

**NOTIFICATION OF DECISION  
OF THE LOCAL PLANNING AUTHORITY**  
Town and Country Planning Act 1990 (as amended)  
Application for Certificate of Lawfulness of Proposed Use or Development



Application No. /02/01843/AS

Date of Decision 28 August 2003

Correspondent:

Litman & Robeson  
14 Buckingham Street  
London  
WC2N 6DF

Applicant:

Rivermile Ltd  
c/o Molyneux Rose  
143 New Bond Street  
London  
W1S 2TP

CIVIC CENTRE,  
TANNERY LANE,  
ASHFORD,  
KENT TN23 1PL  
(01233) 637311  
<http://www.ashford.gov.uk>  
Minicom service

**PROPOSAL:** Proposed waste recycling facility

**LOCATION:** Hanson Brick Limited, Station Road, Pluckley, Ashford,  
TN27

The ASHFORD BOROUGH COUNCIL hereby certify that on 22/11/2002 the use/operations/matter described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged black on the plan attached to this certificate **would have been lawful** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s)

- 1 The use of land as described in the first schedule is lawful under section 191 of the Town and Country Planning Act 1990 in that it would not involve development of land under section 55 (2) (f) of the Town and Country Planning Act 1990 as it falls within the existing lawful B2 use of the site as specified in the Town and Country Planning (use classes) order 1987.

**FIRST SCHEDULE**

- 2 Use of land as a waste recycling facility including ancillary storage of material between 0800 hours to 1800 hours Monday to Friday inclusive involving the receipt of demolition and construction waste material, their sorting, cleaning, crushing and processing and re-packaging for onward sale, but excluding the depositing of refuse, waste material or their residuals. With not less than 75% of material being capable of recycling for resale before being transported from the site directly to trade wholesalers, and not more than 25% of material after sorting being non recyclable and transported from the site to licensed pits.

