

Environment Agency Opening statement

Good morning.

My name is Kai Mitchell. I am a planning specialist for the Environment agency. I provided comments to Hertfordshire County Council as part of our duty as statutory consultee under the Town and Country Planning Act, For all mineral applications and as a non-statutory consultee for developments potentially affected by contamination.

The Agency's position in this matter, is underpinned by our Groundwater Protection Position Statement which advocates a risk-based approach to activities. The Environment Agency's focus is on ensuring that the proposed quarrying development at the Hatfield aerodrome does not negatively impact on surface and groundwater quality or have an unacceptable impact on the river Nast on site. After a review of consultation and further requested documents, our consultation response of 3rd July was that:

- Firstly, the proposed development will be acceptable if it proceeds in line with the submitted documents referred to above, and planning conditions are included requiring the submission of a Water Monitoring & Management Plan for each phase. This condition wording has evolved through the completion of our Statement of case and Statement of common ground to the final wording which is provided as part of our Statement of case.
- Secondly, without these conditions 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. This condition wording has evolved through this appeal process to that which is found in our statement of case.

The Agency is neutral in respect to whether or not this application should go ahead. In line with our statutory duty we have reviewed the relevant information and our position is that investigations to date are sufficient to demonstrate that potential risks to controlled waters can be managed by way of the requested conditions.

Regarding risks to controlled waters other than the bromate plume, our approach to groundwater protection is set out in our national guidance document "The Environment Agency's Approach to Groundwater Protection". The proposed activities have been assessed in-line with this guidance and would be subject to additional environmental authorisations (in this case an environmental permit for the backing filling)

As long as the proposed conditions are included we do not consider that there is an unacceptable risk to groundwater from either the bromate plume or quarry and restoration activities more generally.

Whilst I shall aim to answer any questions the inspector may have about the Agency's involvement with this application, my colleague Clay Durrant, a groundwater technical officer (Groundwater and Land Quality), 7 years' experience, BSc Hons Environmental Science) will be here tomorrow to answer questions regarding the potential impacts on groundwater from the development and any potential impact of the development on the bromate plume as laid out in our statement of case.

We welcome the Inspectors decision to have a roundtable discussion on the groundwater issues. Whilst we acknowledge that the decision belongs to the Inspector, we respectfully consider that the historic and current remediation actions at SLC are not relevant to the issues to be determined and this is not the forum for in depth discussions on remediation of the bromate plume. We consider that the location of the proposed dig site is located outside of the plume and away from locations where high concentrations of bromate are consistently encountered. The remediation of the SLC bromate plume is a live matter and the Environment Agency is keen to avoid any prejudice to the important and ongoing regulatory action and remediation works under the VRS. I apologise in advance in case this means that we are unable to elaborate in some areas. A factual summary of

current and historic remediation in relation to the St Leonard's Court Bromate plume has been provided in our Statement of Case and in the Statement of Common Ground.

Thank you

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