



Town and Country Planning Act 1990 (as amended)

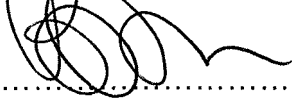
HCC Application No: 3 /1304-13 (CM0951)

DESCRIPTION & LOCATION OF DEVELOPMENT:

EXTRACTION AND REMOVAL OF MATERIALS (SAND, GRAVEL AND SOIL) TO ENABLE CONSTRUCTION OF A 44 MILLION GALLON (200 000 CUBIC METRES) AGRICULTURAL RESERVOIR FOR FARM IRRIGATION PURPOSES TO INCLUDE THE TEMPORARY CONSTRUCTION OF A 3 METRE HIGH BUND AND A TEMPORARY INTERNAL HAUL ROAD AND ANCILLARY BUILDINGS AND WEIGHBRIDGE AT THORLEY HALL FARM, THORLEY WASH, THORLEY, BISHOP'S STORTFORD, HERTFORDSHIRE

**To: Mr Peter Unthank
D.K. Symes Associates
Appletree Farmhouse
39 Main Road
Middleton Cheney
Banbury
Oxfordshire
OX17 2ND**

In pursuance of its powers under the above Act and the Orders and Regulations for the time being in force thereunder, the Council hereby PERMITS the development proposed by you in your application dated 3 July 2013 (received with sufficient particulars on 18 July 2013) subject to the 24 conditions which are detailed in the attached schedule with the reasons for their imposition.

Dated: 13th day of May 2014 Signed: 

TEAM LEADER DEVELOPMENT MANAGEMENT

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Department for Communities and Local Government.

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 Department for Communities and Local Government 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 Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs

The Department for Communities and Local Government 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 Department for Communities and Local Government 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 Department for Communities and Local Government does not refuse to consider appeals solely because the local planning authority based its decisions on a direction given by him.

Dated: 13th day of May 2014 Signed: 

TEAM LEADER DEVELOPMENT MANAGEMENT

**SCHEDULE OF CONDITIONS NUMBERED 1- 24 ATTACHED TO
PLANNING PERMISSION ISSUED UNDER APPLICATION NO. 3/1304-13
(CM0951) PROPOSED EXTRACTION AND REMOVAL OF MATERIALS
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1. Time Limit for Commencement

The development to which this planning permission relates shall be begun before the expiration of a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Inform Local Planning Authority of commencement

The Local Planning Authority shall be informed within 2 weeks of the commencement of development of the date of the commencement of development.

Reason: To ensure the completion of development takes place in accordance with the approved timescale.

3. Completion of Development

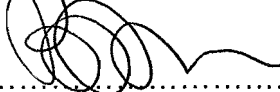
The development hereby approved shall be completed within 5 years of the date of commencement.

Reason: To ensure that the land is restored to a satisfactory condition.

4. Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 0503/L v1 Location Plan
- 0503/A v3 Application Plan
- 0503/S v4 Site plan (as existing)
- 0503/CC/1 v6 Composite Construction Plan
- 0503/Ow/1 v1 Details of Office and Weighbridge
- 0503 CS1 V4 Illustrative cross sections

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- 0503 R1 V7 Illustrative reservoir plan
- 0503 CS 572 Rev C Outline Planting Proposals
- 0503 Sc1 V5 Site context

Reason: for the avoidance of doubt.

5. Diversion order of Bridleway 10

A Diversion Order for Bridleway 10 shall be obtained and shall be re-routed before development of the site commences.

Reason: In the interests of public safety.

6. Abstraction Licence

The supply of water to the development shall take place in accordance with the Abstraction Licence issued by the Environment Agency on 28 September 2012 Licence Serial no. TH/038/0006/006.

Reason: To ensure appropriate water supply to the reservoir.

7. Dust Management Scheme


The operator shall take appropriate measures to ensure at all times that areas outside the boundary of the site are not affected by dust nuisance resulting from the development hereby permitted.

Reason: In the interests of amenity.

8. No processing of material on site

No processing of material removed in connection with the construction of the reservoir shall take place on site and all material shall be removed for processing off-site.

Reason: In the interests of amenity.

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9. Sound insulation on plant and machinery

The noise emitted from plant and machinery shall not exceed 10dB LAeq (1hr) above background levels L90 at the façade of the nearest noise sensitive property measured in accordance with BS4142.

Reason: In the interests of amenity.

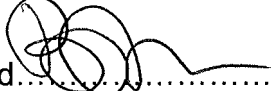
10. Sheeting of Vehicles

Vehicles taking material from the site shall be sheeted prior to leaving the site. This condition recognises the exception of grab lorries.

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 highways in the vicinity of the site. For the purposes of this condition, a HGV is any vehicle in excess of 7.5 tonnes.

