



**Hertfordshire County Council
Town and Country Planning Act 1990 (as amended)**

DECISION NOTICE

HCC Application No: 4/1053-98 (567)

Other Ref No:

Description & location of development:

**Application for the creation of bays for the storage and processing of
waste materials**

at

CUPID GREEN DEPOT, REDBOURN ROAD, HEMEL HEMPSTEAD

To: Dacorum Borough Council

Civic Centre

The Marlowes

Hemel Hempstead

Herts

In pursuance of its powers under the above Act and the Orders and Regulations for the time being in force thereunder, the Council hereby PERMITS the development proposed by you in your application dated 8 June 1998 (received with sufficient particulars on 18 June 1998) including the supporting statement which accompanied the application and the plan(s)/drawing(s) showing Existing Layout and Phase 1, subject to the ten conditions which are detailed in the attached schedule with the reasons for their imposition.

Dated: 26 day of January 1999

Signed: *David L. Jones*

HEAD OF COUNTY DEVELOPMENT UNIT

SCHEDULE OF CONDITIONS NUMBERED 1 - 10 ATTACHED TO PLANNING PERMISSION ISSUED UNDER APPLICATION REF. 4/1053-98 FOR THE CREATION OF BAYS FOR THE STORAGE AND PROCESSING OF WASTE MATERIALS AT CUPID GREEN DEPOT, REDBOURN ROAD, HEMEL HEMPSTEAD, HERTS.

- 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. No commercial vehicle shall exit the site onto the public highway unless its wheels and its underside chassis have been cleaned to prevent mud and debris being deposited on the highway.**

Reason: To maintain the free and safe flow of traffic on the local highway network.

- 3. A detailed scheme for the drainage and disposal of surface water shall be submitted to the Local Planning Authority within 3 months of the date of this planning permission. The approved scheme shall be implemented in full.**

Reason: to ensure the adequate drainage of the site.

- 4. The site, including the access, used in connection with the development hereby permitted shall be sprayed with water during dry weather conditions to prevent dust nuisance.**

Reason: In order to protect residential amenity.

- 5. Adequate measures shall be taken to ensure that strict vermin control is maintained at the site.**

Reason: To protect the amenity of the area surrounding environment

- 6. Adequate measures shall be taken to ensure that operations at the site shall not cause a nuisance by smell.**

Reason: In order to protect residential amenity and ensure minimum adverse impact on the local environment.

- 7. Adequate measures shall be taken to ensure that strict litter control is maintained at the site.**

Reason: To protect the amenity of the area surrounding environment.

8. There shall be no burning of materials on site.

Reason: To ensure that the operation is carried out in such a way so that the adverse effects on local amenity and the local environment are kept to a minimum.

9. The site shall be operated at all times to ensure there is no discharge of water from the transfer bay or pollution to groundwater or any surrounding watercourse.

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

10. Noise from operations conducted on site (Corrected 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 5dB(A).

Reason: To minimise the adverse impact of noise on residential amenity.

PLANNING INFORMATIVES

Thames Water Utilities Ltd

A Trade Effluent Notice must be served on Thames Water Utilities Ltd., before any trade effluent is discharged, in order that the company may give consideration to issuing a consent.

the following information must be supplied:-

- a) nature and composition of trade effluent.
- b) maximum volume of proposed daily discharge
- c) highest rate of discharge per hour.
- d) a plan showing:-
 - details of any pre-treatment (if applicable)
 - the drains, by a red line, through which the trade effluent will reach the public foul sewer.
 - the public foul sewer, by a green line, at the point into which the discharge will be made.
 - the manhole or sampling chamber at which representative samples of the trade effluent may be obtained. The trade effluent drainage should be separated from the domestic up to and including the sampling point.
- e) Proposed method of measuring or assessing the volume of trade effluent discharged.

Environment Agency

A Waste Management Licence may be required for operations at the site. The Environment Agency should be notified of your proposals, particularly if waste types are intended to be altered.

You should consult with the Environment Agency on measures for the prevention of pollution, with particular reference to the delivery, storage and use of oils and chemicals, the disposal of surface water and the drainage of vehicle washing areas.

You should consult the Environment Agency on measures for the prevention of pollution, with particular reference to the disposal of sewage and/or trade effluent.

Surface water from roads should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

Any above ground oil storage tank(s) should be sited on a impervious base and surrounded by a suitable liquid tight bunded compound. No drainage outlet should be provided. The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipe should be directed downwards into the bund. Guidelines are available from the Environment Agency.

Underground or overground pipelines should be adequately protected against leakage particularly by corrosion.

Any open chemical or refuse storage areas should be surrounded by suitable liquid tight bunded compounds to prevent drainage from these areas being discharging into the surface water system. Such areas should be connected to the foul sewer subject to the approval of Thames Water Utilities or its sewerage agent.

You should consult with the Environment Agency on general measures for the avoidance of pollution.

No sewage or trade effluent, including cooling water containing chemical additives, vehicle wash waters, steam cleaning effluent, or pressure wash effluent, should be discharged to the surface water system.

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities Ltd.

Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter should not discharge to the surface water system.

Underground chemical, oil or fuel storage tanks should be constructed of material resistant to attack by the substance stored therein and protected against corrosion. The tank vent pipe should be taken to a specific height to prevent an overflow taking place in the event of the tank being overfilled. This type of tank should be filled from the delivery tanker by gravity only.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State for the Environment, Transport and the Regions

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment, Transport and the Regions under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Department of the Environment, Transport and the Regions at Tollgate House, Houlton Street, Bristol, BS2 9DJ.

The Secretary of State for the Environment, Transport and the Regions can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State for the Environment, Transport and the Regions need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State for the Environment, Transport and the Regions does not refuse to consider appeals solely because the local planning authority based its decisions on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State for the Environment, Transport and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State for the Environment, Transport and the Regions on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.