

Town and Country Planning Act 1990
Planning and Compensation Act 1991

PLANNING PERMISSION

Applicant:

Miss Jean Roebuck
Hillcroft
Much Birch
Hereford
HR2 8HU

Agent:

Mr M Tredgett
Michael Tredgett Ltd
Upper Barn
Hereford Road
Ledbury
Herefordshire
HR8 2PX

Date of Application: 8 June 2011

Application No: DMS/111098/FH

Grid Ref: 350824:230201

Proposed development:

SITE: Hillcroft, Much Birch, Hereford, HR2 8HU
DESCRIPTION: Replacement dwelling incorporating existing two storey element

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 three years from the date of this permission.

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

- 2 The development shall be carried out strictly in accordance with the approved plans (drawing nos. Much 1c, 1F/a and 1F(b) (both date stamped 11 July 2011) and 1G) 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 DR1 of the Herefordshire Unitary Development Plan.

- 3 The materials used in the construction of the garage shall match those used in the new dwelling unless as otherwise agreed in writing prior to commencement of works on site.

Reason: In the interests of ensuring the external materials harmonise with the main dwelling and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows shall be constructed in the north elevation at first floor level and above of the property.

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of the Herefordshire Unitary Development Plan.

- 5 Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, shall be carried out.

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H18 of the Herefordshire Unitary Development Plan.

- 6 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the position, type and design of any boundary treatment to be erected between the garage and north west corner of the site (i.e. adjoining the highway). The boundary treatment approved shall be completed before the first use of the parking area/garage. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the access track accessed by the new dwelling and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

Informative:

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the Herefordshire Unitary Development Plan 2007 set out below, and to all relevant material considerations including Supplementary Planning Guidance:

DR1 - Design

DR2 - Land Use and Activity

H7 - Housing in the Countryside Outside Settlements

H13 - Sustainable Residential Design

HBA8 - Locally Important Buildings

T8 - Road Hierarchy

In reaching this decision the local planning authority was mindful of the particular circumstances of the case, namely the extent to which the development complied with policy and the way in which local issues of visual and residential amenity and highway safety were addressed.

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 The Hereford Centre, Garrick House, Widemarsh Street, Hereford (tel: 01432 261563).

Planning Services
PO Box 230
Hereford
HR1 2ZB

Date: 28 July 2011



TEAM LEADER

YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

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 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.

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.