

REFUSAL OF PLANNING PERMISSION

Applicant:

Mr James Thorne
Upper Holme Farm
Holme Marsh
Lyonshall
Herefordshire
HR5 3JU

Agent:

Mr Ben Corbett
Corbett Chartered Surveyors
Newchurch Farm
Kinnersley
Herefordshire
HR3 6QQ

Date of Application: 25 November 2010 Application No: DMN/103097/F Grid Ref:334075:252360

Proposed development:

SITE: Brick House Farm, Hopleys Green, Almeley, Herefordshire, HR3 6QX
DESCRIPTION: New agricultural building.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that PLANNING PERMISSION has been REFUSED for the carrying out of the development described above for the following reasons:

- 1 Insufficient functional justification has been proven in order to allow an agricultural building at this specific location. Therefore the proposed development is considered contrary to Policies S1 and E13 of the Herefordshire Unitary Development Plan.
- 2 In consideration of the buildings scale, it is considered that the proposed development will have a detrimental impact on the amenity of the adjoining dwelling and holiday lets known as Withystone Court and is therefore considered contrary to Policies S1 and DR2 of the Herefordshire Unitary Development Plan.

Planning Services
PO Box 230,
Hereford,
HR1 2ZB

Date: 19 January 2011



TEAM LEADER

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

NOTES

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.