



Town and Country Planning Act 1990 (as amended)

DECISION NOTICE

HCC Application No: 9/0541-05 (602)

Other Ref No: 545.1

Description & location of development:

**APPLICATION FOR TEMPORARY PLANNING PERMISSION FOR USE OF
LAND AS A WASTE TRANSFER STATION AT UNIT 1, ASCOT RD,
WATFORD, HERTS WD18 8UQ**

**To: Holywell Haulage Ltd
82 Maxted Close
Hemel Hempstead
Herts**

In pursuance of its powers under the above Act and the Orders and Regulations for the time being in force thereunder, the Council hereby PERMITS the development proposed by you in your application dated 16th May 2005 including the supporting statement which accompanied the application and the Plan Reference LSC001 (date stamped 18 May 2005), drawing number 001 produced by Alan C Watson (date stamped 18 May 2005), Photographic record of boundary of Ascot Rd, Watford, Herts as at 15.12.05, and Appendix A, subject to the twenty four conditions which are detailed in the attached schedule with the reasons for their imposition.

Dated: day of 2006 Signed:

DEVELOPMENT CONTROL MANAGER

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Office of the Deputy Prime Minister.

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 Office of the Deputy Prime Minister 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 Planning Inspectorate, Customer Support Section, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or from the Planning Inspectorate's website at www.planning-inspectorate.gov.uk The Office of the Deputy Prime Minister 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 Office of the Deputy Prime Minister 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 Office of the Deputy Prime Minister 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 Office of the Deputy Prime Minister 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 Office of the Deputy Prime Minister 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.

Dated: day of **2006 Signed:**
DEVELOPMENT CONTROL MANAGER

**SCHEDULE OF CONDITIONS NUMBERED 1 - 24 ATTACHED TO
PLANNING PERMISSION 9/0541-05 FOR TEMPORARY PLANNING
PERMISSION FOR USE OF LAND AS A WASTE TRANSFER STATION AT
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Duration of development

i) Unless otherwise agreed in writing by the Waste Planning Authority, all operations hereby permitted shall cease on 30th June 2008 and the site be vacated by removing all waste, structures, plant, machinery, other equipment and amenity bunds, and the site re-instated. Prior to 1st January 2008 a scheme for de-contamination of the site shall be submitted to the Waste Planning Authority for their written approval. Decontamination of the site shall take place in accordance with the approved details.

Reason: *To provide a clean site, ready to be used if required for the Croxley Rail Link Scheme.*

Permitted Development Restrictions

ii) Other than that which is authorised by this permission, no fixed plant, machinery, buildings, structures and erections shall be erected, extended or replaced within the site without the prior approval in writing of the Waste Planning Authority.

Reason: *To minimise the adverse impact of operations on the surrounding area.*

Hours of operation

iii) Unless otherwise agreed in writing by the Waste Planning Authority, the operation authorised by this permission shall only be carried out during the following periods:

07.00 – 17:00 – Monday to Friday

07.00 – 13.00 – Saturdays

There shall be no operations on Sundays or Public Holidays.

Reason: *To minimise the adverse impact of operations on neighbouring land uses.*

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Drainage

v) Unless otherwise agreed in writing by the Waste Planning Authority, within two months of the date of this Decision Notice, details of an impermeable pavement and drainage system to cover the Waste Transfer Area (as defined on Plan Reference LSC001, date stamped 18.5.05) shall be submitted for the written approval of the Waste Planning Authority. Without prejudice to the foregoing:

- there shall be no interference to any drain or watercourse;
- no storm or surface water shall be discharged onto adjacent properties; Suitable drainage or other works shall be provided and maintained at all times;
- no soakaways or lagoons created as a means of storm /surface water disposal shall be constructed within 15 metres of the railway boundary or at any point which could adversely affect the stability of Railtrack property;
- there shall be no increase in existing flow rates into any culvert which passes within the site especially beneath the railway without the prior approval of the Waste Planning Authority in consultation with the Railway Authority;
- no solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Once approved, such system shall be implemented in full for the duration of the development.

Reason: *To prevent pollution of ground and surface water, and to prevent the site from being waterlogged.*

vi) No soakaways shall be constructed in contaminated ground.

