

Town Planning 4/600-82
 Ref. No.

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
 Ref. No.

~~THE DISTRICT COUNCIL OF~~

THE COUNTY OF HERTFORD

To: Bovis Civil Engineering Ltd
 Bridge House
 Station Road
 Westbury
 Wilts

RAISING THE CONTOURS OF PART OF OS FIELD NO. 274 WITH
 SURPLUS EXCAVATED MATERIAL FROM EAST WEST LINK ROAD
 CONTRACT

at MARCHMONT FARM, PICCOTTS END, HEMEL HEMPSTEAD

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 21st May 1982 and received with sufficient particulars on 30th June 1982 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 years commencing on the date of this notice.~~

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.

Dated 16 day of 8 19 82

Signed *P. C. Steel*
County Planning Officer
Designation

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.

SCHEDULE OF CONDITIONS NUMBERED 1-16 ATTACHED TO PLANNING PERMISSION
ISSUED UNDER REFERENCE NUMBER 4/600-82 FOR THE RAISING OF PART OF
OS FIELD NO 274 WITH SURPLUS EXCAVATED MATERIAL FROM EAST WEST LINK ROAD
CONTRACT AT MARCHMONT FARM, PICCOTTS END, HEMEL HEMPSTEAD

1. The development to which this planning permission relates shall be completed by 31st July 1983, and all operations (except those relating to the after-care of the site) authorised or required by the permission shall be completed by that date to the reasonable satisfaction of the Mineral Planning Authority.
2. The use of land authorised by this planning permission shall, except where modified by condition, be undertaken in accordance with the provisions of the Written Statement dated 8th June 1982 as amended by letter dated 6th August 1981, submitted in amplification of the proposal, the location and site plans and cross sectional drawings numbered BCE/HH/02, 03, 05 & 05.
3. Prior to the commencement of infilling operations, topsoil and subsoil shall be removed respectively to depths of 300 mm and 1 metre from original ground levels. The top and subsoil shall be stored separately on site so that it is readily available for respreading at the completion of infilling operations.
4. Top and subsoil shall be handled only when dry and friable, and then only so as to ensure the minimum of compaction and the least damage to the structure of the soil.
5. The materials to be deposited on site shall be restricted to excavated subsoils from the south-west link road contract. No stone hardcore or other wastes shall be deposited on site.
6. The deposit of the excavated subsoils shall be carried out in such a manner that after the replacement of the topsoil the finished contours will conform with those contours shown on the site plan, and drawings numbered BCE/HH/02, 03, 04 & 05 so that the land has an easily-drained, even surface that can readily be used for agricultural purposes.
7. All materials shall be properly consolidated during tipping operations. The last 1 metre of fill shall comprise clean subsoil free from any materials which may damage cultivation machinery or interfere with the subsequent agricultural use. The subsoil shall be deeply cultivated to a depth of not less than 450 mm so that the compacted layers are broken up. Topsoil or soil-forming materials shall be deposited to an even depth of 300 mm.
8. Provision for the drainage of the land shall be made at all times to the reasonable satisfaction of the Mineral Planning Authority. The drainage of the adjoining land shall not be interrupted. Any drainage systems removed or interfered with in any way whatsoever until the infilling operations have been completed, shall be reinstated to the reasonable satisfaction of the Local Planning Authority on completion of the restoration.
9. An after-care scheme, requiring that such steps as may be necessary to bring the land to the required standard for use for agriculture (i.e. reasonably fit for that use) shall be submitted for the approval of the Mineral Planning Authority not later than the 30th September 1982.
10. The submitted scheme shall specify the steps to be taken and the periods during which they are to be taken and shall be subject to an annual review by the Mineral Planning Authority.

11. Subject to Condition 12 after-care of the site shall be carried out in accordance with the after-care scheme as approved by the Mineral Planning Authority
12. Where the Mineral Planning Authority after consultation with the Minister for Agriculture, Fisheries and Food agree in writing with the person or persons responsible for undertaking the after-care steps that there shall be lesser steps, or a different timing between steps, the after-care shall be carried out in accordance with that agreement.
13. Should there be no existing drainage system in the application site, then after reinstatement artificial drainage shall be installed should it be deemed necessary by the Mineral Planning Authority after consultations with the Ministry of Agriculture.
14. Noise from the operations conducted on the site shall not exceed an hourly Leq of 75dB(A) as measured at a height of 1.2 metres at least 3.6 metres away from any walls, building or other reflective surfaces of an inhabited building.
15. Except with the previous written consent of the Mineral Planning Authority, no operations authorised by this permission shall be carried out other than during the following periods:-

7.30 am - 5.30 pm Mondays to Fridays
7.30 am - 12.00 pm on Saturdays.

No operations shall take place on public holidays.
16. All plant buildings, foundations, hardstandings and access roads no longer required for the purposes of restoration or agricultural use of the land shall be removed from the land within 6 months of the completion of the works of infilling.

Reasons for Conditions.

1

To enable the Mineral Planning Authority to review the situation in the light of circumstances then pertaining.

2, 3, 4, 6, 7, 13, 14, 15 & 16

To ensure an orderly programme of restoration is carried out in the interests of public health and safety, 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.

5

To safeguard the surface and underground water supplies in the interests of public health and safety.

8

To ensure the drainage of adjoining land is not affected.

9, 10, 11 & 12

To provide for a period of after-care during which the soil structure and fertility of the restored land will be improved.