

ESSEX COUNTY COUNCIL**TOWN AND COUNTRY PLANNING ACT 1971****Town and Country Planning General Development Orders 1977-1985**

To: **TMC Pioneer Aggregates Ltd.**
Brook Road, Tiptree, Essex, CO5 0RH

In pursuance of the powers exercised by it as county planning authority the Essex County Council has considered your application to carry out the following development:

Winning and working of sand and gravel, the erection of a processing plant and ready mixed concrete and mortar plants, workshop and weighbridge and office at Bulls Lodge and Park Farms, Boreham, Essex.

and in accordance with the said application and the plan(s) accompanying it, hereby gives notice of its decision to GRANT PERMISSION for † (the said development)

* as amended by the Revised Statement (December 1988) submitted on 19 December 1988

subject to compliance with the following conditions:

See attached schedule signed by the Chief Executive and Clerk

The reasons for the foregoing conditions are as follows:

See attached schedule signed by the Chief Executive and Clerk

**COUNTY HALL
CHELMSFORD**

Dated

15 June 1990

R. W. ADCOCK

Signed

Chief Executive and Clerk

† Details of the development now permitted will be inserted here where this is not precisely the same as that described in the application.

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

CHL/1890/87
Application No. ~~CHL/1019/87~~

SCHEDULE

Conditions:

1. The development hereby permitted shall be carried out in all respects in accordance with the details submitted by way of the application, and amended plans - 8720 1, 8720 1a, 8720 2b and 2c 8720 3b and 3c and JAB 1 and accompanying letter of 21st November 1989 and supporting statement dated December 1989, as amended and varied by the following conditions
2. The development hereby permitted shall be begun not later than the expiration of two years from the date of this permission.
3. This permission shall expire on 31 December 2030 by which date all extraction and processing of minerals within the site shall have ceased and all requirements for its reclamation shall have been complied with, including the removal of all plant, buildings, hardstandings and other structures erected or placed on any part of the site in connection with such extraction and processing, unless otherwise agreed in writing by the Mineral Planning Authority

4. Extraction of minerals shall not proceed on any phase or sub-phase of working as shown on plan 8720/2c until detailed schemes of working and reclamation have been submitted to and approved by the Mineral Planning Authority in writing. Working and reclamation of each phase or sub-phase shall then only be carried out in accordance with schemes as so approved . The reclamation provisions of any submitted scheme shall be in accordance with the overall scheme for reclamation required by condition 6 below except for phase 1
5. Except for phase 1 excavation shall not commence on the site until a scheme for Water Management has been submitted to and approved in writing by the Mineral Planning Authority. Such scheme shall deal with surface and ground water and provide details of the proposals for:-
 - a) Protection of wells and other abstractions
 - b) Maintenance of water levels on adjacent water filled areas
 - c) Maintenance of the flow in existing water courses on adjacent land.
 - d) The filling of any water areas to be provided in the

reclamation of the site and the maintenance of those water areas to an agreed depth (generally not less than 1.9 metres in the principal lake) and quality including the retention of such surplus water as may be necessary for the filling of the water areas.

e) The water requirements of the extraction and processing operations.

f) Ground water monitoring

Any proposals of the scheme shall be carried out in accordance with the programme specified in the scheme or otherwise as required by the Mineral Planning Authority in conjunction with the scheme.

6. Working shall not proceed beyond sub phases Aa-Ac as shown on Plan 8720/2c until a Reclamation Master Plan has been submitted to and approved by the Mineral Planning Authority showing the contours to be achieved in the overall reclamation of the site. Such contours shall be designed to provide for the future use of the land for recreational purposes. The reclamation of the site shall be carried out in accordance with the approved plan.

7. A landscape planting scheme for the boundaries of the site and other adjacent land in the same ownership in general conformity with the proposals shown on plan 1457/2 accompanying the applicants letter of 30th November 1989 shall be submitted to the Mineral Planning Authority within twelve months of the date of this permission and such scheme as approved shall be implemented in accordance with the approved programme of planting forming part of the scheme. Any tree or shrub forming part of the approved scheme that dies, is damaged or removed within a period of five years of planting shall be replaced by the applicants or their successors in title with a tree or shrub of the same species during the first following planting season to the satisfaction of the Mineral Planning Authority.

