

Ellenbrook Area Residents Association

Comments on Public Access Strategy - Application to quarry on Ellenbrook Fields (Hatfield Aerodrome) PL/0232/21

1. General comments

- 1.1. EARA are disappointed at the two week deadline for comments on the Public Access Strategy, in a period where residents are likely to be on holiday for the duration of this period and therefore denied the opportunity to comment personally to HCC. This does not give the Residents Associations sufficient time to consult with their residents. This is particularly relevant as our elected representatives have not been afforded time to consult with their constituents. This follows on from the December 2022 – January 2023 consultation which required working through much of the holiday period to prepare the responses in time again with little time or opportunity for consultation in the wider community.
- 1.2. We would also like to formally state that Brett has NOT consulted with the Residents Associations as advised by HCC regarding Public Access.

I quote from the Reg25 request. “You are advised to consult with local interest groups, including the inquiry Rule 6 parties, as well as the local access forum”.

Brett only recently met with the Rule 6 parties, 16 months after HCC suggested that they should do so. This was particularly disappointing given that conversations some 16 months ago at the Planning Inquiry into the first application of Brett’s gave the impression that Brett were very keen to engage and boasted of their history of consultation with local communities. This was evidently untrue and designed to set a narrative. Nothing has been heard until this very short notice meeting was called by Brett. It was not a consultation meeting but an opportunity for Brett to present their new Public Access strategy. They did not provide an agenda or any documents prior to the meeting, so we were unable to view the changes in the strategy. They presented the new Public Access strategy as a fait accompli, claiming that they had taken our previous consultation comments (from January 2023) into consideration on the new strategy. We do not accept this. It was clear that the aim of the meeting was to imply that the Rule 6 parties agreed with the revised access strategy. As such it should be noted strongly that we do not agree with this revised Public Access strategy and we have not been consulted.

When Brett were asked a simple question at the meeting “have you met with and consulted with residents since the inquiry” and we sought a yes/no answer Brett were unable to answer.

Brett in response to our comments following the meeting have said that we have had the Public Access Strategy since November 2022. This would imply that the new strategy (July 2023) is actually still very similar to the old one.

There are a number of residential populations who live close to the park, eg Hatfield Garden Village, Marshalwick, and Salisbury Village who have not been consulted at all. Given the size, nature and negative impact of this application we would have expected the applicant to run a number of consultation exercises engaging with local residents and finding out their views.

- 1.3. We do not believe that the current proposals are fit for purpose, Brett have instead chosen to run around with sticky plaster trying to fix the problem, rather than starting with a blank sheet of paper and redesigning the site from the start with public access as a priority.
- 1.4. We believe that HCC should require a pavement/walking assessment to be undertaken, similar to those undertaken for housing developments.
- 1.5. The strategy document quotes the percentage of the country park with unrestricted access for each phase.

Quote from document

"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."

This calculation 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.

We also believe that this calculation is based on only two phases being unavailable at any one time, but according to Reg25_Appendix07_Drawings, this would not appear to be the case, as these drawings show three phases being worked on at any one time. See examples at 1.6 below

- 1.6. It is unclear from the plethora of documents on the HCC portal whether or not there will only be TWO phases that will be inaccessible to the public at any one time. The Public Access Strategy implies that two phases will be inaccessible but other drawings on HCC website show a different picture. The following pictures are taken from the HCC Portal Reg25_Appendix07_Drawings, specifically Phase D drawing. Note that these were added on the Portal in November 2022, so we are assuming that they are current documents and have not been superseded.



Note enlarged from the drawing

PHASE D

TO BE STRIPPED OF TOPSOIL AND SUBSOIL TO A DEPTH OF 1.2m AND DIRECT PLACED ONTO PREVIOUSLY PREPARED FORMATION LEVELS IN PHASE B, ACCORDING TO SPECIFICATION AND PROFILES TO MAXIMIZE HABITAT CREATION POTENTIAL

Phase D - The drawing shows that:

- Phase A - Restored Area - available
- Phase B - Restoration area – not available
- Phase C - Infill Area - not available
- Phase D - Extraction Area - not available

