

## Ellenbrook Area Residents Association – response to updated Public Health Impact Assessment 2023

### 1. New data or information

- 1.1. According to the new HIA conclusions and recommendations section, the report does not include any new data or information, therefore it is difficult to see how it answers many of the questions raised in the Reg 25 request?
- 1.2. I quote *“The original HIA prepared in August 2021 has been updated (July 2023) following feedback from officers of the Hertfordshire County Council (HCC) Public Health unit. The purpose of the update is to allow the HIA to be read and understood as a ‘standalone’ document without recourse to other documents including other chapters and technical appendices of the Environmental Statement. **The update report does not include any new information or data** and does not change any of the conclusions previously submitted in the HIA and other parts of the Environmental Statement.”*
- 1.3. This is an extremely concerning statement from Brett when they have been specifically asked for additional information from HCC.

### 2. Engagement

- 2.1. Despite the Reg 25 request specifically requesting information on “how population groups impacted by the development have been engaged in preparing the HIA” EARA would like to clarify that at no point has Brett met with any of the Rule 6 parties including Ellenbrook Area Residents Association (EARA), Smallford Residents Association (SRA) and Colney Heath Parish Council (CHPC), to specifically discuss the Health Impact Assessment (HIA).
- 2.2. There has also been no engagement with the residents associations in relation to disproportionately affected groups. The Public Access Strategy (PAS) does not make specific reference to disproportionately affected groups and how public access for these groups will be mitigated. There are no specific references to wheelchair access to the site despite this being a legal requirement.
- 2.3. Brett’s HIA refers to Principle 3 as one of the 10 Principles from the Putting Health into Place that is relevant to the proposed development.

This principle is “Engage early and regularly with new and existing communities to involve residents.” – It is clear that regular engagement has not happened!

- 2.4. There has been no face to face consultation activities with local residents since the refusal of planning permission in 2019 by HCC, apart from the presentation of the Public Access Strategy in July 2023. - This was not a consultation meeting but a presentation of the new PAS.
- 2.5. As can be seen from Brett’s detailed list of consultation activities in the HIA these have predominately taken place in the period prior to the first planning meeting in 2016, seven years ago! This is despite specific recommendations from the planning inspector to engage with local residents. We do not consider that a website and leaflet drops constitute engagement.

- 2.6. Brett have stated that the number of comments made to HCC regarding the application is evidence of their successful engagement. We would argue that the number of comments made by residents is evidence of the hard work carried out by the residents association to engage with their local communities. There is no evidence that the Brett's approach was successful at reaching "hard to reach" individuals.

### **3. Opportunities to maximise health and wellbeing benefits for the 32 year duration of the project**

- 3.1. Brett's response to this question is based on their recently submitted Public Access Strategy. EARA have submitted a response to this document and do not believe that the Public Access Strategy is fit for purpose.

- 3.2. Extract from Brett PHIA says that

*"Given the carefully phased nature of the development, access to alternative paths and routes leading to the public rights of way will mean that at least 80% of the Country Park will always be available for public access. Notification of access changes will be managed through advanced notice of any changes to footpaths and bridleways through a combination of consultation with the Ellenbrook Trust and the Site Liaison Group and Site notices erected on the main paths at points where access will be changed. The opportunity to access the area for recreational and health purposes remains throughout the lifetime of the project creating opportunities to maximise the health benefits of the site."*

- 3.3. EARA response to this comment is as follows:

We do not believe that the Public Access Strategy identifies any real positive impacts or opportunities for our local residents to actually improve health outcomes, and to ensure access and routes maximise physical activity and mental wellbeing opportunity for the 40 year duration of the project.

Brett Aggregates are claiming throughout the HIA that at least 80% of the park will be available for use. This figure takes into account the whole of the country park not just the quarry area. Given that there is no guarantee that the land outside the quarry will always be part of the country park, that two applications to build houses on it have already been submitted, and that this land is not even owned by Brett, this calculation is misleading and disingenuous.

Table 6-1 Physical Activity – there is a comment that there would be benefit from greater access during the course of the minerals development. When the area available to the public is significantly reduced as quarrying takes over how can there be any benefit? This table also refers to 80% of the park ALWAYS being available for public access, this statistic cannot be "claimed" when they do not own the rest of the country park.

We also believe that this calculation (80%) is based on only two phases being unavailable at any one time, but according to Reg25\_Appendix07\_Drawings (on the HCC portal), this would not appear to be the case, as these drawings show three phases being worked on at any one time.

