



Comments

Hertfordshire Minerals Local Plan Regulation 19 Proposed Submission Publication 2019 (14/01/19 to 22/03/19)

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP17
Response Date	25/02/19 20:53
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant	.	No
Sound	.	No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared	.	Fails
Justified	.	Fails
Effective	.	Fails
Consistent with National Policy	.	Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

The plan is unsound as the evidence that was used in 2016 is now out of date, primarily due to the emergence of the risks associated with the bromate pollution across SS1, SS2 and SS3. The plan to dig SS1 to the LMH poses a substantial risk to the water supply and faces the possibility of interruption to the excavations should the quarrying go ahead and therefore fail to reach the desired tonnage target within the timescales. The delays in obtaining planning permission due to the above risks are ongoing and therefore could also lead to a failure to reach the targets. All the specific sites are concentrated in and around the area affected by the bromate pollution

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Removal of SS1 from the plan and inclusion of other sites in alternative areas outside of WHBC which are unaffected by the bromate pollution. this will also reduce the impact on the local infrastructure with less concentration of all SS sites in one small area of Hatfield.

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence? . I am happy to deal with this matter in writing . I wish to give evidence at a public examination

Question 8

If you wish to be notified of future events please tick those below that apply. . That the document has been submitted to the Secretary of State for Examination . That the person appointed to carry out the Examination has published their report . That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP18
Response Date	25/02/19 20:59
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No
Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

The plan is unsound as the evidence that was used in 2016 is now out of date, primarily due to the emergence of the risks associated with the bromate pollution across SS1, SS2 and SS3. The Environment Agency are now investigating the risks associated with the bromate plume and the risk to public health.

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Exclude SS1 from the mineral plan. Stop the concentration of all three specific sites in one area by including other sites outside WHBC in the plan

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence? . I am happy to deal with this matter in writing
 . I wish to give evidence at a public examination

Question 8

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 . That the person appointed to carry out the Examination has published their report
 . That the document has been finally adopted by the Council

Comment by Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)

Comment ID PSMLP30

Response Date 04/03/19 14:02

Consultation Point Policy 4 Working of Specific Sites or Preferred Areas ([View](#))

Status Processed

Submission Type Web

Version 0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

Soundness

This submission is on behalf of the Ellenbrook Area Residents Association. EARA represents over 500 dwellings in the area bounded by St Albans Road West, Wilkins Green Lane, Bramble Road, Poplars Ave/Close, Ellenbrook Lane, Comet Way and Ashbury Close. The submission has been approved by the Committee of EARA

It is our view that this Mineral Plan is not sound. It relies heavily on extraction from one small area of Hatfield to provide the bulk of the requirement.

The main site being Ellenbrook Fields also known as Ellenbrook Country Park situated at the former Hatfield Aerodrome. This site was in the preceding minerals plan and to date has not been able to satisfy the planning conditions in order to commence the gravel extraction.

We believe this site will not in the foreseeable future be capable of being dug to the extent proposed and will therefore not satisfy the target being set by this plan, therefore the plan is unsound. The main reason this will fail is that the area is bordered by polluted ground water from a carcinogen called Bromate.

This is a well-documented Bromate pollution emanating in St Leonards Court, Sandridge back in the 1980/90's. It came to light in @ 2005 and has for the past 10 years moved across Hertfordshire to the East. It closed The water bore hole at Hill Rise, Hatfield and is now contaminating the bore hole at Essendon. These are two bore holes that we get our drinking water from, we have lost one and now look like losing a second. Currently Affinity Water have to mix the water from Essendon with river water to dilute the contamination to be within safe WHO levels.

Currently an EA consultation is taking place regarding the remediation needed to deal with this plume. They have for the past 10 years been working at Hill Rise trying to extract the bromate and this is not coping, the levels of bromate contamination has not altered within those ten years. Now they are looking to do further work in different locations to try and stop the spread of the plume and remove the contaminant from the water closer to the source of the pollution.