The note on the drawing says that Phase D will be stripped of topsoil / subsoil and direct placed onto previously prepared formation levels in Phase B, implying that Phase B will still be in the process of being restored whilst Phase D is being worked. **Does this mean that three phases will be out of bounds? If this is correct then the Public Access Strategy is completely misleading.**

- 1.7. The strategy 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.
- 1.8. The Inspector found the appeal scheme, even with progressive restoration, would have an adverse effect on the character and appearance of the area for the 40 year duration of the operation, which he regarded to be of moderate/substantial significance. We do not believe that the current plans address the Inspectors concerns and ensure compatibility with the users of Ellenbrook Park (as requested in Reg 25 letter)

- 1.9. There is no identification of positive impacts or opportunities to improve health outcomes, and to ensure access and routes maximise physical activity and mental wellbeing opportunity for the 40 year duration of the project.
- The wellbeing 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, deep lagoons as the footpaths skirt around these obstacles.
- 1.10. The current proposals are not fit for purpose when assessing its value as a strategic open space
- 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.
- 1.11. We note that there is no reference to the gas pipeline on the western side of the site and how this may impact access to the site for the duration of the project. We are concerned that any issues with quarrying close to the pipeline will further reduce the access for the community.
- 1.12. There is no reference in the Public Access Strategy to the fact that Ellenbrook Country Park features as a green space in the St Albans Local Plan and is being used to offset the loss of green space due to rail freight terminal proposed for Park Street.

The following is a quote from St Albans Local Plan

Chapter 10 - Natural Environment and Biodiversity.

10.3 In recent years the District has benefited from the planting of the new Heartwood Forest. New country parks are planned at the former airfield at Ellenbrook, as part of Hemel Garden Communities and as a compensatory measure as part of the Government-permitted Strategic Rail Freight Interchange (SRFI).

And

Significant Publicly Accessible Green Areas

10.24 In recent years the District has benefited from the planting of the new Heartwood Forest. New country parks are planned at the former airfield at Ellenbrook Fields, as part of Hemel Garden Communities and as a compensatory measure as part of the Government-permitted Strategic Rail Freight Interchange (SRFI).

10.25 The Council wants to identify them to reflect the significance of their importance to the District. This includes a wide variety of aspects, such as access to semi-natural green space, facilities for recreation and biodiversity. These locations

have a critical role in assisting maintaining a high quality of life and supporting mental and physical health.

NEB 4 - Significant Publicly Accessible Green Areas

The Council will protect and enhance the following areas:

- *Heartwood Forest*
 - *Ellenbrook Fields*
 - *Rothamsted Park*
 - *Harpenden Common*
 - *Nomansland Common*
- Plus 5 more locations*

The Council will seek development contributions to support the maintenance and enhancement of these areas, including through delivery of Greenspace Action Plans (GAPs) and Greenspace Management Plans.

The St Albans Local Plan and the Public Access Strategy would appear to be at odds with each other as apparently Ellenbrook Country Park is of significant importance to the District and has a critical role in assisting to maintain a high quality of life and support mental and physical health, but I guess not for another 40 years!

2. Comments on “unfettered access and attractive routes”

- 2.1. The Reg 25 request was clear that the routes must provide unfettered access, be attractive to users of the Park and delivered to a high standard. We do not believe that the Public Access strategy meets this requirement.
- 2.2. 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. This 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. It is difficult to see how any access will be provided from the Ellenbrook area SE corner whilst the lagoons are being established or from the Notcutts SW corner whilst the haul road is being built. There is no map showing how this initial phase will work.
- 2.3. The layout of the quarry is exactly the same. 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 “adjusted” and a few extra crossing points provided.

Brett, have at no time tried to devise a quarrying scheme with public access as the number one priority. At no time have they offered any analysis as to how they designed the site with public access in mind.

With the removal of the concrete batching plant and slight change to the location of the main access road in the most recent planning application, Brett could have made some significant improvements, but they chose not to. Instead they have kept each quarry phase

exactly as it was in the previous application and not considered whether changes to these could provide unfettered and attractive access routes.