- 3.4. Table 6-1 Social and Community Influences on Health – there a comment suggesting that removing the uncertainty around the “will it/won’t it be a quarry” will result in a beneficial effect on mental health. This comment is ludicrous. To suggest that once it is confirmed that we will be subjected to a quarry for the next 40 years will benefit our mental health is staggering.
- 3.5. Table 6-1 Greenspace – there is a comment that the quarry will provide minor benefits despite the loss of greenspace during quarrying. This minor benefit is based on the public access, phased approach to release of greenspace, and the fact that the space is currently largely unmanaged and there is uncertainty regarding the future use and accessibility of the land. How any loss of greenspace in the park can be considered beneficial is completely baffling to us.
- 3.6. There has been no consideration of the “attractiveness” of the proposed routes, and no easy, attractive circular routes around the site as requested by the planning inspector.
- 3.7. Most of the proposed paths are around the quarry workings, plant area or along the haul roads. The health and wellbeing of residents and attractiveness of the park would be hindered by
- The noise from the A1057, operational plant, dumper trucks, and mineral extraction.
  - Dust from the plant site, haul roads, and gravel extraction.
  - Smoke from tree and shrub clearance
  - The danger of silt lakes and deep lagoons as the footpaths skirt around these obstacles.
- 3.8. The Public Access Strategy provides no details on how access will be maintained during the initial establishment phase, the construction of access road, processing plant area, lagoons and the bunds. The access road is will encircle the entire quarry site with wide construction corridors with the removal of trees, shrubs and grassland with a visual impact lasting many years. This will not set an attractive scene for residents to use the park to improve their wellbeing and mental health.
- 3.9. The layout of the quarry is exactly the same as in the previous Public Access Strategy. Surely in order to comply with the Inspectors comments to provide “unfettered access” and “attractive routes” a new layout is essential, without such consideration then it will not allow for such access and non-industrial views. Instead, paths have simply been “tweaked” and a few extra crossing points provided.
- 3.10. We do not believe that the proposed southern route specifically provides a satisfactory route into the main park area from the Ellenbrook area. Walking a mile between bunds and quarry workings to access an open area is neither attractive nor unfettered and will not encourage use of the park and therefore will not contribute to our resident’s wellbeing. This southern route has been moved from running beside the busy main road A1057 (clearly unattractive) to running between a bund and the quarry workings (still unattractive) and even more affected by noise and dust.

3.11. We do not believe that the proposed Public Access Strategy will provide attractive and unfettered use of the park and therefore will not encourage use of the park and support residents health and wellbeing.

3.12. The Country Park is a strategically important quiet open green space in an area which lacks access to open green space (Herts Minerals Plan). Green open spaces within WHBC area that are freely accessible to residents account for 3.8% of the area, the Country Park is a vital area within that total.

**4. Definition of the extent of bromate plume (currently), how that may change, and how it will be monitored for the duration of the project.**

4.1. EARA stance on the issues surrounding the bromate plume remain unchanged from our previous objections. None of the new proposals have changed our views on the dangers posed by digging so close to bromate contamination.

4.2. Extract from the Brett HIA document

*“The impact of quarrying on a pre-existing bromate plume was very much at the fore of stakeholder engagement.”*

4.3. We would argue that it took a Planning Inquiry for Brett and the Environment Agency to acknowledge that their original proposed method of quarrying the Country Park next to the bromate plume was not safe.

Prior to the Inquiry Brett had proposed to pump the LMH, without any objection from the EA. It became clear during the Inquiry, and agreed by all the hydrogeology experts that this was not an appropriate way to quarry this area and it was agreed that the original method of pumping water from the LMH to remove sand and gravel finds should cease. This fundamental change to quarrying this area does not give us confidence that the whole plan is safe given that prior to the inquiry Brett and the Environment Agency had both approved the previous method of extraction.

4.4. Secondly it was agreed by the Inspector that the current borehole monitoring, again as proposed by Brett and agreed by the EA, was inadequate in terms of defining the extent of the bromate pollution. Although Brett have now agreed to install new monitoring boreholes prior to commencement of quarrying, this does not give us confidence that the impact of quarrying on a pre-existing bromate plume is at the fore of stakeholder engagement.

4.5. We maintain the view that a zero risk approach should be taken with the bromate and that no quarrying should be allowed in the site until the bromate has been eradicated. The plume is an unknown phenomenon that no one can predict its location and therefore no risks should be taken.

