



Town Planning
Ref No 4/0006-95 (18)

Other
Ref No

TOWN & COUNTRY PLANNING ACT, 1990

To: Berkhamsted Brick Co Ltd
1 Alexander Road
Kings Langley
Herts

APPLICATION FOR TEMPORARY
RECYCLING FACILITY FOR CONCRETE
WASTE WITH RESTORATION AND
LANDSCAPING
at: BERKHAMSTED BRICKWORKS,
SHOOTERS WAY, BERKHAMSTED

Brief description
and location of
proposed
development

In pursuance of their powers under the above Act and the Orders and Regulations for the time being in force thereunder, the Council hereby PERMIT the development proposed by you in your application dated 24 November 1994 and received with sufficient particulars on 8 December 1994 and subsequent information on 19 April 1995 and shown on the plan (s) accompanying such application, subject to 36 Conditions, which are detailed in the attached Schedule, along with the Reasons for the imposition of the Conditions.

Dated: 17 day of February 1997

Signed *Isis Davidson*

Designation : Head of County
Development Unit

Cont'd...



Director: Charlie Watson

SCHEDULE OF CONDITIONS NUMBERED 1 - 36 ATTACHED TO THE PLANNING PERMISSION ISSUED UNDER APPLICATION NUMBER 4/0006-95 FOR THE TEMPORARY CHANGE OF USE OF LAND FROM LANDFILLING, TO A RECYCLING FACILITY FOR CONCRETE CRUSHING, WITH ASSOCIATED RESTORATION AND LANDSCAPING ON LAND ("THE LAND") OFF SHOOTERS WAY, BERKHAMSTED BRICKWORKS, BERKHAMSTED

1. **The development hereby permitted shall be for a period of two years from the notified date of commencement of the development. The date of commencement of the development shall be notified in writing to the Local Planning Authority within 7 days of commencement. Following the expiration of the two year period the land shall be restored in accordance with the provisions of Condition 18.**

Reason : To ensure the temporary use granted under this planning permission for the restoration and landscaping of the site is terminated by the end of the period covered by the permission and to assess the effect of the use of a concrete crusher on the amenity of the area.

2. **The operations authorised by this planning permission shall, except where modified by the conditions of this planning permission, be undertaken in accordance with the provisions of the Written Statement dated 8th December 1994 and plans accompanying the Statement, and the letter dated 19th April 1995, from Wastecare (GB) Ltd to Hertfordshire County Council, unless otherwise agreed in writing with the Local Planning Authority.**

Reason : To ensure that an orderly programme of operations is carried out in such a way that the adverse effects on local amenity are kept to a minimum, and that the restoration of the brickworks is achieved.

3. **No operations authorised by this planning permission shall commence until a scheme of restoration and landscaping has been submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall include amongst other matters, provision for:-**

- (a) **pre and post settlement contour levels of the restored surface of the land;**
- (b) **the retention of as many existing trees or hedgerows within the land and on the land boundaries as possible, these being accurately identified on a plan, and measures to protect these trees from damage during operations;**
- (c) **as working and restoration proceeds additional tree and planting required to ensure the restored land is absorbed into the local landscape;**

- (d) **details of the planting specification, species, size, spacing and number of trees and shrubs to be planted, and measures to protect and maintain the trees and shrubs in accordance with good silvicultural practice;**
- (e) **a timetable within which the agreed scheme shall be implemented.**

Reason : To ensure an orderly programme of operations and restoration is carried out and that the adverse effects on local amenity are kept to a minimum and that the complete restoration of the land to a beneficial use is achieved.

- 4. **The land shall be restored in accordance with the approved restoration and landscaping scheme.**

Reason : To ensure an orderly programme of operations and that the restoration of the brickworks is achieved.

- 5. **All trees and shrubs planted under the scheme required by Condition 3 shall be maintained to the satisfaction of the Local Planning Authority during the operations on the land and for five years after the completion of restoration. Any tree that dies within the five year period shall be replaced by another of the same species, unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure that the planting required by Condition 4 is adequately maintained.

- 6. **No operations authorised by this permission shall be carried out other than during the following periods :-**

09.00 to 16.00 hours Mondays to Fridays.

No operations shall take place on Saturdays, Sundays or Public Holidays.

Reason : To minimise the adverse impact of operations on the local community in terms of noise, traffic generated and general disturbance.

- 7. **Concrete crushing activities and the storage of crushed and uncrushed concrete will be restricted to the south western corner (edged green on the application plan BB/PA/1A) of the land (edged red on the said plan).**

Reason : To control the location of crushing activity and not hinder the restoration of the rest of the area of the former brickworks.

8. **The operator shall give the Local Planning Authority one week's advance notice in writing (by letter or fax) of commencement of any crushing operation.**

Reason : To assist the Local Planning Authority in monitoring the effects of the recycling proposal.

