

Hatfield Aerodrome Quarry Appeal Hearing

APP/M1900/W/21/3278097

10/3

Statement of Craig Tallents Chair of Smallford Residents' Association on behalf of Ellenbrook and Smallford Residents' Associations in respect of the dealing of the appeal based on an amended scheme.

My name is Craig Tallents and I chair Smallford Residents Association (SRA).

I have lived in Smallford for 16 years and my neighbour is the Cemex site at Hatfield Quarry. The site entrance being some 200m from my house. As such I experience everyday lorries passing my house both to and from the quarry along with the dirt, dust and noise that results.

Today I work as a Non-Executive Director, but previously I was a partner in a firm of Chartered Accountants. I have also commanded an Army Reserve Regiment.

I have for the past five years led the SRA response to the quarry application on the old Hatfield Aerodrome site and have spoken at all the relevant Development Control Committee meetings of Hertfordshire County Council on behalf of local Residents in respect of this application.

Over the last few months, I have like all my colleagues given up a large amount of time in preparation to play a part in this Inquiry to ensure that Residents views are heard. This has resulted in lost opportunity for all of us and indeed lost income.

We have prepared for this Inquiry based on the application submitted and discussed by Hertfordshire County Council at their Development Control Committee. To do anything else seemed wrong.

Indeed, at the Case Management Conference we were directed to prepare for the Inquiry without reference to the second application. This seems the correct approach as the decision of the Development Control Committee was based on the papers at hand and not some extra papers delivered a year later which in the words of the appellant, 'deal with all the reasons for refusal'. I unfortunately doubt this.

It also seems correct as the arguments we advanced to the Development Control Committee were only concerned with the application at hand. To do anything else would have meant that we were able to see the future, and this second application.

To admit the second application would in our view be wrong for a number of reasons.

Firstly, the decision of the Development Control Committee was based on the facts at hand at the time of the decision namely the details in the application. To add to these facts and not to allow the Development Control Committee to consider them and all that that brings such as representations from residents seems wrong, against planning protocol and most importantly undemocratic in that it removes the ability for residents and other interested parties to comment.

It is our view that the Inquiry should continue on the basis of the application on which the Development Control Committee made their decision and why we are here today.

I would refer the Inquiry to the two principles established in law:

- Wheatcroft – that of amending refused applications in the Appeal process and bypassing public consultation

justifying their new application to be stolen from the residents? Is the ability to ask questions concerning their future health to be denied the residents?

Thirdly there is the manner that the appellant has made papers available in respect of this second application. There has been confusion in the publication of the second application, incomplete papers filed and indeed the dates which strangely seem to have been set to cause maximum disruption to our preparation for this Inquiry. As you will have seen and find we have worked very hard to hit the Inspectors deadlines and hopefully as volunteers we have achieved this. We have throughout the life of the application done this unlike the appellant and indeed the landowner, 21 years and still no Country Park Trust. However, we have watched as the appellant has consistently missed deadlines, filed papers late and created maximum confusion and pressure for us. Their contempt for the Inquiry and the process is quite frankly staggering.

The admission of the second application papers would mean that we need to review one hundred documents and compare them. The notice for this task being received last week. **To be frank we have not done this** and as such we will be forced to ask every time reference is made to the second applications for a full explanation of the changes, the reasons they were made and for time to assess them before we comment on them. Given the complexity of some areas of this application the impact of this process will be detrimental to the Inquiry.

We hope that the Inspector will agree with us and allow the Inquiry to proceed on the basis that the Development Control Committee made their decision.

Should the Inspector refuse the appellants request, by lodging the second application and that process continuing the appellant will be able to have their proposed changes to the first application considered in accordance with planning protocol and law.

This seems fair and equitable and would not result in, us the residents being prejudiced. It would also mean that the Inquiry has been held based on the information available to the democratically elected politicians at the time they made their decision.

It would also not result in any prejudice of the appellant, as they would have the opportunity, should their request be denied, to bring the proposed changes in the correct manner to the attention of the politicians and the local residents. They would thus be able to follow due planning process in respect of this second application.

As such we would ask the Inspector that the Inquiry does not consider the amended scheme but sits on the basis of the original application as heard and decided.

Craig Tallents

16th November 2021