

Town Planning
Ref. No. 4/0363/76

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No. 568/76D

THE DISTRICT COUNCIL OF **DACORUM**
IN THE COUNTY OF HERTFORD

To Mr. J. Seddon,
"Hillcrest"
Rambling Way,
Potten End,
Nr. Berkhamsted, Herts.

Raise level of land - field adjoining canal	
at Cow Roas, Dudswell.	Brief description and location of proposed development.

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 dated 27th March 1976 and received with sufficient particulars on 2nd April 1976 (complete 8th April 1976) and shown on the plan(s) accompanying such application, subject to the following conditions:-

- (1) The development to which this permission relates shall be begun within a period of 5 years commencing on the date of this notice.
- 2) The materials tipped shall be limited to excavated soil and topsoil, and no material of an injurious or poisonous nature or likely in any way to cause pollution or discolouration to surface or underground water supplies shall be deposited on the site.
- 3) The final levels shall be easily drained and the material tipped shall be deposited so as to produce an even surface.
- 4) Adequate provision to the reasonable satisfaction of the Local Planning Authority, shall be made at all times for the drainage of the land, and the drainage of the adjoining land shall not be interrupted.
- 5) Adequate precautions shall be taken at all times to the reasonable satisfaction of the Local Planning Authority, to prevent unauthorised access to the site.
- 6) All reasonable precautions shall be taken to prevent nuisance arising on or from the site as a result of the use thereof for the reception of spoil and to ensure that the site is kept in a tidy condition.

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- 7) Adequate precautions shall be taken to prevent any materials from entering the canal.
- 8) Further details of the treatment including grassing and/or other planting of the regraded surface shall be submitted for the consideration of the Local Planning Authority within six months of the date of this permission and the scheme as approved shall be carried out in the first planting season thereafter.

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

- (1) To comply with the requirements of Section 41 of the Town & Country Planning Act, 1971.
- 2), 3), 4) & 7) To ensure drainage of adjacent land is not affected and to safeguard the underground and surface water supplies in the interest of public health and safety.
- 5) To prevent the tipping of materials likely to cause pollution of water supplies.
- 6) To ensure an orderly programme of working is carried out.
- 8) To ensure the satisfactory appearance of the site and in the interests of general amenity.

Dated..... 13th day of July 1976

Signed.....
Designation **Director of Technical Services**

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.

(2) 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, Whitehall, 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 in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.