When the initial planning application for this quarry was heard in January 2017 this Bromate Plume had not, according to the figures we were given by the applicant, spread onto the site. It is worth noting that the initial area of quarrying was changed to exclude an area to the North of the site, known commonly as the Northern Fields or HAT2, an area that was dismissed from the local housing plan.

It now seems from the latest monitoring figures that this area is now contaminated with the bromate, taking that it wasn't in January 2017 according to the applicants, it is clear now that the plume is moving onto the site.

This planning application in January 2017 gave a 'resolve to grant' subject to a number of conditions being met and a legal agreement regarding the variation of a previous Sec 106 agreement. This Sec 106 granted in 2000 giving this land on a 125 year lease to the community via a trust has never been enforced despite residents attempts to get the authorities to implement it. To date no agreement has still been reached, no trust has been set up and the financial contribution amounting to over £2.2 million pounds has not been paid by the Land owners.

Since the date of the hearing this bromate pollution and our highlighting the issue has caused Affinity Water to look seriously at the high risk to the remaining Boreholes, south of the site, which now supply our drinking water. Should the pollution breach the geographical features bordering this site and therefore start moving south it will stop the water supply from these boreholes and cause this area to have none of its own water supplies.

This as you can imagine is a very complex issue and has taken years to get to this point without a final solution to the contamination being known. It is our contention that it will take many further years to fully understand and eliminate the risk to the water supply of digging this area.

The plan for this quarry is to dig down to the Lower Mineral Horizon, this is the high-risk area. We understand if they only dug the upper mineral horizon, as the neighbouring quarry run by Cemex do, then the risk of the bromate plume being disturbed and attacking our drinking water bore holes would be removed.

It has not been established yet the best way for the EA to deal with the continuing pollution, hence their consultation mentioned earlier. This we suggest means that until they have finalised arrangements then no one can be sure how the digging quarries adjacent and on the polluted land, especially down to the LMH would affect any of the remedial work undertaken by the EA.

The plan as it stands is totally reliant on this one area with the bulk of extraction being from sites all in and around this small area of Hatfield, which is all contaminated or bordering the contamination. The cumulative effect is not only risky for the mineral plan as suggested above but stretches the local infrastructure beyond its capabilities resulting in a negative effect on transport, air and noise pollution along with a huge loss of open accessible space. It is unfair on the local population and will be highly detrimental to the health and well being of the community should the Ellenbrook quarry plus all the other sites get permission for extraction.

For these reasons we believe that this quarry will not achieve the amounts of gravel extraction in the time scales given that the mineral plan relies upon and is therefore unsound and not sustainable for this small area of Hertfordshire. This plan should be rejected and sent back to be reconsidered.

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

X

Question 6

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I am happy to deal with this matter in writing
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Question 8

If you wish to be notified of future events please tick those below that apply.

- That the document has been submitted to the Secretary of State for Examination
- That the person appointed to carry out the Examination has published their report

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP19
Response Date	25/02/19 21:21
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1a

Do you consider the document to be:

Legally and procedurally compliant No

Sound No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared Fails

Justified Fails

Effective Fails

Consistent with National Policy Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

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It is our view that this Mineral Plan is not sound. It relies heavily on extraction from one small area of Hatfield to provide the bulk of the requirement.

The main site being Ellenbrook Fields also known as Ellenbrook Country Park situated at the former Hatfield Aerodrome. This site was in the preceding minerals plan and to date has not been able to satisfy the planning conditions in order to commence the gravel extraction.

We believe this site will not in the foreseeable future be capable of being dug to the extent proposed and will therefore not satisfy the target being set by this plan, therefore the plan is unsound. The main reason this will fail is that the area is bordered by polluted ground water from a carcinogen called Bromate.

This is a well-documented Bromate pollution emanating in St Leonards Court, Sandridge back in the 1980/90's. It came to light in @ 2005 and has for the past 10 years moved across Hertfordshire to the East. It closed The water bore hole at Hill Rise, Hatfield and is now contaminating the bore hole at Essendon. These are two bore holes that we get our drinking water from, we have lost one and now look like losing a second. Currently Affinity Water have to mix the water from Essendon with river water to dilute the contamination to be within safe WHO levels.