4.6. Extract from the Brett HIA document

*“Due to the known bromate plume the scheme embeds specific mitigation, with the standoff for mineral extraction operations in the Lower Mineral Horizon (LMH) to the bromate plume (also in the LMH) having been increased from 50m to 100m during the evolution of the scheme design.*

*The groundwater in the LMH in the proposed mineral extraction area is not impacted by bromate and the location and direction of plume migration is parallel to, rather than towards the excavation areas.*

*As there will be no pumping of groundwater from the LMH the potential for drawing impacted groundwater into the site is considered to be low. However, wet digging of mineral from beneath the LMH could create short lived local changes in groundwater head which could conceivably induce a local gradient towards the site. Consequently, the following design and operational measures are proposed:*

- *a 100m standoff from the closest known bromate impacted groundwater will be implemented to mitigate the potential for 'pulling' the bromate plume towards the excavation site;*

*No impact on human health and well-being would therefore be created through these proposals with bromate being able to be controlled safely."*

- 4.7. EARA response to the standoff being increased from 50m to 100m to provide more of a gap between the potential edge of the plume and the dig site is that the plume is still just too close to the dig site. Given that the plume has travelled from Sandridge (the original source) and is 20km long it is difficult to see how an increase of 50m can make any material difference to the risk of the bromate travelling into the quarry area.
- 4.8. Brett state that the potential for drawing impacted groundwater into the site is considered to be low. We maintain that even if the risk is low, this risk should not be taken, given that bromate is proving very difficult to eradicate. This is demonstrated by the slow progress of the Environment Agency remediation plan to deal with the original contamination.
- 4.9. We do not believe that Brett can make the claim "No impact on human health and well-being would therefore be created through these proposals with bromate being able to be controlled safely."
  - Given that this is a unique quarry site right next to a bromate plume ;
  - and that Brett have already changed their pumping method as a result of challenges at the Planning Inquiry;
  - and that the lack of boreholes close to the bromate (as identified by the Inspector) means that true extent of the bromate is not known;
  - and that the bromate is proving very difficult to eradicate despite successive EA remediation plans being in place

## **5. Air Quality**

- 5.1. We remain concerned about the impact of silica dust on the health of local residents. We believe that the proximity of the quarrying so close to the university playing fields, residential populations of Ellenbrook and Smallford must have an impact on their air quality, particularly during periods of dry weather coupled with windy conditions.

## 6. Noise impacts

- 6.1. We are extremely concerned about the impact of noise pollution on the residential properties close to the quarry site.
- 6.2. A report commissioned by Welwyn Hatfield Borough Council completely undermines the noise impact assessment. Extracts from the report produced by MAS Environmental Ltd are shown below.
- 6.3. It is extremely difficult to reconcile the comments made in the report by MAS Environmental against the claims made by Brett in the HIA report that says *“On this basis the proposed development is not considered to create harm to the wellbeing or the health of any vulnerable groups including those who are at home during daytime.”*

Extracts from the MAS report include the following comments

*“The noise impact assessment (NIA) is not reliable and should not be given weight.”*

*“A significant number of the requirements of the Minerals Planning Guidance are simply ignored and excluded. There is cherry picking from the guidance and ignoring of key elements of the guidance such as assessing and controlling noise characteristics. This is a key element of the MPG that is not addressed in the NIA”*

*“There is rejection of highly relevant guidance (BS4142:2014) which provides detailed assessment methods to evaluate the issues set out in the Minerals Planning Guidance such as “adverse” and “significant adverse” effects, background sound / noise levels and the evaluation of tonal and impulse sources. This is rejected in the NIA and there is a failure to assess such factors despite detailed discussion in the MPG on the need to evaluate these factors. In contrast there is reliance on guidance that is wholly irrelevant as found in BS5228:2019 that relates to temporary construction and demolition site noise criteria. Whilst aspects of the sources of noise and prediction methods contained within BS5228:2019 can be used, its guidance on noise acceptability is inappropriate due to the circumstances and context of that guidance compared to a long term quarrying operation. “*

*“There is grossly inadequate information to provide any weight to the determination of the background noise levels provided.”*

*“Inadequate information is provided to determine how representative the measurement locations chosen are in relation to dwelling rooms and amenity areas.”*

*“There is a failure to qualify, quantify, describe or address noise character within the sources and its potential impact that is disproportionate to its decibel level. The MPG considers specific and separate controls relevant for such issues which operate in tandem with the overall sound energy level controls but this is omitted from the NIA”*

*“Modelling using CadaA is relied upon but grossly inadequate information is provided on this exercise.”*

## 1.0 The report by SLR – Hatfield Quarry – Comments on the Noise Assessment

### 1.1 Summary findings

1.2 The noise impact assessment (NIA) is not reliable and should not be given weight. A detailed and transparent assessment is required that can be appropriately evaluated and checked. Some of the primary concerns are as follows:

