

PLANNING PERMISSION

Applicant:

Mr H May
Tidnor Wood Orchards CIC
Knockmoyle
Strone, Dunoon
Argyll
Scotland
PA23 8TB

Agent:

Date of application: 11th July 2008

Application code: **DCCE2008/1831/F**

Grid ref: 56058,39665

Proposed development:

SITE: Tidnor Wood Orchards, Tidnor Lane, Lugwardine, Hereford, HR1 4DF
DESCRIPTION: New stable block type complex for agriculture, re - submission of DCCE2008/0099/F.

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

3. The building hereby permitted shall be used for the uses identified on the approved floor plan (Stable block ground floor plan scale 1:50) and any other use directly associated with the functional agricultural requirements of the holding and orchard identified in blue on the approved plan and for no other purpose whatsoever.

Reason: To ensure the building is used for agricultural purposes in associated with the functional requirements of the holding and orchard and to comply with Policy E13 of the Herefordshire Unitary Development Plan 2007.

4. Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 60 metres to the north west and the maximum distance that can be achieved within the applicant's ownership and confines of the highway to the south west along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

5. The building shall not be used until the surface water drainage works have been completed in accordance with the approved plans.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

INFORMATIVES:

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:

Herefordshire Unitary Development Plan 2007

S2 - Development requirements

S7 - Natural and historic heritage

DR1 - Design

E13 - Agricultural and forestry development

LA2 - Landscape character and areas least resilient to change

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 and highway safety 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 The Hereford Centre, Garrick House, Widemarsh Street, Hereford (tel: 01432 261563).

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

Location plan scale 1:2500, site plan scale 1:500, elevation plans and ground floor plan scale 1:50, surface water drainage plan.

Central Planning Services
PO Box 230
Hereford
HR1 2ZB

Decision Date: 5th September 2008


Team Leader – Central

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.