4/0172-94

- 8 FEB 1994

ADMINISTRATIVE COUNTY OF HERTFORD
TOWN & COUNTRY PLANNING ACT 1990
PLAN REFERRED TO IN CONSENT/~~REFUSAL~~

Date 24.2.95 H.C.C. Code No. 4/0172-94

SUPPORTING STATEMENT

Proposed Waste Recycling Facility at Bovingdon Airfield

This application is made in conjunction with an existing planning application (ref:4/1434/91) for the extraction of clay at Bovingdon Airfield and to backfill and restore the worked area with inert soils and spoils. The modified application is for the use of a soil screen and a concrete crusher in order to recycle the inert waste and to reuse a considerable proportion of it locally.
A logical and reasoned statement is made to substantiate the requirements of recycling waste at this particular site.

INTRODUCTION

Planning Policy

The County Council Structure Plan Policy Number 20 states that the Council will normally permit proposals for mineral workings, provided that certain requirements covering the need, location and operational standards of the proposal are met. This was the object of the original planning application which has received the support of the Council.
The County Council in their Structure Plan Policy Number 23A state that they will support the establishment of recycling plants at suitable strategic locations in the County, taking into account national, regional and local needs for such facilities. The recycling of all waste materials with subsequent reuse is Government Policy which was further reinforced at the 7th annual conference of the LWRA held on 24 March 1973. At this conference Steve Norris MP, Minister of Transport stated that London Waste runs at some 17m tons per annum of which half is demolition waste and the vast majority goes out of London for disposal. (A considerable proportion of this comes into Hertfordshire). The Chairman of LWRA, Brian Marsh, stressed the importance of recycling. It was also stated that there has been a 17% decline in void space in the SE of England since 1989 and at the moment there is some 465m cum of void space currently available in the SE which represents no more than 15 years supply.

It is therefore essential to conserve such void space that is available in Hertfordshire and to recycle and reuse as much material as possible. This however can only be achieved if there is a market for the material and if there is a firm economic basis for recycling. These points all indicate the urgent need for a firm policy by the County Council to meet these needs before space runs out, especially as so much waste comes into the County from London.

County Policy Number 23A states that sites should normally be located within, or close to, urban areas and close to main highways. Development of such sites should not lead to increases in traffic levels that would be detrimental to the highway network. It also goes on to state that exceptionally, where development is proposed within a rural area, it should, wherever practicable, be sited on existing damaged land. In pursuit of Policy 23A the County states that it is its intention that sites for recycling facilities will be divided into three categories. The third category covers mechanical screening or crushing of waste, and the Council states that the location of these should take into account the associated potential environmental impact of the process, the potential reuse of damaged land and the need for such a facility in terms of local waste flows. It also states that if the need for such a facility can be clearly demonstrated and there has been a thorough search of alternative sites, a location within the Green Belt may be appropriate under 'very special circumstances'. The County is obligated to the production of a Waste Local Plan but the current timetable for the plan to be produced is given as 1994.

In the County Site Licensing Policy - The County Waste Disposal Statement 1992-97 - reference is made to recycling activities involving the mechanical screening or crushing of waste in para 3.4.4. This states: criteria for siting noisy and dusty recycling activities involving the mechanical screening or crushing of waste should be similar to those for mineral extraction ie. based on noise levels and the distance from the nearest noise sensitive building. The enclosure of such activities within a building would render them uneconomic. In relation to an application for a particular facility, if the need for it has been demonstrated by a survey of waste flows and if a thorough search has failed to find an alternative site "exceptional circumstances" will be considered to apply and a location in the Green Belt could be considered. Such circumstances are likely to apply only in relation to the relatively few crushing and screening plants which are likely to be needed in the County, perhaps 6 in all, where the above criteria make locations in industrial areas hard to find.

1.The need for a recycling facility.

It has already been shown above that the LWRA are very conscious of this need, especially with the decline in void space and the large quantity of demolition/excavation waste still arising and which could readily be recycled. Some 50-70% of such waste is recyclable and there should be conservation of existing void space.
The arisings of recyclable inert waste from the Greater London area has been addressed in the Introduction above. It is extremely difficult to give firm estimates of local arisings. Material mainly arises from housing, building projects, industrial development, road building and improvements and from demolition activities.
We have obtained information from 6 small to medium sized firms in West Herts each running from 1 to 6 lorries with a total of 15 lorries. Between them they are moving 75 loads/week of concrete and 30 loads/week of soil ie. 1350 tons of concrete and 600 tons of soil/week (approx 65,000 tons concrete and 30.000 tons of soil per year). This is a very considerable quantity of material for so few vehicles and the total material being moved in West Herts must be very high indeed. This is taking up a very large amount of valuable void space. It must also be considered that there are probably a number of illegal operators in addition. If only 50% of such material could be recycled it would have enormous benefit to the County's disposal resources.
It is quite obvious that the County should address this problem seriously and quickly and allow or provide facilities for the recycling of inert waste.

2.The availability of sites in the area.

There are a number of criteria to be considered. There is a requirement of a minimum of 2 acres of land. The economics of recycling have to be related to rents payable and may be difficult to quantify. Advice was sought from County Officers and it became clear that the current main landfill sites in the County lie to the centre and East of the County and are owned by major companies who would not be prepared to lease part of their site. The County Officers cooperated fully and supplied the locations of a number of possible sites to the West of the County all of which were explored in detail and were found to be either unsuitable or unavailable. A very thorough search has been made in the Watford, Hemel Hempstead and Bovingdon area with negative results.

3.The Proposed Site.

A thorough search in the area having produced no results the present site was addressed in respect of the various planning criteria. The site is already damaged land having been a wartime airfield with large areas of concrete runways that cannot be utilised for,or returned to, agricultural use. The proposed site would not be visually obtrusive and is not visible to private dwellings due to the presence of screening bunds to the adjacent prison.

3.1 Noise and Dust.

The site is a considerable distance from the nearest noise sensitive private dwellings and if the screen and crusher are sited as near as possible to the existing earth bunds there would be little, if any, noise impact upon the prison buildings. The major noise factor would be from the concrete crusher. This would not be in continuous operation being only used intermittently and not at all on Saturdays and Sundays.Its use could be restricted to particular times if necessary. Permission has already been granted for mineral extraction and the Waste Disposal Statement 1992-97 already states that the noise and dust criteria for screening and crushing are similar to those for mineral extraction. Any noise from screening and crushing will be very little, if at all, greater than the currently approved activity. Any potential dust problem can easily be overcome by the use of sprays.

