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23 August 2019

**Town and Country Planning (Environmental Impact Assessment)
Regulations 2017**

Dear Mr Fitch

Screening Opinion Reference: 6/2018/1891/EIA

Associated Planning Application Reference: 6/2018/1635/OUTLINE

Proposed development at: Historic De Havilland Grass Runway, Ellenbrook Fields
Hatfield, Business Park, Hatfield, Herts

Proposal: Change of use of land to airfield with runway and support facilities including a clubhouse, hangar and car park with all matters except layout reserved

Under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") the Council has undertaken a formal Screening Opinion for the above development proposal.

"Screening" is a procedure used to determine whether a proposed development is likely to have significant effects on the environment. The purpose of this screening is to establish whether the proposal is EIA Development for which any planning application would need to be accompanied by an Environmental Statement (ES), in the form prescribed by the EIA Regulations.

The EIA Regulations define "EIA Development" as being development which is either "Schedule 1 development" or "Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location".

In this instance it is noted that the proposed development is not contained within Schedule 1 of the EIA Regulations. In this schedule "airport" means an airport which complies with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organisation (Annex 14). According to that convention, the term aerodrome (airport) is "a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft". Schedule 1 includes, under paragraph 7 (a), "Construction [...] of airports with a basic runway length of 2,100 metres or more." In this instance, the proposal includes a

runway measuring 900 metres in length.

The site does not fall within a “sensitive area” as defined in the Regulations. However, the proposed development is one that comes within the description at paragraph 10 (e) of Schedule 2, i.e. it concerns the construction of an airfield and the area of works exceed 1 hectare. The proposed development is therefore “Schedule 2 Development” within the meaning of the EIA Regulations.

However, as the section on EIA in the national Planning Practice Guidance (PPG) makes clear not all Schedule 2 Development has an impact or impacts that require an EIA to be undertaken and each case should be considered on its own merits in a balanced way.

Paragraph 017 of the PPG advises that Schedule 2 developments need to be screened by the local planning authority to determine whether significant effects are likely and hence whether an EIA is required. In order to determine whether a Schedule 2 Development will have a significant impact(s) it is necessary to refer to the Selection criteria for Schedule 2 Development set out in Schedule 3 of the Regulations. Paragraph 018 of the PPG goes on to advise that only a “very small proportion” of Schedule 2 development will require an EIA” and it “...*should not be presumed that developments above the indicative thresholds should always be subject to assessment...*” Therefore not all Schedule 2 Development is EIA Development. Paragraph 057 of the PPG sets out indicative thresholds and criteria to assist the EIA screening process and in relation to airfield development the indicative criteria and threshold are as follows, with noise, traffic generation and emissions being the key issues to be considered in undertaking the screening exercise:

“New permanent airfields and major works (such as new runways or terminals with a site area of more than 10 hectares) at existing airports. Smaller scale development at existing airports is unlikely to require Environmental Impact Assessment unless it would lead to significant increases in air or road traffic.”

Importantly for the purposes of undertaking a screening exercise under the EIA Regulations there is no requirement to have regard to extant National Planning Policy or adopted Development Plan policies or any other policy documents with the status of “other material planning considerations” in the context of the determination of planning applications. The fact that there may or may not be conflict with, for example, the National Planning Policy Framework or any extant policies within the Welwyn Hatfield District Plan 2005 or Draft Local Plan Proposed Submission 2016 is not material to the determination as to whether or not a planning application concerning Schedule 2 Development is or is not EIA Development.

Section 1 of Schedule 3 of the EIA Regulations identifies the characteristics of the development that must be considered and amongst the characteristics to be taken into account are the size of the development, risks to human health, pollution and nuisances. Section 2 of Schedule 3 requires consideration to be given to the environmental sensitivity of the geographical area likely to be affected by the development and, amongst other things, consideration should be given to existing land uses, densely populated areas and landscape, historical, cultural or archaeological significance. Section 3 of Schedule 3 requires consideration to be given to the characteristics of a development’s potential impact having regard to the extent of the impact, for example in terms of geographical area and size of the affected population, the nature of the impact, duration, frequency and reversibility of the impact, as well as the possibility of effectively reducing the impact.

As this screening opinion postdates the submission of a planning application for the proposal which is the subject to this screening opinion, in line with the guidance contained within the paragraph 023 of the PPG regard has been paid to the mitigation measures that the

applicant has referred to in documentation accompanying the submitted planning application.

