

Town Planning

Ref. No. 4/1139-92

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

~~THE DISTRICT COUNCIL OF~~~~IN~~ THE COUNTY OF HERTFORD

To Amey Construction Ltd
 Site Offices
 New Ground
 Tring
 Herts

.... EXTRACTION OF SAND AND GRAVEL FOR USE IN, AND
 RE-FILLING WITH SURPLUS SPOIL ARISING FROM,
 CONSTRUCTION OF THE BERKHAMSTED BYPASS;
 at BROADWAY FARM, BERKHAMSTED, HERTS.

Brief
 description
 and location
 of proposed
 development.

In pursuance of their powers under the above-mentioned Acts 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 18 August 1992
 and received with sufficient particulars on 30 October 1992
 and shown on the plan(s) accompanying such application, subject to the following conditions:—

~~1. The development to which this permission relates shall be begun within a period of 2 years commencing on the date of this notice.~~

See attached Schedule of Conditions.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:-

~~(1) To comply with the requirements of Section 41 of the Town & Country Planning Act 1971~~
~~xxxxxx~~

See attached Schedule of Reasons.

Dated..... 23rd day of November 1992.

Signed..... T.J. Batts

Designation..... HEAD OF RESTORATION, MINERALS
AND WASTE PLANNING.

NOTE

(1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

(2) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Marsham Street, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

(3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

(4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

SCHEDULE OF CONDITIONS NUMBERED 1-57 ATTACHED TO THE PLANNING PERMISSION ISSUED UNDER APPLICATION NUMBER 4/1139-92. FOR THE EXTRACTION OF SAND AND GRAVEL FOR USE IN AND REFILLING WITH SURPLUS SPOIL ARISING FROM CONSTRUCTION OF THE BERKHAMSTED BYPASS AT BROADWAY FARM, BERKHAMSTED, HERTFORDSHIRE.

1. Unless otherwise agreed in writing by the Mineral Planning Authority, 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

2. Unless otherwise agreed in writing by the Mineral Planning Authority, the extraction of minerals hereby permitted shall cease on or before 30 June 1993, and the site shall be completely restored within a further period of 6 months.

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

3. 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 19 August 1993, accompanying the application number 4/1139-92 and letter dated 30 October 1992 accompanying drawing numbered A41/SK/RD/68.

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.

4. Unless otherwise agreed in writing by the Mineral Planning Authority, 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, unless otherwise agreed in writing by the Mineral Planning Authority, 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 and proposals for stripping of soils from the haul route, their proposed storage and replacement.
 - 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 pre-settlement and post-settlement levels and configurations proposed for the restored land, to be shown by cross-sectional and contour plans. All final settled levels shall be no flatter than 1:60.
 - xiii) the nature of the filling materials to be used including the nature of material to be used for the final (1.0) metres of cover;
 - xiv) measures to ensure compaction of fill materials;
 - xv) the machinery to be used in soil resspreading 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;
 - xvi) seeding and planting proposals for the restored land.

The approved scheme shall be implemented.

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

5. Unless otherwise agreed in writing by the Mineral Planning Authority 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.

6. Unless otherwise agreed in writing by the Mineral Planning Authority, 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 above 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.

7. Unless otherwise agreed in writing by the Mineral Planning Authority, no operations authorised in connection with this permission shall take place within 3 metres of the watercress beds shown, in principle, on attached Plan 1 or within 3 metres of the lake shown on attached Plan 1, 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.

8. No operations authorised by this permission shall take place within 3 metres of the gas main shown in principle on attached Plan 1 without the written consent of the Mineral Planning Authority and operations shall only take place when this margin has been clearly marked out to the satisfaction of the Mineral Planning Authority.

Reason: To ensure the provision of adequate protection of the gas main.

9. Unless otherwise agreed in writing by the Mineral Planning Authority, no extraction operations authorised by this permission shall take place within 20 metres of the southerly edge of the Grand Union Canal.

Reason: To ensure tht the Grand Union Canal is not affected by the operations hereby permitted.

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. Unless otherwise agreed in writing by 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. Unless otherwise agreed in writing by the Mineral Planning Authority, vehicle crossing of the A41 authorised by this permission shall only be carried out during the following periods:

9.00 a.m. - 4.30 p.m. Mondays to Thursdays
9.00 a.m. - 3.00 p.m. Fridays

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

13. Noise from the day to day operations shall not exceed 65 dB(A) (Leq) (1 hour) as measured at the boundaries of the site. In addition the 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 5 dB(A).

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

14. 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.

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. 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.

17. 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, unless otherwise agreed in writing by the Mineral Planning Authority, 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.