9. **No more than 1500 tonnes of crushed and uncrushed concrete shall be stored in the designated area, referred to in Condition 7, at any one time.**

Reason : To control the amount of material that can be imported to within limits identified by vehicle movements.

10. **Concrete crushing shall not be carried out on more than four times a year, each such time not to exceed one week, with an interval of at least one week between each of the four permitted times of concrete crushing. For this condition, a week shall mean Monday 09.00 hours to Friday 16.00 hours.**

Reason : To minimise the impact of operations on the local community in terms of noise, traffic generated and general disturbance.

11. **After crushing, any reject material which cannot be used for restoration and landscaping as defined by Condition 20, shall be removed from the land and disposed of at a suitable facility.**

Reason : To ensure an orderly programme of operation and to prevent pollution ensuring the long term restoration of the former brickworks is not prejudiced.

12. **Unless otherwise agreed in writing by the Local Planning Authority no crushed or uncrushed material shall be stockpiled in excess of 4 metres in height.**

Reason : To limit the height of the stockpiled material, to safeguard the amenity of the area and to aid control of limit to lorry numbers delivering concrete for crushing.

13. **No lorry movements in connection with the concrete crushing and landscaping shall commence until the access road coloured yellow on plan BB/PA/1A has been repaired such that the surface has been made good for the passage of heavy goods vehicles. Any existing potholes in the road will have to be filled such that the road surface is flat and even.**

Reason : To provide a smooth surface for the passage of vehicles to and from the site.

14. **There shall be no more than a total of 20 lorry movements (10 in, 10 out) at the site in any working day (Mon - Fri) in connection with both recycling and restoration and landscaping.**

Reason : To ensure that the operator does not prejudice safety on the highway and in the interests of the free flow of traffic.

15. **In each year of the two year's temporary use hereby permitted there shall be a maximum of 650 lorry movements per annum bringing uncrushed material to the land and crushed material from the land.**

Reason : To ensure the impact of recycling is kept to a minimum, to ensure that the operator does not prejudice safety on the highway, to limit the environmental impact of lorries on the highway and allow for the free flow of traffic.

16. **In any one working week (Monday 09.00 hours to Friday 16.00 hours) there shall be no more than 20 lorry movements bringing uncrushed material to the land and crushed material from the land. If the 12 month maximum referred to in Condition 15 (i.e. 650 lorry movements) is reached prior to the completion of each 12 month period covered by this 2 year temporary permission, no further lorry movements in connection with the uncrushed material to the land and uncrushed material from the land shall occur during the remainder of the 12 month period.**

Reason : To ensure that lorry movements and the impact of recycling are kept to a minimum.

17. **A record of the number of HGV vehicles entering and leaving the site in any one working day shall be kept by the operator, these records shall be readily available for inspection by the Local Planning Authority. The records shall contain details on the registration numbers, load type and the date and time of delivery or export of materials in connection with the site.**

Reason : To ensure that the operator does not exceed the lorry movements allowed by Conditions 14 and 15 thereby ensuring the operator does not prejudice safety on the highway and in the interests of the free flow of traffic.

18. **Within 3 months of the cessation of concrete crushing activity all hard standings, plant, crushed, uncrushed, reject material and any noise bunds or acoustic screens shall be removed from the site and restoration and landscaping carried out in accordance with conditions.**

Reason : To ensure an orderly programme of operation and that the long term restoration of the former brickworks is not prejudiced and the return of land to a beneficial afteruse is achieved.

19. **Details of proposed dust suppression measures shall be submitted to and approved by the Local Planning Authority prior to the commencement of the use hereby permitted and such measures shall be in place prior the commencement of that use.**

Reason : To ensure the development does not have an adverse effect on the amenity of the locality.

20. **Measures shall be taken to ensure that vehicles entering and leaving the land shall not deposit mud, or other materials, on the public highway.**

Reason : To ensure the safety of traffic using the public highway.

21. **For the purposes of restoration and landscaping only waste comprising clean spoil, soils, or similar inert waste shall be deposited on the land. All such deposited materials shall be free from chemical contamination, timber, plastic, plaster, plasterboard, paper, empty containers, brick, concrete, asphalt, metals and rubble.**

Reason : To minimise the risk of environmental pollution and ensure the best standard of restoration possible.

22. **Where topsoil and subsoil are to be used for restoration purposes they shall only be handled when they are dry and friable and only between the period May to September unless it is demonstrated to the Local Planning Authority that operations can take place satisfactorily outside this period.**

Reason: To ensure that soils and restoration material are handled and stored in such a way as to minimise compaction and damage to the soil structure in order to achieve the best possible standard of restoration.

23. **No topsoil, subsoil or overburden shall be removed from the land.**

Reason : To ensure that all soils and restoration materials are retained for use on the land to achieve the best possible standards of restoration.