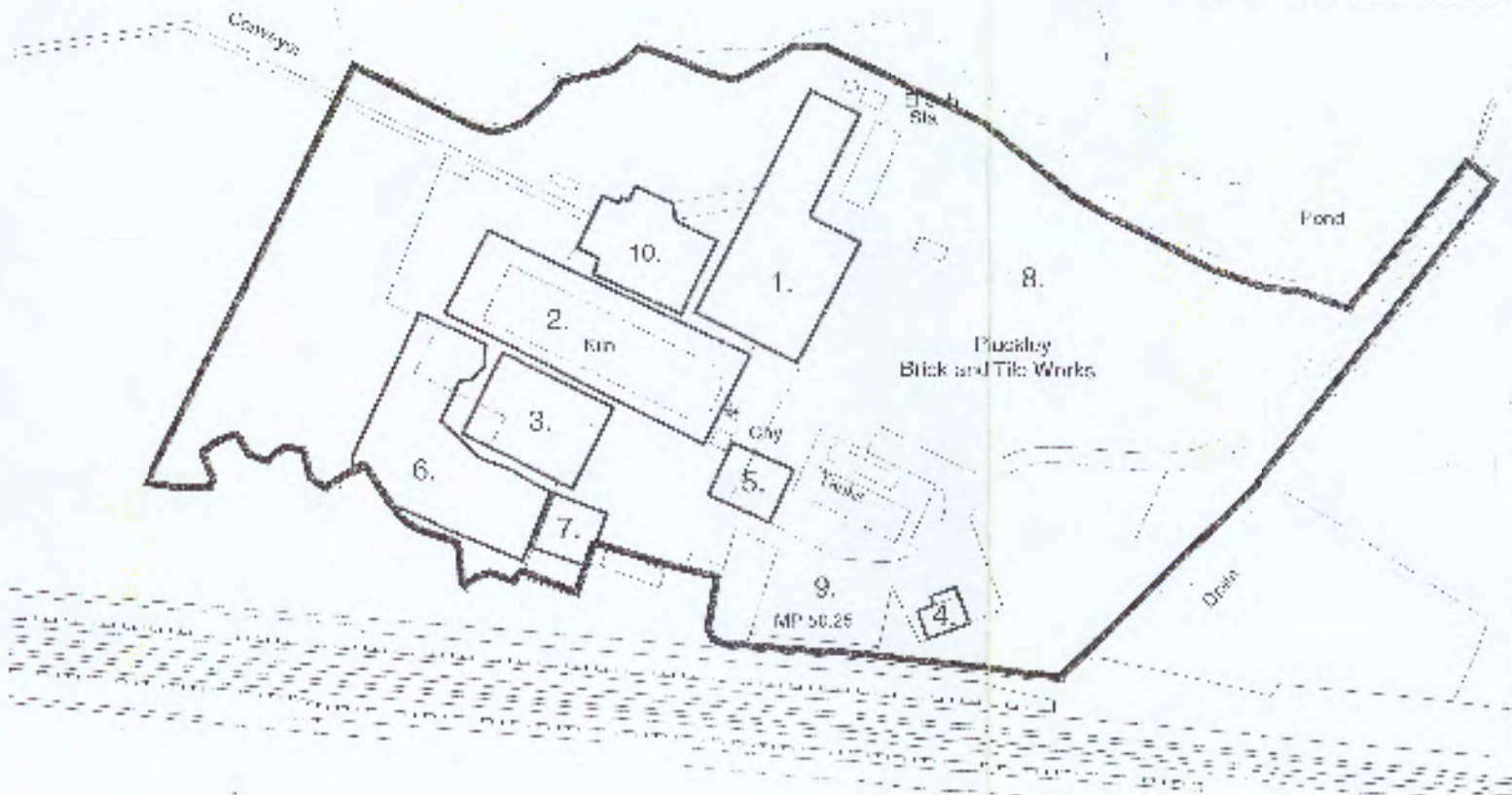
Comprising of: -

1. The sorting and physical separation of material into various product streams by means of altering, sorting, washing and adaptation in building 2 as shown on the plan.
2. The processing of inert and hard core material (soil, stone, concrete, tarmac) by use of a mobile screening device as shown on the attached photograph which involves the grading, crushing and cleaning of the material into various product streams for a period of one day per month, all within area 3 as shown on the plan.



INVESTOR IN PEOPLE

BUILDING	USE	GROSS AREA (M <sup>2</sup> )
1	WOOD / METAL CUTTING AND GRADING	1140
2	RECEPTION AND RECYCLING	1574
3	IN-RTS AND HARDWARE PROCESSING	777
4	SITE OFFICE	101
5	FULL SKIP DROP OFF	261
6	STOCK PILE	1464
7	EMPTY SKIP STORAGE	217
8	LAND STANDING	-
9	OVERHEAD CAR PARK	-
10	BUILDING DESTROYED BY FIRE	-
		TOTAL: 6218



Plan to accompany  
**LAWFUL DEVELOPMENT CERTIFICATE**  
 Puskey Brickworks, Siskinduff, Sludley  
 Application No 02/161345

02/161345  
 02/161345  
 02/161345

**WILKINSON GREEN**  
**LITTMAN**  
**ROBESON**  
 CONSULTING ENGINEERS

14 Blenheim Street, London, W2 2JF  
 TEL: 020 7222 9991  
 FAX: 020 7222 0207  
[planning@litman-robeson.co.uk](mailto:planning@litman-robeson.co.uk)

PLANNING PERMISSION  
 CLEARLY MARKED RECYCLING LETTERS  
 INDICATE

DATE	11/02	BY	M. KELLY
REV	LR2	DATE	11/12/02
SCALE	300/111	SCALE	SW

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3. The dropping off of skips involved in the waste recycling operation in area 5 as shown on the plan.
4. The ancillary stockpiling of material involved in the recycling operation on the site up to a maximum height of 3.8 meters from the existing ground level within area 6 as shown on the plan.
5. The ancillary storage of empty skips involved in the waste recycling operation in area 7 as shown on the plan.
6. The grading and processing of metal and wood cutting in building 1 as shown on the plan.