Characteristics of Development

In addition to the grass runway, the submitted planning application proposal also includes an associated clubhouse, two hangars, runway lighting, aircraft parking, picnic/viewing area, access, car parking to accommodate 50 vehicles, fencing and the provision of services to include: electrical head, water, gas, broadband, and sewage connects. This outline application, with all matters except layout reserved, provides only minimal information on the buildings proposed.

The proposed development site covers an area of approximately 100 hectares within Ellenbrook Fields County Park which currently supports a large area of open grassland. The existing site is relatively flat and free from and built structures. Within the site, the new car park would cover an area of approximately 9-10,000 square metres (0.9 – 1 hectare). The car park would be accessed via a new track approximately 650 metres in length leading from Albatross Way along an historical airfield access road.

The applicant has submitted a Feasibility Study and Planning Design, Access and Aviation Statement to accompany the application. However, no information has been submitted in terms of the anticipated number or frequency of aircraft movements or the type of aircraft which would use the proposed runway. There is also no information to explain how the clubhouse, hangars and picnic/viewing area would be used.

The Feasibility Study describes the proposed circuit patterns flown when training new pilots. It is noted that the description states that a “...turning 90 degrees right when reaching the 414 Duel carriageway” which is inconsistent with the accompanying diagram titles “England Noise Map View”. This diagram show a 90 degrees right turn when the A1057 is reached. It is also noted that the Feasibility Study states “The circuit proposed avoids overflying any houses or noise sensitive areas” which is not accurate. The circuit diagram clearly shows the route passing over residential areas in Smallford and the eastern edge of St Albans, together with Oaklands College, Acorns Nursery, St Albans Nursery, Montessori Pre-School, Woodstock Caravan Site, The Defence Science and Technology Laboratory (an agency of the MOD), together with numerous rural dwellings and business. Oakwood Primary School, Beaumont Secondary School are also in close proximity to the south western extent of the circuit.

Location of Development

The submitted planning application includes only very limited information in terms of the location of the development, the surrounding context and constraints. For example, the planning application is not supported by an Environmental Statement, Character Appraisal, Landscape and Visual Impact Appraisal, Topographical Survey, Flood Risk/Drainage Assessment, Contaminated Land Assessment, Tree Survey, Biodiversity/Ecology Assessment, Heritage Statement or Archaeological Assessment.

The area land proposed for the new airfield forms part of the former Hatfield Aerodrome site, which was occupied first by the DeHavilland Aircraft Works, and later by British Aerospace (BAe), until it was closed by BAe in the mid 1990's. The eastern part of the former Hatfield Aerodrome site was allocated for mixed-used development in the District Plan 1998. The western part of the former Hatfield Aerodrome site, which includes the proposed airfield, was proposed to remain within the Green Belt and protected from development. Outline permission for the development of the eastern part of the former Hatfield Aerodrome was granted in December 2000 on completion of a S106 Agreement. This development is now well established with a range of commercial uses, including offices, warehouses, car

dealerships, a private hospital as well as residential properties, a school and the University of Hertfordshire's DeHavilland Campus.

As part of the conditions attached to the planning permission the area proposed for a new airfield was secured as public open space. The S106 Agreement set out that the area of land known as Ellenbrook Fields was to be established as a country park and transferred to a trust who would be responsible for stewarding it in the long-term public interest. The area secured for Ellenbrook Country Park falls mostly within Welwyn Hatfield but also partly within St Albans District.

The country park has been partially delivered to date with the implementation of the full area being delayed due to planned mineral extraction. The majority of the former Hatfield Aerodrome site within the Green Belt was identified within the Hertfordshire Minerals Local Plan as a Preferred Area for Mineral Extraction. The County Council in its capacity as Minerals Planning Authority has resolved to grant permission for the removal of a quantity of minerals subject to a Section 106 agreement. The corollary of the mineral extraction is that the country park will need to be established on a phased basis taking account of mineral extraction across various parts of the site.

The site has not been recently used as an airfield and therefore this proposal will introduce a new aviation use on an undeveloped site in the Green Belt. The site is not within or near to a "sensitive area" as defined in the regulations. The site does covers an area of approximately 100 hectares which falls within the De Havilland Plane Landscape Character Area. A Local Wildlife site (reference WS84) is located within the boundary of the wider airfield site. This is an existing Section 41 NERC Act habitat. The proposed buildings and car parking associated with the airfield would be located next to the Local Wildlife Site.

The site is located adjacent to a residential area of Hatfield, as well as an employment area and the University of Hertfordshire's DeHavilland Campus. Howe Dell Primary School is approximately 300m east of the site. Also nearby are numerous rural dwellings and small settlements. St Albans lies approximately 1.8km to the west. The development therefore has potential to impact significantly upon sensitive receptors.