Reason: *To prevent pollution of groundwater.*

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Hardsurfacing

vii) Within three months of the date of this Decision Notice, Area 3 (as detailed on Appendix A) shall be covered in hardstanding. Hardstanding shall include granular materials such as crushed stone, aggregate, road planings, or other similar material.

Such hardstanding shall be maintained so that the working surface:

- shall remain even;
- shall not be subject to settlement or differential settlement;
- shall not be subject to rutting by vehicles even when wet;
- shall have sufficient durability to allow cleaning for example by scraping;
- shall remain free of standing water.

Reason: *To ensure the safety of users of the public highway.*

Waste Types

viii) Unless otherwise agreed in writing by the Waste Planning Authority the only wastes which may be imported and deposited at the site are:

- 17 01 01 (concrete)
- 17 01 02 (bricks)
- 17 01 03 (tiles and ceramics)
- 17 01 07 (mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06)
- 17 02 01 (wood)
- 17 02 02 (glass)
- 17 02 03 (plastic)
- 17 04 01 (bronze, copper, brass)
- 17 04 02 (aluminium)
- 17 04 03 (lead)
- 17 04 04 (zinc)
- 17 04 05 (iron and steel)
- 17 04 06 (tin)
- 17 04 07 (mixed metals)
- 17 04 11 (cables, other than those mentioned in 17 04 10)
- 17 05 04 (soil and stones other than those mentioned in 17 05 03)
- 17 05 08 (track ballast other than those mentioned in 17 05 07)

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17 06 04 (insulation materials other than those mentioned in 17 06 01 and 17 06 03)

17 08 02 (gypsum based construction materials other than those mentioned in 17 08 01)

17 09 04 (mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02, 17 09 03.

Such categories are defined by the European Waste Catalogue, Council Decision 2001 / 573 / EC.

Reason: *To ensure that there is no adverse impact of operations on adjacent land uses.*

Dust

ix) No dust shall escape the boundaries of the site. Measures to be undertaken to ensure that this does not happen include, *inter alia*, spraying of the site during dry weather conditions. If dust escapes the boundaries of the site, then that operation, activity or use that has created the dust shall be temporarily stopped.

Reason - *to protect the environment, and safeguard the amenity of surrounding uses.*

Noise

x) The rating level of the noise emitted from the site shall not exceed the background level ($L_{A90,T}$), without the site operating, by more than 5 dB L_{Aeq} at any time. The noise levels shall be determined at any noise sensitive locations. The measurements and assessments shall be carried out in accordance with BS 4142: 1997 (or any updated version of this standard). This requires a reference time interval (T) of 1 hour during the daytime.

Reason: *To safeguard the amenity of surrounding uses.*

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Storage heights

xi) No waste, materials, parts, skips or any other items connected with the development hereby authorised shall be stored, stacked or deposited to a height exceeding 2.5 metres.

Reason: *To ensure that use of the site does not prejudice the appearance of the surrounding area.*

Vehicles

xii) There shall be no more than 32 heavy goods vehicles movements (16 in and 16 out) in any one working day from Monday to Friday, and no more than 16 heavy goods vehicles movements (8 in and 8 out) at the site on Saturdays. Written records of all vehicles entering and leaving the site in connection with the development shall be kept by the site operator, and made available for inspection by the Waste Planning Authority upon request

Reason: *In order to minimise any adverse impact upon the free and safe flow of traffic along the highway in the vicinity of the site.*

xiii) All vehicles shall enter and leave the site in forward gear and sufficient room shall be kept free within the site at all times to enable all vehicles to manoeuvre to facilitate this.

Reason: *In the interests of safety and the free flow of traffic along the highway in the vicinity of the site.*

xiv) Vehicles leaving the site shall be in such a condition that they shall not deposit mud or debris on the public highway.

Reason: *In the interests of highway safety.*

Waste treatment

xv) No crushing of waste shall take place on the site

Reason: *To safeguard the amenity of surrounding uses.*

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Lighting

xvi) No floodlights shall be used on site without the prior written agreement of the Waste Planning Authority.