3.2 The need for recycled materials locally.

These materials would be soil and crushed concrete/brick.There is a considerable local need for recycled topsoil and hardcore aggregates for landscaping, golf courses, supermarkets, local and county authorities and for new developments.

3.3 Vehicle movements.

There will be a Section 106 improvement at the road junction in compliance with the existing planning consent which will also apply to this application. With the completion of the A41Min October 1993 there is a very considerable reduction in traffic on the Chesham - Bovingdon road. Initially the number of vehicle movements onto and off the site will not be increased significantly as vehicles going out full with clay will return with waste rather that returning empty. The only extra movements will be vehicles going off the site with recycled material. There will be no Saturday working.The local use of recycled material will reduce the movement of vehicles coming into the area with such material. These movements will be tied in with those agreed for the clay extraction.

4.Impact on the local environment.

This will be minimal. The site is set well away from all other buildings. There will be little increase in vehicle movements above those already approved for mineral extraction and visual and noise factors will not intrude upon local residents and the prison. There will be no requirement for any additional hard standing and there will be no destruction of agricultural land or scenic landscape. The crusher and screen will be sited on already damaged land and associated with an existing permission to dig clay followed by infill. The facility will supply a local need for recycled material in the restoration and improvement of many aspects of the local environment.

5.Time factor.

The application would not be open ended and will be for a temporary permission during the timescale of the existing permission for extraction of clay and infilling on the site. An initial period of 12 months is requested, to be extended if the facility is operated satisfactorily. At the end of the operation the land will be restored but the County will be asked to reconsider the position in the light of their experience with a view to extending the permission for recycling. At this point in time the County Council will have had full opportunity to assess the changes in road circumstances in relation to traffic movements and also any possible impact on local residents and the village. The County will also be able to assess the effectiveness of a recycling operation in relation to the County Waste Plan.

6.CONCLUSION.

We have addressed all the points set out in the County Policy at para 1 above.We consider that we have fully met and justified the reasons why this site should be considered as suitable for recycling inert soil and spoil as meeting the "exceptional circumstances" in a Green Belt site, including the need for such a site in the area; the requirement for recycled material in the area; noise and dust factors; visual obtrusiveness; environmental factors; and vehicle movements. There is no objection to this proposal by the Hertfordshire Waste Regulation Authority. On this basis we would request approval of this application.

1st February 1994

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

Hertfordshire
COUNTY COUNCIL

Town Planning
Ref No 4/1434-91

Other
Ref No

TOWN & COUNTRY PLANNING ACT, 1990

To: W J & M Mash Ltd
Torrington Farm
Grove Lane
Chesham, Bucks
HP5 32G

EXTRACTION OF CLAY FOR BRICKMAKING WITH RESTORATION USING IMPORTED FILL TO GRASSLAND AND TREE PLANTING

at: BOVINGDON AIRFIELD, BOVINGDON

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 17 October 1991, and received with sufficient particulars on 18 October 1991, and shown on the plan (s) accompanying such application, subject to Conditions 1-24, which are detailed in the attached Schedule, along with the Reasons for the imposition of the Conditions.

Dated: 8 **day of** December **1994** **Signed:**

Designation: Head of Restoration,
Minerals and Waste Planning

Contd....

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

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 of the Environment 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 at Tollgate House, Houlton Street, Bristol, BS2 9DJ.

The Secretary of State 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 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 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 refuses permission to develop land or grants is 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 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.

SCHEDULE OF CONDITIONS 1-24 TO BE ATTACHED TO THE EXTRACTION OF CLAY AND RESTORATION TO GRASSLAND AND TREE PLANTING BOVINGDON AIRFIELD, BOVINGDON APPLICATION NUMBER 4/1434-91

1. **The development to which this planning permission relates shall be completed within 5 years of the date of commencement, and all operations (excluding those related to aftercare) authorised or required by the permission, shall be completed to the reasonable satisfaction of the Mineral Planning Authority.**

   Reason: To ensure that prompt restoration of the land is obtained.

2. **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 September 1991 accompanying the application and site plans MAS/BCX/PA4, MAS/BCX/PA2b, MAS/BCX/PA5 unless the prior consent in writing of the Mineral Planning Authority has been obtained.**

   Reason: To ensure the development is carried out in accordance with the agreed submissions.

3. **Notwithstanding the provisions of the Town & 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 structure on the land, and the written agreement of the Mineral Planning Authority shall be obtained prior to the placing on site of any building or structure in the nature of portable plant.**

   Reason: To ensure that the impact of the development on the locality is kept to a minimum.

4. **Except with the previous written consent of the Mineral Planning Authority, no operations authorised by this permission shall be carried out other than during the following periods :**

   0730 - 1700 Mondays - Fridays

   No operations shall take place on Saturdays, Sundays or Public Holidays with the exception of essential maintenance work, and this shall only be between 8.00 a.m. and 5.00 p.m.

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

5. **Adequate measures to suppress dust shall be taken to the satisfaction of the Mineral Planning Authority.**

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

6. **Measures shall be taken to ensure that vehicles leaving the site shall not deposit mud or other materials on the public highway. Wheel and chassis cleaning equipment shall be installed and thereafter maintained for the duration of operations until final restoration of the area is complete.**

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

8.12.94

7. **A phased scheme of landscaping and tree planting shall be carried out in accordance with the plan reference MAS/BOV/RES/03a and the written statement accompanying the application. All trees and shrubs planted under the scheme shall be maintained to the reasonable 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 or as agreed with the Mineral Planning Authority.**

Reason: To ensure the development is absorbed into the locality.

8. **No topsoil stripping shall commence until the Mineral Planning Authority have been given at least 7 and not more than 21 days' notice in writing of topsoil stripping operations, so that reasonable access facilities can be afforded to a person or persons nominated approved by the Mineral Planning Authority and funded by the operator (in accordance with the accompanying voluntary agreement) to enter the site in order to undertake observations and record any archaeological, geological or other scientific evidence that may be exposed, and report the finds to the Mineral Planning Authority. If further archaeological, geological or other scientific evidence is subsequently unearthed, the Mineral Planning Authority shall be immediately informed and offered a reasonable opportunity of a length of time agreed by both parties for any examination to be made.**

Reason: To afford the opportunity to investigate any matters of archaeological, geological or scientific interest.

