	•	Town Planning 4/53#87 Ref. No
TOW	IN & COUNTRY PLANNING ACTS, 1971 and 1972	Other Ref. No
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THE	NDISTRICT COUNCIL OF	
/ <i>N</i> UX7	THE COUNTY OF HERTFORD	
Το	Mr T J Batchelor	
	Innisfree Tinkers Lane Wigginton Tring, Herts	
	IMPORTATION OF CLEAN RUBBLE AND SPOIL OR OTHE WASTE, SUBSCIL AND TOPSCIL TO INFILL DELL HO	
	AMARTS WOOD, ROSSWAY LANE	Brief description
at	NEAR BERKHAMSTED, HERTS	and location of proposed

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby permit the development proposed by you in your application 6 JARUARY 1987 and received with sufficient particulars on 6 MAY 1987 and shown on the plan(s) accompanying such application, subject to the following conditions:—

See attached Schedule of Conditions 1-23

PLEASE TURN OVER

The reasons for the Council's decision to grant permission for the development subject to the above conditions are: --

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See attached sheet for Reasons 1-23

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		ير Signed. المرية	1 2 2	
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		Designation	County Secretary	
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#### NOTE

(1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Marsham Street, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

(3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in

the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

(4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances is which such approach is the secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

SCHEDULE OF CONDITIONS NUMBERED 1 TO 23 ATTACHED TO THE PLANNING PERMISSION ISSUED UNDER HCC APPLICATION NUMBER 4/53-87 FOR THE IMPORTATION OF CLEAN RUBBLE AND SPOIL OR OTHER INERT WASTE, SUBSOIL AND TOPSOIL TO INFILL DELL HOLE FOR TREE PLANTING. SMARTS WOOD, ROSSWAY LANE, NEAR BERKHAMSTED, HERTS

- The development to which the planning permission relates shall be completed by 31st December 1988, and all operations (excluding those related to planting and after-care) authorised or required by this permission shall be completed by that date to the satisfaction of the Local Planning Authority.
- The use of land authorised by this planning permission shall, except where modified by condition, be undertaken in accordance with a restoration scheme and scheme of working to be submitted for the approval of the Local Planning Authority within 3 months of the date of this decision. The scheme shall include details of the management of the site, detailed plans indicating the finished height of Area A on the attached plan and details of gradient, tree and landscape planting, and the heights and materials of all fences, gates and other enclosures, and no part of the operations provided for therein shall be omitted, except with the prior consent in writing of the Local Planning Authority.
- The landscaping scheme as required by Condition 2 shall form part of the restoration scheme as a whole and shall indicate
  - i what trees, shrubs and/or hedges are to be retained and planted together with details of species and the method of planting to be adopted;
  - ii the measures that are to be taken to protect existing trees and new planting work from natural or other damage and these shall include adequate staking and guarding of trees to the satisfaction of the Local Planning Authority;

Any of the planting so carried out which dies within five years of its planting shall be replaced to the reasonable satisfaction of the Local Planning Authority within a period of six months.

- 4 The existing trees on the northern and eastern side of Area A shall be retained.
- Imported material shall be restricted to topsoil only and no further rubble, spoil, inert waste or subsol shall be imported to the site.
- 6. Only sufficient topsoil shall be imported to provide a 6" cover over Area A on the attached plan to improve the surface, to allow the area to be used for forestry planting.
- 7 Except with the previous written consent of the Local Planning Authority, no operations authorised by this permission shall be carried out other than during the following period:

08.00 - 05.30 08.00 - 12.30

Mondays to Fridays Saturdays

- 8 The total number of lorry visits to the site in any one day in connection with the infilling operation shall be limited to 8 (16 movements) unless otherwise agreed in writing with the Local Planning Authority.
- 9 Fly-tipped waste presently dumped on the land shall be removed to an authorised site.
- No indigenous or imported topsoil, subsoil or other soil-forming materials shall be sold or otherwise taken off the site.
- Topsoil shall only be handled when dry and friable, and then with a minimum of working and compaction. Soil handling and restoration operations shall only be carried out during the period May to September, unless approved otherwise by the Local Planning Authority.
- 12 Following the placement of soil in Area A the track area and other areas of compacted land not required for the future management of the wood, shall be thoroughly ripped. All rocks, stones and other solid objects in excess of 75 mm on the surface following ripping shall be removed from the site (together with any other waste trash material stored on the land) to an authorised site.
- Adequate precautions, to the reasonable satisfaction of the Local Planning Authority, shall be taken at all times for the drainage of the land and the drainage of the adjoining land shall not be interrupted or affected by the operations hereby permitted. The applicant shall take steps to control adequately water draining off the site, and ditches or drains shall be provided if considered necessary and in positions first to be approved by the Local Planning Authority.
- 14 There should be no direct drainage from the infill area to any watercourse.
- 15 Plant machinery and vehicles shall seek to minimise the compaction of the relaid soils by not traversing on the relaid and restored area, except in connection with restoration and cultivation operations.
- Adequate wheel-creaning equipment shall be provided at the site and measures shall be taken to ensure that mud or other debris arising from the site shall not be deposited on the public highway.
- 17 During periods of dry weather, adequate steps shall be taken to suppress dust to the satisfaction of the Local Planning Authority.
- No scrap or redundant plant, equipment or vehicles shall be stored on the site.



- 19 At all times the site shall be operated and maintained in a safe and tidy manner to the satisfaction of the Local Planning Authority.
- Adequate precautions shall be taken at all times to the reasonable satisfaction of the Local Planning Authority, to prevent unauthorised access to the site, and the site shall be fenced and gated to the satisfaction of the Local Planning Authority.
- 21 Any fuel oil tank used on the site shall be located with a bund wall or other liquid-holding container capable of containing 110% of the volume of the tank.
- All plant, hardstandings, machinery haul roads and access roads no longer required in connection with the operations and the future forestry use of the land, shall be removed from the land within one month of the completion of the works of tipping.
- Noise from the operations relating to the tipping of waste material conducted on the site shall not exceed a peak value of 70dB(A) at the site boundary, and in addition the existing ambient noise level (ie L90) shall not be raised by more than 5dB(A). Measurements shall be made at a height of 1.2 metres and at least 3.6 metres away from any walls or other reflective surfaces of an inhabited building which face the site. All noise measurements shall be carried out using either a sound level meter to BS 4197 set on slow response, or an equivalent noise level meter.

# Reasons for Conditions

## Conditions 1-7, 9-12, 15, and 17-23

To ensure that an orderly programme of operations and restoration is carried out in the interests of public health and safety and the rehabilitation of the ancient woodland flora and that the adverse effects on local amenity will be kept to a minimum and that the complete restoration of the land is achieved to a beneficial use.

## Conditions 13 and 14

To ensure that the drainage of the site and adjoining land are not adversely affected.

#### Conditions 8 and 16

In the interests of public safety, and so that there shall be the least possible adverse effect upon the free and safe flow of traffic in the vicinity of the site.