- 2.4. There has been no consideration of the “attractiveness” of the proposed routes, and no easy, attractive circular routes around the site and therefore this application is not suitable to allow the public access as has been described and so should be dismissed.
- 2.5. We believe that for most of the life of the quarry that Hatfield does not have an attractive walking route, for commuters and leisure visitors, through the country park to St Albans.
- 2.6. Most of the proposed paths are around the quarry workings, plant area or along the haul roads. These are not “temporary” paths, they will be in place either for the entire duration of the quarry or around the phases. Each phase is a minimum of 10 years including the restoration time. These routes around the workings are not attractive, and would be of a poor vista and open experience.
- 2.7. We do not believe that the proposed southern route specifically provides a satisfactory route into the main park area from the Ellenbrook area. Walking between a bund and quarry workings is neither attractive nor unfettered, according to the dictionary definitions of attractive which is “very pleasing in appearance or sound” or unfettered which is “that it is not controlled or limited by anyone or anything”.

This southern route has been moved (in the new strategy) 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.

This southern path clearly has no “vista”, and is about a mile long before reaching any open spaces from Ellenbrook and is not an acceptable main route into the park from the Ellenbrook area.

- 2.8. The S.W. (Notcutts) entrance passes along the site road, close to lorry noise and fumes and industrial fencing and is not an acceptable main route into the park from the Smallford areas.
- 2.9. The public access document provides no details on how access will be maintained during the final restoration phase, the removal/changes to access road, removal processing plant area, re-landscaping of the lagoons and the removal of the bunds. This will encircle the entire quarry site with wide construction corridors lasting 12 months, with a visual impact lasting many years. The impact of these works will also cause harm to the reinstated areas.

3. Other comments

- 3.1. We believe that the southern path corridor between the bunds and workings will be liable to flooding. We believe that due to the geographical nature of the area surface water will fill up the path between the bunds and (clay) mineral workings potentially making this (only) route into the main area impassable.

- 3.2. For the first circa 10 years of the quarry during Phases 1 and 2, Hatfield, Ellenbrook, and Hatfield Village are cut-off from easily accessing green open spaces in this part of the park. Not until phase C do we get to easily access open spaces.
- 3.3. On inspecting the map, we note that some of Brett's (white) footpaths in the East do not actually exist as "proper" footpaths. There is no easy way to get to the NE corner. Walking them in winter would require wellington boots and navigation through the cow field or along the fence. We do not believe that the proposed East-West route is an attractive viable route from Hatfield.
- 3.4. In the future phases, when phases G & H come into operation, this starts to block off St Albans (Notcutts end) to easily access open spaces.
- 3.5. The PROW from Notcutts heading North is a corridor covered by trees and not open space.
- 3.6. Why in phases E, F and G has the "haul" road (from the plant site) not been moved to the West to access the plant area, this would drastically reduce dumper truck journeys travelling through an open area.
- 3.7. We note that on request of the Ramblers Association that additional crossing points have been added, but no attempt has been made to reroute access from the Ellenbrook side for the first two phases other than moving the paths from the roadside to the quarry side.
- 3.8. There has been no direct engagement with the owners of Popefield Farm. At the very least Brett should have engaged specifically with Popefield Farm to discuss any concerns they may have and provide the best possible solution to minimise the disruption to them throughout the whole duration of the project, potentially 40 years, especially given that:
 - their property is bordered by the quarry
 - their boundary is very close to phases A, B, D and F
 - an access route is proposed to run much closer to their property than existing routes for the entire duration of the quarry,
 - that they have previously raised concerns about the adequacy of the planting around their property,
 - that the Inspector raised a number of concerns about the impact of quarrying on Popefield Farm

4. Conclusion

- 4.1. In summary we do not believe that the Public Access strategy provides for unfettered public access to the maximum possible areas of the park and that the routes are attractive to users of the park and delivered to a high standard.
- 4.2. We remain opposed to this application and do not consider that this Public Access strategy mitigates the loss of access that the proposed quarry will cause.
- 4.3. There must be absolute clarity on whether two or three phases will be unavailable at any one time. If the council is minded to approve the application there should be a condition

that at no time will more than two phase areas be closed to the public i.e. Brett are not to close off Phase C area before Phase A area is reopened.

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