

REFUSAL OF PLANNING PERMISSION

Applicant:
Mr D Phillips
c/o Agent

Agent:
Three Counties Planning
PO Box 69
Ross-on-Wye
Herefordshire
HR9 7WG

Date of application: 21st March 2006

Application code: **DCSE2006/0886/O**

Grid ref: 57237,29819

Proposed development:


SITE: Land at Former British Lion, Fawley, Kings Caple, Hereford, HR1 4UQ.
DESCRIPTION: Erection of 1 No. new residential unit.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that PLANNING PERMISSION has been REFUSED for the carrying out of the development described above for the following reasons:

1. Having regard to Policies H16A and H20 of the Hereford and Worcester County Structure Plan, Policies C1 and SH11 of the South Herefordshire District Local Plan and H7 of the Herefordshire Unitary Development Plan (Revised Deposit Draft), the Local Planning Authority considers the proposal to be unacceptable. The proposal constitutes development in open countryside, divorced from any designated settlement, and there is considered to be insufficient justification such that an exception should be made to these policies.
2. The proposed development would be likely to be unduly obtrusive and harmful to the visual amenities of the locality and rural street scene, which is within the Wye Valley Area of Outstanding Natural Beauty and Great Landscape Value. As such the proposal would be contrary to policies CTC1 and CTC2 of the Hereford and Worcester County Structure Plan, Policies C5 and C8 of the South Herefordshire District Local Plan and LA1 of the Herefordshire Unitary Development Plan (Revised Deposit Draft). In addition the erection of a dwelling in this location would not be sustainable as provided for in Policies GD1 and T1A of South Herefordshire Local Plan and in PPS.1, PPG.3, PPS7, and PPG13.

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

Decision Date: 4th May 2006


Team Leader - South

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

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 the Council's decision. 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.