8. Landscaping schemes which shall include details of the existing trees and hedgerows to be retained and of the trees and hedgerows to be planted shall be submitted to the Mineral Planning Authority for approval concurrently with the working and reclamation schemes referred to in Condition 4 above. Such schemes as approved shall be carried out in accordance with the approved programme of planting forming part of the scheme. Any tree or shrub forming part of the approved scheme that dies, is damaged or removed within a period of 5 years of planting shall be replaced by the applicant or their successors in title with a tree or shrub of the same species during the first following planting season to the satisfaction of the Mineral Planning Authority.
9. Details of all fixed plant and structures and other buildings to be erected on the site shall be submitted to and approved by the Mineral Planning Authority prior to erection.
10. Any building, plant, or other structure or erection in the nature of plant, including foundations and hardstandings, erected, installed or used in connection with any mineral related operation or use on the site shall be removed within 6 months of completion of mineral working on the site or when they are no longer required for the winning or working of minerals under this permission. Upon their removal, the land shall be reinstated to the reasonable satisfaction of the Mineral Planning Authority.
11. Notwithstanding the permission granted by Article 3 of the Town and Country Planning General Development Order 1988, development falling within Part 19 and Part 8 classes A, B & C of Schedule 2 to the Order shall not be carried out without the express consent of the Mineral Planning Authority.
12. The winning or working of minerals from the site shall only be

carried out in accordance with the phasing plan Drwg No. 8720/2c dated November 1989 and other conditions herein imposed, or as may otherwise be approved by the Mineral Planning Authority.

13. Unless otherwise approved by the Mineral Planning Authority no extraction of minerals shall be undertaken on the Park Farm and Bulls Lodge areas beyond sub-phases Aa-Ad without the written consent of the Mineral Planning Authority and which shall only be given following written notice that the mineral extraction on the adjacent land on Boreham Airfield has been completed.
14. Subject to the detailed working and reclamation schemes (and excluding sub-phases Aa-Ad) no more than 3 sub-phases of working shall be open or unrestored at any one time and minerals shall not be extracted from more than one sub-phase at any one time. Reclamation excepting aftercare of each sub-phase shall be completed within 12 months of the completion or cessation of extraction of that sub-phase.
15. At least seven days written notice shall be given to the Mineral Planning Authority of the intention to commence the stripping of top soil on each phase and sub-phase.
16. No minerals extracted under this permission shall be transported other than by ground conveyor to the plant site shown on plan dwg. no. 8720/2c except as may otherwise be approved by the Mineral Planning Authority
17. No working or other operations other than maintenance in connection with the development hereby permitted shall be carried out other than during the following hours:

Weekdays	0700 hrs - 1800 hrs
Saturdays	0700 hrs - 1300 hrs

except that lorries may leave the site between the hours of 0600 and 0700.

No workings shall take place on Sundays or Bank Holidays.

18. The number of vehicular movements in and out of the site during the hours of 0730-0900 and 1630-1800 shall not exceed 60 per hour.
19. No minerals shall be brought onto the site other than from the adjacent Boreham Airfield Site without the written consent of the Mineral Planning Authority.
20. The site shall be worked in accordance with the applicant's submitted schemes of soil handling as revised by Messrs D K Symes Associates' letter dated the 9 January 1990 and enclosures, except as amended by the following conditions.
21. All watercourses existing on or adjacent to the site shall not be damaged or affected in terms of quantity and quality by the extraction and reclamation operations, except as may be approved in writing by the Mineral Planning Authority.
22. Before topsoils and subsoils are stripped on each phase, or part phase, a scheme of soil movement and a scheme for machine movements shall be submitted to the Mineral Planning Authority for approval as part of the schemes to be submitted under condition 4 above and at least six months before the expected date of commencement except for sub-phases Aa-Ac which may be submitted not less than two months prior to soil stripping. Such schemes shall:-
 - a) Identify where soils will be stripped and placed into storage and/or where direct placement is expected.
 - b) Provide revised and detailed proposed contours and identify those areas being restored to productive

agriculture and those areas being restored to woodlands and for other amenity areas.