18. Unless otherwise agreed in writing by the Mineral Planning Authority, 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

19. A phased scheme of landscaping and tree planting shall be submitted to and 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. Unless otherwise agreed in writing by the Mineral Planning Authority, 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.
- (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) tree/hedgerow to be created on the western perimeter of the site as shown, in principle, on attached Plan 1;
- (f) 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.

- 20. Unless otherwise agreed in writing by the Mineral Planning Authority, all trees and shrubs planted under the scheme required by Condition 19 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 (19) is adequately maintained.

SOIL HANDLING

- 21. Unless otherwise agreed in writing by the Mineral Planning Authority, 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.

22. Unless otherwise agreed in writing by the Mineral Planning Authority, no operations in connection with this permission shall take place until a Scheme of Machine Movements for the stripping and replacing of soils has been submitted to and agreed in writing by the Mineral Planning Authority. The Scheme shall define the type of machinery to be used. All machine types and movements shall be restricted to those agreed. All soils shall be replaced by means of dump truck and backactor. No machinery shall cross any subsoil or topsoil other than for agricultural operations.

Reason: To ensure that soils and restoration material are handled and protected 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 the topsoil shall be separately stripped to a full depth of at least 35cm and stored separately in locations to be approved in writing by the Mineral Planning Authority prior to any soil stripping operations taking place. Topsoil and subsoil shall be separately stripped and stored separately in locations to be approved in writing by the Mineral Planning Authority.

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

24. No operations authorised by this planning permission shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Mineral Planning Authority.

Reason: To ensure any archaeological remains within the site are adequately protected or investigated.

25. 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 geological or other scientific evidence that may be exposed. If further 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 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.

26. Unless otherwise agreed in writing by the Mineral Planning Authority the plastic limit of the topsoil and subsoil shall be determined and agreed with the Mineral Planning Authority for all representative soil types to be used for agricultural restoration prior to the commencement of soil stripping operations of each appropriate phase of the site. No soils shall be moved by dumper truck and backacter unless they are drier than their lower plastic limit. No soils shall be moved by any other machinery unless they are at least 5% drier than their 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.

27. Unless otherwise agreed in writing by the Mineral Planning Authority 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 in writing by the Mineral Planning Authority and applied at rates to be approved in writing by the Minerals Planning Authority. Weed control measures shall be submitted for the approval of the Mineral Planning Authority within 1 month of the implementation of this planning permission. On approval, 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. Unless otherwise agreed in writing by the Mineral Planning Authority, all soil and overburden stockpiles shall be constructed with all slopes being formed at (a maximum of 45) degrees and a maximum height of 3 metres for topsoil bunds and 5 metres for subsoil bunds 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.

29. Unless otherwise agreed in writing by the Mineral Planning Authority, 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.

INFILLING

30. Unless otherwise agreed in writing by the Mineral Planning Authority, 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 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.

31. 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.

32. Unless otherwise agreed in writing by the Minerals Planning Authority, 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 a Restoration Contour Plan to be submitted for the approval of the Mineral Planning Authority within 6 months of the implementation of this permission. No gradient shall be flatter than 1:60.

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

33. 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 in accordance with timing and rates as approved in the Aftercare Scheme required by condition 37.

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

34. On completion of tipping operations the subsoil and topsoil shall be spread over the filled area to an even depth of at least 1.0 metre so as to conform to the final contours unless otherwise agreed in writing by the Mineral Planning Authority. Topsoil shall be spread to a minimum depth of 30cm and 1 metre depth shall be kept free from any material which may damage cultivation machinery or interfere with the subsequent agricultural use. All rocks, stones and other solid objects in excess of 150 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.

35. The Mineral Planning Authority shall be given a minimum of 3 days notice in writing before any soil replacement works are to take place. On completion of subsoil replacement no further work shall be carried out for a period of 5 working days unless otherwise agreed in writing by the Mineral Planning Authority.

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. 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

37. Unless otherwise agreed in writing by the Mineral Planning Authority an aftercare scheme requiring such steps as may be necessary to bring the land to the required standard for use for agriculture shall be submitted in principle for the approval of the Mineral Planning Authority not later than 3 months of the implementation of this permission. The submitted aftercare scheme shall cover a five year period and shall specify the steps to be taken and the periods during which they are to be taken and contain a provision for an annual meeting with officers of the Mineral Planning Authority. Drainage will be required unless otherwise agreed in writing by the Mineral Planning Authority. The approved scheme shall be implemented and maintained for a period of 5 years following restoration. (N.B. See accompanying Note 1).

Reason: In accordance with Schedule 5, Part 1(2) of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, to ensure that the best standard of after-care management of the site is carried out following restoration.