24. **Before the fill material in any area of the land is within 1 metre of the final levels, markers shall be set up in that area to the satisfaction of the Local Planning Authority, to show the final levels of fill material, overburden, subsoil and topsoil respectively.**

Reason: To ensure that an orderly programme of operations and restoration is carried out and that the adverse effects on local amenity are kept to a minimum and that the complete restoration of the land to a beneficial use is achieved.

25. **Prior to the commencement of the deposition of the topsoil layer, an aftercare scheme for the first five years following the completion of restoration shall be submitted to and approved in writing by the Local Planning Authority. The aftercare scheme shall specify the steps as may be required to achieve and maintain the required standard for land of agricultural use, and shall include provision for an annual meeting with officers of the Local Planning Authority and any relevant consultee. The steps referred to above shall be carried out during the period of five years following the first cultivation of the restored area.**

Reason: To ensure that the best standard of after-care management of the site is carried out following restoration.

26. **The final layer of material deposited on the land, (unless otherwise previously approved by the Local Planning Authority), shall be:-**
- i) **at least 300 mm deep and composed of the stored topsoil or similar soil-forming material which is readily capable of promoting plant growth; and 700 mm of subsoils;**
 - ii) **so deposited as to produce an even, easily-drained surface so that the land can be readily used for agriculture or amenity;**
 - iii) **thoroughly ripped or disc harrowed so as to ensure that any compacted layers are effectively broken up;**
 - iv) **kept free from any materials which may damage cultivation machinery or interfere with the subsequent agricultural use. All rocks, stones and other solid objects with a single dimension greater than 75 mm on the surface following ripping shall be removed.**

Reason: To ensure that soils and restoration material are handled in such a way as to minimise compaction and damage to the soil structure in order to achieve the best possible standard of restoration.

27. **The Local Planning Authority shall be given a minimum of 7 days notice before soil replacement and cultivation works are to take place.**

Reason: To ensure that soils and restoration material are handled in such a way as to minimise compaction and damage to the soil structure in order to achieve the best possible standard of restoration.

28. **The contouring of the final layer of the deposited material shall, after allowing for settlement and the replacement of stored overburden, subsoil and topsoil, conform with the levels provided for in the Scheme of Restoration and Landscaping referred to in Condition 3 hereof.**

Reason: To ensure that an orderly programme of operations and restoration is carried out and that the adverse effects on local amenity are kept to a minimum and that the complete restoration of the land to a beneficial use is achieved.

29. **Following soil replacement, a chemical analysis of the topsoils shall be submitted to the Local Planning Authority. Any necessary lime and fertiliser shall be added to the soils prior to seeding.**

Reason: To ensure that soils and restoration material are handled in such a way in order to achieve the best possible standard of restoration.

30. **No plant, machinery or vehicles shall traverse any restored part of the land, except in connection with agricultural, soil-stripping or restoration operations.**

Reason: To ensure that soils and restoration material are handled in such a way as to minimise compaction and damage to the soil structure in order to achieve the best possible standard of restoration.

31. **Provision for the drainage of the land shall be made at all times and the drainage of the adjoining land shall not be interrupted with or polluted by the operations hereby permitted. The applicant shall take steps to control water draining off the land (and ditches, drains or overflow lakes shall be provided in positions first to be approved by the Local Planning Authority).**

Reason: To ensure that the drainage of the site and adjoining land is not affected and that existing watercourses are not polluted or otherwise adversely affected.

32. **Any above ground storage tank for oil or other potentially polluting liquid used on site shall be located on an impervious base and surrounded by suitable liquid tight bund walls or within another liquid container, capable of containing 110% of the volume of the storage tank, and shall enclose all fill and draw pipes and sight gauges. The vent pipe should be directed downwards into the bund.**

Reason: To minimise the risk of groundwater pollution.

33. **Noise from the operations authorised by this planning permission shall not exceed measured L_{Aeq} values at noise sensitive properties by 10 dB(A) and at no time exceed 55 dB(A) as measured at any appropriate time for a 15 minute period. Measurements should be taken at a height of between 1.2 and 1.5 meters above ground level and at least 3.6 metres away from any reflective facades.**

Reason: To safeguard the amenity of noise sensitive properties.

34. **No operations authorised by this planning permission shall commence until a scheme to monitor noise associated with the crushing of concrete has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in full, unless otherwise agreed in writing with the Local Planning Authority.**

Reason : To assess the impact of operations on local amenity and minimise the adverse impact generated from operations on the land.

35. **The results of the noise level reports should be submitted to the Local Planning Authority within two weeks of their recording containing details on the standards (BS 5228, Part 1 1984) against which the readings were measured and full details of the methods used.**

Reason : To minimise the adverse impact on the local amenity from operations on the land.

36. **If noise gives rise to nuisance or exceed levels defined by Condition 32, the operator shall take immediate measures such as the provision of acoustic screens, and/or noise bunds or any other measures to reduce the offending noise.**

Reason : To safeguard the amenity of noise sensitive properties and to minimise the adverse impact from operations on the land.