- c) Identify the agricultural soils which are to be retained for use in the restoration process.
- d) Where subsoils are not to be retained, identify and quantify the subsoil substitute intended to be used in its place.
- e) All such machine movements shall be restricted to those agreed and the Schemes shall also define the type of machinery to be used within the context of the following criteria:-
 - i) The stripping of topsoil, subsoil or subsoil substitute into storage shall be by box scraper.
 - ii) The placement of calcareous chalky boulder clay subsoils, or agreed subsoil substitute, shall be by box scraper and in accordance with the method detailed at figure 1 of the "soil handling, restoration and aftercare proposals for land at Bulls Lodge and Park Farm, Near Chelmsford, Essex dated July 1988" (Reading Agricultural Consultants).
 - iii) Where the subsoiling has been carried out in accordance with (ii) the topsoil shall be placed by means of dumper truck and backactor, as detailed in the same document.
 - iv) Placement of decalcified boulder clay subsoil shall be by dumper truck and backactor.
 - v) Where the subsoil placement has been carried out in accordance with paragraph (iv) above, the topsoil

shall also be placed by means of dumper truck and backactor; a detailed methodology for the placement of both subsoil and topsoil shall be included within the submitted scheme.

23. The criteria for moving agricultural soils is to be based on measurement of the Lower Plastic Limit (LPL), unless an alternative criteria is previously agreed in writing with the Mineral Planning Authority and in this connection:-

- a) The LPL for both topsoil and subsoil for each major soil type is to be determined and agreed with the Mineral Planning Authority.
- b) Agricultural soils shall not be moved by dumper truck and backactor unless they are drier than the LPL.
- c) Soils shall not be moved by other machinery unless they are at least 5% drier than the LPL.
- d) A speedy moisture meter, in good working order, shall be available on site for use by the Mineral Planning Authority at all times.

24. The topsoil shall be stripped to full depth (generally 30cm) and shall, wherever possible, be immediately respread over an area of reinstated subsoil. If this immediate resspreading is not practicable, the topsoil shall be stored separately for subsequent replacement.

25. When the subsoil is to be retained for use in the restoration process it shall be stripped to a depth of not less than 75cm and shall, wherever possible, be immediately respread over the replaced overburden. If this immediate resspreading is not practicable the subsoil shall be stored separately for subsequent replacement.

26. Subsoil not being retained for use in the restoration process shall be regarded as overburden.
27. Weathered Calcareous Overburden identified for use as a subsoil substitute shall be stripped separately and, wherever possible, be immediately respread over the replaced overburden. If this resspreading is not practicable, the subsoil substitute shall be stored separately for subsequent replacement.
28. Bunds for storage of agricultural soils shall conform to the following criteria:-
 - a) Topsoils, subsoils and subsoil substitutes shall be stored separately.
 - b) Where continuous bunds are used, dissimilar soils shall be separated by a third material, previously agreed in writing with the Mineral Planning Authority
 - c) Topsoil bunds shall not exceed 3m in height.
 - d) Subsoil (or subsoil substitute) bunds shall not exceed 5m in height.
29. All storage mounds intended to remain in situ for more than 6 months are to be grassed over and managed to the satisfaction of the Mineral Planning Authority. The seed mixture and application rates are to be agreed with the Mineral Planning Authority in writing no less than 1 month before the expected completion of the formation of the storage mounds/bunds.
30. Upon reclamation the minimum settled depth of subsoil and topsoil shall be 1m.
31. Prior to soil replacement (or immediately after in the case of

placement from store) the applicant shall obtain a chemical analysis of the topsoils to determine the lime and fertilizers required; the analysis shall be submitted to the Mineral Planning Authority. When the subsoils and topsoils are respread the recommended lime and fertilizers shall be added in accordance with the timing and rates agreed in the aftercare scheme.

32. The subsoil is to be spread to an even depth over the restored overburden so as to follow the final contours.
33. The topsoil is to be spread to a minimum depth of 30cm over the reinstated subsoil so as to form the final contours.
34. The applicant shall notify the Mineral Planning Authority at least 3 working days in advance of the commencement of the final subsoil placement on each phase, or part phase. On completion of the subsoil placement no further work is to be carried out for a period of 7 days without the consent of the Mineral Planning Authority, to allow an inspection of the site to take place.
35. In any part of the site where differential settlement occurs during the restoration and aftercare period, the applicant shall fill the depression to the final contour with suitable soils, to a specification to be agreed with the Mineral Planning Authority.
36. The schemes of working and reclamation required under condition 4, above shall include aftercare schemes specifying the steps necessary to bring the land to the required standard for use for agriculture, woodland and amenity purposes, and provide for annual aftercare management meetings with the Mineral Planning Authority and the Ministry of Agriculture Fisheries and Food. Such schemes shall be carried out in accordance with a programme of operations which shall form part of the scheme.

