

From: Brian Owen [REDACTED]
Sent: 29 April 2025 10:43
To: ks [REDACTED]
Cc: Laura White; 'john croke'; tony.brady [REDACTED]; 'Darren Eyers'
Subject: RE: Darcys Place, Church Lane, Wormley
Attachments: Gen Correspondence E280-48 20.pdf; Gen Correspondence E280-48 21.pdf; Gen Correspondence E280-48 32.pdf; Gen Correspondence E280-48 35.pdf; Gen Correspondence E280-48 36.pdf; Gen Correspondence E280-48 38.pdf

Katie,
Thanks for your email.

At the site meeting Mr Croke and others were saying that they considered that the 1981 Enforcement Notice in some way permitted the import and deposit of additional material on the site. This was said to be about capping the site.

I had said that I did not consider that the 1981 enforcement notice did permit such activity to take place. The notice said that the site should be restored within a 2 year period in accordance with the planning permission. The two year period had elapsed many years ago and cannot now be relied upon to give any permission or authority to import and deposit waste. I also said that when I looked at the files I had seen records which had indicated the site had been restored. I have now reviewed the files again and I attach for your information references which show that in the 1980's that it was considered the site had been restored. I was told by Mr Croke that he had legal opinion which confirmed he could rely upon the 1981 enforcement notice to 'cap' the site. I did invite him to submit any legal advice and we would be happy to consider this.

I also would like to let you know that the site is a dormant site as part of the Review of mineral Planning Permissions.

I have attached the correspondence that I was referring to which were taken from past records for the site. If there is any further information you would like please let me know. Also if you would like to clarify what work it is that Mr Croke is proposing to undertake and any authority he is relying upon for this I would be happy to look at this.

Thanks
Brian



Brian Owen
Team Leader | Development Management | Spatial Planning | Sustainable Growth
Hertfordshire County Council
Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216



From: ks [REDACTED]
Sent: 14 April 2025 11:47
To: Brian Owen [REDACTED]
Cc: 'Laura White' [REDACTED]; 'john croke' [REDACTED];

tony.brady [REDACTED] 'Darren Eyers' [REDACTED]

Subject: Darcys Place, Church Lane, Wormley

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Brian

It was good to meet up and view the site last Monday.

During that site visit you referred to some additional material which had not been disclosed in Mr Croke's request under the FOIA, which you considered relevant to the case and which was to be shared with ourselves and Laura While following the site visit. Could you please forward this information urgently so that it can be reviewed. As advised on site, this is not the first time that information was withheld, with the case notes previously having been shared with Broxbourne and not with Mr Croke - at that time, he received an apology from officer at HCC and confirmation that as per his FOI request all information had now been shared. I was therefore surprising to understand that there is further information.

As discussed, it was anticipated that the C'lair application would have been resolved in March and works had started to prepare the site. As seen last week, the site is now starting to green over once again meaning that the longer this continues the more preparatory works will need to be respected. Mr Croke also has contacts in place for the material to be brought on to top the site in line with the requirements of the Enforcement Notice and these are now under considerable pressure due to the delay.

Could we please try to resolve this matter as quickly as possible, so that the site can be restored for everyone's benefit. Could you please provide the additional information by return today, so that it can be reviewed.

Many thanks

Katie

Kathryn Smith MRTPI
Chartered Town Planner

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Site Visit Record

Site Name: <i>Church Lane</i>	Site Number: <i>173</i>
Date: <i>27/3/96</i>	Time: _____ Contact at Site: _____