Reason: *To safeguard the amenity of neighbouring land uses.*

Landscaping

xvii) All amenity bunds shall be maintained and kept free of mobile plant, machinery, equipment, stored materials, waste debris or other structures. Bunds shall have a slightly domed top to assist with surface water run off, and shall be top-soiled, dressed and seeded with a seed mixture. Details of such seed mixture, along with timing details for planting of the same, shall be submitted within two months of the date of this Decision Notice. Once approved, such details shall be implemented in full for the duration of the development. Maintenance shall include regular grass cutting throughout the growing season, weed control measures and the protection of existing trees and shrubs from damage. Unless otherwise agreed in writing by the Waste Planning Authority, any amenity bunds or existing trees and shrubs which are damaged during the period of this planning permission shall be replaced or reinstated in accordance with details to be agreed in writing with the Waste Planning Authority.

Reason: *To screen the operations of the site from the surrounding land uses, and mitigate any adverse visual impact.*

xviii) Within two months of the date of this Decision Notice, the damage to the bund in Area 2 of Appendix A shall be reinstated in accordance with details to be agreed in writing with the Waste Planning Authority.

Reason: *To screen the operations of the site from the surrounding land uses, and mitigate any adverse visual impact.*

xix) Within two months of the date of this Decision Notice, the bund around the oak trees shown on Appendix A shall be re-profiled in accordance with details to be agreed in writing with the Waste Planning Authority. The details shall include the removal of banded material so that the bund is not in contact with the trunk of the trees at any point and the toe of the bund is not in contact with the base of the trees.

Reason: *To ensure that the trees are not damaged by operations at the site, and so ensure that the operations of the site are screened from the surrounding land uses.*

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xx) Within two months of the date of this Decision Notice, repairs to the damaged boundary and replanting of shrubs in Area 1 of Appendix A shall be carried out in accordance with details to be agreed in writing with the Waste Planning Authority.

Reason: *To screen the operations of the site from the surrounding land uses, and mitigate any adverse visual impact.*

xxi) Any new shrubs planted as a result of Condition xx which are damaged during the period of this planning permission shall be replaced or reinstated during the first available planting season, in accordance with details to be agreed in writing with the Waste Planning Authority.

Reason: *To screen the operations of the site from the surrounding land uses, and mitigate any adverse visual impact.*

Litter and waste debris management scheme

xxii) Litter, debris and other materials attributable to the site shall not affect the site boundaries, including the bunds or any areas beyond the site boundary. Litter and waste debris shall be cleared on a weekly basis from all boundaries, including the bunds. All walls, netting or fencing shall be maintained and fit for purpose.

Reason: *To safeguard the amenity of neighbouring land uses.*

Miscellaneous

xxiii) There shall be no burning of materials on the site.

Reason: *To safeguard the amenity of neighbouring uses.*

xxiv) All cranes, machinery and constructional plant must be so used and positioned to prevent entry onto railway property.

Reason: *For the safety of rail traffic.*

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This application has been determined having regard to the relevant policies of the Development Plan, that is:

Hertfordshire Structure Plan Review 1991-2011, adopted April 1998

Policy 38: Critical Capital and other Important Environmental, Policy 39: The Water Environment, Policy 41: Tree and Hedge Cover, Policy 55: Waste Management Policy 57: Potentially Polluting Development and Location of Pollution Sensitive Development

Hertfordshire Waste Local Plan 1995-2005, adopted January 1999

Policy 2, Policy 18, Policy 40, Waste Policy Waste Policy 43.

Watford District Plan 2000, adopted December 2003

E5: Environmental Considerations, SE20: Air Quality, SE25: Potentially Hazardous or Polluting Development, SE28: Groundwater Quality, SE32: Sites of Nature Conservation Importance, SE34: Watling Chase Community Forest, SE36: Replacement Trees and Hedgerows, T17: Croxley Rail Link.

Planning Informative/Advice

Veolia Water

The site is located within the groundwater protection zone of Tolpits Lane and Eastbury pumping stations. This is a public water supply comprising a number of chalk boreholes operated by Three Valleys Water. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution if pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken. For further information we refer you to CIRIA publication C532 'Control of water pollution from construction – guidance for consultants and contractors'.