



**Town and Country Planning Act 1990 (as amended)**

**DECISION NOTICE**

**HCC Application No: 3/0626-08 (CM007)**

**Description & location of development:**

**APPLICATION FOR THE RETENTION OF EXISTING BUILDING TO STORE AND MAINTAIN PLANT AND EQUIPMENT USED ON THE QUARRY AND RECLAIMED LAND AT BEDWELL PARK QUARRY, BEDWELL AVENUE, ESSEDON, HERTS AL9 6AA.**

**TO: BP Mitchell Haulage Contractors  
Burnside  
Hertford Road  
Hatfield  
Herts AL9 5RB**

**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 5 March 2008 (received with sufficient particulars on 20 March 2008) including the Design and Access and Planning Statement and the drawings numbered TS07-187N1 and TS07-187N2, subject to the six conditions which are detailed in the attached schedule with the reasons for their imposition.**

**Dated: ..... day of ..... 2008 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](http://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. Appeals can also be submitted online via the Planning Casework Service. Go to [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes) and click on 'Planning Casework Service' in the navigation box on the left of the screen.

### 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 ..... 2008 **Signed:** .....

Development Control Manager

**APPLICATION FOR THE RETENTION OF EXISTING BUILDING TO STORE AND MAINTAIN PLANT AND EQUIPMENT USED ON THE QUARRY AND RECLAIMED LAND AT BEDWELL PARK QUARRY, BEDWELL AVENUE, ESSENDON, HERTS AL9 6AA**

**Schedule of conditions numbered 1 - 6 attached to planning permission issued under application ref: 3/0626-08 (CM007)-**

---

**TIME LIMIT**

- 1. The development hereby permitted shall be for a limited period expiring on 31 December 2042. On or before that date the workshop building hereby permitted on site shall be removed and the land cleared and reinstated.**

Reason: To enable the Mineral Planning Authority to exercise proper control over development on this site in the interest of its general amenity by ensuring that development, which is intended to be temporary, is not permitted to remain on site indefinitely.

**LANDFILL GAS INVESTIGATION**

- 2. Within two months of the date of this decision notice, a site investigation shall be carried out to ascertain the presence of landfill gas and a report on the investigation shall be submitted to and approved by the Mineral Planning Authority. The report shall include the results of the surveys and recommendations regarding any structural precautions to be incorporated into the development. The development shall be reconditioned in accordance with the approved details, unless otherwise agreed in writing by the Mineral Local Planning Authority.**

Reason: In the interest of the safety of future occupants of the development.

**SURFACE WATER DRAINAGE DETAILS**

- 3. Within two months of the date of this decision notice, plans detailing the drainage of the details of the surface and foul water drainage shall be submitted for the approval in writing of the Mineral Planning Authority. The approved details shall be implemented in full within one month of approval, or longer period as may be agreed in writing by the Mineral Planning Authority.**

Reason: To prevent pollution of the water environment and to protect ground waters.

**WHEEL WASHING**

- 4. No construction traffic shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.**

Reason: In the interest of highway safety and to prevent mud and dust getting on the highway.

**Dated:** ..... day of ..... 2008 **Signed:** .....

Development Control Manager

**HOURS OF OPERATION**

5. Unless otherwise approved in writing by the Mineral Planning Authority, no operations shall be undertaken at the site as relates to the development hereby authorised, except during the following hours:

**07.00 to 17.00 Monday to Friday**

**07.00 to 13.00 Saturday**

**There will be no operations on Sundays and Bank Holidays**

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

**Floodlighting**

6. No floodlighting shall be used on site unless the prior written approval of the Mineral Planning Authority has been obtained. Such approval of floodlights will relate to their quantity, position, height, intensity (specified in Lux levels), spread of light including approximate light spillage to the rear of floodlighting posts, measures proposed to minimise the impact of the floodlighting or disturbance through glare, and times when such lights will be illuminated.

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

-o-0-o-

Footnote

This application has been determined having regard to the relevant policies of the Development Plan i.e.:

**East Herts Local Plan second review adopted in April 2007**

Policy GBC1 - Appropriate development in the Green Belt

**Hertfordshire Minerals Local Plan 2002- 2016 (adopted March 2007)**

Policy 18 - Operational criteria for the control of mineral development.

-o-0-o-

**Dated:** ..... day of ..... 2008 **Signed:** .....

Development Control Manager