

APPROVAL OF RESERVED MATTERS

Applicant:

Louisa Foti
Ashley Farm
Grafton Court Close
Grafton
Hereford
HR2 8BL

Agent:

Mr Matt Hayes
Arbor Architects
Unit 6.11, The Shell Store
Canary Drive
Skylon Park
Hereford
HR2 6SR

Date of Application: 21 August 2024

Application No: 241961

Grid Ref:349473:237420

Proposed development:

SITE: Land at Ashley Farm, Grafton Court Close, Grafton, Hereford, HR2 8BL

DESCRIPTION: Application for approval of reserved matters (Appearance, Landscaping, Layout and Scale) following outline approval 223281 (Outline permission for proposed mixed use development to provide community hub with enhanced recreation facilities including a 3G pitch, car park and access roads, change of use of land from agricultural to allotments and productive gardens new buildings to provide changing facilities, classrooms, equipment storage, polytunnels, cafe and kitchen). To consider community building, pitches, car parking, pond and associated site infrastructure.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the above Acts that APPROVAL has been GRANTED in respect of the details referred to above for the purpose of the conditions imposed on outline planning permission reference 223281 and subject to these further conditions:

- 1 The development shall be carried out strictly in accordance with the approved plans:
 - o Site Location Plan: DWG PL001 Rev A
 - o Existing Block Plan: DWG PL010 Rev A
 - o Mark up: Civil Engineering General Arrangement Overall Layout: DWG:C01 rev 3
 - o Civil Engineering General Arrangement: DWG:C03 rev 2
 - o Civil Engineering General Arrangement: DWG:C04 rev 2
 - o Civil Engineering General Arrangement: DWG:C05 rev 2
 - o Proposed Short Section: DWG PL801 Rev A
 - o Proposed Long Section: DWG PL800 Rev A
 - o South and West Elevation: DWG PL601 Rev A
 - o North and East Elevation : DWG PL600 Rev A
 - o Accessibility and EV Parking Location: DWG PL107 Rev A
 - o External Lighting Plan: DWG PL106 Rev A
 - o External Lighting Plan: DWG PL108
 - o External Lighting Plan: DWG PL107

- o Roof Plan: DWG PL1051 Rev A
- o Bike Store Plan and elevations DWG PL102 Rev A
- o Ground Floor Plan: DWG PL100 Rev A
- o Landscape Building Interface: DWG PL055 Rev A
- o Site Phasing Plan: DWG PL030 Rev A
- o Site Plan: DWG PL020 Rev A
- o Proposed Block Plan DWG PL011 Rev A
- o Soft Landscape Plan: PLA 0089 DD 300 R04
- o Landscape General Arrangement Plan PLA 0089 DD 100 R02
- o Soft Landscape Plan & Plant Schedule - Building Environs; PLA 0089 DD 301 R01
- o Main entrance canopy: WG PL106
- o Bin Store WG PL101 Rev
- o MCA-MUK3228-01 Rev C
- o MCA-MUK3228-02 Rev C
- o MCA-MUK3228-03 Rev B
- o MCA-MUK3228-10
- o MCA-MUK3228-11
- o MCA-MUK3228-16
- o MCA-MUK3228-22
- o MCA-MUK3228-23
- o MCA-MUK3228-24
- o MCA-MUK3228-25
- o MCA-MUK3228-26
- o MCA-MUK3228-27

except where otherwise stipulated by conditions attached to this permission.

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 2 Prior to first occupation of any use hereby permitted, a noise management plan shall be submitted to, and approved in writing by the Local Planning Authority.

The noise management plan should address the following points as a minimum:

- o Statement of intent
- o Summary of the premises / site / activities
- o Location / site plan
- o Inventory of potential noise sources, including noise from voices, ball contacts and whistles,
- o plus the impacts from different sports
- o Details of noise controls and limits (e.g. site rules, noise- reduction equipment and sports-specific measures)
- o Site noise monitoring and / or evaluation
- o Responding to complaints (including actions to be undertaken and recorded)
- o Management command, communication, and contact details
- o Periodic NMP review
- o Neoprene isolators to be installed and maintained between the panels and posts of the 3G pitch, as per Noise Impact Assessment by Acoustic Consultants Ltd, reference 10815/LN.

Reason: In order to protect the amenity of occupiers of nearby properties so as to comply with Policies SS6 and SD1 of the Herefordshire Local Plan Core Strategy, Policy CH2 Callow and Policy CH2 Haywood Neighbourhood Development Plan and the National Planning Policy Framework.

- 3 The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours stipulated in the Design & Access Statement reference January 2025 Rev A for Belmont Wanderers Football Club produced by Arbor Architects.

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy CH2 Callow and Haywood Neighbourhood Development Plan and the National Planning Policy Framework

- 4 The uses permitted shall not be open outside of the hours stipulated within the Design & Access Statement reference January 2025 Rev A for Belmont Wanderers Football Club produced by Arbor Architects

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy CH2 Callow and Haywood Neighbourhood Development Plan and the National Planning Policy Framework

- 5 The Construction Environmental Management Plan written by ATW Ecology dated June 2024 and Construction Management Plan and Construction Phase Plan written by McardleSport Tec Ltd shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3 and Policy CH2 Callow and Policy CH2 Haywood Neighbourhood Development Plan and the National Planning Policy Framework.

Informatives:

- 1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2 The attention of the applicant is drawn to the conditions on the outline planning permission granted on 6 August 2023 (Reference No. P223281).
- 3 The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special protected species such as Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained

- 4 No work relating to the highway should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. Please contact the Senior Engineer, PO Box 236, Plough Lane, Hereford HR4 0WZ to progress the agreement.

Planning Services
PO Box 4,
Hereford,
HR4 0XH

Date: 12 March 2025



SIMON WITHERS
DEVELOPMENT MANAGER

YOUR ATTENTION IS DRAWN TO THE FOLLOWING NOTES

Please note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular consent may be required under the Building Regulations.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at

<https://www.herefordshire.gov.uk/search?q=annexes>

NOTES

Appeals to the Secretary of State

- 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 Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State 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 Secretary of State 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 they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Right to Challenge the Decision of the High Court

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision. Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review (JR).

The decision may be challenged by making an application for judicial review to the High Court. The time limits for bringing such challenges are very strict, and applications need to be made as soon as possible after the issue of PQD

the decision notice. So, if you think you may have grounds to challenge a decision by Judicial Review you are advised to seek professional advice as soon as possible.

These notes are provided for guidance only and apply to challenges under the legislation specified. If you require further advice on making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000). For further information on judicial review please go to <http://www.justice.gov.uk>

The Council has taken into account environmental information when making this decision. The decision is final unless it is successfully challenged in the Courts. The Council cannot amend or interpret the decision. It may be redetermined by the Council only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.