

Email: mineralsplanning@hertfordshire.gov.uk

Title: Hertfordshire MLP - Proposed Preferred Area I - The Briggens Estate

Our ref: DW/CEW - B90/I

Dear Sirs

We have been instructed by Tarmac to prepare and submit representations on the proposed submission plan and specifically the above site.

This submission should be read in conjunction with a second set of representations on policy content specifically in relation to the suitability of Greenfield locations, that has been submitted under separate cover.

In the first instance Tarmac would reaffirm that they have undertaken geological investigations and the company is satisfied that an economic sand and gravel reserve is in place at the site (in this instance where the overburden mineral ratio is 2:1 or better). The reserve is split into two distinct resource blocks in the east and west. Tarmac is also satisfied that the sand and gravel has suitable aggregates properties to ensure quality of product.

Tarmac support the continued identification of the Briggens site as a Preferred Area and the considerations highlighted in the planning brief.

However in view of stated concerns from statutory consultees and other interested parties and further work that has been undertaken by Tarmac, we would like to draw the Council's attention to a few proposed changes in the brief mainly in relation to the site boundary and potential extraction areas.

Engagement with Historic England and the Councils own advisors have indicated that the area in the north east of the site near Olives Farm is particularly sensitive in a cultural heritage context.

Assessment work undertaken to date suggests that the proposed allocation would be compliant with best practice guidance in this regard, and that there would be no "substantial harm" to nearby heritage assets. The assessment has been shared with the Council and Historic England and it is the intention that the report (once in a format satisfactory to Historic England) will form part of the evidence base for the site under any examination in public.

Tarmac has undertaken geophysical investigations specifically targeted at areas in the Historical Environmental Record of potential archaeological interest. The same areas are also highlighted in Local Planning Policy documents of East Hert's District Council. Discussions with the council are ongoing in this regard.

The report confirms the presence of potential archaeological remains in areas where they were expected along with other areas where no remains are indicated (also as expected). Such a picture is consistent with the Desk Based Assessment (DBA) already submitted as part of the Preferred Options consultation and geophysical surveys undertaken on minerals sites elsewhere across the county.

Paragraph 189 of the NPPF 2019 states that in respect of reporting in support of planning applications **"the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential**

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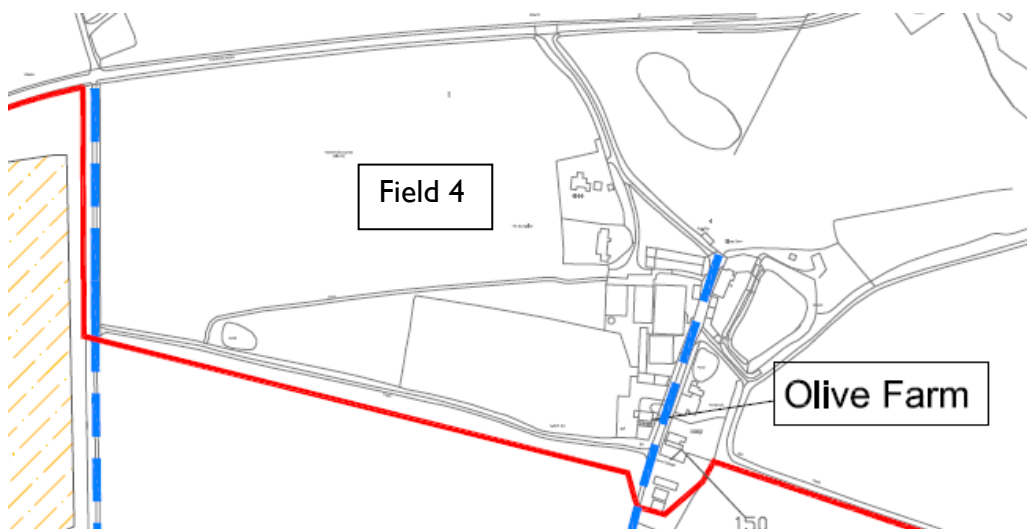
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impact of the proposal on their significance”. In the absence of any features of notable significance (i.e. there are no feature of potential national significance) within the site boundary, the DBA report and geophysical survey attached have provided Tarmac with a sufficient understanding to assess the likely importance of the assets at this time.

The results from Field 4 in particular are consistent with records of potential roman archaeology. The same field space (see figure below) has also been identified as having landscape and ecological value due to the hedgerows and near veteran trees found around the periphery of the field.