Currently an EA consultation is taking place regarding the remediation needed to deal with this plume. They have for the past 10 years been working at Hill Rise trying to extract the bromate and this is not coping, the levels of bromate contamination has not altered within those ten years. Now they are looking to do further work in different locations to try and stop the spread of the plume and remove the contaminant from the water closer to the source of the pollution.

When the initial planning application for this quarry was heard in January 2017 this Bromate Plume had not, according to the figures we were given by the applicant, spread onto the site. It is worth noting that the initial area of quarrying was changed to exclude an area to the North of the site, known commonly as the Northern Fields or HAT2, an area that was dismissed from the local housing plan. It now seems from the latest monitoring figures that this area is now contaminated with the bromate, taking that it wasn't in January 2017 according to the applicants, it is clear now that the plume is moving onto the site.

This planning application in January 2017 gave a 'resolve to grant' subject to a number of conditions being met and a legal agreement regarding the variation of a previous Sec 106 agreement. This Sec 106 granted in 2000 giving this land on a 125 year lease to the community via a trust has never been enforced despite residents attempts to get the authorities to implement it. To date no agreement has still been reached, no trust has been set up and the financial contribution amounting to over £2.2 million pounds has not been paid by the Land owners.

Since the date of the hearing this bromate pollution and our highlighting the issue has caused Affinity Water to look seriously at the high risk to the remaining Boreholes, south of the site, which now supply our drinking water. Should the pollution breach the geographical features bordering this site and therefore start moving south it will stop the water supply from these boreholes and cause this area to have none of its own water supplies.

This as you can imagine is a very complex issue and has taken years to get to this point without a final solution to the contamination being known. It is our contention that it will take many further years to fully understand and eliminate the risk to the water supply of digging this area.

The plan for this quarry is to dig down to the Lower Mineral Horizon, this is the high-risk area. We understand if they only dug the upper mineral horizon, as the neighbouring quarry run by Cemex do, then the risk of the bromate plume being disturbed and attacking our drinking water bore holes would be removed.

It has not been established yet the best way for the EA to deal with the continuing pollution, hence their consultation mentioned earlier. This we suggest means that until they have finalised arrangements then no one can be sure how the digging quarries adjacent and on the polluted land, especially down to the LMH would affect any of the remedial work undertaken by the EA.

The plan as it stands is totally reliant on this one area with the bulk of extraction being from sites all in and around this small area of Hatfield, which is all contaminated or bordering the contamination. The cumulative effect is not only risky for the mineral plan as suggested above but stretches the local infrastructure beyond its capabilities resulting in a negative effect on transport, air and noise pollution along with a huge loss of open accessible space. It is unfair on the local population and will be highly detrimental to the health and well being of the community should the Ellenbrook quarry plus all the other sites get permission for extraction.

For these reasons we believe that this quarry will not achieve the amounts of gravel extraction in the time scales given that the mineral plan relies upon and is therefore unsound and not sustainable for this small area of Hertfordshire. This plan should be rejected and sent back to be reconsidered.

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Exclude SS1 from the mineral plan. Stop the concentration of all three specific sites in one area by including other sites outside WHBC in the plan

Question 6

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Question 8

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Comment by Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)

Comment ID PSMLP20

Response Date 25/02/19 21:22

Consultation Point 2.2 Paragraph ([View](#))

Status Processed

Submission Type Web

Version 0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

This submission is on behalf of the Ellenbrook Area Residents Association. EARA represents over 500 dwellings in the area bounded by St Albans Road West, Wilkins Green Lane, Bramble Road, Poplars Ave/Close, Ellenbrook Lane, Comet Way and Ashbury Close. The submission has been approved by the Committee of EARA

It is our view that this Mineral Plan is not sound. It relies heavily on extraction from one small area of Hatfield to provide the bulk of the requirement.

