

PLANNING PERMISSION

Applicant:

Mr M Crockett
Raven Lodge
Tillington
Hereford
HR4 8LW

Agent:

Mrs Angela Tyler
39 Grandison Rise
Hereford
Herefordshire
HR1 1PP

Date of Application: 29 June 2017

Application No:
172420

Grid Ref:345619:245986

Proposed development:

SITE: Land Adjacent The Old Chapel, Tillington, Hereford,
DESCRIPTION: Proposed single storey dwelling.

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., FP1, FP2, FP3, FP4, FP05, FP6, FP7 FP08, FP/09, FP/10) including sustainability features such as grey water harvesting, photovoltaic solar panels and air source heat pump 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 Policies RA3 (bullet point six); SD1 and SD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework (Paragraph 55).

- 3 With the exception of any site clearance and groundwork no further development shall take place until 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 so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 4 Before work commences in respect of any of the features identified in this condition, architectural details of windows and their openings, doors and their openings, eaves, and ridge edging, at a minimum scale of 1:5 for general arrangements and 1:1 for joinery sections such as glazing bars, shall be submitted to the local planning authority. The work shall subsequently only be carried out in accordance with details which have been approved in writing by the local planning authority beforehand.
- Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policies RA3 (bullet point 6) and SD1 of the NPPF of the Herefordshire Local Plan – Core Strategy and Paragraph 55 of the National Planning Policy Framework.
- 5 Before work commences on the features identified in this condition, details of the finishes to be used for all external timber, plaster and masonry surfaces shall be submitted to the local planning. The work shall subsequently only be carried out in accordance with details approved in writing by the local planning authority
- Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the innovative building and to comply with the requirements of Policies RA3 (bullet point 6) and SD1 of the Herefordshire Local Plan – Core Strategy and Paragraph 55 of the National Planning Policy Framework.
- 6 Before work commences in relation to their installation, details of the guttering, down pipes and all associated fittings shall be submitted to the local planning authority. The work shall subsequently only be carried out in accordance with details approved in writing by the local planning authority.
- Reason: To ensure that the rainwater goods are of an appropriate the innovative building and to comply with the requirements of Policies RA3 (bullet point 6) and SD1 of the Herefordshire Local Plan – Core Strategy and the Paragraph 55 of National Planning Policy Framework.
- 7 During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.
- Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.
- 8 Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015,(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 architectural integrity of the building to comply with Policies RA3 (bullet point 6) and SD1 of the Herefordshire Local Plan – Core Strategy and Paragraph 55 of the National Planning Policy Framework.
- 9 No works in relation to any boundary treatments required by this condition shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, type, design and materials of any boundary treatment to be erected. The boundary treatment shall be completed the building is occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, to ensure that the dwelling has an acceptable standard of privacy and to conform to Policies RA3 (bullet point 6) and SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 10 With the exception of any site clearance and groundwork (excluding any works to retained features), no further development shall commence on site until a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

Soft landscaping

- a) A plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, species and canopy spread, together with an indication of which are to be retained and which are to be removed.
- b) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and shrub planting and grass areas
- c) A written specification clearly describing the species, sizes, densities and planting numbers and giving details of cultivation and other operations associated with plant and grass establishment.

Hard landscaping

- a) Existing and proposed finished levels or contours
- b) Car parking layout and other vehicular and pedestrian areas
- c) Hard surfacing materials.

Reason: In order to maintain the visual amenities of the area and to conform with Policies RA3 (bullet point 6); SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and Paragraph 55 of the National Planning Policy Framework.

- 11 The soft landscaping scheme approved under condition 10 shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The landscaping shall be maintained for a period of 5 years. During this time, any trees, shrubs or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes 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 maintenance period. The hard landscaping shall be completed prior to the occupation of the development hereby permitted

Reason: In order to maintain the visual amenities of the area and to conform with Policies RA3 (bullet point 6); SD1 and LD1 of the Herefordshire Local Plan – Core Strategy.

- 12 Within 8 weeks of the first occupation of the development hereby approved a scheme for the provision of secure cycle parking on site shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The cycle parking shall be installed and made available for use within a time scale to be agreed with the local planning authority.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 13 Prior to the first occupation of any of the residential development hereby permitted written evidence / certification demonstrating that water conservation and efficiency measures to achieve the 'Housing – Optional Technical Standards – Water efficiency standards' (i.e. currently a maximum of 110 litres per person per day) for water consumption as a minimum have been installed / implemented shall be submitted to the Local Planning Authority for their written approval. The development shall not be first occupied until the Local Planning Authority have confirmed in writing receipt of the aforementioned evidence and their satisfaction with the submitted documentation. Thereafter those water conservation and efficiency measures shall be maintained for the lifetime of the development;

Reason: To ensure water conservation and efficiency measures are secured, in accordance with policy SD3 (6) of the Herefordshire Local Plan Core Strategy 2011-2031

- 14 Prior to the occupation of the development details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first occupation of any of the building hereby permitted.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 15 Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 2 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 16 Any new access gates/doors shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards only.

Reason: In the interests of highway safety and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 19 Before any other works hereby approved are commenced, the construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.

Reason: In the interests of highway safety and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Informatives:

- 1 It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
- 2 This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.
- 3 Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority or their agent. Please contact Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800).
- 4 The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.

Planning Services
PO Box 230,
Hereford,
HR1 2ZB



KEVIN BISHOP
LEAD DEVELOPMENT MANAGER

Date: 4 October 2017

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

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.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at <https://www.herefordshire.gov.uk/search?q=annexes>

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.

Right to Challenge the Decision of the High Court

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision. Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review (JR).

The decision may be challenged by making an application for judicial review to the High Court. The time limits for bringing such challenges are very strict, and applications need to be made as soon as possible after the issue of the decision notice. So, if you think you may have grounds to challenge a decision by Judicial Review you are advised to seek professional advice as soon as possible

These notes are provided for guidance only and apply to challenges under the legislation specified. If you require further advice on making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000). For further information on judicial review please go to <http://www.justice.gov.uk>

The Council has taken into account environmental information when making this decision. The decision is final unless it is successfully challenged in the Courts. The Council cannot amend or interpret the decision. It may be redetermined by the Council only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

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.