

PLANNING PERMISSION

Applicant:

Mr M Mason
Wyeside
Clifford
Herefordshire
HR3 5EU

Agent:

Mr Powell
Lower House
Staunton-on-Wye
Hereford
HR4 7LR

Date of application: 4th March 2009

Application code: **DCSW2009/0421/F**

Grid ref: 24490,45835

Proposed development:

SITE: Wyeside, Clifford, Herefordshire, HR3 5EU
DESCRIPTION: Amendment to approved drawings application number DCSW2008/0154/F - to amend roof design.

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 extension and the dwelling known as Wyeside House shall not be sold separately from each other.

Reason: It would be contrary to the policy of the local planning authority to grant permission for a separate dwelling in this location having regard to Policy H7 of Herefordshire Unitary Development Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or dormer windows other than the rooflight expressly authorised by this permission shall be constructed in the south elevation of the property.

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

5. Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the local planning authority and such provision shall be retained and kept available during construction of the development.

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 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:

DR1 - Design

H18 - Alterations & Extensions

T11 - Parking Provision

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:-

MP/02/09, MP03/09 (Floor plans), MP/03/09 (Roof plan)

3. 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 application site or any works pertaining thereto.
4. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to the New Roads & Street Works Co-ordinator, Thorn Business Park, Rotherwas, Hereford HR2 6JT Tel: 04132 261800, 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. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Network Management Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Network Management Team can be contacted on Tel 01432 261800.

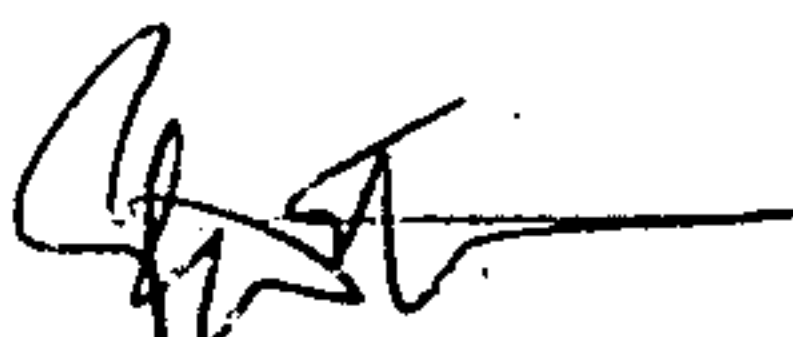
5. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Herefordshire Council's Highways and Transportation Section, Thorn Business Park, Rotherwas, Hereford, HR2 6JT (telephone 01432 261800), shall be given at least 28 days notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided within an approved specification, and supervision arranged for the works.

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6. 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.
7. The applicant's attention is drawn to the possibility of bats and other wildlife using the building to be demolished. This is with regard to the provisions of legislation protecting such species.

Southern Planning Services
PO Box 230
Hereford
HR1 2ZB

Decision Date: 21st April 2009



Team Leader – South

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.