

Town and Country Planning Act 1990  
 Planning and Compensation Act 1991

## PLANNING PERMISSION

**Applicant:**

Mr Richard Leach  
 Herefordshire Cider Company  
 1 Staniers Way  
 Roman Road  
 Hereford  
 HR1 1JQ

**Agent:**

Mr R Townend  
 GWP Architecture Ltd  
 Bracken House  
 1 Lidgett Lane  
 Leeds  
 West Yorkshire  
 LS8 1PQ

Date of Application: 29 July 2011

Application No: DMS/112082/F

Grid Ref: 351989:241868

**Proposed development:**

**SITE:** 1 Staniers Way, Hereford, Herefordshire HR1 1JQ

**DESCRIPTION:** Proposed conversion of existing industrial unit to drinks canning factory, new perimeter fence, external tanks and alterations to the facade

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 hereby approved shall be carried out strictly in accordance with the amended plans drawing nos. 294.1107 (00) 01 Rev 5; 294.1107 (10) 01 Rev 18; 294.1107 (10) 02 Rev 8; 294.1107 (10) 06 Rev 9; 294.1107 (10) 07 Rev 10; 294.1107 (10) 08 Rev 4; 294.1107 (10) 11 Rev 4.

Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 3 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 so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 4 The development hereby permitted and use of the application site shall enure solely for the benefit of the applicants (Herefordshire Cider Company) as a drinks canning factory and shall not, without the prior written authority of the local planning authority, be used for any other purpose within Classes B1, B2 or B8 of the Town and Country Planning Use Classes Order 2010 (As Amended).

Reason: To ensure that the approved parking provision remains commensurate with the approved use of the building so as to reduce the likelihood of indiscriminate parking on the adjoining public highways.

- 5 The development hereby permitted shall not be brought into use until the access, 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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

- 6 Unless otherwise agreed in writing with the local planning authority in conjunction with Dwr Cymru Welsh Water, foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

- 7 Unless otherwise agreed in writing with the local planning authority in conjunction with Dwr Cymru Welsh Water, no surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

- 8 Unless otherwise agreed in writing with the local planning authority in conjunction with Dwr Cymru Welsh Water, no land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

- 9 Details of any illumination of the CO2 tank, pump sets and effluent tank shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

Reason: To safeguard local amenities and to comply with Policy DR14 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:

S1 - Sustainable Development  
 S2 - Development Requirements  
 E5 - Safeguarding Employment Land and Buildings  
 E8 - Design Standards for Employment Sites  
 DR1 - Design  
 DR6 - Water Resources  
 DR13 - Noise

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 amenity, highway safety and water quality within the Special Area of Conservation (SAC) 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 Hereford Customer Services, Franklin House, 4 Commercial Road, Hereford. HR1 2BB (tel: 01432 261563).

Planning Services  
 PO Box 230  
 Hereford  
 HR1 2ZB



**DEVELOPMENT MANAGER**

**Date: 29 November 2011**

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.