

model

LANDSCAPE PLANNING

conditions



landscape group

MODEL LANDSCAPE PLANNING CONDITIONS

Produced by Hampshire Local Government Landscape Group

April 1994

This document has been produced by a working party of the Hampshire Local Government Landscape Group. Its purpose is twofold. It is primarily intended to be a working document, to be tested through practical use and refined, if necessary, in the light of further experience. It is also expected to generate discussion in a wider professional arena to encourage the promotion of higher standards of landscape design, implementation and aftercare.

Comments are welcomed. These and requests for additional copies should be directed to one of the following.

Ian Phillips Dip LA, Dip TP, MRTPI

Technical Services
Hart District Council
Civic Offices
Fleet
GU13 8AE
Tel: 01252 622122 Ext 286 Fax: 01252 812763

Linda Tartaglia-Kershaw Dip LA (Glos.), ALI

Environment Department
Hampshire County Council
The Castle
Winchester
SO23 8UD
Tel: 01962 846815 Fax: 01962 846776

Neil Williamson BA, MA LD, FLI

Planning (Environmental Design)
New Forest District Council
Appletree Court
Lyndhurst
SO41 7PA
Tel: 02380 285331 Fax: 02380 285223

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THE HAMPSHIRE LOCAL GOVERNMENT LANDSCAPE GROUP (HLGLG)

"A forum for public service landscape professionals in the region to discuss matters of common interest and raise standards through co-ordinated action."

The Group was formed in February 1988 with the support of the County Planning Officer. Its objectives are:

- a) To provide a forum where professional issues can be addressed, landscape expertise pooled and initiatives promoted in the interest of Hampshire.
- b) To strengthen the influence and understanding of the role of landscape architects within their employing authorities.
- c) To encourage the employment of landscape architects in local authorities in the interest of Hampshire's environment.

The membership of the Group consists of landscape architects and other professionals engaged in landscape-related functions (in authorities without landscape architects) employed by the County and District Councils in Hampshire. At April 1994, landscape architects were employed within eleven of the fourteen Hampshire authorities. The Group meets every two months to exchange professional views, discuss and respond to issues of common concern and to promote high standards of environmental design and management within Hampshire. Its Chair is elected annually from its members.

Co-operation between County and District representatives continues to be very strong, despite external pressures such as the impending local government reorganisation. The preparation of this document is not only an example of such co-operation but represents the recognition by the Group of the need to make an active contribution to the role of landscape within the planning process.

Neil Williamson,
Chair, HLGLG,
April 1994

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MODEL LANDSCAPE PLANNING CONDITIONS: INTRODUCTION

1. PREAMBLE

- 1.1 The Hampshire Local Government Landscape Group consists of officers employed by all local government authorities in Hampshire. It includes landscape architects, town planners and other professionals concerned with landscape design, planning and management.
- 1.2 The primary objective of this document is to assist town planners in dealing with landscape matters relating to development proposals. It sets out guidance for an important function of the planning system where contextual factors, protection of existing features, quality of implementation and standards of aftercare are the vital components to success on the ground.
- 1.3 In these respects, landscape treatment embodies issues, over and above the consideration of design drawings, that require special attention. The planning system is potentially a most effective means of dealing with such matters, but current government guidance and recommendations on landscape in planning are out of date and fail to adequately address many of the issues that are commonly faced by planners.
- 1.4 While the document is entitled "Model Landscape Conditions", it may, in some circumstances, be appropriate to use certain of the clauses, particularly those in Section 1, Survey, as checklists to aid requests for additional information prior to the consideration of a planning application. It may be essential to obtain detailed site information before any decision regarding suitability for development, even in outline, is made. It may be appropriate in some cases to use clauses as informatives rather than Conditions. It should also be noted that certain items, requiring a commitment to expenditure (eg restoration of historic features) or to post-development obligations (eg management plans) may be more effectively dealt with by a Legal Planning Agreement (under Section 106 of the Planning Acts) rather than by Condition. The relevant clauses in this document should be of assistance in these variations.
- 1.5 The following points should be borne in mind. Current government model conditions are recommendations only. They are not intended to be absolute or exclusive. The conditions in this document should be treated in similar fashion. Ultimately, the viability of any planning condition may need to be tested at law, in accordance with the six tests set out in DoE Circular 1/85. These are:
 - Necessity
 - Relevance to planning
 - Relevance to the development to be permitted
 - Enforceability
 - Precision
 - Reasonableness in all other respects.

In some circumstances, planning conditions need to be drafted individually and very precisely to fit the situation.

