



Town and Country Planning Act 1990 (as amended)

DECISION NOTICE

Application No: 3/0785-15 (CM0093C)

Description & location of development:

APPLICATION FOR THE VARIATION OF CONDITION 71 (PRE SETTLEMENT CONTOURS) TO REGULARISE THE TIPPED CONTOURS ON SITE, PLUS DETAILS ON LANDSCAPING, RESTORATION AND AFTER USE AT BUNKERS HILL QUARRY, LOWER HATFIELD ROAD, LITTLE BERKHAMSTED, HERTFORDSHIRE, SG13 8LF

AT:

BUNKERS HILL QUARRY, LOWER HATFIELD ROAD, SG13 8LF

**To: Mat Nicholson
TerraConsult (South) Ltd
Dugard House
Peartree Road
Colchester
Essex
CO3 OUL**

In pursuance of its powers under the above Act and the Orders and Regulations for the time being in force thereunder, the Council hereby REFUSES the development proposed in your planning application dated 27th March 2015 for the reasons set out in schedule 1 of this notice

Dated: 13th day of July 2015

Signed:

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

TEAM LEADER, DEVELOPMENT MANAGEMENT

**APPLICATION FOR THE VARIATION OF CONDITION 71 (PRE-SETTLEMENT CONTOURS)
TO REGULARISE THE TIPPED CONTOURS ON SITE, PLUS DETAILS ON LANDSCAPING,
RESTORATION AND AFTER USE AT BUNKERS HILL QUARRY, LOWER HATFIELD ROAD,
LITTLE BERKHAMSTED, HERTFORDSHIRE, SG13 8LF**

**SCHEDULE OF REASON(S) FOR REFUSAL TO BE ATTACHED TO PLANNING
PERMISSION 3/0785-15(CM093C)**

TOWN AND COUNTRY PLANNING ACT 1990 Section 114

Appeals to the Department for Communities and Local Government.

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice using the online service at www.planningportal.gov.uk/planning/appeals.

If you cannot access the online service, you will need to submit your appeal by post. You can contact the Planning Inspectorate Customer Services Team on 0117 372 6372 or email enquiries@pins.gsi.gov.uk to obtain a set of paper appeal forms.

The Department for Communities and Local Government can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Department for Communities and Local Government need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Department for Communities and Local Government does not refuse to consider appeals solely because the local planning authority based its decisions on a direction given by him.

Dated: 13th day of July 2015

Signed:



TEAM LEADER, DEVELOPMENT MANAGEMENT

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SCHEDULE OF REASON(S) FOR REFUSAL TO BE ATTACHED TO PLANNING PERMISSION 3/0785-15(CM093C)

Schedule 1

Reason(s) for refusal of planning permission

1. The proposal represents inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt which should not be approved except in very special circumstances. There are no very special circumstances that clearly outweigh the harm. The proposal is thereby contrary to the NPPF (paragraph 88) and Policy GBC1 of the East Herts Local Plan Second Review Adopted 2007.
2. The proposed landraising would have a detrimental impact upon the openness of the Green Belt. The proposal is thereby contrary to the aims of the National Planning Policy Framework (paragraph 79) and its fundamental of keeping Green Belt land as permanently open
3. The proposed level of importation is unjustified for the purposes of restoring a former mineral working to agricultural afteruse. The application has not demonstrated that an appropriate standard of restoration suitable for agricultural afteruse would be achieved. The proposal is thereby contrary to Policies 13 (Reclamation) and 14 (Afteruse) of the Minerals Local Plan 2007.
4. The proposed landform would be uncharacteristic of the topography of this part of the Landscape Character Area (Essendon – Brickenden Farmed Slopes) to the detriment of the visual amenity of this section of the River Lea Valley. The proposal is thereby be contrary to Policy 12 (Landscape) of the Hertfordshire Minerals Local Plan 2007.

Dated: 13th day of July 2015

Signed:



TEAM LEADER, DEVELOPMENT MANAGEMENT

