

# PLANNING PERMISSION

**Applicant:**

K.W Bell & Son Ltd  
Steam Mills Road  
Whimsey Industrial Estate  
Cinderford  
Gloucester  
GL14 3JA

**Agent:**

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Date of application: 15th September 2006

Application code: **DCSE2006/3011/F**

Grid ref: 59518,25098

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Proposed development:

**SITE:** Despieres, Sixth Avenue, Lower Greytree, Ross-on-Wye, Herefordshire  
HR9 7HW

**DESCRIPTION:** Demolition of garage and greenhouse. Erection of two dwellings and associated garaging, drives, services and drainage.

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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. 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.

3. 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.

4. 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.

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5. Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

6. 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.

7. 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.

8. Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings approved and a datum point outside of the site, shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied in accordance with a timetable to be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

#### INFORMATIVES:

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

Herefordshire Unitary Development Plan (Revised Deposit Draft):

DR1 - Design

H1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas

South Herefordshire District Local Plan:

GD1 - General Development Criteria

SH14 - Siting and Design of Buildings

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).

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2. For the avoidance of any doubt the plans for the development hereby approved are as follows:

Drawing number GREY.32, received and date-stamped by the local planning authority 15 September 2006.

3. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.
4. 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.
5. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Area Services Manager, Thorn Business Park, Rotherwas, Hereford, HR2 6JT Tel: 01432-383214 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 for the works together with a list of approved contractors.
6. 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 Area Services Manager Tel: 01432-383214 Thorn Business Park, Rotherwas, Hereford, HR2 6JT

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

  
**Team Leader - South**

**Decision Date: 23rd October 2006**

**YOUR ATTENTION IS DRAWN TO THE FOLLOWING NOTES**

**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