

Planning and Environment
Director of Planning and Environment,
Geoffrey Steeley OBE



Mr C G B. Barnard
Director of Planning
Dacorum Borough Council
Civic Centre
Hemel Hempstead
Herts HP1 1HH

County Hall
Hertford SG13 8DN

Fax : 0992 588154
Telephone: 0992 588 193
Ask for : Mr P Donovan
My ref : RMWP/PMD/EMS/4/0225-92(848)
Your ref : 4/0225/92CM//NCG/TC
Date : 1 June 1992

Fao: Mr N Gibbs

Dear Mr Barnard

VALE FARM, BOURNE END, BERKHAMSTED: APPLICATION FOR EXTRACTION OF SAND AND GRAVEL FOR USE IN CONSTRUCTION OF THE A41 BERKHAMSTED BY-PASS, INFILLING AND RESTORATION TO AGRICULTURE.

This application for planning permission was determined under Chief Officer delegated authority as provided for under Section 101 of the Local Government Act 1972 on 21st May 1992, and after taking into account all the observations and representations received, conditional permission was granted.

A copy of the Decision Notice, Form DC 3, is enclosed for your retention, together with a Schedule of Conditions and a copy of the submitted plans.

No doubt you will ensure that the decision is entered into the Planning and Land Charges Registers.

Yours sincerely

P. Donovan

for ~~HEAD OF~~ RESTORATION, MINERALS AND WASTE PLANNING

Encs

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL						
RM			<i>DC</i>		Ack	
DCP	I.C.P.M.	D.P.	<i>DC</i>	E.C.	<i>VP</i>	FD
Received			3 JUN 1992			
Comments						

SCHEDULE OF CONDITIONS NUMBERED 1-51 ATTACHED TO THE PLANNING PERMISSION ISSUED UNDER APPLICATION NUMBER 4/0225-92. FOR THE EXTRACTION OF SAND AND GRAVEL AND REFILLING WITH SURPLUS SPOIL FROM BERKHAMSTED BYPASS CONSTRUCTION AT VALE FARM, BOURNE END, HERTFORDSHIRE

TIME LIMIT FOR COMMENCEMENT

- 1 The development to which this planning permission relates shall be begun before the expiration of 5 years commencing on the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990.

- 2 The development to which this planning permission relates shall not commence until all the outstanding details required by this Schedule of Conditions have been submitted to and approved by the Mineral Planning Authority, and the development shall be carried out in accordance with those approved details.

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

TIME LIMIT FOR COMPLETION

- 3 Extraction of minerals hereby permitted shall cease on or before 30 November 1992, disposal of surplus material at the site from construction of the Berkhamsted Bypass shall cease on or before 31 May 1993, and the site shall be completely restored within a further period of 6 months, or such longer period as the Mineral Planning Authority may approve in writing.

Reason: To comply with the requirements of Schedule 5 Part 1 of the Town & Country Planning Act 1990 to ensure that the restoration of the land to a beneficial afteruse is achieved within a reasonable timescale, and enable the Mineral Planning Authority to review the situation in the light of changing circumstances.

WORKING AND RESTORATION SCHEMES

- 4 The operations authorised by this planning permission shall, except where modified by this Schedule of Conditions, be undertaken in accordance with the provisions of the Written Statement dated 20 February 1992, accompanying the application number 4/0225-92 and the plans numbered A41/SK/027/MGA inclusive, and letter dated 16 April 1992.

Reason: To ensure that an orderly programme of operations and restoration is carried out in such a way 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.

5 Operations shall only take place in accordance with a scheme of working, and restoration for the progressive working and reclamation of worked areas to be submitted to and approved by the Mineral Planning Authority and no operations shall commence until this scheme has been approved in writing by the Mineral Planning Authority. The scheme shall inter alia specify provisions for:

- i) the method, direction, phasing, duration and area of working and the machinery to be used;
- ii) details for marking the boundary of the development and buffers for vegetation, watercourses, archaeological and landscape features;
- iii) the sequence of soil stripping;
- iv) removal of overburden, extraction of material, regrading of extracted area, replacement of clay and overburden and infilling, delineating areas to be infilled replacement of soils for restoration and the machinery to be used;
- v) the availability, proposed storage and handling on site of overburden, subsoil and topsoil to be used in the final restoration of each successive phase;
- vi) the location, height and proposed management of soil and overburden stockpiles;
- vii) details of earth embankments or wooden fencing for screening or noise attenuation;
- viii) measures for dealing with and disposing of surface water on the site including watercourses crossing the site during operations following restoration, including the construction of surface ditches, outfalls and soakaways;
- ix) details of the proposed haul road to, through and from the site showing method of construction and surfacing;
- x) proposed method of processing extracted material, design and location of any plant, and location and size of stockpiles.
- xi) the sequence and phasing of infilling and restoration showing clearly their relationship to the working scheme and detailing the type of machinery to be used;
- xii) the extent and depth of the proposed tipping and the final levels and configurations proposed for the restored land, to be shown by cross-sectional and contour plans;
- xiii) the nature of the filling materials to be used including the nature of material to be used for the final (1.2) metres of cover;
- xiv) the machinery to be used in soil respreading operations, the measures to be taken to avoid compaction of the soils and the measures for treatment of the relaid soils including ripping, stone-picking, ploughing, harrowing and fertilising;
- xv) seeding and planting proposals for the restored land.