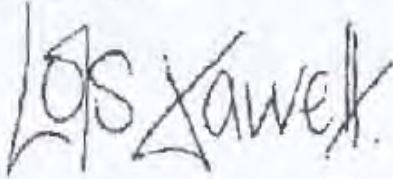
## SECOND SCHEDULE

Land within the site to the extent only of the areas referred to in the first schedule known as Pluckley Brickworks, Station Road, Pluckley, Ashford, TN27

### Notes to Applicant

- 1 None

Any variation from the details of this permission could lead to enforcement action being taken by the Council with losses and delays to the project. We do have procedures for agreeing minor changes speedily and would encourage you to take advantage of this facility **before** implementing any changes.



Joint Development Control Manager  
(Strategic Sites and Design)

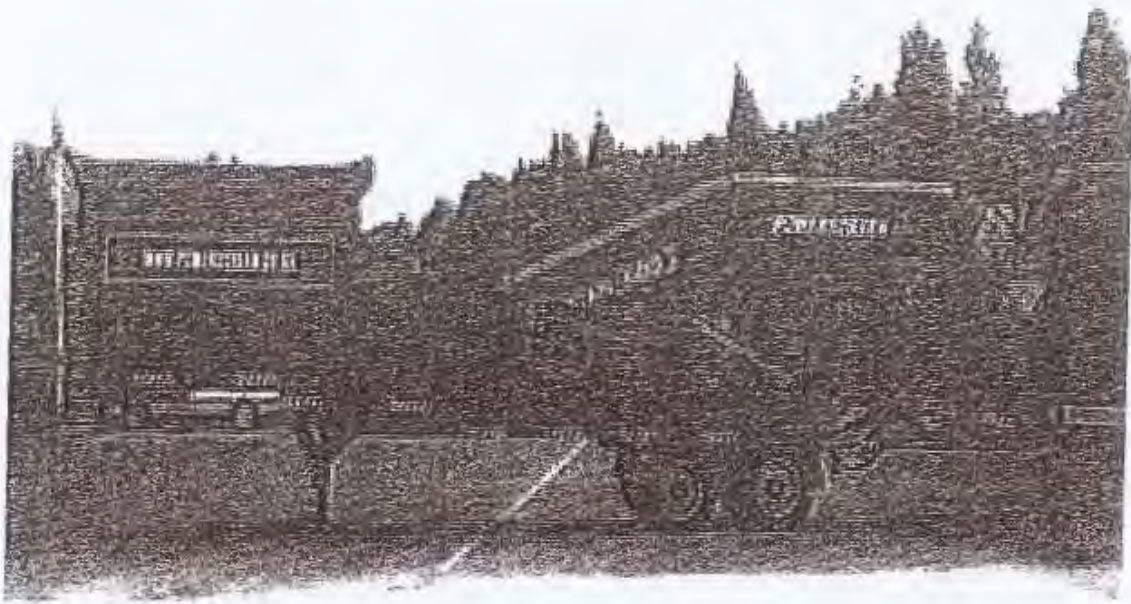
MD

*Please refer to the statement of the Applicants rights following this decision and the general information enclosed with this notice.*