- 1.6 The conditions in this document are designed to be comprehensive and draw attention to many issues that are often poorly addressed, but they may need to be applied or adapted with intelligence and care to suite a particular case. It should be stressed that the treatment of landscape in all its forms is a matter that generally deserves specialist expertise, both upon the part of the planning authority and the developer, if it is to result in a successful and sustainable scheme.

2. USER'S GUIDE

- 2.1 The Model Conditions are arranged in sections that relate to their function in controlling development, rather than the type of development being controlled. In this way, the user of the document is helped in finding the most appropriate Model Conditions for each function required to provide the right degree of control on a development. The approach helps avoid the issuing of irrelevant conditions often found in standard lists for particular development types such as housing, shopping, industry, etc.
- 2.2 Throughout the document, the notes in italics are intended solely for the guidance of the user of the document. Plain script indicates text that will normally be reproduced on certificates or in committee reports, etc, eg Conditions, Reasons and abbreviated descriptions (see 2.6 below), plus notes that are intended for the information of applicants.
- 2.3 Reference is made to British Standards in many of the conditions. These are in common use throughout the construction industry and are used in this document to set benchmarks for reasonable standards of practice that can be generally recognised, in accordance with DoE Circular 1/85 guidance. Similarly, reference is made to contractual practical completion as this sets a precisely documented date which may be of value when considering the viability of enforcement procedures in post-contract periods.
- 2.4 The order of sections in the document follows a logical progression of thought in considering the suitability of an application for planning permission, and the consequent need for conditions.

Section One:	Survey
Section Two:	Protection of existing features
Section Three:	Proposals
Section Four:	Maintenance and Management
Section Five:	Minerals and Waste

- 2.5 Each Condition has a unique three figure reference number. In addition the Condition and Reason are each distinguished by a letter, such that the full reference comprises a numeric and an alpha component, eg:

- 900A Details of all existing trees on site with a stem diameter of 100 mm or greater shall be supplied to the Local Planning Authority.
- 900B Reason: To enable proper consideration to be given to the impact of proposed development on existing trees.

Thus the reference that should be used to denote the above would be: 900 A, B.

It is therefore possible to specify any Condition, without having to specify the Reason given with it in the document. Supplementary elements of a Condition (if any) are also distinguished by letters, so that appropriate elements can be chosen by giving the relevant alpha codes, eg:

- 913A All trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations.

913A(a) 1.2m high chestnut paling to BS 1722 Part 4.

- 913B Reason: To ensure that trees and shrubs to be retained are adequately protected from damage to health and stability throughout the construction period.

The reference that should be used to denote the above would be: 913A(a), B.

In the same manner, alternative Reasons are distinguished by further letters.

- 2.6 Notwithstanding the inclusion of alternative Reasons in some cases, there are Conditions for which there is no generally applicable Reason. These Conditions are followed in the document by "Reason: Special", indicating that users of the document should draft a Reason appropriate to the circumstances in which the Condition is being used.
- 2.7 Each Condition is accompanied by an abbreviated description, which can be used to identify the type of Condition in committee reports, etc, eg:
- | | |
|-----|------------------|
| 900 | Tree Survey |
| 910 | Tree Protection. |
- 2.8 Alternative Conditions relating to the same subject matter are referred to in notes beneath the abbreviated description, to assist with cross-referencing.
- 2.9 Within Conditions, phrases enclosed [thus] should be specified as required, and appropriate words, phrases or figures should be inserted where [...] appears.
- 2.10 The document is arranged to enable regular updating to take place and Sections are numbered to allow additional clauses to be inserted in sequence as required. It is intended to monitor the document's use and issue updates as circumstances demand.

SECTION ONE: SURVEY (900 – 909)

Note: The contents of this Section may be of particular value in setting standards for the request of additional information prior to the consideration of an application for either outline or full planning permission.

900 TREE SURVEY

Note: Select either 900 or 901 as appropriate.

A. Before any works commence on site, details of all existing trees on site with a stem diameter of 100mm or greater shall be submitted to the Local Planning Authority concurrently with the submission of site layout drawings and shall include the following information:

- a) Location, species, reference number, girth or stem diameter, accurately planned crown spread and an assessment of condition.
- b) Existing ground levels at the base of trees shall be given where nearby changes in level or excavations are proposed.
- c) Trees to be removed in conjunction with the proposed development shall be clearly marked as such on a plan.
- d) Positions and details of fencing or hoardings, prohibited areas and other physical means of protecting trees shall be submitted to and agreed with the Local Planning Authority prior to carrying out **any** works on site.

