

PLANNING PERMISSION

Applicant:

Trustees of The Treago Estate
c/o Savills

Agent:

Savills
Wytham Court
11 Westway
Botley
Oxford
OX2 0QL

Date of application: 13th April 2006

Application code: **DCSW2006/1184/F**

Grid ref: 48907,24190

SITE:

Treago Farm, St. Weonards, Herefordshire, HR2 8QB

DESCRIPTION:

Construction of a steel portal frame building for housing livestock.

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 plan (05/74/sk1/F - date stamped 2nd June, 2006).

Reason: To ensure the development is carried out in accordance with the amended plans.

3. Notwithstanding the details shown on the submitted plans, the external surfaces of the roof shall be coloured a dark blue grey (BS 18B29) or a similar dark colour agreed in writing with the local planning authority.

Reason: To protect the visual amenities of the area.

4. None of the existing trees and hedgerow on the site (other than those specifically shown to be removed on the approved drawings) shall be removed, destroyed, felled, lopped or pruned without the prior consent in writing of the local planning authority.

Reason: To safeguard the amenity of the area.

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5. No development shall take place until a scheme of hedge planting has been submitted to and approved by the local planning authority. The submitted scheme shall prescribe that at least 7 species of native woody trees or shrubs shall be planted within each hedge and shall specify that only those species prescribed in the approved scheme shall be planted in these hedges during the course of the development hereby permitted.

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

6. No development shall be commenced on the site or machinery or materials brought onto the site for the purpose of development until adequate measures have been taken to prevent damage to those trees which are to be retained. Measures to protect those trees shown must include:
- (a) Fencing, of a type and form agreed in writing with the local planning authority, must be erected around each tree or group of trees. This fencing must be at least 1.25 metres high and at a radius from the trunk defined by the canopy spread.
 - (b) No excavations, site works, trenches, channels, pipes, services, temporary buildings used in connection with the development or areas for the deposit of soil or waste or for the storage of construction materials, equipment or fuel or other deleterious liquids shall be sited within the crown spread of any tree without the prior written consent of the local planning authority.
 - (c) No burning of any materials shall take place within 6 metres of the furthest extent of the canopy of any tree or tree groups to be retained.
 - (d) There shall be no alteration of soil levels under the crown spread of any tree or group of trees to be retained.

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

7. No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the environment of the development is improved and enhanced.

8. Notwithstanding the submitted details, the existing access is to be properly consolidated, surfaced and drained at its junction with the C1236 for a distance of 6 metres from the edge of the adjoining carriageway, prior to the first use of the building hereby permitted, in accordance with details to be submitted to and approved in writing by the local planning authority, prior to the commencement of development, and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety.

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Informative(s):

1. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Mr. P. Evans, Area Services Manager, Thorn Business Park, Rotherwas, Hereford, HR2 6JT Tel: 01432-383214, for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.
2. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Mr. P. Evans, 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.
3. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
4. The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion. This means that vehicles, materials or debris must not be stored on the line of the footpath. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for, preferably 6 weeks in advance of work starting.

Any changes to, or excavations of the surface of the public footpath must be agreed in writing with the Council's Public Rights of Way Section before any work commences. This is to ensure that the surface is reinstated to an acceptable standard and the public is not inconvenienced whilst work is carried out.

It is an offence under Section 131A of the Highways Act 1980 to disturb the surface of a public footpath so as to render it inconvenient for the exercise of the public right of way.

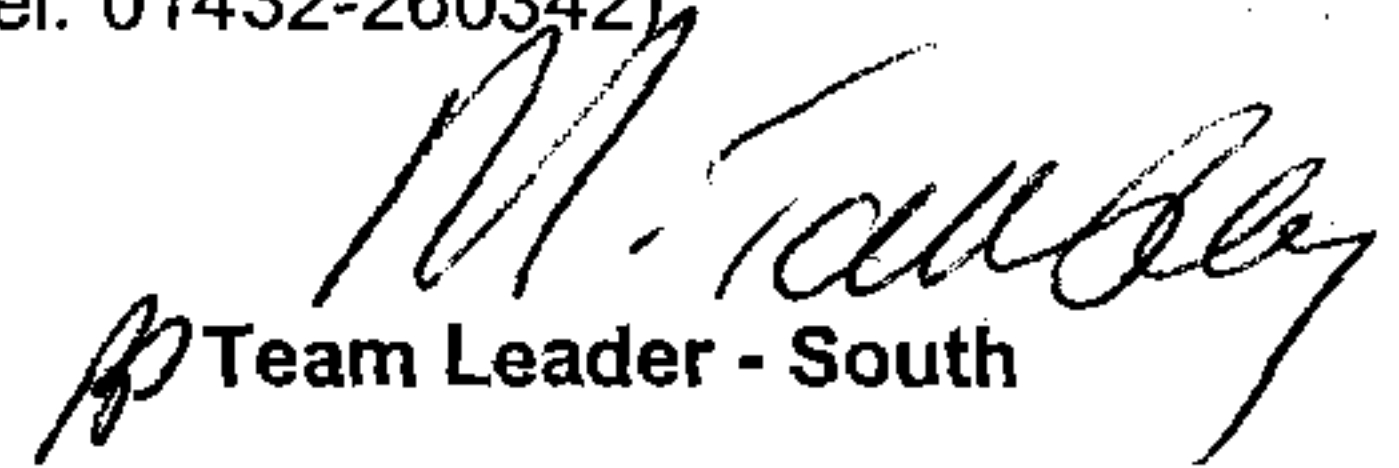
5. The decision to grant planning permission has been taken having regard to the policies and proposals in the Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

South Herefordshire District Local Plan
Policy GD.1 - General Development Criteria
Policy C.1 - Development within Open Countryside
Policy C.8 - Development within Area of Great Landscape Value
Policy C.29 - Setting of a Listed Building
Policy ED.9 - New Agricultural Buildings

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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).

Decision Date: 6th June 2006


P Team Leader - South

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.