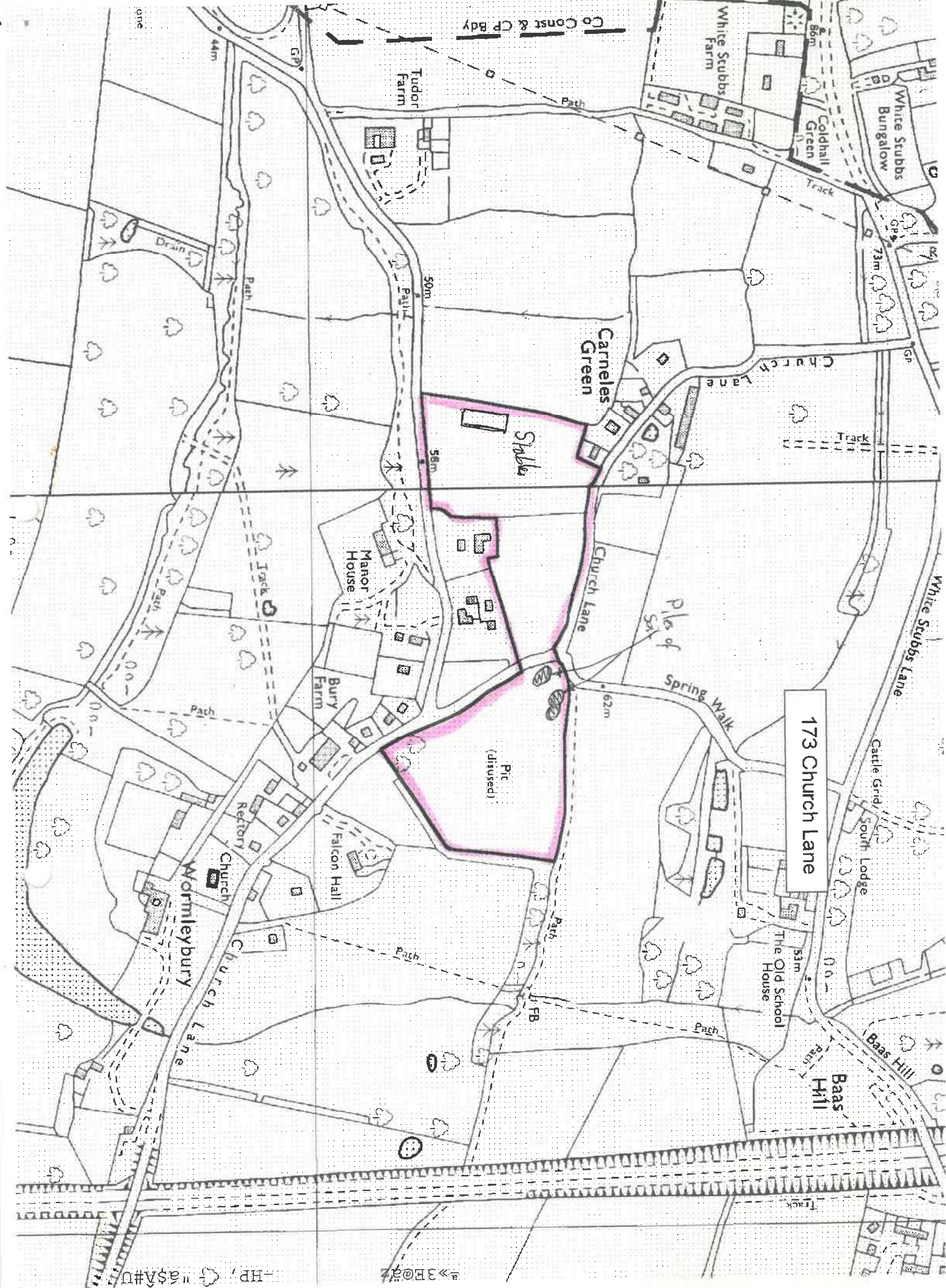
CHECK LIST:-

AMENITY			OBSERVED ACTIVITIES		
Item	Satisfactory	Not Satisfactory	Item	Satisfactory	Not Satisfactory
Noise			Extraction		
Dust			Infilling		
Mud & highway			Transfer		
Litter			Concrete Crushing/		
Rights of Way			Screening		
Waste Type			Restoration Works - Sub-soiling Top-soiling		

OTHER NOTES:-

Site is fully restored; one part used for horses, the more easterly site is disused scrubland, with some horse jumps. Three small piles of soil remain at the entrance to the site from Spring Walk.

Name: *Howard Simpson*



173 Church Lane

Co Const & CP Bdy

Tudor Farm

White Stubbs Farm

White Stubbs Bungalow

Coldhall Green

Carneles Green

Shale

Manor House

Bury Farm

Wormleybury Church

Rectory

Falcon Hall

The Old School House

Baas Hill

Baas Hill

Cattle Grid/South Lodge

White Stubbs Lane

Spring Walk

Church Lane

Church Lane

Drain

44m

50m

58m

62m

73m

80m

HP, #a\$#n

3E0a7

HERTFORDSHIRE COUNTY COUNCIL



Telex : 81272 HERBKS
Fax : Hertford 555644
Telephone : Hertford (0992) 555514 (Direct Line)
Please ask for : Mrs R C Pike
My Ref : RCP/CR
Your Ref :

Site 7/173

Mr W J Croke
2 Horseshoe Lane
Chase Side
Enfield
EN2

Department : COUNTY SECRETARY'S DEPARTMENT

PLANNING AND ESTATES DEPARTMENT		COUNTY HALL HERTFORD SG13 8DE
21 JAN 1987		
Refer		W.J. CHURCH COUNTY SECRETARY
Att.	PSU SOB	Date 19 January 1987
File		

Dear Sir

RE: RESTORATION OF CHURCH LANE PIT
CHURCH LANE WORMLEY

I refer to my letters to you of 2 April and 19 May 1986, replies to which I do not appear to have received from you.