B. Reason: To enable proper consideration to be given to the impact of the proposed development on existing trees.

901 FULL SURVEY

Note: Select either 900 or 901 as appropriate.

A. Before any works commence on site, a survey of the development site as existing shall be submitted to the Local Planning Authority concurrently with the submission of the site layout drawings and shall include, as appropriate, the following information at a suitable scale:

- a) Location, species, girth or stem diameter, accurately planned crown spread and reference number of all trees on **and** adjoining the site with a stem diameter of 100mm or greater;
- b) A numbered tree condition schedule with proposals for surgery of other works, where applicable;
- c) Existing levels including, where appropriate, sufficient detail to allow proper consideration of existing tree protection;
- d) Location, spread and other relevant details of existing hedgerows, hedges and other significant areas of vegetation;

- d) Location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate;
- f) Existing boundary treatments and forms of enclosure;
- g) Existing structures, services and other artefacts, including hard surfaces;
- h) Indication of land use, roads or other means of access, structures and natural features on land adjoining the development site;
- i) Route of existing footpaths and public rights of way on and adjoining the site;
- j) North point and scale;
- k) Location map.

B. Reason: To allow the proper consideration of the impact of the proposed development on the amenity value of the existing site.

905 HISTORIC PARKS AND GARDENS SURVEY

A. A detailed survey of and, where appropriate, research data relating to historic landscape features shall be submitted to the Local Planning Authority concurrently with the submission of the site layout drawings and before the commencement of any works likely to affect such features or their setting.

B. Reason: To allow such features to be accurately recorded and to allow the proper consideration of the impact of the proposed development.

908 ECOLOGICAL SURVEY

A. Before any works commence on site, an ecological survey of the site, or any part thereof identified by the Local Planning Authority, shall be carried out, and details, including an assessment of the impact of the proposed development and any appropriate measure to alleviate this, shall be submitted to and approved by the Local Planning Authority concurrently with the submission of site layout drawings.

B. Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

SECTION TWO: PROTECTION OF EXISTING FEATURES (910 – 929)

910 TREE PROTECTION: GENERAL

Note: Send out guidance note on Protection of Trees on Development Sites & BS List.

A. All existing trees shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with its guidance notes (enclosed) and relevant British Standards (eg BS 5837: 1991), for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

B. Reason: To ensure the continuity of amenity afforded by existing trees.

912 TREE / NATURAL FEATURE PROTECTION: FENCING

Note 1: Option (b) to be used in locations where damage is more likely to occur (eg access points).

Note 2: Send out guidance note on Protection of Trees on Development Sites.

A. All existing trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations (see guidance notes enclosed and BS 5837: 1991). No work shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority with:

- a) 1.2m minimum height chestnut paling to BS 1722 Part 4 securely mounted on 1.2m minimum height timber posts driven firmly into the ground; *or*
- b) 2.4m minimum height heavy duty hoardings securely mounted on scaffold poles.

Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

B. Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.

914 TREE PROTECTION: NO BURNING

Note: Send out guidance note on Protection of Trees on Development Sites.

A. No burning of materials shall take place where it could cause damage to any tree or tree group to be retained on the site or on land adjoining.

B. Reason: To protect the health of trees to be retained in the interests of amenity.

916 TREE PROTECTION: EXCAVATIONS

Note: Send out guidance note on Protection of Trees on Development Sites.

A. Before any works commence on site, details of the design of building foundations and the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavation on site, insofar as they may affect trees and hedgerows on or adjoining the site, shall be submitted to and approved by the Local Planning Authority.

B. Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

918 TREE PROTECTION: EARTHWORKS

Note: Send out guidance note on Protection of Trees on Development Sites.

A. The soil levels within the root spread of trees / hedgerows to be retained shall not be raised or lowered.

B. Reason: To avoid damage to health of existing trees and hedgerows.

920 TREE SURGERY

A. Details of all works to or affecting trees on or adjoining the site shall be submitted to and approved by the Local Planning Authority, and shall be carried out in accordance with the relevant recommendations of BS 3998: 1989 (Recommendations for Tree Work).

B. Reason: To ensure the continuity of amenity value afforded by the tree(s) in question.

922 TREE SURGERY (TPO CONSENTS)

Note: Use when granting consent for works to trees included within a Tree Preservation Order.

All works shall be carried out in accordance with the relevant recommendations of BS 3998: 1989 (Recommendations for Tree Work).