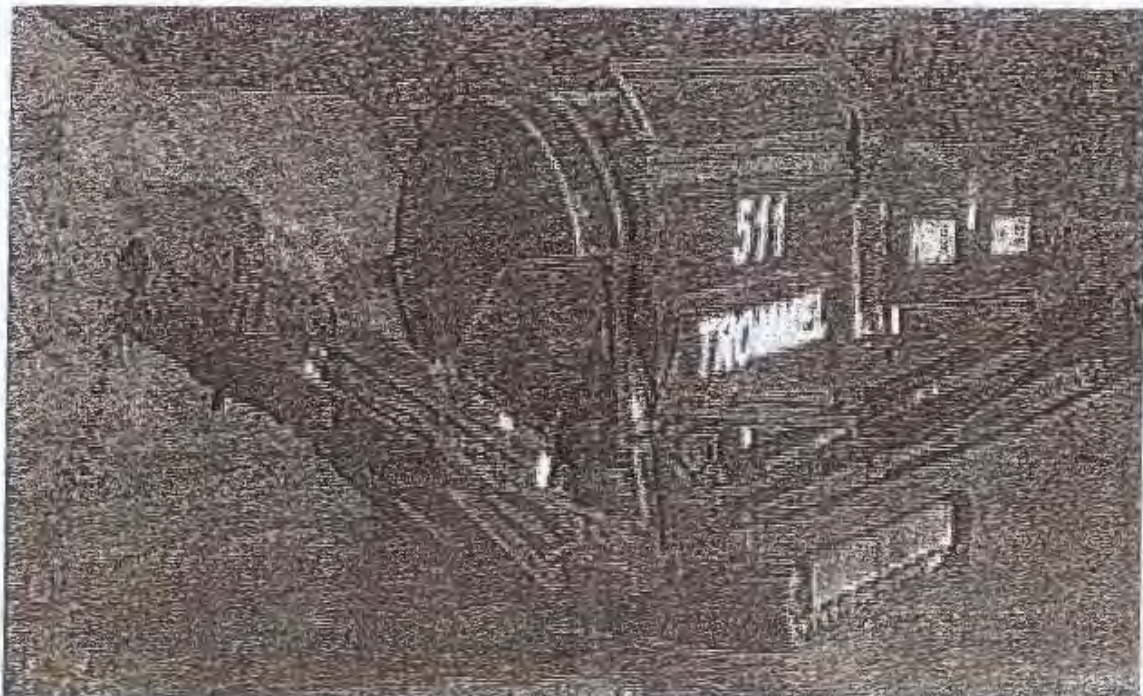
### NOTES:

- 1 This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
- 2 It certifies that the use /operations/ matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
- 3 This certificate applies only to the extent of the use /operations/ matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/ matter which is/ are materially different from that /those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
- 4 The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Power screen Chieftain 600 Wheel/Track



Power screen Trommell 511



Photograph to accompany  
**LAWFUL DEVELOPMENT CERTIFICATE**

Pluckley Brickworks, Station Road, Pluckley

Application No 02/1843/AS

# ASHFORD BOROUGH COUNCIL

CIVIC CENTRE, TANNERY LANE,  
ASHFORD, KENT TN23 1PL  
TELEPHONE: 01233 637311  
FAX 01233 330 682



## DEVELOPMENT IMPLEMENTATION MANAGER

### IMPORTANT NOTES

Notification of permission under the Planning Acts does NOT Convey consent under the Building Regulations.

1) The development to which the attached planning permission relates may also require a separate approval under the Building Regulations.

If the planning permission refers to amended plans, any necessary Building Regulations approval should also cover those amendments.

If the development involves any demolition work, notice of this is required under the Building Act 1984.

ADVICE ON EACH OF THE ABOVE IS AVAILABLE FROM MY BUILDING CONTROL SECTION. ADDRESS AND TELEPHONE NUMBER AS HEADING:

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2) Where plans for the erection or extension of a building are submitted for Building Regulations approval, section 53 of the County of Kent Act 1981 requires that the Plans are rejected unless they show :-

a) adequate means of access for the Fire Brigade to the building or buildings as extended and,

b) that the building and extension will not render inadequate, existing means of access for the Fire Brigade to a neighbouring building.

ADVICE ON THIS MATTER IS AVAILABLE FROM THE FIRE PREVENTION OFFICER, ASHFORD FIRE STATION, HENWOOD, ASHFORD, KENT. TN24 8YF

**National Permitting**

**ENVIRONMENTAL PROTECTION ACT 1990 - PART II  
WASTE MANAGEMENT LICENSING REGULATIONS 1994 (as amended)  
REGULATIONS 17 & 18 AND SCHEDULE 3**

**COPY OF ENTRY IN REGISTER OF EXEMPTIONS  
FROM WASTE MANAGEMENT LICENSING**

**Name of Establishment or Undertaking:** Clearers ( South East ) Ltd  
**Address:** Aylesham Industrial Estate  
Aylesham  
Canterbury  
Kent  
CT3 3EL