The main site being Ellenbrook Fields also known as Ellenbrook Country Park situated at the former Hatfield Aerodrome. This site was in the preceding minerals plan and to date has not been able to satisfy the planning conditions in order to commence the gravel extraction.

We believe this site will not in the foreseeable future be capable of being dug to the extent proposed and will therefore not satisfy the target being set by this plan, therefore the plan is unsound. The main reason this will fail is that the area is bordered by polluted ground water from a carcinogen called Bromate.

This is a well-documented Bromate pollution emanating in St Leonards Court, Sandridge back in the 1980/90's. It came to light in @ 2005 and has for the past 10 years moved across Hertfordshire to the East. It closed The water bore hole at Hill Rise, Hatfield and is now contaminating the bore hole at Essendon. These are two bore holes that we get our drinking water from, we have lost one and now look like losing a second. Currently Affinity Water have to mix the water from Essendon with river water to dilute the contamination to be within safe WHO levels.

Currently an EA consultation is taking place regarding the remediation needed to deal with this plume. They have for the past 10 years been working at Hill Rise trying to extract the bromate and this is not coping, the levels of bromate contamination has not altered within those ten years. Now they are looking to do further work in different locations to try and stop the spread of the plume and remove the contaminant from the water closer to the source of the pollution.

When the initial planning application for this quarry was heard in January 2017 this Bromate Plume had not, according to the figures we were given by the applicant, spread onto the site. It is worth noting that the initial area of quarrying was changed to exclude an area to the North of the site, known commonly as the Northern Fields or HAT2, an area that was dismissed from the local housing plan. It now seems from the latest monitoring figures that this area is now contaminated with the bromate, taking that it wasn't in January 2017 according to the applicants, it is clear now that the plume is moving onto the site.

This planning application in January 2017 gave a 'resolve to grant' subject to a number of conditions being met and a legal agreement regarding the variation of a previous Sec 106 agreement. This Sec 106 granted in 2000 giving this land on a 125 year lease to the community via a trust has never been enforced despite residents attempts to get the authorities to implement it. To date no agreement has still been reached, no trust has been set up and the financial contribution amounting to over £2.2 million pounds has not been paid by the Land owners.

Since the date of the hearing this bromate pollution and our highlighting the issue has caused Affinity Water to look seriously at the high risk to the remaining Boreholes, south of the site, which now supply our drinking water. Should the pollution breach the geographical features bordering this site and therefore start moving south it will stop the water supply from these boreholes and cause this area to have none of its own water supplies.

This as you can imagine is a very complex issue and has taken years to get to this point without a final solution to the contamination being known. It is our contention that it will take many further years to fully understand and eliminate the risk to the water supply of digging this area.

The plan for this quarry is to dig down to the Lower Mineral Horizon, this is the high-risk area. We understand if they only dug the upper mineral horizon, as the neighbouring quarry run by Cemex do,

then the risk of the bromate plume being disturbed and attacking our drinking water bore holes would be removed.

It has not been established yet the best way for the EA to deal with the continuing pollution, hence their consultation mentioned earlier. This we suggest means that until they have finalised arrangements then no one can be sure how the digging quarries adjacent and on the polluted land, especially down to the LMH would affect any of the remedial work undertaken by the EA.

The plan as it stands is totally reliant on this one area with the bulk of extraction being from sites all in and around this small area of Hatfield, which is all contaminated or bordering the contamination. The cumulative effect is not only risky for the mineral plan as suggested above but stretches the local infrastructure beyond its capabilities resulting in a negative effect on transport, air and noise pollution along with a huge loss of open accessible space. It is unfair on the local population and will be highly detrimental to the health and well being of the community should the Ellenbrook quarry plus all the other sites get permission for extraction.

For these reasons we believe that this quarry will not achieve the amounts of gravel extraction in the time scales given that the mineral plan relies upon and is therefore unsound and not sustainable for this small area of Hertfordshire. This plan should be rejected and sent back to be reconsidered.

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Exclude SS1 from the mineral plan. Stop the concentration of all three specific sites in one area by including other sites outside WHBC in the plan

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence?