Reason: To ensure that an orderly programme of operations and restoration is carried out in such a way 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.

PRODUCTION LIMITATIONS

- 6 No materials from sources outside the site shall be imported for processing or storage.

Reason: To minimise the adverse effect on the local environment and highway network.

- 7 Extracted and processed material shall be stockpiled only in the location shown on a plan to be submitted to and approved by the Mineral Planning Authority prior to the commencement of operations and stockpiles shall not exceed a height of 5 metres about the mean ground level of the stockpile area.

Reason: To minimise the adverse impact of operations on the local community in terms of visual intrusion.

- 8 No operations authorised in connection with this permission shall take place within the area hatched on Plan No 1 or within 3 metres of the boundaries of the site or the canopy of any tree or hedgerow without the written consent of the Mineral Planning Authority, and operations shall only take place when these areas and margins have been clearly marked out to the satisfaction of the Mineral Planning Authority.

Reason: To minimise the adverse impact of operations on the local community, and minimise the disturbance to historic and landscape features and natural habitats of the area.

- 9 That part of the haul road between the site and the line of the A41 Berkhamsted By-Pass under construction shall be constructed and used so as to avoid the area shaded on Plan No.1.

Reason: To protect historic landscape features and natural habitats within the area.

ENVIRONMENTAL SAFEGUARDS

- 10 Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, or any subsequent revisions to the General Development Order that may occur, planning permission shall be obtained for the erection of any building, fixed plant, fixed machinery or fixed structures on the land and the written agreement of the Mineral Planning Authority shall be obtained prior to the placing on site of any buildings or structure in the nature of portable plant.

Reason: To minimise the adverse impact of operations on the local community in terms of visual intrusion.

- 11 (Except with the previous written agreement of the Mineral Planning Authority) the operations authorised by this permission shall only be carried out during the following periods:

7.00 am - 6.00 pm Mondays to Fridays (excluding Bank Holidays)
7.00 am - 12.30 pm Saturdays

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

- 12 Noise from the day to day operations shall not exceed 65 dB(A) (Leq) (1 hour) as measured at the boundaries of the site, at the points shown on Plan 2. In addition the Rated Noise Level Leq (1 hour) shall not exceed the existing background noise level (i.e. L90) measured over a representative period in the vicinity of the nearest noise-sensitive use by more than 5 dB(A).

Reason: To minimise the adverse impact of noise generated by the operations on the local community.

- 13 Noise from the operations conducted on site during the period of removal, storage and replacement of topsoil and subsoil and the formation and removal of bunds shall not exceed a maximum value of 70dB(A) Leq (1 hour) (day time) as measured in the vicinity of the nearest noise sensitive building.

Reason: To minimise the adverse impact of noise generated by the operations on the local community.

- 14 The operations hereby permitted shall be screened by acoustic bunds or baffle banks as shown in Plan 3 prior to commencement of operations, and such screens or banks shall be maintained in situ throughout the mineral working and spoil disposal operations.

Reason: To minimise the adverse impact of operations on the local community in terms of visual intrusion, noise, and dust.

- 15 Effective sound insulation shall be employed for all plant and machinery on the site. Where reversing alarms are fitted to machinery their maximum output shall be no more than 3dB above the ambient noise level.

Reason: To minimise the adverse impact of noise generated by the operations on the local community.

- 16 Details of proposed dust suppression measures shall be submitted to and approved by the Mineral Planning Authority prior to operations commencing and such measures shall be implemented. Such measures shall include dust suppression systems on processing and other plant and involve whenever appropriate the spraying of clean water from a water bowser on the haul route.

Reason: To minimise the adverse impact of operations on the local community by minimising dust.