9. **Topsoils and subsoils shall only be handled when they are dry and friable and only between the period May to September unless it is demonstrated to the reasonable satisfaction of the Mineral Planning Authority by use of a Soil Moisture Meter that operations can take place satisfactorily outside this period, to adequately minimise compaction and damage to the soils structure.**

Reason: To ensure soil is handled in the best possible manner to achieve the highest standard of restoration.

10. **No plant, machines or vehicles shall traverse any undisturbed or restored land, except in accordance with restoration and aftercare operations.**

Reason: To ensure soil is handled in the best possible manner to achieve the highest standard of restoration.

11. **Prior to any extraction of mineral from any phase the topsoil, subsoil and overburden of that phase shall be separately stripped (the subsoil and overburden depths to be agreed beforehand with the Mineral Planning Authority) and stored separately in the positions shown on MAS/BCX/PA4 unless it can be immediately respread over parts of the site that have been backfilled with overburden, and/or inert waste materials. The mounds to store soils shall be constructed with a slightly domed top and shall be seeded with a low maintenance seed mix if intended to remain in situ for over 6 months. No topsoils, subsoils or overburden shall be removed from the site unless otherwise agreed with the Minerals Planning Authority.**

Reason: To ensure soil is handled in the best possible manner to achieve the highest standard of restoration.

G Davies
5.12.94

12. **Only clean rubble and spoil or similar waste free from chemical contamination, timber, plastic, plaster, plasterboard, paper or empty containers, shall be deposited at the site.**

Reason: To protect the groundwater environment.

13. **Before the fill material is within 2 metres of the final filling levels, markers shall be set up in that area to the satisfaction of the Mineral Planning Authority, to show the final levels of fill, overburden, subsoil and topsoil respectively.**

Reason: To enable the monitoring of the site to ensure the development is carried out in accordance with the agreed plan.

14. **The contouring of the final layer shall conform with levels as shown in Plan MAS/BCX/PA5.**

Reason: To ensure the final layer of materials are formed in accordance with the agreed plans.

15. **The final layer of material to a depth of l metre shall be kept free from any obstruction which may damage machinery or interfere with the afteruse. The site shall then, upon respreading of the sub and topsoil, be thoroughly ripped with a winged tine subsoiler in two directions at 90 degrees at a depth of 300 mm at the spacing of no more than 454 mm and then at a depth of 75 mm on the surface following ripping shall be removed.**

Reason: To ensure that the final layer is composed of material to give the best agricultural restoration.

16. **The site shall be restored in accordance with the submitted scheme. These works shall be carried out to the reasonable satisfaction of the Mineral Planning Authority.**

Reason: To ensure restoration is carried out to the highest standard.

17. **An aftercare scheme shall be carried out for 5 years in accordance with the submitted details in the written statement dated September 1991, including provision for an annual meeting with officers of the Mineral Planning Authority and the Ministry of Agriculture Fisheries and Food to assess Aftercare progress.**

Reason: To ensure the land is restored to its highest standard.

18. **Adequate provisions for the drainage of the land shall be made at all times to the satisfaction of the Mineral Planning Authority.**

Reason: To ensure the development does not cause land drainage problems.

19. **The access road shall be maintained in a good state of repair and kept clean and free of mud and other debris to the satisfaction of the Mineral Planning Authority.**

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

20. **No floodlighting shall be used on site without the prior written agreement of the Mineral Planning Authority on the design and layout of each light.**

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

S Davies 8.12.94

21. **No scrap, mobile plant, fuel tanks, equipment or vehicles shall be stored within the site.**

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

22. **Vehicular access to and from the Airfield in connection with operations subject of this permission shall only be via the access point at the main entrance to the runway as shown on Plan 5281/1 May 1994.**

Reason: In the interests of the safety and freeflow of traffic on the public highway.

23. **There shall be no more than 60 lorry movements (30 in, 30 out) at the site in any one working day (Monday to Friday) in connection with operations permitted by this permission.**

Reason: In the interests of the safety and freeflow of traffic on the public highway.

24. **The Rating Level (the equivalent continuous A weighted sound pressure level Leq (1 hour) day-time with corrections for tonal character as defined in BS4142 should not exceed 45dB(A). (Measurements should be taken at a height of 1.2 metres and at least 3.6 metres away from any walls or other reflective surfaces of an occupied building which faces the site).**

Reason: To safeguard the amenity of noise sensitive properties.

8.12.94

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Hertfordshire
COUNTY COUNCIL

Law & Administration

Planning Department
Dacorum Borough Council

DX: 8804
HEMEL HEMPSTEAD

County Hall
Hertford SG13 8DE
Fax : 01992 555508
DX : 57929 HERTFORD

Tel. : 01992 555580
Minicom : 01992 556611
Contact : Patrick Ellis
My ref : PE/MS/LA DU 326
Your ref :
Date : 4 June 1996

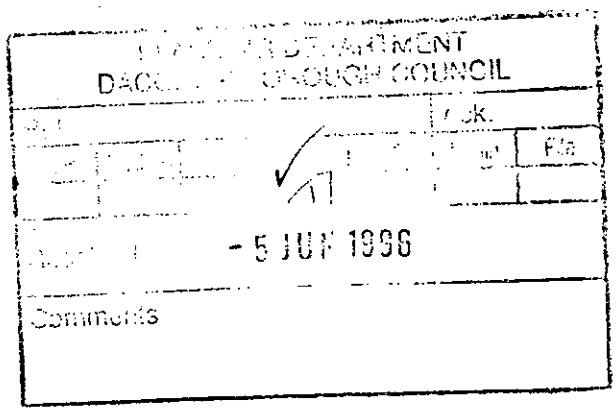
Dear Sir

SECTION 106 AGREEMENT - BOVINGDON AIRFIELD

I enclose a copy of a Section 106 Agreement between Hertfordshire County Council, W J & Mash Ltd and J M Chisholm (Ambers Haulage) for your records.