Characteristics of the Potential Impact

Should a grass runway The Local Planning Authority consider the main issues raised in this proposal are noise and the potential impacts from the over-flying of receptors including heritage assets, school, dwellings and the wider area.

Consideration will need to be had of noise impacts not just in the vicinity of the site but also under the proposed flying circuits. The assessment of any noise effect is usually a matter that is capable of being assessed through normal planning procedures, i.e. the consideration of acoustic information submitted with the application. However, in this instance, a noise assessment has not been provided and the effectiveness of the suggested noise mitigation measures has not been tested or evidenced.

The Planning Practice Guidance (PPG) requires the decision maker to take into account noise implications when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.

The PPG states, the subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation.

These factors include:

- the source and absolute level of the noise together with the time of day it occurs. Some types and level of noise will cause a greater adverse effect at night than if they occurred during the day – this is because people tend to be more sensitive to noise at night as they are trying to sleep. The adverse effect can also be greater simply because there is less background noise at night;
- for non-continuous sources of noise, the number of noise events, and the frequency and pattern of occurrence of the noise; and
- the spectral content of the noise (i.e. whether or not the noise contains particular high or low frequency content) and the general character of the noise (i.e. whether or not the noise contains particular tonal characteristics or other particular features). The local topology and topography should also be taken into account along with the existing and, where appropriate, the planned character of the area.

The PPG guidance further advises that mitigation measures proposed are designed to limit or remove any significant adverse environmental effects of a development.

The Local Planning Authority's Environmental Health Officer has advised that a noise assessment is required to determine the likely impacts proposal, including but not limited to, consideration of the following matters:

- The predicted number of aircraft movements (a movement being either a take-off or landing) including resident and visiting aircraft
- The predicted number of helicopter movements
- Weight and type of aircraft
- Refueling operations
- Maintenance of aircraft including repair and cleaning
- Taxi and engine testing
- Impact assessment including roof lines (aircraft overhead)
- Machinery or plant in operation
- Noise from any events that may take place within the site (including music, loud speakers, bands, etc)

Given the lack of information submitted with the planning application there is no clear understanding of how the proposed airfield would operate. Notwithstanding this, the use of a grass runway is likely to coincide with the summer period, or better weather when nearby residents would make more full recreational use of their gardens and / or tend to prefer to leave windows open.

The Local Planning Authority concludes based on the information provided, that there is a substantial degree of uncertainty regarding the proposed mitigation measures and likelihood of significant noise impacts.

Other impacts

The introduction of a new aviation use may have an effect on air quality. The applicant has provided very limited information around the potential air quality impacts. At this current time there exists areas within the Borough that are on the borderline of the limit values set out in the Environment Act 1995. An air quality impact assessment has not been provided, therefore it is not possible, at this stage, to conclude that no significant air quality impacts would result. An air quality assessment should indicate the change in air quality resulting from the proposed development and outlining appropriate mitigation measures to be implemented as necessary.

The development has the potential to have significant environmental risks in terms of impact on soil condition, contamination of the ground, groundwater and surface water, however, the information provided is inadequate to conclude satisfactorily on the effect.

In terms of the historic environment, it is considered that there is potential for uncertain negative impacts on heritage assets of archaeological interest. Whilst not an identified Area of Archaeological Significance, significant prehistoric and Roman archaeology (e.g. Historic Environment Record nos. 125, 11544, 11546, 11547& 11549) indicative of settlement and funerary activity was found during redevelopment of part of the former Hatfield Aerodrome for housing adjacent to the proposed development site to the east (around Cunningham Drive, The Runway, Nimrod Drive and Dragon Road). It is likely that activity of similar nature and date continued to the west into the proposed development site.

It is noted that the associated planning application contains very little information regarding the impact the proposed development might have on heritage assets of archaeological interest. The Design, Access and Aviation Statement states that the runway and strip will be mown grass sown with seed following de-stoning. At paragraph 1.1 (page 12) it states that *“The land is flat and free draining on chalk, no earthworks or landscaping would be required, the runway strip would be sown with grass seed”*. Paragraph 1.3 states that that *“The car park...is envisaged as being a free draining stone scaplings design.”* No further detail on the ground conditions or the below-ground impact of the development have been provided. Notwithstanding this, it is inevitable that the construction of the access, car park, buildings, lighting and services would involve ground works. It is also considered highly probable that some ground works would be required to make a suitably level runway. This information should be provided by the applicant to allow the Local Planning Authority to consider the potential impact that the development may have on below-ground heritage assets of archaeological interest.