B. Reason: To ensure the continuity of amenity value afforded by the tree(s) in question.

924 DETAILS OF REPLACEMENT TREES (TPO CONSENTS)

Note: Use when granting consent for works to trees included within a Tree Preservation Order.

A. Details of the size, species and location of the replacement tree(s) shall be agreed with the Local Planning Authority in writing before commencing the work permitted, and shall be planted within [3] months from the date the tree subject of this consent is felled or, if this period does not fall within a planting season, by 31 January next.

B. Reason: In the interests of visual amenity and to conserve the contribution of trees to the character of the area.

926 HEDGE / HEDGEROW PROTECTION

Note: Send out guidance note on Protection of Trees on Development Sites.

A. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on an immediately adjoining the site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the Local Planning Authority in accordance with its guidance notes (enclosed) and relevant British Standards (BS 5837: 1991). Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

B. Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows.

927 RETENTION & PROTECTION OF WATER FEATURES

Note: Send out guidance note on Protection of Trees on Development Sites.

A. All existing open watercourses or other aquatic features and associated vegetation on the site shall be retained unless otherwise approved in writing by the Local Planning Authority, and appropriately protected from physical or chemical disturbance or pollution prior to the commencement of any works on site and / or during all site operations, excepting approved maintenance or other relevant enhancement works.

B. Reason: To ensure the continuity of amenity and nature conservation value afforded by water and to avoid unnecessary damage to nearby trees by affecting the water table.

**928 RETENTION & PROTECTION OF EXISTING HISTORIC
LANDSCAPE FEATURES**

A. Historic landscape features, unless shown as being removed on the approved drawings, shall not be removed, infilled, bridged, altered, damaged or destroyed without prior approval of the Local Planning Authority in writing. Before any works commence on site, these features shall be protected by the erection of minimum 1.2m high chestnut paling to BS 1722 Part 4 along a line to be agreed with the Local Planning Authority. No works shall take place within the area inside the fencing without the prior approval of the Local Planning Authority in writing.

B. Reason: To retain and protect the historic landscape features which contribute to the setting and historic landscape value of the area and / or amenity value of the area.

C. Reason: To ensure no accidental damage is caused to the historic landscape features(s).

SECTION THREE: PROPOSALS (930 – 959)

930 LANDSCAPE DESIGN PROPOSALS

Note: Whenever this condition is applied, always apply Landscape implementation condition No. 935 in addition.

A. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- Proposed finished levels or contours
- Means of enclosure
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting)
- Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc)
- Retained historic landscape features and proposals for restoration, where relevant.

Soft landscape details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate
- Implementation timetables.

B. Reason: To ensure the provision of amenity afforded by appropriate landscape design.

935 LANDSCAPE WORKS IMPLEMENTATION

Note: Timetable for implementation or phasing of any operations should be produced and agreed with the Local Planning Authority prior to works commencing on site.

A. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally

approved, unless the Local Planning Authority gives its written consent to any variation.

B. Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

938 ADVANCE / SCREEN PLANTING

A. Before any works commence on site, details of advance or screen planting shall be submitted to an approved by the Local Planning Authority. Implementation shall be carried out:

- a) **Prior** to the first occupation of the part or phase of the development to which the screen relates; *or*
- b) In accordance with an implementation timetable agreed in writing with the Local Planning Authority.

This planting shall maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period shall be replaced as soon as is reasonably practicable.

B. Reason: To ensure an appropriate standard of visual amenity in the local area.

940 TREE PLANTING

Note: This condition shall cover any replacement trees required and small developments.

A. Details of tree planting, indicating positions or density, species, and planting size shall be submitted to and approved by the Local Planning Authority, and planting shall be carried out:

- a) prior to the occupation of the development for its permitted use; *or*
- b) before the end of the current or first available planting season following practical completion of the development hereby permitted; *or*
- c) in accordance with a timetable agreed in writing with the Local Planning Authority.

Any such trees that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within five years of planting shall be replaced with specimens of a similar size and species as originally required.

B. Reason: To ensure the provision of the amenity value afforded by trees in respect of the proposed development.

942 DETAILS OF EARTHWORKS / MOUNDING / CONTOURING

Note: An additional condition will be required to ensure works are carried out in accordance with the approved details.

A. Before any works commence on site, details of earthworks shall be submitted to and approved by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform.

B. Reason: In the interest of maintaining the amenity value of the area.

944 DETAILS OF SURFACE WATER DISPOSAL

A. Detailed proposals for the disposal of surface water shall be submitted to, and approved by, the Local Planning Authority in writing before the commencement of development. The agreed detail shall be fully implemented before [the use hereby approved is commenced] [the buildings(s) is / are occupied].