Yours faithfully

Patrick Ellis
Solicitor



Director

This AGREEMENT is made the 3rd day of June 1996 BETWEEN 1) HERTFORDSHIRE COUNTY COUNCIL of County Hall Hertford Hertfordshire SG13 8DE (hereinafter called "the County Council") 2) W J & MASH LIMITED whose registered office is situate at Torrington Farm Grove Lane Chesham Buckinghamshire company number 316628 (hereinafter called "the Owner") 3) J M CHISHOLM (AMBERS HAULAGE) of Bovingdon Airfield Chesham Buckinghamshire HP4 3RR (hereinafter called "the Developer")

WHEREAS

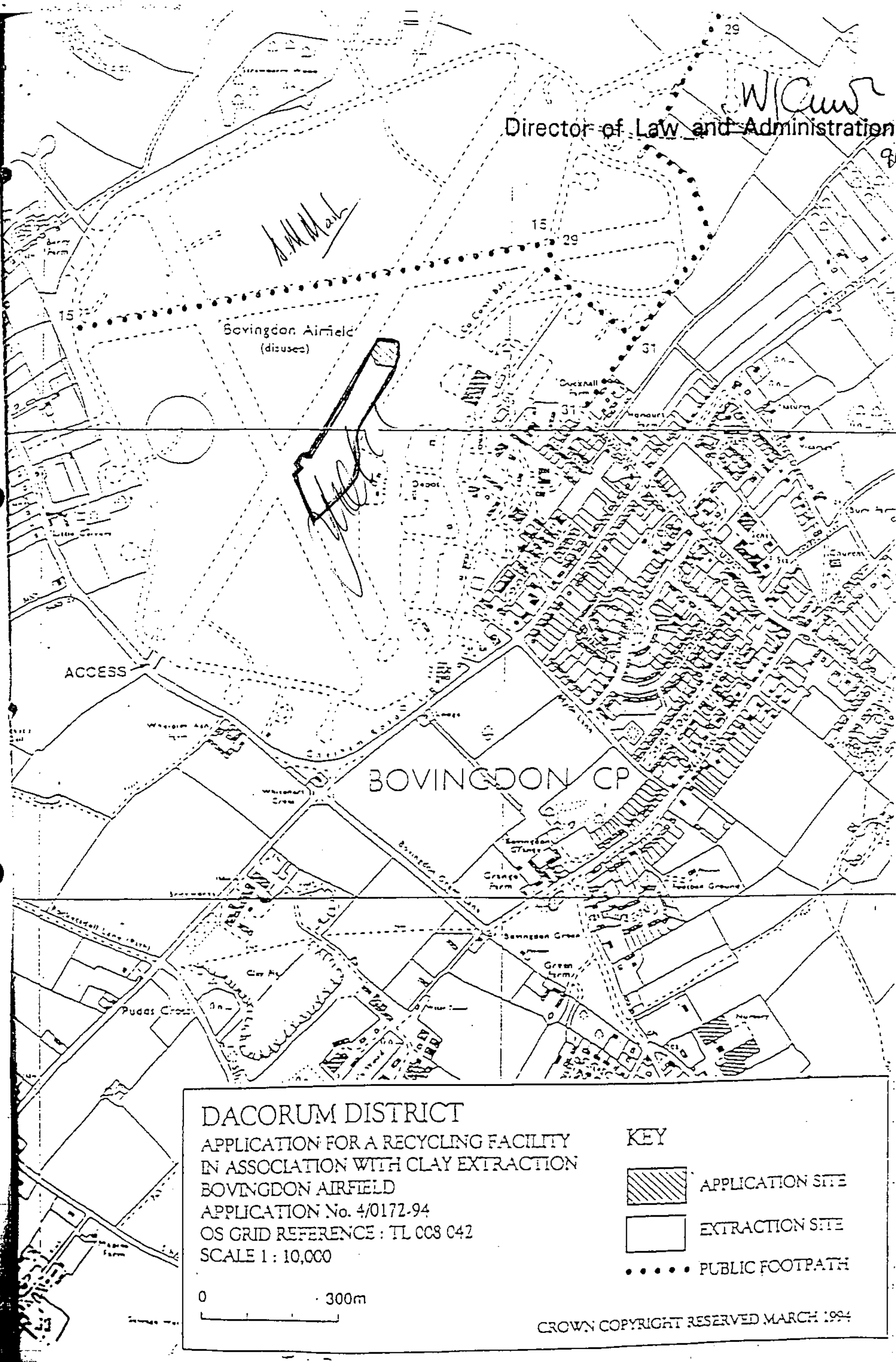
1. The County Council is the highway authority for roads in Hertfordshire save motorways and trunk roads and is also the local planning authority for the purposes of the Town and Country Planning Act 1990 (hereinafter called "the Act") in respect of matters appertaining to mineral extraction and waste disposal and waste recycling

2. The Developer has applied to the County Council under Application Number 4/1166-95 for a recycling facility (to be operated in conjunction with clay extraction activities already authorised under planning permission 4/1434-91) on the area of land at Bovingdon Airfield Bovindgon Hertfordshire which is for the purpose of identification only shown on the plan attached hereto edged red with the area of the recycling facility hatched black (hereinafter called "the Land")

3. The Developer has agreed that subject to planning permission being granted for Application Number 4/1166-95 (hereinafter called "the Planning Permission") it will enter into the covenants relating to lorry routing set our below

4. The Owner is entitled to the unencumbered freehold interest in the Land.

5. This Deed is made under section 106 of the Act and all other powers enabling including section 111 of the Local Government Act 1972


Director of Law and Administration
Bovingdon Airfield
(disused)
ACCESS
BOVINGDON CP
Pudds Cross
Clay Pit
DACORUM DISTRICT
APPLICATION FOR A RECYCLING FACILITY
IN ASSOCIATION WITH CLAY EXTRACTION
BOVINGDON AIRFIELD
APPLICATION No. 4/0172-94
OS GRID REFERENCE : TL 008 042
SCALE 1 : 10,000
0
300m
KEY
APPLICATION SITE
EXTRACTION SITE
PUBLIC FOOTPATH
CROWN COPYRIGHT RESERVED MARCH 1994

NOW THIS DEED IS WITNESSETH as follows

(1) In the event that the Planning Permission is granted (with or without conditions) the Developer and Owner (hereinafter jointly referred to as "the Operator") hereby covenants for themselves and their successors in title and for all persons deriving title from the Owner and their successors that they shall not operate the recycling facility authorised by the Planning Permission

(i) without ensuring that all vehicles accessing and exiting the Land in connection with both the recycling activities and the clay extraction operation already authorised under Reference Number 4/1434-91 do so only by either

(a) eastwards via the B4505 Chesham Road Hempstead Road and Box Lane to and from the new A41 Bypass using the Bourne End Interchange

(b) westwards via the B4505 Chesham Road Rushmere Lane towards Chesham

(ii) until they shall have positioned appropriate directional signs near the exit of the Land for the guidance of vehicle drivers

(2) The Operator also covenants to maintain the directional signs referred to in 1 (ii) above