Turning to other heritage assets, it is notable that the site is located adjacent to the Grade II listed Astwick Manor and in proximity to a number of other designated heritage assets. A Heritage Statement should consider the impact of the proposal on the significance of the following designated heritage assets:

- Astwick Manor (British Aerospace Technical School), Grade II Listed (List Entry UID: 1101043);
 - The Flight Test Hangar, Offices, Fire Station and Control Tower, British Aerospace, Grade II* Listed (List Entry UID: 1376561);
 - Listed building group at Popefield Farmhouse, Grade II Listed (List Entry UIDs: 1103025, 1172843, 1172843);
 - Milepost approximately 70 metres east north east of the Three Horseshoes Public House, Grade II Listed (List Entry UID: 1347182);
 - Three Horseshoes Public House, Grade II Listed (List Entry UID: 1172839);
 - Listed building group at Oak Farmhouse, Grade II Listed (List Entry UIDs: 1347179, 1175602, 1103006); and
 - Old Forge Cottage, Grade II Listed (List Entry UID: 1348162).
- This list is however not exhaustive and a Heritage Statement should provide a full assessment which considers all heritage assets potentially affected by the proposal.

This list is however not exhaustive and a Heritage Statement should provide a full assessment which considers all heritage assets potentially affected by the proposal. Given the uncertainty in terms of the design and scale of the proposed hangar building and having regard to the number of listed buildings within the locality, it is considered that there is the potential for a significant impact on the setting/significance of heritage assets.

In terms of minerals, it is noted that Paragraph 1.1 of the 'Environmental Considerations' chapter of the Design and Access Statement, states: *"The land for the proposed relocated airfield is currently up for gravel Extraction"*. To clarify, the adopted Minerals Local Plan (2002-2006) identifies the whole of Hatfield Aerodrome (BAe) as a Preferred Area. This preferred areas is known as Preferred Area No. 1 (Land at BAe). At the time the existing Minerals Local Plan was adopted, Preferred Areas were defined as *"parcels of land likely to be required to make up the balance of the county's contribution to the regional apportionment for the plan period and the landbank beyond"*.

The area land proposed for the new airfield falls entirely within the northern half of Preferred Area No. 1 (Land at BAe). Although the northern part of Preferred Area No.1 (Land at BAe) has not come forward for sand and gravel extraction, it remains a Preferred Area and part of the adopted policy for the county. The county council is currently in the process of reviewing the Minerals Local Plan and as part of this process has reassessed the Preferred Areas. Part of the Hatfield Aerodrome site (which forms part of the adopted preferred area 'Preferred Area No.1 (Land at BAe)'), has also been identified as a Proposed Specific Site ('Proposed Specific Site 1 Hatfield Aerodrome') in the emerging Hertfordshire Draft Minerals Local Plan.

The southern part of Preferred Area No.1 (Land at BAe) of the adopted Minerals Local Plan has been put forward for sand and gravel extraction through a planning application, which has a resolution to grant planning permission subject to a S106 agreement.

It is clear that there is an overlap between the boundary of this proposal and the boundary of 'Proposed Specific Site 1, Hatfield Aerodrome' of the emerging Minerals Local Plan. The proposed new access track and the southern tip of the runway strip also fall within its boundary.

It should also be noted that the northern boundary of the site, as set out in the Site Location Plan, falls directly opposite 'Proposed Specific Site 2, Furze Field', as identified in the Draft Hertfordshire Minerals Local Plan.

This site has been subject to a planning application which has a resolution to grant, subject to s106, to extract 0.45 million tonnes of sand and gravel. This site is known as 'Furze Field', and is proposed as an extension to Hatfield Quarry.

The Minerals Planning Authority does not wish to see the planning application for sand and gravel extraction at Hatfield Aerodrome jeopardised by adjoining developments. The applicant must take into consideration the Mineral implications outlined above and the proximity of the existing and potential future mineral extraction sites, in order to determine whether or not the proposed airfield use is compatible.

The Environment Agency has not commented on whether it considers the scheme constitutes EIA development but has objected to the associated planning application. In their consultation response, the Environment Agency stated that the risks to groundwater from the development are unacceptable.

The proposed site overlies groundwater that is polluted with bromate and bromide. The adjacent, existing CEMEX Hatfield quarry and proposed Bretts 'Ellenbrook' quarry (aka Hatfield Aerodrome quarry) are both required to closely monitor groundwater level and groundwater quality in order to demonstrate that their activities do not significantly change the existing groundwater flow regime, which might cause the groundwater plume of bromate and bromide to move. Any proposed use for this site must demonstrate the same, in proportion to the activities. Earlier this year the Environment Agency undertook a

consultation on continuing remediation measures. This culminated in the issue by the Agency of a second remediation notice relating to the sources of pollution on 17th July 2019. These latest actions by the Environment Agency emphasise the continuing importance of addressing the bromate contamination issue. Concerns have also been expressed by local residents and their representatives over potential risks to human health from contaminants within drinking water supplies.