B. Reason: To enable consideration to be given to any effects of changes in the drainage regime on landscape features.

946 DETAILS OF FLOODLIGHTING

A. Details of any floodlighting shall be submitted to and approved by the Local Planning Authority in writing before [the use hereby approved commences] [and] [the building(s) is / are occupied]. The equipment shall be installed, operated and maintained in accordance with the approved scheme.

B. Reason: In the interests of maintaining the amenity value of the area.

948 SERVICE CABLES TO BE UNDERGROUND

Note: This condition should only be used in cases where the applicant has some control over the provision of the services concerned.

A. The provision of all permanent service cables shall be installed below finished ground levels.

B. Reason: In the interests of the visual amenities of the area.

950 DETAILS OF FENCING AND BOUNDARY TREATMENT

A. Before any works commence on site, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. This boundary treatment shall be implemented :

a) before the use hereby approved is commenced *or*

- b) before the building(s) is / are occupied *or*
- c) in accordance with a timetable agreed in writing with the Local Planning Authority.

B. Reason: In the interests of the amenities of the area.

954 RESTORATION OF EXISTING HISTORIC LANDSCAPE FEATURES

A. Details of proposals to maintain and / or restore any existing historic landscape feature[s] on the site shall be submitted to and approved by the Local Planning Authority. Implementation of the proposals, supported where appropriate by research relevant to the nature of the historic feature, shall be carried out in accordance with a timetable agreed in writing with the Local Planning Authority.

B. Reason: To ensure the enhancement of the development by the retention and restoration of historic landscape features which significantly contribute to the historic and amenity value of the area.

SECTION FOUR: MAINTENANCE AND MANAGEMENT (960 – 969)

960 LANDSCAPE MANAGEMENT PLAN

Note: A Management Plan may be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of a landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, phased works, monitoring procedures, etc) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.

A. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.

B. Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance.

964 LANDSCAPE MAINTENANCE

Note: Maintenance refers to the routine physical tasks (eg mowing, pruning, weeding, watering etc) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who will be responsible for these tasks. A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and is commonly included within a landscape design Specification document.

A. A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation.

B. Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

966 MAINTENANCE OF EXISTING HEDGES / HEDGEROWS AND BOUNDARY TREES

A. The existing hedge[s] / hedgerow[s] shall be maintained at a minimum height of [...] metres and appropriate trees within the hedgerow[s], as agreed with the Local Planning Authority, shall be tagged to allow them to grow on. Where necessary, hedgerows shall be reinforced, by not later than practical completion of the development hereby approved, with further planting of appropriate species, as agreed with the Local Planning Authority.

B. Reason: To ensure the maintenance of screening to the site and to protect the appearance and character of the area.

SECTION FIVE: MINERALS AND WASTE (970 – 999)

Note: All conditions under Section 5: Minerals and Waste, of the Model Landscape Conditions are included in Section 600 of the Hampshire County Council Model Planning Conditions and shall be cross-referenced at all times.

970 PROGRAMME OF WORKING / TIPPING TO BE APPROVED

A. No [extraction] [tipping operations] shall take place except in accordance with a scheme of [working] [and] [tipping] agreed by the Local Planning Authority in writing and submitted to them within [...] from the date of this permission and such a scheme shall include provision for:

- a) Determining the depth, direction, method and phasing of [working] [tipping] including the machinery to be used;
Note: See also Condition 942.
- b) Defining the boundary of the [excavation] [tipping] area and the gradients of the banks of the [excavations] [tipping area];
- c) The stripping of topsoil, subsoil and overburden, and their storage and location separately one from the other;
- d) The location, width, height, bank gradients [and planting] of [temporary] [permanent] screen mounding;
Note: See also Condition 944.
- e) The disposal of water from the site, the natural or artificial drainage of the site during operations and after restoration and the protection of aquifers;
Note: See also Condition 912.
- f) The fencing of the site, including protection for woodlands, hedgerows and trees where appropriate;
- g) Access to the site including details of visibility sightlines, the site entrance and the construction of haul roads within the site;
- h) Measures to be taken to minimise compaction of soil during stripping, stockpiling and restoration operations;
- i) The periods and soil conditions when any movements on the site of soils to be stripped and stockpiled for use in final restoration will take place;
- j) The location and maximum height of stockpiles of topsoil, subsoil and any other cover material brought onto the site;
- k) The location and maximum height of all stockpiles of raw and processed materials;

- l) The location and design of site offices, ancillary buildings, weigh-bridge and car parks.