(3) The Operator further covenants that on the date hereof it shall pay the reasonable costs incurred by the County Council in the preparation and execution of this Deed

(4) This Deed shall be registered as a Local Land Charge

EXECUTED as a Deed the day and year first above written

THE COMMON SEAL of
HERTFORDSHIRE COUNTY
COUNCIL was hereunto affixed
in the presence of

W J Cuwer
Director of Law and Administration

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THE COMMON SEAL of
W J & MASH LIMITED
was hereunto affixed
in the presence of

D. M. Mash
C. Cuzzell
C. CUZZELL
SPRINGFIELD HOUSE
88 CLARE RD
PRESTWOOD
GT MISSENDEN
HP16 0NY

FOR J M CHISHOLM
(AMBERS HAULAGE)
witnessed by:

JOHN KELLY
8 LUKES LANE
GUBBLECOTE
TRING
HERTS

THE SUPPORTING STATEMENT

1.0 Introduction

1.1 The purpose of this statement is to support the application for the extraction of an estimated 76,000 m^3 of proven clay reserves from a part of the former Bovingdon Airfield.

1.2 The need for the clay, for use by the local brick-manufacturing industry is demonstrated.

1.3 The application incorporates a scheme for the reinstatement of the proposed mineral workings, which includes backfilling the clay extraction area with 76,000 m^3 of imported inert spoils and soils. A further 63,000 m^3 of uncontaminated earth materials will be placed and graded above ground levels to tie in with the existing landform.

1.4 The proposals incorporate a scheme for tree-planting.

2.0 Site Description

2.1 The application site is located on the eastern side of the former Bovingdon Airfield, adjacent to an area of landraising which lies between the north-south runway and the boundary fence of the HMYCC The Mount. The application site is centred on grid reference TL 007042, and its location is shown on plan no. MAS/BCX/PA1.

Planning History

2.2 The planning history of the portion of the airfield which has undergone landraising is complex. Efforts to rationalise this situation have resulted in the recent submission of a scheme for the landscaping and restoration of the landraising area. Entitled "*A scheme of Restoration and Landscaping to be carried out on the Landraising Area along the west side of HMYCC The Mount*," the scheme was submitted by Robert Long Consultancy Ltd to Hertfordshire County Council in July 1991.

2.3 The scheme describes the placement of top soil on areas of insufficiently deep soil cover, grass seeding and tree planting. The proposals contained within this application will necessitate amending the location of part of the areas previously intended for tree planting, although the extent of tree planting will not be reduced.

2.4 The current landform is shown in two plans (MAS/BCX/PA2a and 2b). Each plan is based on a topographical survey of the site carried out in August 1990 and shows a series of low (approximately 4 m high) elongated, flat-topped earth bunds. Part of the surface has already been planted with tree saplings as shown. In plan 2b, contours portray the existing land features within the application area. The plan is presented to aid interpretation of final levels shown in plan no. MAS/BCX/PA5.

2.5 The extent of the present proposal is shown on plan no. MAS/BCX/PA2a and covers an area of 4.5 ha. The clay extraction phases are sited on flat, un-made ground which is bounded on two sides by earth banks and to the north by a fence. The maximum dimensions of the proposed extraction area are approximately 200 m x 80 m.

Clay Reserves

2.6 The quantity and quality of the clay reserves at the application site has been proven by two means. To the north of the fence referred to in paragraph 2.5 and shown on plan no. MAS/BCX/PA2a, an excavation has shown clay to be present to a depth of 13 m.

2.7 To the south of the fence line a series of 15, regularly-spaced trial pits were excavated to an average depth of 4 m. Visual inspection of the trial pits revealed good quality clays and clay-with-flints to be present, yet distributed randomly throughout the area of investigation.

2.8 The clay at the site overlies the Chalk and in the Chilterns the interface of the two strata is acknowledged to mimic the surface topography, but to a more extreme degree. The effect can result in rapid localised changes in elevation of the chalk/clay interface and therefore the thickness of overlying clays.

2.9 The axis of a shallow valley feature lies close to the north-eastern corner of the application area and the observed thickness of clay (13 m) proven to the north of the fence may therefore be an effect of the locally variable elevation of the Chalk surface.

2.10 Whilst the minimum thickness of clay at the south of the proposed extraction area has been proven to 4 m, no evidence exists to suggest it may continue to 13 m, as in the northern excavation. In fact, the clay may thin out to the south-west. Our assessment of the volume of clay available for extraction therefore assumes an average depth of clay of 8.5 m, ((13 + 4) divided by 2).

2.11 The trial pitting exercise has revealed that approximately 60% of the total mineral present is suitable for excavation and sale off-site. The proposed area of clay extraction covers 15,000 m^2. If the depth of mineral is assumed to be 8.5 m, the volume of clay to be worked is given by:

$$\frac{15{,}000 \times 8.5 \times 60}{100} = 76{,}500\ m^3$$

2.12 At an assumed density of 1.86 T/m^3, this volume of clay is equivalent to 142,000 tonnes.

3.0 Planning Policy

3.1 County Council Structure Plan Policy Number 20 states that the Council will normally permit proposals for mineral workings, provided that certain requirements covering the need, location and operational standards of the proposal are met.

3.2 The need for the mineral is discussed in paragraphs 4.38 and 4.39, which outline the demand for clay of this type and quality, in the immediate locality. The quantity and quality of the reserves are discussed in paragraphs 2.6 to 2.12.

3.3 Measures for the removal and protection of soils, along with the prompt and effective restoration of the site are addressed in the proposal, allowing the site to be returned to a full and proper afteruse.

3.4 As the latter stages of clay extraction are approached the site will be available for the disposal of imported waste material. Backfilling can be satisfactorily completed within approximately 13 months. Restoration will therefore be completed within a reasonable timescale as required by County Structure Plan Policy Number 9.

3.5 No processing plant will be required on site, and the impact of the operation on adjacent land uses will be minimal. Vehicles visiting the site will be able to do so via an existing access to the highway.

3.6 The proposal will make available better quality clay for the manufacture of bricks at two nearby brickworks, the locations of which are shown in plan no. MAS/BCX/PA3. Reserves of clay at the brickworks are currently worked randomly in pockets to recover the better quality material. This method of working results in an extensive and haphazard operational area, which remains open and unrestored.

3.7 A consistent and readily available alternative source of quality clay that can be blended with poorer material from the brickworks' own reserves will improve the rate of working of poorer clays. In turn, this may allow the brickworks' reserves to be worked in a more orderly manner, thus creating void in which the material has been fully worked, and therefore regions which can be subsequently restored.