11. Landscaping including fencing

Prior to commencement of development, full details of a detailed landscaping scheme for the completed development to include hard and soft landscaping and fencing to cover the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the outline planting proposals, drawing no. CS.572.01 RevC and shall include full details of all landscaping for the finished site. The approved planting scheme shall be carried out in the first appropriate planting season following completion of the development. Any tree or shrub required to be retained or to be planted as part of the approved landscaping scheme, that is found to be dead, dying, severely damaged or seriously diseased within five years of the carrying out of the landscaping scheme, shall be replaced by specimens of similar or appropriate size and species in the next available planting season.

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Reason: In the interests of visual amenity.

12. **Tree Protection Scheme**

No trees on the site shall be removed or damaged. All trees within the site shall be protected from damage throughout development in accordance with the relevant British Standards (BS5837). Any trees damaged during construction shall be replaced with species of similar size and quality within the first available planting season.

Reason: In the interests of landscape and visual amenity.

13. **No removal of trees or hedges in bird breeding season**

No removal/ trimming of trees, scrub or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist detailed to in writing and approved in writing by the Local Planning Authority.

Reason: It is an offence under Part I, section 1(1) of the Wildlife and Countryside Act 1981 (as amended) to damage or destroy the nest of any wild bird whilst that nest is in use or being built.

14. **Ecological and landscape management plan to be submitted**

Prior to commencement of development, a detailed habitat management plan to enhance the biodiversity potential of the site shall be submitted to the Local Planning Authority for approval in writing. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: In the interests of the biodiversity of the site.

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15. Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the reservoir. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

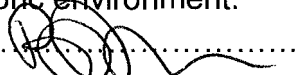
Reason: In order to minimise the development's attractiveness to birds which could endanger the safe movements and operation of Stansted Airport.

16. Written scheme of archaeological investigation

No development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

- 1. The programme and methodology of site investigation and recording**
- 2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation**
- 3. The programme for post investigation assessment**
- 4. Provision to be made for analysis of the site investigation and recording**
- 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 6. Provision to be made for archive deposition of the analysis and records of the site investigation**
- 7. Provision made for a suitable programme of preservation in situ if appropriate.**
- 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.**

Reason: In the interests of preserving the historic environment.

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17. Details of the pumphouse

Full details of the proposed pumphouse shall be submitted to the Local Planning Authority for approval in writing and the pumphouse shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenity.

18. Hours of operation

Unless otherwise agreed with the Waste Planning Authority in advance and in writing, construction of the development hereby permitted shall only be carried out during the following periods:

7.00 - 18.00 Mondays to Fridays

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

Reason: In the interests of amenity.

19. Construction Traffic Management Plan

Prior to the commencement of development a Construction Traffic Management Scheme shall be submitted to and for the approval of the Local Planning Authority. Traffic entering/ exiting the site shall be managed as per the scheme to be approved, and the scheme shall be implemented in full for the duration of the development.

Reason: In the interests of highway safety, and to minimise the adverse impact of operations on the local area.

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20. Limit on HGV movements

There shall be no more than 100 Heavy Goods Vehicle (HGV) movements, (50 in and 50 out) in respect of all operations granted in this permission in any one working day, Monday to Friday. For the purposes of this permission, HGVs are any vehicle in excess of 7.5 tonnes.

Reason: In the interests of highway safety.

21. Signage requiring HGVs to turn left out of the site

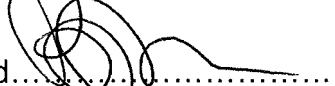
Details of the design and location of a sign requiring all HGVs to turn left out of the site onto the Bishop's Stortford By-Pass in a northerly direction shall be submitted to and approved in writing by the Local Planning Authority. The approved sign shall be in position by the commencement of development.

Reason : In the interests of Highway safety.

22. Wheelwashing and cleaning facilities

Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during the construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway. Efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development to allow for the cleaning of the wheels of all lorries leaving the site.

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 highways in the vicinity of the site.

Dated:.....^{13th} day of.....^{May}.....2014 Signed.....

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23. **Removal of bunds and ancillary temporary development**
All ancillary temporary development including office, weighbridge, bunds and haul roads shall be removed entirely within 3 months of the completion of the construction of the reservoir, and the site landscaped and finished in accordance with the approved plans.

Reason: In the interests of visual amenity.

24. **Flooding measures**
The development shall be carried out in accordance with the submitted flood risk assessment (Thorley Reservoir Flood risk Assessment, June 2013, ref: 61297R1 and flood mitigation measures

Reason: In the interests of the local environment.

It is considered that the application was handled proactively through regular contact with the agent, on site meetings and suggestions regarding the scheme.

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