LANDSCAPING

- 17 A phased scheme of landscaping and tree planting shall be approved by the Mineral Planning Authority before operations on the site commence, or within such longer period as the Mineral Planning Authority after consultation with the operator shall determine, and implemented in accordance with an agreed timetable. Such a scheme shall include, amongst other matters, provision for:
- (a) the retention of as many existing trees or hedgerows within the site and on the site boundaries as possible, these being accurately identified on a plan, and measures to protect these trees from damage during operations, including a defined buffer zone, to be approved by the Mineral Planning Authority, in accordance with Condition 8.
 - (b) additional tree and shrub planting prior to commencement of operations, formation of earth bunds, fencing or other measures to screen working areas, and any plant or buildings.
 - (c) as working and restoration proceeds additional tree and shrub 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: In order to screen the operations prior to commencement of works to minimise visual intrusion, and to absorb the operations and restoration into the landscape.

- 18 All trees and shrubs planted under the scheme required by Condition 17 shall be maintained to the satisfaction of the Mineral Planning Authority during the operations on site 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.

Reason: To ensure that the planting required by condition (17) is adequately maintained.

SOIL HANDLING

- 19 No topsoil stripping shall commence until the Mineral Planning Authority has been given at least 7 days and not more than 21 days notice in writing of any topsoil stripping operations.

Reason: To afford the Mineral Planning Authority a reasonable opportunity to examine any remains of archaeological, geological or other scientific interest which may be found on the site, and decide on any action required for the protection, preservation or recording of such remains.

- 20 No operations shall commence within the site until the applicant has first secured and implemented an archaeological evaluation of the site, and made provision to the satisfaction of the Hertfordshire Archaeological Trust and the Mineral Planning Authority for such further works as may be necessary in consequence of that evaluation.

Reason: To afford the Mineral Planning Authority a reasonable opportunity to examine any remains of archaeological, geological or other scientific interest which may be found on the site, and decide on any action required for the protection, preservation or recording of such remains.

- 21 Access facilities shall be afforded to a person, or persons, nominated by the Mineral Planning Authority, to enter the site in order to undertake observations and record any archaeological, geological or other scientific evidence that may be exposed. If further archaeological, geological or other scientific evidence is subsequently unearthed, the Mineral Planning Authority shall be immediately informed and afforded a reasonable opportunity of a length of time agreed by both parties for an examination of the evidence to be made.

Reason: To afford the Mineral Planning Authority a reasonable opportunity to examine any remains of archaeological, geological or other scientific interest which may be found on the site, and decide on any action required for the protection, preservation or recording of such remains.

- 22 The plastic limit of the topsoil and subsoil shall be determined and agreed with the Mineral Planning Authority for all representative soil types prior to be used for agricultural restoration prior to the commencement of soil stripping operations of each appropriate phase of the site. The topsoil and subsoil shall only be handled when they are drier than the soil's moisture content at the lower plastic limit.

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 Unless otherwise agreed in writing by the Mineral Planning Authority, testing of the soil's moisture content shall be undertaken daily during soil stripping operations. The results of such testing shall be reported to Mineral Planning Authority within 3 days of each test.

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.

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- 24 Unless otherwise agreed in writing by the Mineral Planning Authority, stripping of topsoil or subsoil shall be carried out by use of hydraulic excavation (backactor) and dump truck following defined internal haul roads previously stripped of soil and in such a way that the excavator is situated on overburden or mineral deposit after removing the first cut of topsoil and subsoil.

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.

- 25 The total depth of soil as existing on the site shall be stripped and used for restoration. This shall be carried out by the use of hydraulic excavator and dump truck unless the operator can demonstrate to the satisfaction of the Mineral Planning Authority, that equal success can be achieved by alternative equipment.

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.

- 26 Prior to any excavations taking place from an area/phase of the site the topsoil, subsoil and overburden of that area/phase shall be stripped and stored separately in the positions shown on the amended application plan.

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.

- 27 Soil bunds which are to be stored for over 6 months shall be constructed with a slightly domed top and shall be seeded with a grass seed mixture to be approved by the Mineral Planning Authority. Weed-control measures shall be carried out.

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.

- 28 All soil and overburden stockpiles shall be constructed with all slopes being formed at (a maximum of 45) degrees and a maximum height of 5m and so positioned that the toe of the finished embankment is no closer than 2 metres from the nearest site boundary or 3 metres from any tree or hedge which is to be retained.

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.

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- 29 No topsoil, subsoil or overburden shall be removed from the site.

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

DEPTH OF EXTRACTION

- 30 The maximum depth of extraction shall not exceed a depth of 3m AOD without the prior permission of the Mineral Planning Authority.

Reason: So that the level agreed shall not be below the water table to safeguard the underground water supplies.

