From: Christopher Knock <chris@christopherknock.co.uk>
Sent: 25 February 2020 11:24
To: Webster, Gemma <Gemma.Webster3@herefordshire.gov.uk>
Cc: Tookey-Williams, Jill <Jill.Tookey-Williams@herefordshire.gov.uk>; [redacted] Durkin, Barry (Cllr) <Barry.Durkin@herefordshire.gov.uk>; 'Barbara Millman' [redacted]
Subject: FW: Land at Hilltop, Upton Bishop. Outline planning applications Ref:200082, 200089 and 200091

Dear Gemma

In response to the Memo from Transportation dated 29th January 2020 (attached) I have the following information:

1. Proposed vehicle movements: 1. Type. 2. Frequency. 3. Number.
   a. Temporary dwelling 1. Cars
      2. 2 No. return journeys per car per day.
      3. 2 No.
   b. Classroom 1. Cars.
      2. Maximum 4 days per week and this will be seasonal so very little in the winter.
      3. No more that 4 cars per day.
   c. Foaling stables This will not create any transport as the horses will be walked from the existing stables to the foaling bay and thence any staff involved will be on foot.
2. Visibility splays for access onto the highway are as for existing planning permission DMS/110942/F (see attached) dated 29th June 2011. Condition 2 - 120m each direction.

I hope this is the information you require.

Regards

Chris

UKP SCANNED

Town and Country Planning Act 1990
Planning and Compensation Act 1991

PLANNING PERMISSION

Applicant:
Mr & Mrs Tom & Viven Maquire &
Mr & Mrs Ben & Agnes Tapsell
Marsh Farm
Upton Bishop
Ross on Wye
Herefordshire
HR9 7UP

Agent:
Dr Angus Murdoch
Murdoch Planning
P O Box 71
Ilminster
Somerset
TA19 0WF

Date of Application: 28 April 2011 | Application No: DMS/110942/F | Grid Ref: 365430:226745

Proposed development:

SITE: **Marsh Farm, Upton Bishop, Ross on Wye, Herefordshire, HR9 7UP**
DESCRIPTION: **Retention of farm track**

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 shall be carried out strictly in accordance with the approved plans (drawing numbers MSP.1138.2, 1126/01, 02 and 03), except where otherwise stipulated by conditions attached to this permission.

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of the Herefordshire Unitary Development Plan.

2 The entrance onto the B4221 shall be provided with visibility splays measuring 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 120 metres in each direction 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 the Herefordshire Unitary Development Plan.

3 The access gate shall remain set back 12 metres from the adjoining carriageway edge and shall be made to open inwards only.

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

4 The new access shall be constructed in accordance with the specification providing in Appendix A1 of Herefordshire Council's Highways Specification for New Developments' from the nearside edge of the carriageway for a distance of 15 metres and shall remain in perpetuity.

Reason: In the interests of highway safety to prevent debris from entering onto the public highway.

5 A highway management plan, including management responsibilities and maintenance schedules for the access and track, shall be submitted to and approved in writing by the local planning authority prior to the use of the new access. The highway management plan shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the adjacent dwellings.

6 None of the existing trees and/or hedgerows 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 approval in writing of the local planning authority.

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan.

7 No development shall take place until a scheme of tree planting between the access track and boundary of Trem y Bryn has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details of the species, sizes and positions or density of all trees to be planted and the proposed time of planting. All tree planting shall be carried out in accordance with those details.

The trees shall be maintained for a period of five years. During this time, any trees that are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the local planning authority gives written consent to any variation. If any trees fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period.

Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

Informatives:

1 It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the applicationsite or any works pertaining thereto.

2 The applicant is advised that the terms of this permission allow for the use of the farm track for agricultural purposes only in connection with the lawful use of the land for agriculture.

3 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:

S2 - Development Requirements
S6 - Transport
DR2 - Land Use and Activity
DR3 - Movement

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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).

Planning Services
PO Box 230
Hereford
HR1 2ZB

Date: 29 June 2011

TEAM LEADER

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

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 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.