

## PLANNING PERMISSION

**Applicant:**

Mr B & T Morris  
C/O Agent

**Agent:**

RPS Group Plc.  
Harbourside House  
4-5 The Grove  
Bristol  
BS1 4QZ

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Date of application: 13th June 2003

Application code: **DCSE2003/1777/F**

Grid ref: 63474,23401

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Proposed development:

**SITE:** Land adjoining Hunsdon Manor Hotel, Weston-under-Penyard, Ross-on-Wye.  
**DESCRIPTION:** Erection of 4 residential dwellings, detached garages and associated access.

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THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that PLANNING PERMISSION has been GRANTED for the development described above in accordance with the application and plans submitted to the authority subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings.

3. Notwithstanding the approved drawings no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected, hedges to be planted and hard surfacing. The boundary treatment and hard surfacing shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: In order to protect the visual amenities of the area.

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4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

Reason: In order to protect the visual amenities of the area.

5. Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings and garages approved and a datum point outside of the site, shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

6. No development shall take place until the following have been submitted to and approved in writing by the local planning authority:
  - a) a 'desk study' report documenting the history of the site and its surrounding area and likelihood of contaminant extent and type
  - b) if the study confirms the possibility of contamination, a site investigation report documenting the ground conditions of the site, incorporating a "conceptual model" of all the potential pollutant linkages and an assessment of risk to identified receptors
  - c) if risk assessment identifies unacceptable risks a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants and/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: To ensure contamination of the site is removed or contained.

7. Where a remediation scheme has been submitted that scheme, as approved pursuant to condition no. 6 above, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the local planning authority in advance of works being undertaken. On completion of the remediation scheme the developer shall provide written confirmation that all works were completed in accordance with the agreed details.

Reason: To ensure contamination of the site is removed or contained.

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8. No development shall take place until an investigation of the stability of the site has been undertaken and measures necessary to ensure the structural stability of the houses hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved measures and timetable for implementation.

Reason: To ensure that the site is stable.

9. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the local planning authority. Such a scheme shall be implemented in accordance with the details approved by the local planning authority prior to the construction of any impermeable surfaces draining to the system.

Reason: To ensure adequate drainage and to prevent the increased risk of flooding.

10. The dwellings hereby approved shall be connected to the mains foul drainage system as specified in the letter from RPS dated 2nd October, 2003.

Reason: To prevent pollution of surface and groundwaters in this area.

11. No development shall take place until details of the vehicular access which shall include the visibility splay, radiused splayed areas, gradient, materials of construction have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety.

12. The development hereby permitted shall not be brought into use until the access, access drive, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

13. Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the local planning authority and such provision shall be retained and kept available during construction of the development.

Reason: To prevent indiscriminate parking in the interests of highway safety.

#### Informatives:

1. The Environment Agency advises that further details on the contamination and groundwater issues can be obtained from Sara Daneshpour (Groundwater Team) on telephone 02920 770088.
2. Welsh Water points out that:
  - (i) no surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

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- (ii) No land drainage run-off will be permitted to discharge to the public sewerage system.
  - (iii) The developer is advised to contact the Dwr Cymru Welsh Water's network Development Consultants on Tel: 01443 331155 regarding connexion to the public sewerage system.
3. The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford and Worcester County Structure Plan and the South Herefordshire District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

Hereford and Worcester County Structure Plan:  
H18 - Residential Development in Rural Settlements

South Herefordshire District Local Plan:  
SH10 - Housing in Smaller Settlements

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Southern Planning Services  
PO Box 230  
Blueschool House  
Blueschool Street  
Hereford  
HR1 2ZB

**Decision Date: 2nd January 2004**

**Southern Divisional Planning Officer**

YOUR ATTENTION IS DRAWN TO THE FOLLOWING NOTES

#### NOTES

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.

#### 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 3 months of the date of the Council's decision if the date of the application is on or after 05/09/03 or 6 months of the date of the Council's decision if the date of the application was before 05/09/03. Both the date of the decision and the date of the application are clearly shown on the front of this notice. Forms are available from the Planning Inspectorate at Room 3/08B Kite Wing, 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.

#### 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.