I am happy to deal with this matter in writing
 I wish to give evidence at a public examination

Question 8

If you wish to be notified of future events please tick those below that apply.

- That the document has been submitted to the Secretary of State for Examination
- That the person appointed to carry out the Examination has published their report
- That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP21
Response Date	25/02/19 21:31
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed

Submission Type Web

Version 0.4

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

The plan has failed to take into account comprehensively the issues of over development caused by ongoing and proposed developments in this area, consequently the plan fails to balance the demand against protection of the environment by the cumulative impact on the infrastructure and the overall environment

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Stop reliance on one small area of Hatfield to provide the county's entire mineral reserves and seek other sites from areas elsewhere in Herts

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence? . I am happy to deal with this matter in writing
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Question 8

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. That the person appointed to carry out the Examination has published their report

. That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP22
Response Date	25/02/19 21:46
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

The local plans were drawn up before knowledge of the implications of the bromate were not widely known and understood by the consultees

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Re-consult with the local plans authors in the light of current knowledge and evidence in relation to the bromate plume

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence? . I am happy to deal with this matter in writing
. I wish to give evidence at a public examination

Question 8

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. That the person appointed to carry out the Examination has published their report

Comment by Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)

Comment ID PSMLP23

Response Date 25/02/19 21:48

Consultation Point Policy 4 Working of Specific Sites or Preferred Areas ([View](#))

Status Processed

Submission Type Web

Version 0.5

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

As 3.16 (PSMLP0022)

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

As 3.16 (PSMLP0022)

Question 6

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 . That the document has been finally adopted by the Council

Comment by Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID PSMLP24
Response Date 25/02/19 21:58
Consultation Point 5.1 Paragraph ([View](#))
Status Processed
Submission Type Web
Version 0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No
Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails
Justified . Fails
Effective . Fails
Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

The map identifies a number of area of sand and gravel across the County but all the specific sites are concentrated in one small area thus introducing a large element of risk into the plan if external factors such as the bromate plume impact on the small chosen geographical area proposed for extraction

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Stop reliance on one small area of Hatfield to provide the county's entire mineral reserves and seek other sites from areas elsewhere in Herts

Question 6

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Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP25
Response Date	25/02/19 21:59
Consultation Point	5.1 Paragraph (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1a

Do you consider the document to be:

- Legally and procedurally compliant** . No
- Sound** . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared	.	Fails
Justified	.	Fails
Effective	.	Fails
Consistent with National Policy	.	Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

As 5.1 (PSMLP0024)

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

As 5.1 (PSMLP0024)

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence?

.	I am happy to deal with this matter in writing
.	I wish to give evidence at a public examination

Question 8

If you wish to be notified of future events please tick those below that apply.

.	That the document has been submitted to the Secretary of State for Examination
.	That the person appointed to carry out the Examination has published their report
.	That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP26
Response Date	25/02/19 22:02
Consultation Point	5.5 Paragraph (View)
Status	Processed
Submission Type	Web
Version	0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

Reliance on one small area is a risk to a steady and adequate supply

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Stop reliance on one small area of Hatfield to provide the county's entire mineral reserves and seek other sites from areas elsewhere in Herts

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence?

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Question 8

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. That the document has been submitted to the Secretary of State for Examination
. That the person appointed to carry out the Examination has published their report
. That the document has been finally adopted by the Council

Comment by Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)

Comment ID PSMLP27

Response Date 25/02/19 22:04

Consultation Point 5.6 Paragraph ([View](#))
Status Processed
Submission Type Web
Version 0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No
Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails
Justified . Fails
Effective . Fails
Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

Reliance on one small area is a risk to a steady and adequate supply

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Stop reliance on one small area of Hatfield to provide the county's entire mineral reserves and seek other sites from areas elsewhere in Herts

Question 6

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Question 8

If you wish to be notified of future events please tick those below that apply. . That the document has been submitted to the Secretary of State for Examination

- . That the person appointed to carry out the Examination has published their report
- . That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP28
Response Date	25/02/19 22:09
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

the extraction of sand from the specific sites is not near railway stations and therefore is detrimental to the environment and would not decrease the high volume of sand transported by road

Question 4

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seek sites with less environmental impact and more sustainable transport links other than road

Question 6

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. I am happy to deal with this matter in writing

Question 8

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- . That the person appointed to carry out the Examination has published their report
- . That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP31
Response Date	04/03/19 14:11
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

It is our view that this Mineral Plan is not sound. It relies heavily on extraction from one small area of Hatfield to provide the bulk of the requirement.

