

Planning permission was granted in 30th June 1949 E/280-48.

For sand and gravel extraction, Church Lane, Wormley. Subject to 12 conditions. and restoration of the land; to be completed within a period of 30 years, i.e. 30 June 1979

Includes conditions:-

Condition 5:

The complete refilling of excavation to the level of the surrounding ground, covering with a surface layer of soil not less than 12 inches deep capable of supporting plant life, and the initial cultivation of the site to the satisfaction of the Local Planning Authority.

Condition 6:

The work of filling to proceed concurrently with that of excavation, and as closely behind as possible, and both excavation and restoration to be completed within a period of thirty years.

2 January 1968, decision notice appeal by Edwards against enforcement notice (re soil preparation) conditionally allowed, expires 30 June 1979.

7/584-79 Continuation of use of gravel pit for preparation of soil for horticulture together with landscaping of site, Church Lane, Wormley. Permission refused 27th November 1979.

Hoddesdon Urban Council acting for Hertfordshire County Council served an Enforcement Notice which was quashed on appeal in 1968: APP/1219/C/10161 and 10464. This allowed use of the land for the preparation of soils but that the use be terminated not later than 30th June 1979.

7/520-79 planning permission for extraction of sand and gravel and continuation of filling and restoration at Church Lane, Wormley refused at committee 27 September 1979, refusal notice issued 11 October 1979. Planning Development & Urgency Sub-Committee resolved that an Enforcement Notice should be served requiring the land to be restored within two years.

Correspondence between solicitors acting for site owner and operator Edwards about completion of site, this led to resolution to take enforcement action requiring restoration within 2 years. Alongside planning matters were Control of Pollution Act and licences for deposit of waste.

7/768-80 planning permission for restoration of gravel pit, construction of earth bund and use of part of land for soil manufacture refused 9 September 1980.

Enforcement Notice issued 4 January 1980 by Hertfordshire County Council relating to non-compliance with conditions of permissions granted on 30 June 1949 and 2 January 1968.

The Enforcement Notice allowed a two year period for full compliance with the requirements of the notice.

Appeal submitted against the Enforcement Notice and Refusal of Planning Permission 1 July 1980; APP/5059/C/80/441, APP/5251/C/80/469, APP/5251/A/80/01164

The second enforcement notice served by Broxbourne Borough Council relates to storing/keeping of building materials, skips and scrap iron including motor vehicle bodies on the land.

Decision Notice issued 4 March 1981; the appeal against the EN and refusal of planning permission relating to the extraction of sand and gravel were quashed; this takes the two year period for compliance to 15 April 1983.

Appeals had been submitted by C G Edward (Goffs Oak) Limited.

28 October 1981: instruction to transfer existing Licence from CG Edwards to WJ Croke.

10 November 1981; solicitor for WJ Croke contacted HCC requesting a copy of the appeal decision notice. Mr Croke is then operating "the tip at Church Lane".

April 1982 the planning committee looked at the non compliance with licence conditions.

Resolution: That should the observance of the licence conditions not improve following the Court proceedings, the licence be revoked.

10 August 1982: Site meeting to discuss the final levels of the restored land

See file notes which states that refilling has progressed rapidly (since September 1981), but makes no mention of the capping or a surface layer of 12 inches of soil.

25 August 1982: Site meeting to discuss the final levels of the restored land

Agreed post meeting to send formal letter reminding him of preparatory works he had agreed to as part of overall restoration to be completed by March 1983.

Letter sent to G C Edwards 28 September 1982 restating the requirements of the Enforcement Notice.

File notes 19 October 1982, highlights need to comply with the requirements of the EN and that this may conflict with the licence, which is held by Mr Croake. This is summarised in a memo by Peter Unthank dated 21 October 1982.

4 November 1982: site inspection notes state that 2 metres of fill still required over the main tipping area.

28 January 1983: notes from site inspection

3 February 1983: notes from telephone call, which conclude it would be appropriate to withhold prosecution while infilling progresses; this refers to compliance period for enforcement notice

10 March 1983: notes from site inspection, western half awaits capping with imported subsoils

14 March 1983: letter to DoE stating that tipping at the site virtually complete

3 May 1983: notes from telephone call, state that Mr Croke had appealed licence revocation and therefore could still import material. Anticipate infilling works to be completed within the next 2-3 months. A committee report suggested that legal proceedings against Mr Edwards for non-compliance should be deferred for four months.

7 June 1983: Mr Edwards' solicitor was concerned that the land would be over tipped

15 June 1983: Letter from HCC to Mr Edwards' restated the requirements of Condition 5

21 July 1983: Letter from HCC to Mr Croke's solicitor prepared to hold appeal against revocation of the site licence in abeyance for a few months more (letter to DoE stated 3 months or so)

19 December 1983: anticipated skip waste should cease very early 1984

20 January 1984: after 1 February 1984 the only waste deposited on the site should be clean soil or other soil-forming materials in accordance with E/280-48

9 April 1984: Handwritten note that Mr Croke will probably hand in his licence within next 2-3 weeks once he has finished importing cover material,

24 May 1984: Letter from HCC to DoE confirms deposit of soil still taking place

9 November 1984: Mr Croke withdrew appeal against revocation of licence

Follow up to Plant Site Report 1979:

Broxbourne Borough Council

"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 standard are inadequate, they have technically been complied with."

This was written some time between November 1984 and March 1986 based on location within the file

2 April 1986: letter from HCC to Mr Croke highlights what could be deemed as "aftercare" measures. This does not require the deposit of 12 inches of topsoil/soil but does highlight improvements that would be beneficial to the restoration of the site.

Follow up letters sent 19 May 1986 and **19 January 1987** as Mr Croke did not reply

5 August 1987: site notes from inspection. Mr Croke was threatening and aggressive.

3 September 1987: site note from Legal that there is no merit in taking further action and Mr Croke can not be required to tidy up the land further

8 April 1988: letter from HCC to a complainant

“... the landform is acceptable ad the site is covered by a depth of soil evidently capable of supporting plant growth albeit a poor vegetation. Legally, therefore, the conditions have to all intents been satisfied and as the site owner has sought legal advice he is well aware that in the of the foregoing any further legal action by this Council would almost certainly be in vain.”

Site Monitoring Form: 16 August 1993

Site Visit Record: 27 March 1996 states site is fully restored

Review of Mineral Planning Permissions, Environment Act 1995 lists under dormant category Church Lane Wormley. Here it shows two planning permissions areas E/527-55 and E/280-48, the E/280-48 is the site we are looking at now.