**Activity Address:** Pluckley Brickworks  
Station Road  
Pluckley  
TN27 0QX

**Exempt activity:** Schedule 3, paragraph 13 as below

13(1) The manufacture from -

- (a) waste which arises from demolition or construction work or tunnelling or other excavations; or
- (b) waste which consists of ash, slag, clinker, rock, wood, bark, paper, straw or gypsum,

of timber products, straw board, plasterboard, bricks, blocks, roadstone or aggregate

13(2) The manufacture of soil or soil substitutes from any of the waste listed in sub-paragraph 13(1) if -

- (a) the manufacture is carried out at the place where either the waste is produced or the manufactured product is to be applied to (and); and
- (b) the total amount manufactured at that place on any one day does not exceed 100 tonnes.

13(3) The treatment of waste soil or rock which, when treated, is to be spread on land under paragraph 7 or 8, if -

- (a) it is carried out at the place where the waste is produced or the treated product is to be spread; and
- (b) the total amount treated at that place in any day does not exceed 500 tonnes

13(4) The storage of waste which is to be submitted to any of the activities mentioned in sub-paragraphs 13(1) to 13(3) if -

- (a) the waste is stored at the place where the activity is to be carried on; and
- (b) the total quantity of waste stored at that place does not exceed-
  - (1) in the case of the manufacture of roadstone from road plantings, 50000 tonnes; and
  - (2) in any other case, 20000 tonnes.

**Schedule of Activities Exempt from Waste Management Licensing - Extract from Schedule 3 (Regulations 1(3) and 17)**

Please note: In addition to the terms and conditions of the exemption, exempt activities must be carried out without endangering human health and without using processes or methods which could harm the environment and in particular without: risk to water, air, soil, plants or animals; or causing nuisance through noise or odours; or adversely affecting the countryside or places of special interest.

Name of Establishment or Undertaking:	Clearers ( South East ) Ltd
Address:	Aylesham Industrial Estate Aylesham Canterbury CT3 3EL
Exemption Reference No:	NCC/ECLE028
Activity Address:	Pluckley Brickworks Station Road Pluckley TN27 0QX
Paragraph Number:	13
Exemption Description:	Manufacture Of Products From Waste
Date of issue:	12/11/2007

Please note: If at any time your activity ceases and you wish to de-register this exemption you can inform us of this by placing a tick in the box provided below and returning a signed copy of the schedule to us. When we receive the schedule we will de-register the exemption, remove it from the public register and provide you with confirmation that your exemption has been de-registered.

Alternatively you can send a letter, signed by the exemption holder, detailing the reference number of the exemption you wish to de-register, the paragraph number and the location. Please post your letter or copy schedule to the address provided below.

I wish to de-register this exemption [ ]

Signature (of exemption holder)



Clearers ( South East ) Ltd  
Aylesham Industrial Estate  
Aylesham  
Canterbury  
CT3 3EL

Our ref: NCC/E/CLE028/EL 10 / 07  
NCC/021134  
Your ref:  
Date: 22 November 2007

Dear Sir/Madam

**Environmental Protection Act 1990  
Regulations 17 & 18: Waste management licensing regulations 1994 (as amended)  
Registration of exempt activities**

Provided that you operate within the terms and conditions set out on the attached schedule, and you comply with the relevant objectives described, you are now registered to carry out the exempt activity (ies) detailed on the schedule at the location(s) shown.

If any of the details are incorrect please let us know either by calling us on 08708 506506 or by emailing us at [Enquiries@environment-agency.gov.uk](mailto:Enquiries@environment-agency.gov.uk). Please title the email 'exemptions'.

If you have any other queries please phone or e-mail our customer services using the details below or for more information about exemptions visit our website at [www.environment-agency.gov.uk/subject/waste](http://www.environment-agency.gov.uk/subject/waste)

Yours faithfully

Jo Price  
Customer Operations Manager

Phone 08708 506506  
Fax 0114 2828897  
E-mail [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)