The main site being Ellenbrook Fields also known as Ellenbrook Country Park situated at the former Hatfield Aerodrome. This site was in the preceding minerals plan and to date has not been able to satisfy the planning conditions in order to commence the gravel extraction.

We believe this site will not in the foreseeable future be capable of being dug to the extent proposed and will therefore not satisfy the target being set by this plan, therefore the vision will not be realised. The main reason this will fail is that the area is bordered by polluted ground water from a carcinogen called Bromate.

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Extraction should not be concentrated in one small area and suitable sites elsewhere in the County should be identified such as Briggens quarry

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence?

I am happy to deal with this matter in writing
 I wish to give evidence at a public examination

Question 8

If you wish to be notified of future events please tick those below that apply.

That the document has been submitted to the Secretary of State for Examination
 That the person appointed to carry out the Examination has published their report
 That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP32
Response Date	04/03/19 14:22
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1a

Do you consider the document to be:

Legally and procedurally compliant No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

for the reasons identified below we believe the following objectives will fail

Obj 1

Obj 2

Obj 3

Obj 4

Obj 5

Obj 7

Obj 8

It is our view that this Mineral Plan is not sound. It relies heavily on extraction from one small area of Hatfield to provide the bulk of the requirement.

The main site being Ellenbrook Fields also known as Ellenbrook Country Park situated at the former Hatfield Aerodrome. This site was in the preceding minerals plan and to date has not been able to satisfy the planning conditions in order to commence the gravel extraction.

We believe this site will not in the foreseeable future be capable of being dug to the extent proposed and will therefore not satisfy the target being set by this plan, therefore the plan is unsound. The main reason this will fail is that the area is bordered by polluted ground water from a carcinogen called Bromate.

This is a well-documented Bromate pollution emanating in St Leonards Court, Sandridge back in the 1980/90's. It came to light in @ 2005 and has for the past 10 years moved across Hertfordshire to the East. It closed The water bore hole at Hill Rise, Hatfield and is now contaminating the bore hole at Essendon. These are two bore holes that we get our drinking water from, we have lost one and now look like losing a second. Currently Affinity Water have to mix the water from Essendon with river water to dilute the contamination to be within safe WHO levels.

Currently an EA consultation is taking place regarding the remediation needed to deal with this plume. They have for the past 10 years been working at Hill Rise trying to extract the bromate and this is not coping, the levels of bromate contamination has not altered within those ten years. Now they are looking to do further work in different locations to try and stop the spread of the plume and remove the contaminant from the water closer to the source of the pollution.

When the initial planning application for this quarry was heard in January 2017 this Bromate Plume had not, according to the figures we were given by the applicant, spread onto the site. It is worth noting that the initial area of quarrying was changed to exclude an area to the North of the site, known commonly as the Northern Fields or HAT2, an area that was dismissed from the local housing plan. It now seems from the latest monitoring figures that this area is now contaminated with the bromate,

taking that it wasn't in January 2017 according to the applicants, it is clear now that the plume is moving onto the site.

This planning application in January 2017 gave a 'resolve to grant' subject to a number of conditions being met and a legal agreement regarding the variation of a previous Sec 106 agreement. This Sec 106 granted in 2000 giving this land on a 125 year lease to the community via a trust has never been enforced despite residents attempts to get the authorities to implement it. To date no agreement has still been reached, no trust has been set up and the financial contribution amounting to over £2.2 million pounds has not been paid by the Land owners.