WATER RESOURCES

38. Unless otherwise agreed in writing by the Mineral Planning Authority, prior to the extraction of mineral from any part of any phase, a Borehole (or other appropriate survey) Survey scheme shall be submitted to and approved in writing by the Mineral Planning Authority. Such scheme shall provide for boreholes at a minimum of a 25 metre grid spacing to profile the chalk surface of that part of that phase.

Reason: To ensure that the surface of the chalk is adequately identified.

39. Unless otherwise agreed in writing by the Mineral Planning Authority, contour maps of the chalk surface shall be prepared and submitted to the Mineral Planning Authority for each phase or part of a phase prior to extraction commencing in that phase or part of that phase and these maps shall identify areas where special care may be required, including further drilling where the top of the chalk is uncertain.

Reason: To ensure that the surface of the chalk is adequately identified.

40. Unless otherwise agreed in writing by the Mineral Planning Authority, prior to the extraction of any mineral authorised by this permission, a scheme of working to ensure that the chalk is undisturbed shall be submitted for the approval, in writing, of the Mineral Planning Authority. The approved scheme shall be implemented.

Reason: To prevent pollution of groundwater.

41. Unless otherwise agreed in writing by the Mineral Planning Authority, no operations authorised by this development shall take place within ten metres of the River Bulbourne.

Reason: To prevent damage to or pollution of the watercourse and to protect the flora and fauna of the aquatic environment.

42. Unless otherwise agreed in writing by the Mineral Planning Authority, no infilling authorised by this development shall take place within 100 metres of the operational extraction face.

Reason: To prevent pollution of groundwater.

43. 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. Ditches shall be provided in positions first to be approved in writing by the Mineral 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.

44. 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.

45. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Reason: To prevent pollution of the water environment and protect the flora and fauna dependent thereon.

46. 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.

47. 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.

48. A minimum layer of undisturbed, superficial deposits of at least 0.5 metres in thickness shall be left in situ overlying the chalk.

Reason: To minimise the risk of groundwater pollution.

49. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Reason: To prevent pollution of the water environment.

ACCESS AND HIGHWAYS

50. Unless otherwise agreed in writing by the Mineral Planning Authority the proposed haul road shall be the only route to be used by traffic entering or leaving the site.

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

51. Unless otherwise agreed in writing by the Mineral Planning Authority no material shall be taken from or brought on to the site which directly or indirectly requires the use of the public highway network except for vehicles crossing the A41.

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

52. Measures shall be taken to ensure that vehicles entering and leaving the site shall not deposit mud or other materials on the public highway. Wheel and chassis cleaning equipment shall be installed, unless otherwise agreed in writing, and thereafter maintained for the duration of operations until final restoration of the area is complete.

Reason: In the interests of highway safety and so that there shall be the least possible adverse effects upon the free and safe flow of traffic along the highway in the vicinity of the site.

GENERAL

53. 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 largest 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.

54. 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.

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

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

56. 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.

57. Unless otherwise agreed in writing by the Mineral Planning Authority all plant, buildings, foundations, hardstandings, machinery, haul road and access roads and any access 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:- See attached Letter 1

Eastern Electricity:- See attached Letter 2

British Gas:- See attached Letter 3

Thames Water Utilities:- See attached Letter 4

RECLAMATION TO AGRICULTURE

GUIDANCE ON AFTERCARE SCHEME CONTENT

Introduction

1. The preparation of a successful aftercare scheme requires two levels of information:
 - (a) An outline strategy of commitments for the five year aftercare period. This should be submitted to the mineral planning authority not later than three months prior to the commencement of aftercare.
 - (b) A detailed programme for the forthcoming farming year. The first detailed programme will be submitted with the outline strategy. Subsequent detailed programmes will be submitted annually to the mineral planning authority for approval not later than one month prior to the annual aftercare site meeting.
2. These schemes need to be discussed and agreed by the mineral planning authority, MAFF, and person(s) responsible for the conduct of the aftercare programme. Where expensive equipment is to be purchased for aftercare purposes, early consultation may be particularly advantageous to ensure that proposed purchases are compatible with aftercare requirements. The items to be included and level of detail required for each are discussed in paragraphs 3 to 6 below. The proposals need to take into account any relevant local circumstances and will also conform to the Rules of Good Husbandry and Estate Management.

The Outline Strategy

3. This will broadly outline the steps to be carried out in the aftercare period and their timing within the programme. Where a choice of options is retained this should be made clear together with criteria to be followed in choosing between them. A map should accompany this outline. All areas subject to aftercare management should be clearly marked on this map together with separate demarcation of areas according to differences in proposed management. Commitments to provide any plans, specifications, site records or analyses to the MPA for approval at specified intervals ought also to be covered. Normally such information is required one month in advance of agreed consultations.