B. Reason: To ensure the development is carried out in a properly phased manner with a minimum of detriment to the character and amenities of the area.

972 RESTRICTION OF WORKING / DISPOSAL AREA

A. No [working] [disposal of waste] shall take place on the land shown [...] on drawing no. [...] dated [...] except as may be required to secure [access], [or] [visibility] [or] [screening].

B. Reason: To safeguard the amenity value of the area.

C. Reason: To minimise visual intrusion.

D. Reason: To minimise disturbance experienced by neighbouring residents.

974 RESTRICTION OF WORKING AREA (SAND MARTINS)

A. In the event that sand martins establish nests in a working face, no extraction shall take place within 20 metres of the nesting area during the breeding season.

B. In the event of sand martins nesting during the course of sand extraction, provision should be made for the permanent retention of the sand cliffs as part of the scheme of site restorations.

C. Reason: To minimise disturbance of a protected species.

D. Reason: Special (*To be individually drafted as appropriate*).

976 RESTRICTIONS ON GRADIENTS

A. At no point on [any boundary of] any area of [disposal] [working] shall the resultant surface gradient be steeper than [...] nor shallower than [...].

B. Reason: To facilitate the proper restoration of the land.

C. Reason: To ensure that the final landform is in keeping with the locality and capable of beneficial after use.

978 NOTIFICATION OF COMMENCEMENT OF EARTHWORKS

A. The Local Planning Authority shall be given 14 days prior written notification of the date of the commencement of the construction of the screening bunds [on the [...] boundary(ies) of the site] [marked [...] on approved plan no. [...]].

B. Reason: To enable the Local Planning Authority to monitor the construction of the earthworks to ensure compliance with the approved plan.

980 RESTORATION: DETAILS TO BE INCLUDED

A. Restoration of the site shall comprise:

- a) Removal of all machinery, plant, buildings and structures, crushed rock, concrete structures, liners and haul road;
Note: See HCC Condition 864 and cross-reference with 600 series.
- b) Regrading and replacement of soil to the approved levels and contours and restoration of the site to a state suitable for [agriculture] [...].
- c) All such work shall be carried out within 12 months of the date on which development commences.

B. Reason: To ensure that the site is satisfactorily restored.

982 RETENTION OF SOIL ON SITE FOR RESTORATION

Note For advice on restoration to agriculture see ADAS booklet 2377 (1982).

A. All topsoil, subsoil and overburdens stripped prior to [mineral extraction] [tipping] shall be stored separately and retained onsite for use in site restoration. No indigenous topsoil or subsoil shall be used for daily cover during the tipping operations.

B. Reason: To ensure that the site is satisfactorily restored.

984 IMPLEMENTATION OF RESTORATION SCHEME (REMOVAL AND REPLACEMENT OF SOILS)

A. All topsoil, subsoil and overburdens stripped from the areas to be [excavated] [tipped] shall be removed and stored separately before operations commence for use in site restoration. Following [excavation] [tipping] the overburden shall be replaced and graded in accordance with the approved final levels and ripped using appropriate machinery. The overburden shall be in turn covered with the subsoil and topsoil in original sequence and to even depths appropriate to the restored land use.

B. Reason: To facilitate the proper restoration of the land.

986 IMPLEMENTATION OF RESTORATION SCHEME (PREPARATION FOR SEEDING)

Note For forestry restoration advice see Forestry Commission's Research and Development Paper 141.

A. Following the respreading, tining and scarifying of soils, the land shall be prepared to a state suitable for seeding, by cultivation and final grading using appropriate machinery.

B. Reason: To facilitate the proper restoration of the land.

988 IMPLEMENTATION OF RESTORATION SCHEME (SURFACE LAYERS)

Note: This condition only to be used where the waste materials are non-putrescible, eg demolition materials / earth spoils. For putrescible waste sites, omit reference to ripping the surface of the imported waste.

A. The uppermost [...] metre(s) of imported waste materials shall be free from large solid objects and shall both be graded in accordance with the final levels hereby approved and ripped using appropriate machinery to a minimum depth of one metre. The waste material shall be in turn covered with a minimum 0.8 metres even depth of subsoil and 0.2 metres even depth of topsoil in the correct sequence. The quality of soil shall be appropriate for the site and its proposed restoration and shall conform to the relevant recommendations of BS 3882. The finished surface shall be left free from rubble and stones.

