

Town Planning  
Ref. No. 4/0571/81

# TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other  
Ref. No.

THE DISTRICT COUNCIL OF

DACORUM

IN THE COUNTY OF HERTFORD

To Hon. N. C. J. Rothschild,  
Messrs. Brown & Merry,  
Woollerton House,  
WENDOVER;  
Bucks.

Backfilling and topsoiling of three pits  
adjacent to Bishop Wood, Marlin Hill, and one  
at Oddy Hill, Wigginton, Nr. Tring.

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, 1981. and received with sufficient particulars on 31st March, 1981. 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 permission hereby granted shall operate only for the benefit of the applicants and/or their successors in title only.
- (3) The materials tipped shall be limited to builders' rubble, excavated soil and topsoil, and no materials 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.
- (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) All materials shall be deposited on the site so as to ensure that the land, when restored, conforms with the level and natural contours of the adjoining land.


Conditions continued on separate sheet /....

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) To ensure that the material tipped is used solely for and in conjunction with the reclamation and restoration of the land for agricultural purposes.
- (3) & (8) In the interests of public safety to safeguard public water supplies by preventing the tipping of materials likely to cause pollution of surface or underground water supplies. To prevent unauthorised access to the site.
- (4) To ensure drainage of adjacent land is not affected.
- (5), (6) & (7) To ensure complete restoration of the land to agricultural use.
- (9) To ensure an orderly programme of working is carried out.
- (10) To prevent interference with rights of way over the highway.
- (11) To maintain and enhance visual amenity.

Dated.....18th.....day of.....June,.....19.81..

Signed.....



Designation Chief Planning Officer.

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

Hon. N. C. J. Rothschild,  
Messrs. Brown & Merry,  
WENDOVER.

Conditions continued.....

(6) In connection with the final restoration of the land, the following shall apply:-

the final layer of materials deposited on site shall to a depth of one metre be composed of -

(i) in the case of pits numbered 2, 3 and 4 on plan number 4/0571/81, soil or soil forming materials, and

(ii) in the case of pit numbered 5 on plan number 4/0571/81, chalk or such other materials as may be approved in writing by the local planning authority,

and in both cases, these materials shall be spread evenly over the whole site. This final layer shall be kept free of materials likely to interfere with the restoration or cultivation of the land.

(7) Before tipping commences, all trees and shrubs in the area shall be removed.

(8) All reasonable precautions shall be taken to prevent unauthorised access to the site at all times, and where required gates and fences shall be provided to the satisfaction of the local planning authority.

(9) All reasonable precautions shall be taken to prevent nuisance arising on or from the site as a result of the use hereof for the reception of spoil and to ensure that the site is kept in a tidy condition.

(10) In the case of pit 5 on plan number 4/0571/81, adequate precautions shall be taken to prevent materials from spilling over onto the adjacent road.

(11) No work shall be started on the filling of pit 5 on plan number 4/0571/81 until a scheme of landscaping, including existing trees and finished contours, shall have been submitted to and approved by the local planning authority. This landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following the restoration of the site, as provided for by the preceding conditions of this permission, and shall be maintained at all times thereafter to the reasonable satisfaction of the local planning authority.

Dated 18th June, 1981.

Signed   
Designation Chief Planning Officer