Please see Annex SW10 for supporting information, and the “Introduction” for Health and Safety considerations and advice on the use of the guidance.

1. Impacts on aftercare
There may well be occasions when the various activities on a site, unforeseen circumstances or variations to the working scheme etc. impose limitations on actions required to be carried out elsewhere. Where possible, it is important to be able to foresee such problems and to plan accordingly. It is important therefore, when considering the application, to understand how the characteristics of the site will change as work progresses, and also at a later stage, the impact any agreed changes will make.

2. Regular site monitoring visits should therefore include
   a. access arrangements for land remaining in agriculture
   b. access arrangements for restored areas (on sites where progressive restoration is undertaken)
   c. interim management arrangements for restored land prior to commencement of formal aftercare
   d. an assessment of water standing on the site
   e. an assessment of weed growth across the site
   f. an inspection of new and existing boundaries, viz… hedges, walls, fences etc

For more detailed information see:
• Weeds Act 1959 (Defra PB7189 and PB 7190)
• Identification of Injurious Weeds (MAFF 1999 PB 4192)

Cross references:
• AC 3, 5, 7, 9, 10
• RN 3, 8, 9
1. Impacts on aftercare

In order to enable formal aftercare to commence as soon as possible and to ensure continuity of aftercare management of the site throughout the 5 year aftercare period, it is important that other activities and/or operations on site do not conflict with or hinder aftercare obligations.

2. Regular site monitoring visits should therefore include

a. access arrangements for land remaining in agriculture
While not strictly an aftercare issue, it is nevertheless important both at the planning application stage and throughout the working of the site, that unworked areas are not left isolated or unmanaged. Unworked land should be subject to positive management in order to maintain the land in good heart and to keep weed growth under control. Land remaining to be worked should not be treated as an area where materials and/or equipment can be stored outwith the conditions of the planning permission.

b. access arrangements for restored areas (on sites where progressive restoration is undertaken)
Once the restoration condition(s) has been complied with satisfactorily, there is normally the opportunity for the formal aftercare period to commence. However, the working scheme needs to ensure that provision has been made for access to the restored areas. This access needs to be of sufficient quality to enable livestock and the range of normal agricultural equipment, (tractors and cultivation/crop management machinery etc) to travel safely to and from the site. In addition, the access to the site has to be uninterrupted to allow the usual range of agricultural operations to be carried out. Some operations may need to be organised in a very short period of time, perhaps due to changing weather conditions, allowing little time if any to consult with the operator. It is unlikely that formal aftercare management could be considered as in place, if the access arrangements are not as described.

c. interim management arrangements for restored land prior to commencement of formal aftercare
Where areas/phases are restored which are too small or irregularly shaped to begin aftercare management, it may be necessary to wait until more adjacent land is restored. Also, if access to the restored areas is poor or limited, then it may be appropriate to consider interim management measures. Interim management may be necessary to ensure:
   (i) the surrounding area is not contaminated with weed seeds
   (ii) a vegetative cover is established to protect the newly restored surface from being eroded
   (iii) the established vegetation will draw soil moisture from the restored profile thus assisting in soil structural development, and reducing the risk of increasing drainage problems
Such interim measures could include the establishment of a green manure crop, such as mustard, which could be ploughed in to help condition the restored soil in advance of normal aftercare taking place.

d. an assessment of water standing on the site

It is quite normal to see water standing on various parts of a site for a variety of reasons, most of which are perfectly natural and with no adverse effects on the working and restoration of the site. However, it is important to be able to recognise those occasions when the reasons for standing water are not normal. Where, how and why this happens can be a clear indication that something is either not right, or that certain planned operations should not take place.

Surface ponding on restored land, when there is none on adjacent undisturbed land, may prompt an inspection of the restored profile. This may lead to the identification of a compact layer, plough pan etc. for which remedial actions such as subsoilting and/or the installation of a drainage system may be necessary. Surface ponding may also be due to a poor final landform. Final landform therefore, should be a major consideration when considering proposed after-uses. Where a drainage scheme has already been installed, a check on the outfall ditches, drain outfalls, soakaways etc. will be required in case a blockage has occurred. In simple terms, standing water should be seen as an indicator that something may be wrong and that an investigation of the cause can be fully justified. If remedial action is considered necessary, this can be formally addressed within the requirements of the agreed aftercare scheme.

e. an assessment of weed growth across the site

Within the permitted area, it is important that weed growth is kept firmly under control. Although the vegetative cover provided by weeds may be argued as having a beneficial effect, i.e. helping to stabilise soil bunds, drawing moisture from the soil etc, the main issue is that of the production and subsequent spread of weed seeds. Weed control during the aftercare period can prove to be very expensive, and measures may be required across the whole of the restored site, although the weed seeds themselves may have been produced over a relatively small area. It is much easier and far more cost effective to control weed growth as part of an agreed programme during the life of the site, than to leave it to the aftercare scheme when the cost of all inputs will undoubtedly be higher. Ideally, soil storage bunds should be seeded with an appropriate grass seed mixture and managed.

In addition to the cost and resource implications of uncontrolled weed growth, there may also be occasion when owners/occupiers of adjoining land make a formal complaint in respect of the Weeds Act 1959. The Act empowers Defra to take action against occupiers whose land harbours the following ‘injurious’ weeds: spear thistle, creeping or field thistle, curled dock, broad-leaved dock and common ragwort.
f. an inspection of new and existing boundaries, viz... hedges, walls, fences etc

As part of a site visit to assess progress etc., it is a relatively straightforward operation to check the condition of existing boundaries and to assess the development of new ones on restored land. Unless permitted in the planning permission, (field) boundary hedges etc. should not be damaged or removed by site operations, neither should operations impair the development of new hedges or tree planting.

NB Fencing, provision of water for livestock and management of water areas are not covered by aftercare conditions since they are not ‘treatment of the land’. Where their provision is essential for satisfactory aftercare management, alternative arrangements are needed to cover these aspects. Some aspects can be required as a separate planning condition.