3.8 If not fully worked, these areas would be likely to be left open, until such time as market circumstances change and the brickworks identify a need for the remaining clays. It would then follow that if this proposal does not receive planning permission, the brickworks may require additional land area into which works can be extended in the future.

3.9 The additional area of filling between the clay extraction area and the adjacent existing bund, would provide two advantages. It would improve the efficiency of the drainage of the two areas, removing the need for the provision of drainage between them, and would present an opportunity to improve their visual aspect and landscaping. Without a landscaped slope across the area, the filling of clay extraction void would merely produce a series of gentle domes on and around the site.

4.0 Operations

4.1 This chapter describes the proposed method of clay extraction and the means by which backfilling with inert materials will take place to achieve the proposed final levels. The operating method is shown schematically in plan no. MAS/BCX/PA4.

Access

4.2 It is proposed that all traffic will reach the application area via the existing access from the Chesham Road, which borders the southern perimeter of the airfield.

4.3 The access is presently fitted with large, double steel gates, which will be kept locked shut outside working hours.

4.4 Vehicles will use the former runway to reach the working area, a distance of approximately 700 m.

Operating Hours

4.5 Excavation of clay and placement of imported inert materials will take place during the following hours:-

0730 - 1700	Monday to Friday
0730 - 1300	Saturday

There will be no working on Sundays or Bank Holidays.

Soil Stripping

4.6 The soils covering the clay extraction area are thin (5 - 10 cm) and lie directly above the clay. Prior to the onset of mineral excavation, the soils will be removed by a tracked excavator and stockpiled in the position shown on plan no. MAS/BCX/PA4. Approximately 1,500 m^3 of indigenous topsoil will be stored in the bund, which shall not exceed 3 m in height and will be constructed with a domed upper surface to assist drainage.

Surface Water Drainage

4.7 A 200 mm diameter concrete drain runs parallel to the eastern edge of the runway, and collects runoff from the concrete surface. A series of open drainage ditches shall be constructed at the base of the existing earth banks, to direct surface water runoff to the runway drainage system.

4.8 The drainage ditches will be square cut, 1 m deep and 1 m wide. They shall be installed on the inside of existing fences and shall be provided with silt traps where ditches enter existing underground drains. Silt traps will be designed to be emptied easily by a JCB bucket.

Fencing

4.9 The application area is currently only partially surrounded by fencing. Prior to the onset of excavation the unfenced eastern perimeter will be supplied with stock-proof fencing.

4.10 As backfilling progresses, fence lines will be repositioned where required, so that at no time during the operational life of the site will grazing cattle be able to enter the working area.

Timing of Clay Excavation

4.11 Mineral working shall take place within the area shown on plan MAS/BCX/PA4. This shall ensure that a 5 m stand-off from the base of the existing earth banks and from the edge of the runway is maintained.

4.12 Where the concrete drain runs parallel to the proposed extraction area, the route of the drain shall be marked with a series of pegs to prevent accidental damage. The pegs shall stand 30 cm above ground level and will be painted so as to be readily visible to the operators of any plant working on the site.

4.13 An estimate of the total annual amount of clay required from the application site is provided by the letters included as Appendix I. The Bovingdon clay will be blended with reserves located at two local brickworks, as required, and therefore the requirement for Bovingdon clay will not be continuous, but will occur on a seasonal basis. Further information regarding quantities and timescales is given in paragraph 4.38.

Method of Working

4.14 When clay is to be extracted, the relevant brickworks will transport a tracked 360 degree excavator to the application site, which will remain for the duration of the dig. In the event that both brickworks require clay during the same period, extraction operations shall be shared so that only one excavator need be present at any time.

4.15 In general, clay extraction shall proceed from the north to the south, although the random distribution of good quality clay amongst clay-with-flints, will result in a series of small excavations being created.

4.16 Excavation shall proceed to 13 m where reserves permit. No working face shall exceed 15 m, and this, in combination with the cohesive nature of the clay, shall obviate the need for faces to be benched.

4.17 In the event that the upper surface of the Chalk is uncovered during digging, indigenous clay materials (ie. clay-with-flints) shall be spread to a depth of at least 2 m to cover the exposed Chalk.

4.18 Clay shall be loaded into tipper lorries for transport to the brickworks. These vehicles shall be operated by a local haulage contractor.

4.19 Where practical, material remaining as walls between adjacent voids shall be broken down and the material spread on the floor of the void. This process shall enlarge the areal extent of individual voids and improve the geometry of the void space to enable efficient tipping of imported materials. If necessary, clay-with-flints shall be used to construct ramps into voids.

Type of Imported Materials

4.20 It is proposed that sufficient materials be imported to enable the mineral workings to be backfilled and a landform created which complements the existing region of raised ground adjacent to the application site.

4.21 Approximately 76,000 m^3 of materials will be required to backfill the mineral void, and a further 63,000 m^3 will be required to attain the levels depicted in plan no. MAS/BCX/PA5.

4.22 Imported material will consist entirely of excavated, uncontaminated earth spoils and soils, and demolition waste (eg. hardcore). All materials for tipping shall be free from litter (eg. paper, wood and plastic) and putrescible or biodegradable matter.

Timing of Tipping

4.23 Tipping shall commence once void space of sufficient quantity and suitable geometry has been created at the site so that backfilling will not interfere with clay extraction or sterilise remaining reserves. Due notice shall be given to the licensing authority prior to the commencement of tipping operations.

Method of Tipping

4.24 Waste spoils shall be imported to the site by a nominated contractor using tipper lorries. Backfilling shall commence in the area of disturbed ground located to the north of the clay extraction area, against the east-west trending slope.

4.25 Waste materials shall be tipped in discrete phases and spread to a thickness of between 1 m and 2 m by a tracked excavator or bulldozer, so that levels of waste can be built up in lifts.

4.26 Tipping shall progress in a southerly direction. When the tipping face approaches within 10 m from any mineral void, filling above original levels will temporarily cease and waste materials shall be used to backfill the void to near-surface levels, before the southward progression of tipping recommences. This procedure will ensure that access to all sides of the mineral void is possible if necessary, and to ensure the maximum height of any face below which personnel or machines may be working does not exceed 13 m.

4.27 Materials shall be placed and graded until 1 m below the levels shown in plan no. MAS/BCX/PA5.

Site Facilities

4.28 A portakabin-type site office shall be erected in the position shown in plan no. MAS/BCX/PA4, and a chemical toilet positioned adjacent. The office shall house mess facilities.