Matters relating to contamination of water courses and the governance over suitable and sufficient abstraction sources lie with the Environment Agency and it is not for the Local Authority to comment on the specific technical requirements or their approach, however Welwyn Hatfield Borough Council has a legal responsibility to ensure private water supplies in our area comply with drinking water standards and we also have a duty of care to our residents and workplaces in that they have safe and adequate supplies of public drinking water. The Health Protection Regulations 2010 place duties on the Local Authority to make reasonable enquiries and apply for a Part 2A order if there is evidence of infection or contamination to prevent the spread of such infection or contamination.

Therefore, with these responsibilities in mind, the Local Authority require full and detailed evidence of the risk of contamination and any mitigation measures required to ensure that a comprehensive and accurate assessment of the application as regards the impact of the proposals on the bromate contamination.

Furthermore, the site is potentially affected by contamination due to its historic use as a commercial and military aerodrome. The Environment Agency anticipate that the aspects of the proposal that could potentially mobilise shallow contamination and/or affect the groundwater are:

- construction activities (hangars, clubhouse, access road, parking area, associated services etc)
- fire service area
- infiltration drainage of surface water from roofs and areas of impermeable hard standing infiltration of sewerage
- interference with groundwater monitoring and mitigation measures for the adjacent/overlapping Bretts Ellenbrook quarry (aka hatfield aerodrome).

The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed.

It is considered that the potentially significant environmental effects that have been identified above may be of wider than local significance and complexity, particularly in respect of noise and the historic environment. Further, in respect of the soil condition, contamination, hydrology, minerals extraction, air quality and landscape impacts, there are a number of uncertainties at this point which, whilst adopting a precautionary approach, indicate that there is the potential for significant effect. In addition, the available information does not satisfactorily rule out the possibility of significant effect on ecology/biodiversity, safety, traffic, recreation, tourism and socio-economics.

Taking into account the selection criteria set out in Schedule 3 of the EIA Regulations, insofar as they are relevant to the proposed development, the scheme would be likely to have significant effects on the environment because of the nature, size and location of the development. Accordingly the proposed development is considered to be EIA Development.

Conclusion

The site has not been recently used as an airfield and therefore this proposal will introduce a new aviation use on an undeveloped site in the Green Belt. Whilst the site and its wider surrounds once formed part of Hatfield Aerodrome, this use ceased in 1994, some 25 years ago. Since this time, the setting has altered significantly as a result of the re-development of the former aerodrome site. Therefore, only limited weight can be attributed to the historical use of the site.

The site is located adjacent to a residential area of Hatfield, as well as an employment area and the University of Hertfordshire's DeHavilland Campus. Howe Dell Primary School is approximately 300m east of the site. Also nearby are numerous rural dwellings and small settlements. St Albans lies approximately 1.8km to the west. The development therefore has potential to impact significantly upon sensitive receptors. The potential impact from change to the noise associated with the development is key in determining the likelihood of significant impact from the project. In this regard, no noise assessments have been submitted to the Local Planning Authority.

Due to the lack of evidence on noise and the uncertainty relating to the noise implications of the airfield, there is a similar uncertainty in relation to any likely noise impacts from the development, including on the nearest sensitive receptors. As a result of this uncertainty, it is not possible to reasonably conclude that there is no likelihood of significant effects in relation to noise.

A number of other potentially significant environmental effects have been identified that may result from the proposed development. As well as this, areas that may require further information to be submitted before a judgement of the need for EIA, in respect of these specific issues, can be made. Notwithstanding this, given that potentially significant impacts have been identified the Council has determined that this proposal should be considered an EIA development under the 2017 Regulations.

This letter therefore provides a positive screening opinion and in accordance with Regulation (5) of the above EIA Regulations, the above Screening Opinion provides the main reasons for this conclusion with reference to the relevant criteria.

For the avoidance of doubt, this opinion should not be construed as the Council's agreement with any statements relating to aspects of the proposal that fall to be considered as part of a formal planning application process. An assessment of the proposal will need to be considered in the normal manner in the context of the Development Plan.

Should you require any clarification regarding the contents of this letter, please do not hesitate in contacting the case officer on the above number and I will be pleased to advise you further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Carter', written in a cursive style.

Chris Carter

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