B. Reason: To ensure that the site is satisfactorily restored.

990 IMPLEMENTATION OF RESTORATION SCHEME (HAUL ROAD MAINTENANCE AND REMOVAL)

A. The site entrance and all internal site haul roads shall be maintained in a condition free from pot holes while in use and shall be removed when no longer required or during the course of site restoration, whichever is the sooner. Sections of haul road formed to a level higher than one metre below the final restoration level shall be removed before overburden and soils are respread. All sections of haul road shall be ripped before being covered with overburden or soils during restoration.

B. Reason: To ensure that the site is satisfactorily restored and to minimise noise disturbance to neighbouring residents.

992 AFTERCARE OF RESTORED AREAS (GENERAL)

Note: Aftercare conditions can only be imposed on applications involving mineral extraction, where there is a restoration condition and where either Ministry of Agriculture Fisheries and Food or the Forestry Commission have been consulted in the case of restoration to either agriculture or forestry.

A. Aftercare of each restored area of land shall take place for a period of five years and in accordance with the approved outline and detailed schemes, beginning when restoration is completed in accordance with condition no. [...].

B. Reason: To ensure the restored land is correctly husbanded.

994 AFTERCARE OF RESTORED AREAS (SUBMISSION OF DETAILS OF SCHEME)

A. An aftercare scheme, requiring that such steps as may be necessary to bring each phase of the land restored under condition [...] to the required standard for

use for [agriculture] [forestry] [amenity] shall be submitted for the approval of the Local Planning Authority not later than [2] [...] years from the date of this permission.

B. Reason: To ensure the restored land is correctly husbanded.

995 AFTERCARE OF RESTORED AREAS (PROGRAMME)

A. The submitted aftercare scheme shall specify in outline the programme of aftercare. The programme shall include provision for an annual site meeting to discuss the detailed steps necessary on the restored land.

996 AFTERCARE OF RESTORED AREAS (ANNUAL MEETINGS)

A. No later than four weeks before each annual meeting referred to in condition [...] above, a detailed scheme for the aftercare of the restored land shall be submitted to the Local Planning Authority. No later than two weeks following the annual meeting, a detailed scheme (revised as necessary following the annual meeting) shall be submitted for the approval of the Local Planning Authority in writing.

B. Reason: To bring the land to the standard required for [agricultural] [forestry] [amenity] use.

998 REMOVAL OF PLANT AND BUILDINGS

A. No later than [...] months from the cessation of all [extraction] [tipping] or within such further period as the Local Planning Authority may agree in writing, all plant and machinery, foundations, hard standings and access roads no longer required in connection with the workings, restoration or future agricultural use of the site, shall be removed from the site.

B. Reason: In the interests of the amenities of the area.

APPENDIX 1**PROTECTION OF TREES ON DEVELOPMENT SITES**

Please display a copy of these guidelines prominently on site and ensure that all relevant personnel are aware of its contents. The guidelines may be freely copied and included within contract or specification documents.

The recommendations in this leaflet are advisory. They may, however, be enforced in respect of planning conditions on particular developments, and where damage is caused to protected trees following a failure to observe the recommendations, those responsible may be prosecuted by the Local Planning Authority and suffer heavy fines. Further guidance on tree protection may be found in BS 5837: 1991 (Guide for trees in relation to construction).

1. TREE SURGERY:

Any removal of specified trees or pruning of trees to be retained, where agreed by the Local Planning Authority as being necessary for building operations and/or access, should be carried out in advance of other operations under expert supervision and using skilled contractors. All works should comply with the relevant recommendations of BS 3998: 1989 (Tree Work). No further tree surgery should be necessary, other than possible minor remedial works.

2. FENCING AND PROHIBITED AREAS:

All trees and groups of trees to be retained shall be physically protected from damage by enclosing the area covered by their crown spread (and for upright growing trees, a distance equal to two-thirds of their height) or as otherwise agreed with the Local Planning Authority. Minimum protection shall be fencing at least 1.2m high but further measures may be required, including hoardings braced by scaffold poles and / or, in certain circumstances, careful siting of huts to form a physical barrier. All such barriers must be erected prior to any other work on site and no unauthorised access permitted within the protected areas for the duration of the works.

3. FIRES:

No fires should be lit where they might cause damage to any part of a tree or hedgerow. Take special care in windy conditions. In addition to visible scorch damage, the heat of a fire can boil the sap in trunks, branches and foliage, leading to early decay and death, even where damage is not immediately apparent. If burning on site is essential, suitable areas should be located under expert guidance.