I have now spoken once again to the County Planning Officer who advises me that the works outlined to you in my letter of 2 April have still not been undertaken by you, despite the fact that you have now had several months in which to carry them out.

The ideal time of year for seeding the area would of course be early Spring and the preliminary works required should therefore be undertaken by you within the course of the next month or so. Mr Unthank of this Council's planning department would be most happy to assist you should you need any help in arranging for the works to be done or if you wish to discuss any aspect of the works required in my letter of the 2nd April 1986 with him.

I should be grateful if you would kindly acknowledge receipt of this letter and confirm that action will be taken by you within the near future in accordance with this Council's requirements.

Yours faithfully

County Secretary

c.c: County Planning Officer
FAO Mr P Unthank

Copy To: The County Planning Officer
Fao: Mr P Unthank

Fax: Hertford 555644
555514

Mr C L Jackson
CLJ/LMK

Mr W J Croke
"Whitethorns"
Park Lane
Broxbourne
Herts.

COUNTY PLANNING HERTFORD	
- 3 APR 1986 -	
Refer	2 April 1986
Att	SAS P50
File	

Dear Sir

**RESTORATION OF CHURCH LANE PIT
CHURCH LANE WORMLEY**

I have been informed by the County Planning Officer that you have failed to comply with an Enforcement Notice which was upheld on appeal by the Secretary of State. I draw your attention to Clause 1(a)(ii) of the Notice whereby the excavation be completely refilled to the level of surrounding ground, covered with a surface level of soil not less than twelve inches deep capable of supporting plant life and the initial cultivation of the site to the satisfaction of the local planning authority, such restoration to be completed within a period of thirty years from the date of the first planning permission.

The initial cultivation has not been completed to the satisfaction of the County Planning Officer and he requires that attention be given to the following:-

1. The removal of all stones and other debris in excess of 75mm in diameter from the surface layer of the subsoil.
2. The application of weed killer, deep cultivation and further stone picking.
3. The placement of topsoil/topsoil substitute, light cultivation and seeding with grass ley. Application of fertilizer and weed killer as appropriate.
4. The removal of the derelict site hut and redundant vehicles, plant and other machinery.
5. A general 'tidy up' of the site is required including fly tipped rubbish.
6. Replanting of the Hawthorn hedge on the northern boundary.

You are quite welcome to discuss this matter with my assistant or

Cont'd

alternatively contact Mr Unthank in the County Planning Department. You can also confirm to me in writing that you are putting the above matters in hand and that they will be completed shortly.

If I do not hear from you, I will be requesting the County Planning Officer to carry out the site inspection in the near future in order that he may report back to me whereupon I will consider a prosecution for failure to comply with an Enforcement Notice under Section 89 of the Town and Country Planning Act 1971. Conviction under this Section can carry heavy penalties.

Yours faithfully

COUNTY SECRETARY

BROXBOURNE BOROUGH COUNCIL

GRAVEL PIT, CHURCH LANE, WORMLEY
FOLLOW UP TO PLANT SITE REPORT 1979

Planning applications to continue extracting sand and gravel with infilling and to continue the preparation of soil for horticulture were submitted before the 30th June 1979 and subsequently were refused by the County Council and the Borough Council.

An enforcement notice was then served and became the subject of an appeal in March 1981 which was dismissed by the Secretary of State for the Environment but modified to require the completion of restoration by the 15th April 1983. Very little tipping occurred during the period up to October 1981, when the site was taken over by a waste disposal operator who substantially increased the intake of waste, but this led to various infringements of the waste disposal site licence and complaints from Church Lane residents.

By February 1983 it was apparent that the infilling would not be completed on schedule but in view of the steady progress being made, despite the slow start, legal proceedings were deferred because such action would have interrupted the works and caused unnecessary delay. Infilling was completed within the year, however, and imported subsoil was spread shortly after.

The site has been covered with soil to a depth in excess of the 12 inches required by the planning conditions and whilst such conditions by today's standards are inadequate, they have technically been complied with. In the absence of aftercare provisions, however, the site operator, who now owns the land, cannot be compelled to properly restore and manage the site. He is being encouraged to clear the site, level stockpiles of soil, stone pick, cultivate and seed the land. An access road and small area of hardstanding will be retained.

Without an aftercare commitment, the site will inevitably deteriorate, especially as the site owner feels that it has "hope value". There is a need for further works on site beyond the scope of the planning conditions which would include the importation of suitable clean topsoils, restoration works, and tree planting on the site boundaries to bring the site up to a satisfactory standard,