Site Control and Record Keeping

4.29 The small size of this site means that the excavator driver (waste tipping) can be responsible for site control. He will be an experienced member of the waste contractor's staff and all vehicles delivering waste to the site shall report to him. Each load shall be inspected visually before the requisite ticket is issued. Drivers of vehicles carrying wastes deemed to be unacceptable will be shown a list of alternative suitably licensed facilities and will then be turned away.

4.30 In the event that inappropriate materials are revealed once a load has been deposited, the waste shall be reloaded, removed from the site and the local licensing authority informed.

4.31 Records shall be kept of all loads deposited at the site. Records for the current working day will be retained in the cab of the excavator, and transferred to the site office at the end of the day. Records will be available for inspection by officers of the appropriate regulatory authority as necessary.

Site Manning and Plant

4.32 One or two personnel will be present at the site, depending upon the relative phasing of clay extraction and waste tipping.

4.33 Clay extraction will involve one brickwork's employee operating an excavator. This activity shall occur for seasonal periods whilst clay remains available for extraction.

4.34 An employee of the nominated waste contractor will be present at all times when the site is open to accept imported spoils. These operations may overlap the latter phases of clay extraction. The use of the site as an inert tip will be continuous, and a variety of plant may be needed during the course of waste operations, although it is unlikely that all of the plant will be required at the same time. It is proposed that a tracked bulldozer/excavator suitable for grading of inert spoils will remain on site for the duration of the tipping operations.

4.35 At other times a dumper truck and a 360 degree excavator will be required (for example, during restoration) and these shall be brought in or hired as appropriate. During periods of dry weather a water bowser will be available to dampen the route from the site gates to the working area to reduce the potential nuisance caused by dust.

Landfill Gas and Leachate Control

4.36 The inert wastes to be used for backfilling the site will not decompose or degrade and therefore it is not proposed to install landfill gas or leachate control equipment.

Pest and Litter Control

4.37 The inert nature of the waste intended for the application site will ensure that potential nuisance from pests and vermin will not arise. The waste will be litter-free, but on occasions when litter from other sources, eg. the market appears within the site perimeter, this shall be gathered by site operatives.

Quantities and Timescale

4.38 Letters from two local brick manufacturers included in Appendix I indicate the amount of clay proposed for excavation from the application site per annum. Information relating to the rate of clay extraction is detailed in Table 1 below.

Brickworks	Clay Required Per Annum (m^3)	Duration of Annual Excavation Operations
Bovingdon	12,000 - 15,000	4 - 5 months
H G Matthews	7,000	2 months
	Total (max) 22,000	

Table 1 : Amount and rate of clay extraction.

4.39 Approximately 22,000 m^3 of mineral will be extracted from the workings per annum, although excavation operations will be seasonal and confined to a few months of the year. The proposed annual rate of extraction and the estimated available clay reserves (76,000 m^3) will result in clay working operations lasting for a period of about 4 years.

4.40 The void space which is to be made available by the landraising phase of this scheme amounts to 63,000 m^3. Therefore, the total void space, (clay extraction and landraising) is 139,000 m^3.

4.41 It is not possible to state exactly the number of lorry movements this scheme will generate, but it is proposed that a maximum of 30 deliveries of inert materials are made each day during the backfilling phase of operations.

4.42 Assuming an average load of 15 m^3, the daily input rate of imported materials shall be approximately 450 m^3. This equates to a projected annual input rate of 126,000 m^3 (based on 280 working days per annum). However, due to the vagaries of supply of suitable fill material, it is anticipated that a period of 18 months should be allowed for completion of filling.

4.43 In the event that backfilling were to commence as soon as clay reserves had been exhausted and extraction ceased, the proposed scheme would last for a maximum of 5½ years. However, it is intended that as soon as clay extraction has created void space of sufficient capacity and convenient geometry, backfilling and the initial stages of land-draising shall commence. In practice, therefore the operational life of the site is likely to be less than 4 years.

5.0 Restoration

Introduction

5.1 In July 1991 a scheme of restoration and landscaping was submitted to Hertfordshire County Council by Robert Long Consultancy. The scheme described the placement of soils, grass-seeding and tree planting proposals required to complete the restoration of the site. Plans MAS/BOV/RES/01 and 02 in Appendix II portray the salient features of the scheme.

5.2 The present application describes a backfilling and surcharging programme which is designed to tie in with the existing landform. In plan, the area proposed for backfilling overlaps the existing western flanks. This region is one of the main areas of tree planting proposed by the previously submitted scheme.

5.3 The current restoration plans therefore partly modify the earlier planting proposals. Areas of proposed tree planting which will be influenced by backfilling operations will be relocated to complement the revised landform, although it is not intended to reduce the extent of tree planting.

5.4 Other proposals referring to areas outside the boundary of the current application and which were described in the earlier restoration scheme, will remain unchanged and will be implemented as planned.

5.5 Both restoration schemes will therefore be complementary to each other.

Placement of Soils

5.6 The scheme of backfilling and surcharging shall progress in a series of phases from north to south, and the fill in each phase graded until approximately 1 m below final levels. The final 1 m of fill shall consist of 800 mm of sub-soil overlain by 200 mm of topsoil, which shall be placed as each phase of fill nears completion.

5.7 Sub-soil and topsoil shall be placed in progressive east-west strips beginning in the north and advancing towards the south of the site. The width of each strip should be sufficiently narrow to ensure that topsoil can be placed above the sub-soil by the arm of the excavator, whilst the machine is standing on the waste surface. This method shall prevent the formation of compacted soil layers.

5.8 Sub-soil shall consist of suitable imported material which is free from large aggregates or other objects likely to hinder the growth of plants. Sub-soil shall be placed in discrete piles by tipper truck and spread with a tracked 360 degree excavator running on the waste surface.

5.9 The indigenous topsoil removed from the surface of the clay excavation shall be placed by tracked 360 degree excavator above the imported sub-soil. This quantity of indigenous topsoil is insufficient to cover all of the application area and additional topsoil grade material must be obtained from imported materials.

5.10 Imported topsoil will be derived from two sources. First, any suitable incoming loads may be used, although the availability of material of adequate quality is likely to be scarce. The majority of topsoil material will therefore be derived from a second source: it is proposed that a soil screen be brought onto site for grading suitable materials. The machine will be used for temporary periods not exceeding a total of 28 days per annum (GDO 1988, Schedule II, Part 4, Class B).

