

From: Wager, Alastair

Sent: Thursday, 12 September 2019 06:31 PM

To: 'johnhipps994 - BT Total Broadband email account' <johnhipps994@btinternet.com>

Subject: RE: 192887 Land at Honeysuckle Cottage

Dear John,

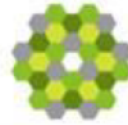
Yes, please confirm that you wish to **withdraw** the application as soon as possible once you have taken instruction from your client, please may you give an indication of how long this may take? I don't consider it feasible to amend the application to only include the applicants land within the application red line without fundamentally changing the application, which would not be accepted and so I would advise that the only recourse would be to withdraw the application and resubmit. However I would draw your attention to the fact the site is outside of any settlement, does not comply with RA3 and is significant conflict with the policies of the development plan.

Secondly, the application is currently considered to be **invalid** as the certificate accompanying the application is false and so the Local Planning Authority cannot entertain the application as per the statutory requirements of Section 65 & 327A of the Town and Country Planning Act 1990 (the act). As can clearly be seen from the below block plan as proposed and the extract of the title plan (for Auberrow House) which is not registered to your client. Only certificate A has been completed of the application form (submitted by "The Late Mr Davies Estate") and no notice has been served on the other land owner, the application is invalid. Should you wish to contend the above then please write to me and I will consider the matter, however I would draw your attention to paragraphs six & seven of section 65 of the act with the offence that is set out there in; this is after all the second time this reckless error has arisen (Cotts Lane being the other 190279).



HM Land Registry
Current title plan

Title number **HE26486**
Ordnance Survey map reference **SO4947SW**
Scale **1:2500**
Administrative area **Herefordshire**



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Kind Regards,

Alastair

Alastair Wager
Senior Planning Officer
Development Management
Tel | 01432 383882
Email | Alastair.Wager@Herefordshire.gov.uk

Economy & Place Directorate
Plough Lane
Hereford
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From: johnhipps994 - BT Total Broadband email account <johnhipps994@btinternet.com>
Sent: Thursday, 12 September 2019 04:00 PM
To: Wager, Alastair <alastair.wager@herefordshire.gov.uk>
Cc: Jonathan Cook [REDACTED]
Subject: Re: 192887 Land at Honeysuckle Cottage

Alastair

I may confirm it when I have taken some instruction.

Regards John

----- Original Message -----

From: Wager, Alastair
To: johnhipps994 - BT Total Broadband email account
Cc: [REDACTED]
Sent: Thursday, September 12, 2019 9:55 AM
Subject: RE: 192887 Land at Honeysuckle Cottage

Dear John,

Given that it is apparent that circa half the application site isn't in the applicant's ownership, will you now formally **withdraw** the planning application at this stage given this fundamental flaw? Please may you confirm this in writing.

Kind Regards,

Alastair

Alastair Wager
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Email |
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From: johnhipps994 - BT Total Broadband email account <johnhipps994@btinternet.com>
Sent: Thursday, 12 September 2019 08:29 AM
To: Wager, Alastair <alastair.wager@herefordshire.gov.uk>
Cc: Jonathan Cook [REDACTED]
Subject: Re: 192887 Land at Honeysuckle Cottage

Alastair

We are already trying to sort this and it is with the lawyers. We applied on the land that we were instructed on and hopefully will be able to resolve shortly.

Regards John

----- Original Message -----

From: [Wager, Alastair](#)

To: [John Phipps](#)

Sent: Wednesday, September 11, 2019 6:06 PM

Subject: 192887 Land at Honeysuckle Cottage

Dear Mr Phipps,

Regarding the above outline application for five dwellings, it has been brought to my attention that part of the application site may not be in the sole ownership of the applicant. Please may you check that the applicant owns all the land within the red line and that the boundaries of the application site are accurate in this regard, as per the certificate A (of the application form) which you completed. Should the applicant not own all the land within the red line, it would render the application invalid.

Kind Regards,

Alastair

Alastair Wager

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