Since the date of the hearing this bromate pollution and our highlighting the issue has caused Affinity Water to look seriously at the high risk to the remaining Boreholes, south of the site, which now supply our drinking water. Should the pollution breach the geographical features bordering this site and therefore start moving south it will stop the water supply from these boreholes and cause this area to have none of its own water supplies.

This as you can imagine is a very complex issue and has taken years to get to this point without a final solution to the contamination being known. It is our contention that it will take many further years to fully understand and eliminate the risk to the water supply of digging this area.

The plan for this quarry is to dig down to the Lower Mineral Horizon, this is the high-risk area. We understand if they only dug the upper mineral horizon, as the neighbouring quarry run by Cemex do, then the risk of the bromate plume being disturbed and attacking our drinking water bore holes would be removed.

It has not been established yet the best way for the EA to deal with the continuing pollution, hence their consultation mentioned earlier. This we suggest means that until they have finalised arrangements then no one can be sure how the digging quarries adjacent and on the polluted land, especially down to the LMH would affect any of the remedial work undertaken by the EA.

The plan as it stands is totally reliant on this one area with the bulk of extraction being from sites all in and around this small area of Hatfield, which is all contaminated or bordering the contamination. The cumulative effect is not only risky for the mineral plan as suggested above but stretches the local infrastructure beyond its capabilities resulting in a negative effect on transport, air and noise pollution along with a huge loss of open accessible space. It is unfair on the local population and will be highly detrimental to the health and well being of the community should the Ellenbrook quarry plus all the other sites get permission for extraction.

For these reasons we believe that this quarry will not achieve the amounts of gravel extraction in the time scales given that the mineral plan relies upon and is therefore unsound and not sustainable for this small area of Hertfordshire. This plan should be rejected and sent back to be reconsidered.

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Stop reliance on one small area of Hatfield to provide the county's entire mineral reserves and seek other sites from areas elsewhere in Herts

The impact of the bromate pollution has never been successfully modelled and therefore the true impact is unknown and it may impact on the area for 200 years

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence?

- . I am happy to deal with this matter in writing
- . I wish to give evidence at a public examination

Question 8

If you wish to be notified of future events please tick those below that apply.

- . That the document has been submitted to the Secretary of State for Examination
- . That the person appointed to carry out the Examination has published their report
- . That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP33
Response Date	04/03/19 14:27
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

It is our view that this Mineral Plan is not sound. It relies heavily on extraction from one small area of Hatfield to provide the bulk of the requirement.

The main site being Ellenbrook Fields also known as Ellenbrook Country Park situated at the former Hatfield Aerodrome. This site was in the preceding minerals plan and to date has not been able to satisfy the planning conditions in order to commence the gravel extraction.

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Question 4

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- That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP34
Response Date	04/03/19 14:31
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

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Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

This submission is on behalf of the Ellenbrook Area Residents Association. EARA represents over 500 dwellings in the area bounded by St Albans Road West, Wilkins Green Lane, Bramble Road, Poplars Ave/Close, Ellenbrook Lane, Comet Way and Ashbury Close. The submission has been approved by the Committee of EARA

It is our view that this Mineral Plan is not sound. It relies heavily on extraction from one small area of Hatfield to provide the bulk of the requirement.

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This is a well-documented Bromate pollution emanating in St Leonards Court, Sandridge back in the 1980/90's. It came to light in @ 2005 and has for the past 10 years moved across Hertfordshire to the East. It closed The water bore hole at Hill Rise, Hatfield and is now contaminating the bore hole at Essendon. These are two bore holes that we get our drinking water from, we have lost one and now look like losing a second. Currently Affinity Water have to mix the water from Essendon with river water to dilute the contamination to be within safe WHO levels.

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This planning application in January 2017 gave a 'resolve to grant' subject to a number of conditions being met and a legal agreement regarding the variation of a previous Sec 106 agreement. This Sec

106 granted in 2000 giving this land on a 125 year lease to the community via a trust has never been enforced despite residents attempts to get the authorities to implement it. To date no agreement has still been reached, no trust has been set up and the financial contribution amounting to over £2.2 million pounds has not been paid by the Land owners.

