

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

~~THE DISTRICT COUNCIL OF~~~~ON~~ THE COUNTY OF HERTFORD

To Mr J Wright
Oaklands Farm
Bradden Lane
Gaddesden Row
Hemel Hempstead
Herts

... RAISING THE LEVEL OF LAND WITH

... IMPORTED EXCAVATED MATERIAL

at .. OAKLANDS FARM, BRADDEN LANE,

... GADDESSEN ROW, HEMEL HEMPSTEAD, HERTS

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 refuse the development proposed by you in your application dated
... 8th October 1985 and received with sufficient particulars on
... 6th November 1985 and shown on the plan(s) accompanying such
application..

The reasons for the Council's decision to refuse permission for the development are:—

See attached sheet for reasons for refusal (Numbers 1, 2, 3 and 4)

Dated 26th day of February 19 86

Signed.....
Deputy County Secretary

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, 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 for the Environment 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 District Council in which the land is situated, 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.

RAISING THE LEVEL OF LAND WITH IMPORTED EXCAVATED MATERIAL
OAKLANDS FARM, BRADDEN LANE, GADDESSEN ROW, HEMEL HEMPSTEAD, HERTS

APPLICATION NO. 4/1297-85

Reasons for Refusal

- 1 The proposal is likely to result in an increase in heavy lorries on roads that are unsuitable in width and construction for that class of traffic, and consequently it would materially increase hazards to other road users.
- 2 In furtherance of Policy 24E of the Structure Plan, it is the County Council's intention that there shall be a general presumption against the tipping of waste materials on all open land except where the Local Planning Authority are satisfied that significant agricultural or land drainage improvements or landscape enhancement will result. The proposal is considered unacceptable in terms of the County Council's intentions regarding tipping on open land, as no significant agricultural, land drainage or landscape improvements will result from the proposal.
- 3 The proposal would introduce heavy traffic into the area which through noise, vibration and disturbance, would have an adverse detrimental impact on the amenities and environment of local residents.
- 4 The finished levels shown on the application plan indicate a predominantly flat profile; it is unlikely that this will adequately remove surface water.

