer could; extend the bromate contamination within the mineral workings; reduce the effectiveness of the measures in place to remediate the Bromate contamination; and potentially lead to contamination of boreholes used for the public drinking water supply at Essendon. It has not been demonstrated to the satisfaction of the Mineral Planning Authority that the risks to the water environment from the mineral working are acceptable; and, that all routes to possible contamination have been appropriately investigated; and, that all necessary mitigation against all risks has been included in the proposal; and, that the proposed mitigation will be effective. The proposal would thereby be contrary to the provisions of the Hertfordshire Minerals Local Plan (Policy 17(iv)) which does not permit mineral development resulting in negative quantitative and/or qualitative impact on the water environment, and to the provisions of the NPPF (Paragraph 170) for conserving and enhancing the natural environment, and to Policy R7 (Protection of Ground and Surface Water) of the Welwyn Hatfield District Plan (adopted 2005).

Dated: 6<sup>th</sup> day of January 2021 Signed:



**TEAM LEADER, DEVELOPMENT MANAGEMENT**