

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning

Ref. No. 4/1313-87

Other

Ref. No.

~~THE DISTRICT COUNCIL OF~~~~IN~~ THE COUNTY OF HERTFORD

To Mr A J Catling
 Widmore Farm
 Bradden Lane
 Gaddesden Row
 Hemel Hempstead
 Herts

IMPORTATION AND DEPOSIT OF EXCAVATED SPOIL MATERIAL TO
 LEVEL AND RAISE LAND AND FILL IN ALL DEPRESSIONS TO
 MAKE LAND SUITABLE FOR AGRICULTURE.
 at WIDMORE 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
 12th August 1987 and received with sufficient particulars on
 6th October 1987 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 5th day of February 1988

Signed W J Church

Designation County Secretary

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.

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LEVEL AND RAISE LAND AND FILL IN ALL DEPRESSIONS TO MAKE
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WIDMORE FARM, BRADDEN LANE, GADDESSEN ROW, HEMEL HEMPSTEAD, HERTS.

Application No. 4/1313-87

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 submission and plans inadequately describes what is intended principally in that, the application area does not include all the land where material development is intended, and methods and intentions of drainage, and that the plans and information submitted is not sufficiently precise to provide an effective basis for control.