

**Director of Environment  
& Infrastructure: Mark Kemp**



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**My ref:** SPU/BQMW  
**Your ref:** 5/2022/2443  
**Date:** 04 November 2022

Dear Sir/Madam,

**Location:** Bricket Wood Sports And Country Club, Paintball Site & Bricket Lodge  
Lye Lane Bricket Wood Hertfordshire AL2 3Tf  
**Proposal:** Outline application (access sought) - Demolition of existing buildings and  
construction of up to 115 dwellings and creation of new access  
**App. No:** 5/2022/2443

I am writing in response to the above planning application insofar as it raises issues in connection with minerals or waste matters. Should the District Council be minded to permit this application, a number of detailed matters should be given careful consideration.

### **Minerals**

In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. It should be noted that British Geological Survey (BGS) data also identifies superficial sand/gravel deposits entirely in the area on which the application falls.

The county council, as the Minerals Planning Authority, identifies the entirety of the Sand and Gravel Belt together with the identified resource blocks outside the Sand and Gravel Belt, as Mineral Consultation Areas. Planning applications submitted to the District and Borough Councils for non-minerals development that fall within a Mineral Consultation Area (other than applications which meet the 'excluded development'

criteria), may not be determined until the county council has been given the opportunity to comment on whether the proposal would unacceptably sterilise mineral resources. In accordance with paragraph 212 of the NPPF development proposals in Mineral Safeguarding Areas that might constrain potential future use for mineral working should not normally be permitted.

Adopted Minerals Local Plan Policy 5 (Minerals Policy 5: Mineral Sterilisation) encourages the opportunistic extraction of minerals for use on site prior to non-mineral development. Policy 5 further states that:

*The County Council will object to any development proposals within, or adjacent to areas of potential mineral resource, which would prevent, or prejudice potential future mineral extraction unless it is clearly demonstrated that:*

- i. the land affected does not contain potentially workable mineral deposits; and/or*
- ii. there is an overriding need for the development; and*
- iii. the mineral cannot practically be extracted in advance.*

For proposed major developments where there is a high possibility of mineral sterilisation, the Minerals Planning Authority would normally object and request a site investigation and evaluation by way of a Minerals Resource Assessment (MRA) to be undertaken in order to assess the potential for workable mineral deposits underlain at the site<sup>1</sup>.

A preliminary review of nearby borehole records held by BGS implies that there is likely to be a significant overburden of multicoloured clays (approx. 12m) above any sand and gravel mineral reserves at the application site. Furthermore, after considering appropriate buffer zones that would likely be required to protect the amenity of the residential buildings bordering the site and the public highways, it would be reasonable to assume that prior extraction at this site would **not** be practical and would not provide a significant volume of mineral resource.

The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits within the developments, should they be found when creating the foundations/footings.

Opportunistic extraction refers to cases where preparation of the site for built development may result in the extraction of suitable material that could be processed and used on site as part of the development. This may include excavating the foundations and footings or landscaping works associated with the development. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources

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<sup>1</sup> Please refer to Section 5(a) of the adopted Minerals Consultation Areas SPD

## **Waste**

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

The National Planning Policy for Waste (October 2014) sets out the following: *'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:*

- *the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;*
- *new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

- Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;
- Policy 2: Waste Prevention and Reduction; &
- Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the district council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions. As a general point, new housing and other built development should have regard to the overall infrastructure required to support it, including a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

A development of this size would require the consideration of minimising waste generated during demolition, construction and its subsequent occupation, encouraging the re-use of unavoidable waste where possible and the use of recycled materials where appropriate. In addition regard should be given to the design of new housing development to ensure waste collection vehicles can gain access for the collection of household waste and recyclables.

The County Council, as Waste Planning Authority, would expect commitment to producing a SWMP and for the SWMP to be implemented throughout the duration of the project. The SWMP must be prepared prior to commencement of the development and submitted to the Waste Planning Authority for comments. As a minimum, a SWMP should include the following:

#### Project and People

- Identification of the client
- Identification of the Principle Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

#### Estimating Waste

- A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)
- Waste management actions for each of the types of waste (i.e will it be re-used, recycled, recovered or disposed of)

#### Space for Later Recordings

- Space for the recording of actual figures against those that are estimated at the start
- Space that will allow for the recording and Identification of those responsible for removing the waste from site and details of the sites they will be taking it too

- Space for recording of explanations that set out the reasons for any deviations from what has been set out in the SWMP, including explanations for differences in waste arisings compared to those set out in the initial estimations

If a SWMP is not produced at the planning application stage, we would request the following condition be attached to any approved planning permission:

**Condition:** No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

**Reason:** This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings during demolition and construction so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste for a project. The total volumes of waste during enabling works (including demolition) and construction works should also be summarised.

Yours sincerely,



Billal Qureshi  
Planning Officer - Minerals and Waste Policy