INFILLING

- 31 Only clean chalk rubble and other excavated spoil or similar inert waste free from chemical contamination, timber, plastic, plaster, plasterboard, paper and empty containers, arising from the construction of the A41 Berkhamsted By-pass east of Chesham Road shall be deposited at the site.

Reason: To minimise the risk of environmental pollution, and to minimise the impact of operations on the local community.

- 32 Before the fill material in any area of the site is within 2 metres of the final levels, markers shall be set up in that area to the satisfaction of the Mineral 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.

- 33 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 as shown on the Application Plan, number A41/SK/027/MGA.

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.

SOIL HANDLING - RESTORATION

- 34 Following soil replacement, a chemical analysis of the topsoils shall be submitted to the Mineral 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.

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- 35 Topsoil shall be spread to an even thickness of 300mm over the subsoil so as to form the final contours. The recommended lime and fertiliser should be applied and the topsoil shall be thoroughly ripped with a winged subsoiler to a depth of [300mm at a tine spacing of no more than 450mm. The topsoil and subsoil shall then be ripped to a minimum depth depth of 600mm and all rocks, stones and other solid objects in excess of 75mm 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.

- 36 The Mineral 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.

- 37 No plant, machinery or vehicles shall traverse any undisturbed or restored 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.

AFTERCARE

- 38 Prior to the commencement of any restoration scheme for agriculture an aftercare scheme for the first 5 years following the completion of restoration of that part of the site shall be submitted to and approved in writing by the Mineral Planning Authority. The aftercare scheme shall specify the steps as may be required to achieve and maintain the required standard of land for agricultural use, and shall include provision for an annual meeting with officers of the Mineral Planning Authority and any relevant consultee. The steps referred to above shall be carried out during the period of 5 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.

WATER RESOURCES

- 39 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 site.

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.

- 40 All watercourses shall be completely segregated from the workings and during the course of excavation and infilling shall be protected against siltation and pollution. Steps shall be taken to prevent any solid matter, sand and gravel or excess amounts of suspended matter passing into any water course.

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.

- 41 No ditch, brook, watercourse, cut, channel, culvert or pipe shall, without the consent of the Mineral Planning Authority, be blocked off, obstructed or severed so as to prevent or reduce the discharge there from or the flow therein, or otherwise adversely affect local drainage or flood relief.

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.

- 42 No extraction or other development including the stockpiling of materials shall take place nearer than 5 metres from the closest bank of the Bourne Gutter measured horizontally at mean existing ground level.

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.

- 43 No dewatering of the site other than by means of internal recirculation shall be permitted without the prior written consent of the Mineral Planning Authority.

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

- 44 No liquids or materials likely to cause pollution of underground or surface water supplies shall be deposited on the site or the surrounding land.

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

- 45 A minimum layer of undisturbed, superficial deposits of at least 0.5 metre in thickness shall be left in situ overlying the chalk. If at any time the surface of the chalk is exposed in breach of this condition a minimum of 1 metre of excavated material shall be deposited over the area of exposed chalk.

Reason: To minimise the risk of groundwater pollution.

ACCESS AND HIGHWAYS

- 46 The proposed haul road shall be the only route to be used by traffic entering or leaving the site, and no traffic relating to operations authorised by this planning permission shall use Stoney Lane.

Reason: To minimise the adverse effects of the operations on the local community.

GENERAL

- 47 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.

- 48 Floodlights shall only be used on site with the prior written agreement of the Mineral Planning Authority on the design, luminescence, location and direction of each light.

Reason: To minimise the adverse effects of the operations on the local community.

- 49 Precautions shall be taken at all times to prevent unauthorised access to the site.

Reason: To minimise the adverse effects on the local amenity.

- 50 Scrap, mobile or fixed plant, fuel tanks equipment or vehicles shall only be stored on site at precise locations to be approved in writing beforehand by the Mineral Planning Authority.

Reason: To improve the appearance and visual amenity of the area and minimise the adverse effects on the local amenity.

- 51 All plant, buildings, foundations, hardstandings, machinery, haul road and access roads no longer required in connection with the operations and restoration of the land, shall be removed from the land within three months of the completion of the restoration.

Reason: To ensure the completion of all restoration of the site once operations have ceased and its return to a beneficial afteruse.

INFORMATIVES

All noise measurements shall be carried out using a sound level meter to BS 5696:1981 (IEC 651 1979) Type 1 or Type 2 or equivalent set on 'slow' response.

Control of Pollution Act 1974: Where disposal of imported waste (including inert soils) is proposed for restoration purposes a Waste Disposal Licence will be required prior to commencement of filling operations.

NRA:-

Thames Water:-

Eastern Electricity:-

British Gas:-