5.11 It is proposed that the soil screen be brought onto site as backfilling progresses. This will ensure that adequate quantities of topsoil are available when required to complete each backfilling phase, and will allow reject material from the screen to be incorporated in subsequent backfilling/surcharging phases away from surface layers.

5.12 The soil screen will be positioned temporarily on the former runway adjacent to the north-western corner of the site. Processed topsoil material will be stored separately from indigenous topsoil.

5.13 Topsoil will also be placed on those areas of thin topsoil cover previously identified in the July 1991 restoration scheme, to the standards set out in that document. Placement of this material shall occur progressively as restoration of the current application area proceeds, to avoid damaging restoration layers with heavy machinery.

5.14 Any solid objects greater than 50 mm that appear at the surface of the restoration layer shall be removed by hand. Upon completion of placement of restoration materials all plant and buildings shall be removed from the site and any areas of mud on the runway swept away.

Grass Seeding

5.15 All parts of the landform which have been spread with soils will be grass seeded as soon as possible. It is recommended that a seed mix with a high proportion of perennial rye grass is used (Such as British Seed Houses - Type A15). This will assist in stabilising the soil by avoiding erosion in heavy rainfall, improving its quality and suppressing weed growth.

Drainage

5.16 The gradients of the slopes of the final landform will ensure effective run-off of incident rainfall and will therefore avoid water logging. Run-off water will be directed via peripheral drainage ditches to connect with the existing runway drainage system. Silt traps will be provided at the points where any drainage ditches enter underground drains and will be designed such so that they can easily be cleared with a JCB bucket.

Preparation for Tree Planting

5.17 Prior to any planting activities on the landraising area, existing stockproof fencing will be extended to isolate all proposed planting areas.

5.18 In the early part of September preceding planting, future planting points will be laid out and pre-treated with a proprietary herbicide Glyphosate such as Roundup. An area approximately 1 metre in diameter will be sprayed, centred on the planting point, in order to clear the surface of vegetation growth. These areas will be checked after 3 weeks to ensure the effectiveness of the herbicide. Any areas of persistent vegetation will be re-treated.

5.19 When using pesticides the contractor must use a certificated operator and take appropriate safety precautions in accordance with the Control of Pesticides Regulations 1986, the Control of Substances Hazardous to Health Legislation 1989, any relevant Codes of Practice issued by MAFF or the Health and Safety Executive and the manufacturer's own recommendations.

Tree Planting

5.20 It is proposed that tree planting will take place in the areas shown on plan no. MAS/BCX/PA5. The proposed composition of tree and shrub planting is given in Table 2 below.

5.21 The tree planting will take place at 2m centres, except along the lower western edge, which will comprise 100% shrubs planted in two alternate rows at 1m centres, starting 1m in from any fencing.

5.22 The planting of trees and shrubs will take place between mid-November and mid-March during the dormant season. Where possible, planting should be carried out in the period prior to Christmas. No planting of trees or shrubs will be carried out in periods of frost, snow, drought or drying winds or in water-logged ground.

5.23 All bare root planting stock should be pre-treated at the nursery immediately after lifting with Broadleaf Root Dip (or similar). All root-dipped stock will have its roots placed within a polythene bag or similar container to retain the root gel around the roots.

TABLE 2

Proposed planting composition

Species	Latin name	%	Height	Grown
TREES				
Italian Alder	Alnus cordata	20	900mm	Bare root
White Poplar	Populus alba	20	900mm	"
White Willow	Salix alba	10	900mm	"
English Oak	Quercus robur	20	600mm	"
Ash	Fraxinus excelsior	20	600mm	"
Wild Cherry	Prunus aviom	10	300mm	"
SHRUBS				
Field Maple	Acer campestre	25	300mm	Bare root
Hawthorn	Crataegus monogyna	25	300mm	"
Dogwood	Cornus sangvinea	25	300mm	"
Hazel	Corylus avellana	25	300mm	"

5.24 On arrival at the site, all bare root plants not to be planted out within 2-3 days should be heeled into the ground. Plants awaiting planting out will be properly protected against frost, drying out and mechanical or other damage.

5.25 All trees and shrubs will be notch planted into the centre of the pre-treated planting spots and well firmed in. All tree stock will be protected immediately after planting with 600mm Tubex tree tubes. The plants will be checked in late February/March of the planting season so that any plants raised by frost can be firmed in by heeling.

Aftercare & Maintenance

5.26 The grassland area retained without planting will only be mown once or twice a year late in the season, following flowering and setting of seeds and to a height of no lower than 100 cm. This procedure will enhance the potential diversity of fauna such as insects and butterflies, and small mammals.

5.27 Any areas of subsidence or settlement that lead to poor drainage, ponding and vegetation dieback will be raised with suitable topsoil material and reseeded.

5.28 The plants will be checked in late February/March of the season during which they have been planted. Any plants that have been raised up by frost will be firmed down by heeling.

5.29 An area of 1 m diameter around the base of the trees and shrubs will be kept free of weeds for the first three years after planting by the application of Glyphosate twice a year in late Spring (ie end of April) and late Summer (ie August/September); or by careful cutting of the vegetation. If spraying, care must again be taken to avoid spray drift and damage to tree and shrub foliage. Depending on rates of growth, it should be possible to cease this treatment after three seasons.

5.30 Except for the 1 m diameter spot around the base of the trees and shrubs, herbaceous vegetation in the planting areas should be left alone. (This will eventually become suppressed by the developing tree canopy).

5.31 A check should be made in the July following planting for dead/dying plants, and replacements of similar species and size should be incorporated by Christmas. Similar checks and replacements should be made up to and including year 3.

5.32 Periodic checks will be made for up to 5 years post-planting to ensure that all stock-proof fencing around the planted areas is effective. Repairs will be carried out as soon as they appear necessary.

Long-term Maintenance

5.33 Following the cessation of herbicide application after year 3, little maintenance of the planting areas should be required. All stakes and tree tubes should be removed after 5 years.

5.34 Depending on growth rates and other factors, the trees will probably require to be thinned approximately 15 years post planting. At this time all dead, dying and suppressed trees should be cut out along with any invasive vigorous species, such as sycamore. This thinning should provide space for the development of the retained climax species, to provide a final canopy.

5.35 To promote a dense vegetational screen, around the western planting edge, the shrubs should be locally coppiced in random stretches on a 10-15 year cycle. This will avoid the shrub layer becoming undesirably leggy.