

PLANNING PERMISSION

Applicant:

Ms A Lightbound
Langstone Mill
Llangarron
Ross-on-Wye
Herefordshire
HR9 6NY

Agent:

JBD Architects
Mortimer House
Holmer Road
Hereford
HR4 9TA

Date of application: 26th April 2006

Application code: **DCSE2006/1257/F**

Grid ref: 53102,22495

Proposed development:

SITE: Langstone Mill Farm, Llangarron, Ross-on-Wye, Herefordshire, HR9 6NY
DESCRIPTION: Resubmission of planning application no DCSE2004/3176/F to convert existing water mill into private 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 in all respects strictly in accordance with the approved plans (drawing no. 5560.4 Revision B) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. Before development commences architectural details of window sections, eaves, verges and barge boards at a scale of 1:1 or 1:5 shall be submitted to the local planning authority and approved in writing.

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

4. Before development commences trade details of the type of rooflight to be utilised in the development hereby approved shall be agreed in writing with the local planning authority.

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

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5. Notwithstanding the approved drawings, details of the following shall be submitted to and approved by the local planning authority prior to the commencement of any works:

(a) Railings

The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

6. 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 fences/gates/walls/garages/building/extension/dormer windows shall be constructed other than those expressly authorised by this permission.

Reason: To ensure the character and appearance of the building is maintained.

7. The garage hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such and not for the carrying out of any trade or business.

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

8. The proposals set out in sections 4.7 to 4.10 and 4.11 to 4.15 of the ecologist's report by Collins Environmental dated March 2006 should be followed in relation to bats and birds. The garage and associated bat loft shall be completed prior to any commencing on the conversion of the adjoining mill to residential use.

Details of construction, siting and erection of nest boxes for nesting birds should be discussed with consultant ecologist and planned as per recommendations to provide nearby alternative nest sites. A work programme should be devised for the site to ensure that the birds are not disturbed during nesting from March to September. A habitat enhancement scheme based upon the recommendations of the ecologists report should be produced in relation to bats and birds. This should be in a method statement for submission to Herefordshire Council in order to enhance the habitat on the site for bats and birds.

The timing of the development and post-development site safeguards should be adhered to.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation.

Reason: To ensure that all species of bat and nesting birds are protected under the Wildlife and Countryside Act 1981 and to ensure that the law relating to nesting birds in the same Act are protected.

INFORMATIVES:

1. All protected birds, their nests and eggs are protected by law and it is thus an offence to:
- intentionally kill, injure or take any wild bird
 - intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built

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- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from English Nature and the Council's Ecologist.

2. It is an offence for any person to:

- Intentionally kill, injure or take protected bats.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.
- Under the Habitats Regulations it is an offence to damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and Conservation Regulations 1994 that works to trees or building where that work involves the disturbance of a bat is an offence if a licence has not been obtained by DEFRA. If a bat is discovered while work is being undertaken, all work must stop and advice sought from English Nature and the Council's Ecologist. You can also call the UK Bat helpline on 0845 133 228.

3. The decision to grant planning permission has been taken having regard to the policies and proposals in the South Herefordshire District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

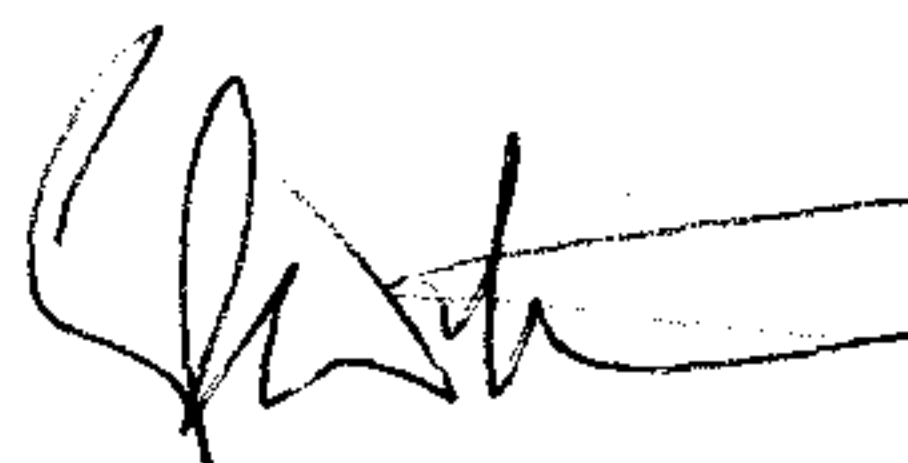
GD1 - General Development Criteria

C37 - Conversion of Rural Buildings to Residential Use

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 Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

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

Decision Date: 9th June 2006


Team Leader – South

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.

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.