4. The outline strategy document should cover as appropriate the aftercare steps detailed below (4.1-4.7) plus any additional aspects that may be required by the mineral planning authority. Person(s) responsible for carrying out these steps ought also to be identified. Aftercare steps to be covered include :-

4.1 Cropping Pattern

A brief description of cropping pattern to be adopted over the full aftercare period, e.g. "the land will be put down to grass. Initially with a short term ley which will be ploughed up and reseeded after two to three years and replaced within a long ley mixture." Where a range of options are to be retained this should also be made clear.

4.2 Cultivation Practices

An outline of the range of cultivations likely to be undertaken. This is necessary since on some sites certain practices can be detrimental to soil structure. Adoption of non-specified techniques will be permissible at a subsequent date subject to mineral planning authority approval where these are unlikely to prove harmful. The need for flexibility is recognised in view of changes over time in the design and availability of agricultural machinery.

4.3 Remedial Treatments

Commitments to undertake stone picking operations and secondary treatments i.e. moling and subsoiling need to be outlined. Since the efficacy and need for such treatments is dependent upon soil conditions all that is required is a general statement of intent accompanied by criteria for determining the need for such treatments. For example "During cultivations any stones lying on the surface which are larger than would pass through a wire screen mesh spacing of xxx mm, together with other objects likely to obstruct future cultivation, will be removed from the site."

4.4 Field Drainage

This should cover any commitments in principle to undertake under-drainage; consultations with the mineral planning authority in advance of installation to agree scheme design; timing of installation work within the aftercare programme plus commitments to carry out any necessary maintenance works or temporary drainage measures.

4.5 Fertilisers, Weed Control etc.

To cover measures of improving soil fertility and control of weeds. The basis for determining need and application rates should be outlined (e.g. soil sampling and analysis).

4.6 Irrigation

This is likely to be a component in a minority of aftercare schemes only. Where it is proposed information should be provided to cover equipment specifications, siting of installations, and criteria for determining irrigation rates. (It should be made clear that all necessary consents for abstraction etc. must be obtained in advance). Where investment in equipment is intended, early discussion will enable applicants to assess whether their plans are compatible with aftercare requirements.

4.7 Shelter Belts, Hedges etc

An outline strategy is needed to cover: location, ground preparation (see previous sub-sections for levels of details required); planting and maintenance commitments. Practitioners are advised that consideration of aftercare schemes for commercial woodland are the responsibility of the Forestry Commission. Woodland which is ancillary to the farming of the land for other agricultural purposes is normally the responsibility of MAFF.

NB: Footnote Fencing and provision of water for livestock are not covered by aftercare conditions since they are not "treatment of the land". Where their provision is essential for satisfactory aftercare management alternative arrangements are needed to cover these aspects. Fencing can be required as a separate planning condition.

Detailed Annual Programme

5. This will provide the detailed proposals for the forthcoming year. It will need to be discussed and agreed at the annual site management meeting held with representatives from the minerals planning authority and MAFF. It should -
 - i) Amplify the outline strategy (paragraph 4) for work to be carried out in the forthcoming year.
 - ii) Confirm that steps already specified in detail in the outline strategy will be carried out as originally intended.
 - iii) Include any modifications to original proposals e.g. due to differences between actual and anticipated site conditions.
6. The elements of the scheme requiring consideration should identify the person(s) responsible for the succeeding year's programme unless this is adequately covered in the outline strategy. Detailed prescriptions will then be provided for specific steps including :-

6.1 Cropping

Details should be provided for the cropping programme on site. For each field information should include details on :-

The nature and timing of cultivations and stone picking operations including approximate depth of activities.

The content of seeds mixtures; proposed seed rates and timing of sowing operations.

Proposed fertiliser and lime application rates based upon the results of soil nutrient analyses. Details of spraying programmes, both herbicides and fungicides, so far as these are known at the aftercare meeting. Plus commitments to carry out all reasonable spring dressings as the on-going situation demands.

6.2 Grassland Management

This should cover the anticipated timing and frequency of cutting; grass removal; proposed grazing regime including type, age and numbers of livestock and the extent of the grazing period.

6.3 Secondary Treatments

Specifications should include timing, working depths, tine spacings and the equipment to be used for mowing and subsoiling operations.

6.4 Field Drainage

Details on the timing of underdrainage installation work for the forthcoming year plus scheme details including a map showing pipe layout plus details on installation method; drain spacings; drain depths; pipe size and gradients; nature and depth of permeable fill; outfalls; post installation remedial works.

6.5 Irrigation

Details of irrigation proposals specific to the forthcoming cropping year.

6.6 Shelter Belts, Hedges etc.

This should confirm establishment proposals for the forthcoming year covering ground preparation, planting details (species, type of stock, establishment methods, planting density, timing) and maintenance including, as appropriate, beating up; weed control policy; fertiliser application and cutting/pruning.