The submitted schemes shall -

a) Provide an overall strategy giving the broad programme for the 5 year aftercare period for cropping patterns, cultivation practices, remedial treatments, field drainage, irrigation, shelter belts and hedgerows.

b) Provide for an annual site management scheme describing each year's programme to be sent to the Mineral Planning Authority not later than 1 month prior to the annual aftercare management meeting.

37. No water shall be discharged into any watercourse without the prior written consent of the Mineral Planning Authority.
38. For the purposes of the development hereby permitted access to and egress from the site shall be obtained solely by way of Generals Lane and Boreham Interchange on the route included on the working plan drwg. no. 8720/2C dated November 1989.
39. Sand and gravel shall only be stored within the site in areas and to heights previously agreed in writing by the Mineral Planning Authority for that purpose.
40. The access road between Generals Lane and the plant area, as shown on the working plan drwg. no. 8720/2C shall be hard surfaced in concrete asphalt or bituminous macadam for its total length and maintained in a clean condition to the satisfaction of the Mineral Planning Authority.
41. Extraction shall not take place within 3 metres of any boundary to the site, except as may otherwise be approved in the detailed working schemes.
42. No material shall be brought onto the site for tipping or

infill other than inert soils as may be required for restoration purposes and with the prior written approval of the Mineral Planning Authority.

43. Prior written notice shall be given to the Mineral Planning Authority of the date or dates when topsoil will be removed from the site or any part thereof and such period as may be specified on behalf of the Mineral Planning Authority but not exceeding one month shall elapse after such removal before any of the underlying materials are excavated. During this period persons authorised by the Mineral Planning Authority shall be afforded access for inspecting the site cleared of topsoil and for carrying out works of excavation for the purpose of recording any features thereon of historic or archaeological significance. When any part of the site is ready for inspection the Mineral Planning Authority shall be contacted in writing.
44. Any field drainage disturbed on adjoining land shall be made good.
45. The access to Generals Lane shall be constructed in accordance with details to be submitted to and approved in writing by the Mineral Planning Authority.
46. All reasonable steps shall be taken to ensure that the wheels of vehicles leaving the site shall be free of debris, soil and slurry. For this purpose wheel cleaning equipment of a specification and in a location to be agreed with the Mineral Planning Authority shall be installed, maintained and used as necessary.
47. Except as may be agreed in the approved schemes of working and reclamation at no time shall any operation carried out in conjunction with the development hereby permitted cause or result in a noise exceeding the ambient noise level by more than 5 dB(A). For the purposes of this condition the

measurements of noise shall be made adjacent to the outside face of any dwelling, and all measurements shall be established on the Leq scale, during any one hour period.

48. No working shall take place within 100 metres of any dwelling adjoining the site, and the measures recommended in the report ref 76/89 by Moir Hands and Associates dated the 29th September 1989 shall be incorporated in the submitted schemes of working and reclamation.

Reasons:-

- 2,8 To comply with Section 41 of the Town and Country Planning Act 1971.
- 1,12,20 For the avoidance of doubt as to the nature of the development
42 hereby permitted.
- 3,4&6,7 That operations are carried out in an orderly manner
8,10,13 which will safeguard the amenity of the area, protect adjoining
15,16, land uses and vegetation and result in the eventual return of the
17, 22- land disturbed by the operations, or used in connection with them,
36,38, to a satisfactory and beneficial agricultural and woodland
39-41, afteruse.
47 & 48
- 5,21,37 To prevent the pollution of surface or underground water and to
monitor effectiveness of safeguarding measures.
- 44 To minimise the disturbance to existing agricultural operations.
- 38,45,46 In the interest of highway safety.
43. To afford the Mineral Planning Authority a reasonable opportunity
to examine any remains of historic or archeological interest which
are unearthed and to decide on any action required for the
preservation or recording of any such finds.
- 18,19 To control the level of operations so as to minimise the impact of
the resultant traffic on the local environment.
- 9,11,14 To enable the Mineral Planning Authority to control such
development.

Dated this 15 day of June 1990

R.W. ADCOCK
Chief Executive and Clerk