- a) A significant number of the requirements of the Minerals Planning Guidance are simply ignored and excluded. There is cherry picking from the guidance and ignoring of key elements of the guidance such as assessing and controlling noise characteristics. This is a key element of the MPG that is not addressed in the NIA.
- b) There is rejection of highly relevant guidance (BS4142:2014) which provides detailed assessment methods to evaluate the issues set out in the Minerals Planning Guidance such as “adverse” and “significant adverse” effects, background sound / noise levels and the evaluation of tonal and impulse sources. This is rejected in the NIA and there is a failure to assess such factors despite detailed discussion in the MPG on the need to evaluate these factors. In contrast there is reliance on guidance that is wholly irrelevant as found in BS5228:2019 that relates to temporary construction and demolition site noise criteria. Whilst aspects of the sources of noise and prediction methods contained within BS5228:2019 can be used, its guidance on noise acceptability is inappropriate due to the circumstances and context of that guidance compared to a long term quarrying operation.
- c) There is grossly inadequate information to provide any weight to the determination of the background noise levels provided. Very short mid-daytime periods of assessment only were made in 2021 on only two summertime days under northerly winds only and which disregard most periods of the day, weekend days, different seasonal effects on noise transmission and effects at all floor levels. The level of information provided on the exercise and the extremely limited recordings are simply inadequate.
  - d) Inadequate information is provided to determine how representative the measurement locations chosen are in relation to dwelling rooms and amenity areas. There are no photographs or plans showing the sound meter locations or descriptions other than stating “free field”. Absent such information weight should not be given to them. Furthermore, the levels recorded appear high indicating nearness to local sources that may not reflect actual amenity and dwelling sound levels. The time of year for measurements reflects high bird activity noise and winds were sufficient for foliage rustling. Location information in relation to roads, hedges, foliage and other sources of noise is critical and should have been provided. As presented it is not considered reliable and warrants further investigation. No weight should be given to the levels in any event as the short snapshots relied upon are simply insufficient.
  - e) There is a failure to qualify, quantify, describe or address noise character within the sources and its potential impact that is disproportionate to its decibel level. The MPG considers specific and separate controls relevant for such issues which operate in tandem with the overall sound energy level controls but this is omitted from the NIA.
  - f) Modelling using CadaA is relied upon but grossly inadequate information is provided on this exercise. The actual files used (\*.cna) should be provided to enable their examination and interpretation as to appropriateness of the inputs and parameters used as well as the results.

6.4. We have been unable to ascertain whether all or any of the points raised in the report have now been answered to the satisfaction of WHBC and we therefore remain concerned about the impact of noise for those residents surrounding the quarry.

6.5. We are also disappointed that Brett has had no direct contact with local residents whose properties are very close to the quarrying operation, in particular the occupants of

Popefield Farm whose land borders the quarry. Although a specific noise assessment for Popefield Farm has been provided there has been no engagement with Popefield Farm to directly understand their concerns.

## **7. Economy and Employment**

- 7.1. Aside from the provision of minerals within the County it is difficult to see how there are any real economic and employment benefits to local residents. The number of staff employed on the site will be minimal (6-10) and will be unlikely to come from the local population as the roles will presumably be specialist ones. To make the following statement in the HIA become a reality is difficult to imagine! How exactly is a quarrying operation going to provide local people with career development and help reduce inequalities with access to work?

*Extract from HIA - "As regards employment, although limited, the potential benefits are likely to benefit certain groups within local communities through the provision of skills training and career development. An Employment and Skills Plan is recommended to help reduce potential inequalities in access to work and to ensure that local people, particularly those that may be disadvantaged in terms of employment opportunities, gain maximum benefit from the proposed development.*

## **8. Conclusion**

- 8.1. We are struggling to understand how Brett Aggregates have fully answered the Reg 25 request for additional information when the HIA states that the report does not include any new information or data.
- 8.2. We completely disagree with Brett's conclusion that the proposed development will not give rise to any significant adverse health-related impacts for those living near the site, working on the site or using nearby areas for recreational purposes, and that there will be "real" benefits to the economy, biodiversity and greenspace over the 40 years of quarrying that the local community will be subjected to.
- 8.3. We remain opposed to this application and do not consider that this Health Impact Assessment mitigates the loss of access that the proposed quarry will cause.

Sue Meehan and Mike Hartung  
On behalf of Ellenbrook Area Residents Association  
30 August 2023