4. EXCAVATIONS:

No excavations of any kind, including those for foundations or statutory services, should be carried out where damage to roots may occur, except where agreed in advance by the Local Planning Authority, and **never** within protected areas. In particular, trenches for services should be located as far away from trees as possible and aligned to minimise the extent of disturbance. At all costs, avoid

excavations on more than one side of a tree and hand dig in areas where roots may be exposed.

5. STORAGE OF MATERIALS:

No bulky or heavy materials, including spoil or topsoil and building materials, shall be stored within the crown spread of trees or within protected areas.

6. CHEMICALS AND HARMFUL MATERIALS:

No oil, diesel fuel, tar, bitumen, cement, weed-killers or any other chemicals should be stacked, spilled, mixed or applied within 10 metres of, or up slope from, the base of any tree or other protected vegetation. These may spread through the soil and cause serious damage to roots.

7. PLANT AND VEHICLE ACCESS:

Special care shall be taken when using plant or vehicles close to trees to avoid damaging overhanging branches and to avoid compacting the ground, especially in wet conditions, as this will damage roots. Plan access routes and working space carefully to avoid disturbing ground on more than one side of a tree and use tracked vehicles or lay sleepers, etc to spread the load.

8. CABLES, WIRES, SIGN FENCING ETC:

Trees must not be used as convenient supports for any of these items. They may cause damage resulting in breakage or decay. Under no circumstances should trees be used as anchors for winches as this may cause instability.

9. LEVEL CHANGES:

The soil level within the area of the root spread of a tree must not be **raised or lowered** without expert advice or the agreement of the Local Planning Authority. Even small changes in ground level can cause serious damage to trunks of trees and roots by altering water and oxygen availability.

10. WATERCOURSES:

It is important not to alter, divert or culvert existing watercourses, ditches etc where these are adjacent to trees, as this may cut off the water supply to their roots.

11. EXPOSED ROOTS AND ACCIDENTAL DAMAGE:

If, despite taking precautions, roots or branches over 50 mm diameter are damaged during works, cut back damaged or torn areas cleanly to sound wood, backfill to cover exposed roots as soon as possible and obtain expert assistance for tree surgery where necessary. The Local Planning Authority must be notified of any accidental damage as soon as possible.

APPENDIX 2

SELECTIVE LIST OF BRITISH STANDARDS APPLICABLE TO LANDSCAPE WORKS

Note that the following list includes a selection of standards commonly used largely for soft landscape works, but is in no way a comprehensive list of all British Standards that may be relevant, particularly in respect of hard landscape works. Information taken from BSI Standards Catalogue 1993 Edition.

BS 3936: Part 1: 1992	Specification for trees and shrubs
BS 3936: Part 2: 1990	Specification for roses
BS 3936: Part 3: 1990	Specification for fruit
BS 3936: Part 4: 1989	Specification for forest trees
BS 3936: Part 5: 1992	Specification for poplars and tree willows
BS 3936: Part 7: 1989	Specification for bedding plants grown in boxes or trays
BS 3936: Part 9: 1987	Specification for bulbs, corms and tubers
BS 3936: Part 10: 1989	Specification for ground cover plants
BS 3998: 1989	Recommendations for tree work
BS 4043: 1989 (1978)	Recommendations for transplanting root-balled trees
BS 4428: 1989	Recommendations for general landscape operations (excluding hard surfaces)
BS 5837: 1991	Guide for trees in relation to construction
BS 3882: 1965 (1991)	Recommendations and classification for top soil
BS 3969: 1990	Recommendations for turf for general landscape purposes
BS 4156: 1990	Recommendations for peat for horticultural & landscape use
<i>Note: The use of peat is discouraged where alternative materials can be specified.</i>	
BS 5551:	
Sect 1.1: 1984 (1989)	Fertilisers and soil conditioners - classification
BS 7359: 1991	Nomenclature of commercial timbers including source of supply
BS 1831: 1969	Common names for pesticides
<i>(See also Supplements No.1:1970; No.2:1970; No.3:1974 and BS 1831: Part 1: 1985)</i>	
BS 1192: Part 4: 1984	Recommendations for landscape drawings
BS 1722: Parts 1-16	Fences (<i>dates vary</i>)
BS 5696:	Playgroup equipment intended for permanent installation outdoors
BS 5696: Part 2: 1986	Specification for construction and performance
BS 5696: Part 3: 1979	Code of Practice for installation and maintenance
BS 5709: 1979	Specification for stiles, bridle-gates and kissing gates
BS 5930: 1981	Site investigations
BS 6031: 1981	Code of Practice for Earthworks
BS 7370: Part 1: 1991	Recommendations for establishing and managing grounds maintenance organisations and design considerations related to maintenance