

# APPROVAL OF NON-MATERIAL AMENDMENT TO PLANNING PERMISSION

**Applicant:**

Mr Ian Jenkins  
Overross Properties Ltd  
c/o Agent

**Agent:**

Mr Russell Pryce  
Collins Design & Build  
Unit 5, Westwood Industrial Estate  
Hereford  
HR2 0EL

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Date of Application: 9 November 2015

Application No: 153288

Grid Ref:360090:225475

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**Proposed Non-Material Amendment**

**DESCRIPTION:** Proposed non-material amendment to planning permission  
P150187/F - Retain the hipped roof of the existing building.

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**The Original Planning Permission**

**APPLICATION NO:** 150187/F  
**DATE OF PERMISSION:** 4 March 2015  
**SITE:** Dayla Soft Drinks, Netherton Road, Overross Industrial Estate,  
Ross-on-Wye, Herefordshire, HR9 7QQ  
**DESCRIPTION:** Proposed erection of an extension to existing Dayla Soft Drinks  
facility

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

- 1 The development hereby approved shall be carried out strictly in accordance with the amended plans received by the local planning authority on 9 November 2015.

Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

**Informatives:**

- 1 This approval is for a non-material amendment to the original planning permission and except where any conditions are detailed on this notice it does not vary the original planning permission in any other way.

Planning Services  
PO Box 230,  
Hereford,  
HR1 2ZB



Date: 24 November 2015

**DEVELOPMENT MANAGER**

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

#### **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.