Location of Field 4 relative to Olives Farm

In view of the archaeological potential significance of Field 4, Tarmac now propose to remove this area from the Proposed Preferred Area.

A second change to the Preferred Area boundary is proposed relative to the land south of Coldharbour Farm. The boundary for this part of the site previously wrapped around Coldharbour Farm, a simplified boundary is therefore presented in this regard.

Plan S410-00001-A attached confirms the proposed area to be identified as a Preferred Site which reduces from the previous 187.75ha to 178.22 hectares.

The change in boundary in the north east of the site and a decision to increase standoffs to nearby heritage assets means that there has also been a reduction in the extraction area such that the scheme is now anticipated to yield approximately 9 million tonnes of sand and gravel with an anticipated scheme duration of 20 years or thereabouts (as opposed to 22 years as currently indicated in the submission version of the MLP)

Subject to allocation, and securing a satisfactory planning permission, the scheme is still proposed to come on line towards the middle - end of the plan period and as such would span over into the next plan period.

In addition to the above, Tarmac would also propose some additions to the considerations section of the planning brief as follows:

1. For areas of nature conservation habitat envisaged under the restoration concept a 15 year aftercare period will apply supported by an appropriate management plan;
2. A heritage conservation management plan linked into the management of the historic landscapes on site will be provided for the duration of the scheme;
3. The scheme of restoration should provide the opportunity for significant biodiversity enhancement through habitat creation on site, and the provision of rights of way improvements; and
4. Appropriate buffers will be maintained from surrounding designated heritage assets consistent with the recommendations of any Heritage Impact Assessment which should accompany any application.

In respect of the current stated considerations noted under the submission version for the site, Tarmac would reaffirm the following:

Access

The scheme is still based on access onto the B181. The application would include suitable consideration of available mitigation measures and HGV routing requirements. It is reinforced however that (apart from local deliveries) there are no proposals to route any HGVS north up the B181, nor will the site use any access off the B180.

Similarly apart from local deliveries there is no aspiration to route HGVs south through the village of Roydon. Appropriate controls in this regard could be provided through a Planning Obligation that would accompany a planning consent in the event that the site is allocated and a satisfactory planning permission is secured.

Any interaction effects with the Gilston Park scheme (both negative and positive) would be examined in full as part of a detailed planning application.

It is worth noting however that the A414 forms a fundamental role in transporting both aggregates and waste materials across the county. This is irrespective of source, and therefore the scheme at Briggens could represent a continuation of vehicle movements rather than any new numbers as such.

Habitats Directive

Any application would be submitted with a Habitats Risk Assessment Screening Report to assist the Council in their consideration of the scheme. At this stage it is considered that there will not be any direct effects and indirect effects are likely to be of negligible significance.

A Preliminary appraisal has already been submitted as part of the Preferred Options consultation which identified the potential for a range of species and habitats, consistent with any minerals extraction site. In advance of an application the site would be subject to detailed survey and evaluation in this regard.

Heritage

As identified above Tarmac have already drawn the site boundary back from potentially significant archaeological areas, such an approach is consistent with Paragraph 190 of the NPPF 2019 which indicates that schemes should avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

This has included removing an area of the site from the scheme west of Olives Farm, and increases in proposed standoffs to the south of Olives Farm (was 100m and is now 150m), and increases in standoff relative to the Ancient Woodland and Scheduled Monument situated east of the site.

Assessment work undertaken to date indicates that (with the changes highlighted above) the scheme could be compliant with best practice guidance in this regard, and that there would be no substantial harm to nearby heritage assets. Discussions with Historic England are ongoing in this regard.

Nevertheless it is confirmed that any planning application for the site would be submitted complete with detailed surveys and assessments both in respect of buried archaeology and designated cultural heritage assets. A management plan is also proposed in this regard to provide potential enhancements.

Green Belt

Central government's policy position is that mineral extraction is not inappropriate in the Green Belt. That being said it should not substantially harm the Green Belt and therefore Tarmac have commissioned a technical study in this regard which is attached for the Councils information.

This confirms that at this location it would appear that mineral extraction is indeed 'not incompatible' with the purposes of the Green Belt at when considering its temporary nature and that ultimately the openness of the countryside would be uncompromised.

The temporary aspect of minerals development is key in this regard meaning that the land will remain in Green Belt condition once the site has been worked and restored.

We trust the above and attached is satisfactory, however should the council need any more information or clarification please do not hesitate to contact us.

Yours faithfully

David L Walker Limited
Agents for Tarmac