Since the date of the hearing this bromate pollution and our highlighting the issue has caused Affinity Water to look seriously at the high risk to the remaining Boreholes, south of the site, which now supply our drinking water. Should the pollution breach the geographical features bordering this site and therefore start moving south it will stop the water supply from these boreholes and cause this area to have none of its own water supplies.

This as you can imagine is a very complex issue and has taken years to get to this point without a final solution to the contamination being known. It is our contention that it will take many further years to fully understand and eliminate the risk to the water supply of digging this area.

The plan for this quarry is to dig down to the Lower Mineral Horizon, this is the high-risk area. We understand if they only dug the upper mineral horizon, as the neighbouring quarry run by Cemex do, then the risk of the bromate plume being disturbed and attacking our drinking water bore holes would be removed.

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For these reasons we believe that this quarry will not achieve the amounts of gravel extraction in the time scales given that the mineral plan relies upon and is therefore unsound and not sustainable for this small area of Hertfordshire. This plan should be rejected and sent back to be reconsidered.

Question 4

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Exclude SS1 from the mineral plan. Stop the concentration of all three specific sites in one area by including other sites outside WHBC in the plan

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence?

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Question 8

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- . That the document has been submitted to the Secretary of State for Examination
- . That the person appointed to carry out the Examination has published their report
- . That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP35
Response Date	04/03/19 14:32
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.3

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

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Question 3

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Question 8

If you wish to be notified of future events please tick those below that apply. . That the document has been submitted to the Secretary of State for Examination . That the person appointed to carry out the Examination has published their report . That the document has been finally adopted by the Council

Comment by	Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)
Comment ID	PSMLP36
Response Date	04/03/19 14:36
Consultation Point	Policy 4 Working of Specific Sites or Preferred Areas (View)
Status	Processed
Submission Type	Web
Version	0.5

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No
Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

we do not believe that the flood mitigation proposed for SS1 truly manages the flood risk

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Exclude SS1 from the mineral plan

Question 6

If you seek a change to the document, are you happy to deal with the matters by means of written representation or do you consider it necessary to attend a public examination to give your evidence? . I am happy to deal with this matter in writing
 . I wish to give evidence at a public examination

Question 8

If you wish to be notified of future events please tick those below that apply. . That the document has been submitted to the Secretary of State for Examination
 . That the person appointed to carry out the Examination has published their report
 . That the document has been finally adopted by the Council

Comment by Ellenbrook Area Residents Association (Ellenbrook Area Residents Assoc EARA - 1201272)

Comment ID PSMLP37

Response Date 04/03/19 14:44

Consultation Point Policy 4 Working of Specific Sites or Preferred Areas ([View](#))

Status Processed

Submission Type Web

Version 0.4

Question 1a

Do you consider the document to be:

Legally and procedurally compliant . No

Sound . No

If you consider the Minerals Local Plan to be un-sound, which test of soundness do you consider the document fails?

Positively Prepared . Fails

Justified . Fails

Effective . Fails

Consistent with National Policy . Fails

Question 3

Please provide detailed comments explaining why you consider the plan is not legally compliant and/or unsound.

The local mineral plan fails to take into account the cumulative impact on the local road network which is insufficient to carry such large quantities of HGVs in such a small geographical area. This will increase traffic delays and will increase the greenhouse gas emissions from all these vehicles. This will not be helped by the proposed quarrying plan which will use further HGV lorries on site to move sand, again increasing GGE emissions

Question 4

Please give details of what change(s) you consider is(are) necessary to make the Minerals Local Plan 'sound' / legally and procedurally compliant, having regard to the test(s) of soundness you indicated in Part 4 above. You will need to state why your proposed change will make the document sound. Where appropriate, you should include your suggested wording of paragraph(s) or site brief(s). (Please be as precise as possible)

Stop reliance on one small area of Hatfield to provide the county's entire mineral reserves and seek other sites from areas elsewhere in Herts

Question 6

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