

PLANNING PERMISSION

Applicant:
T-Mobile & 3 UK Ltd
C/O Agent

Agent:
LCC UK
Capital Park
Fulbourn
Cambridge
CB21 5XE

Date of application: 17th March 2008

Application code: **DCNE2008/0750/F**

Grid ref: 74588,40254

Proposed development:

SITE: Chances Pitch Highway, Chances Pitch, Colwall, Malvern, Herefordshire,
WR13 6HW
DESCRIPTION: Installation of additional equipment cabinet adjacent to existing
telecommunications installation.

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. Prior to the commencement of the hereby permitted development full written details, including BS number and colour sample of the external colour finish of the base unit shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in strict accordance with the approved details and thereafter maintained as such.

Reason: To ensure the development integrates smoothly within its environment and has minimal impact upon its rural setting within the Malvern Hills Area of Outstanding Natural Beauty, in accordance with Herefordshire Unitary Development Plan (adopted 2007) policies DR1, LA1 and CF3.

Informatives:

1. In regard to Condition 2 outline above, colour BS 4800 "Holly Green" 14c39 is recommended.
2. 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
DR2 - Land use and activity

LA1 - Areas of Outstanding Natural Beauty
CF3 - Telecommunications

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).

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

Titled 'Site Plan', Drawing No 63183/02, scale 1:100, received 18th March 2008

Titled 'South East Elevation', Drawing No 63183/03, scale 1:100, received 18th March 2008

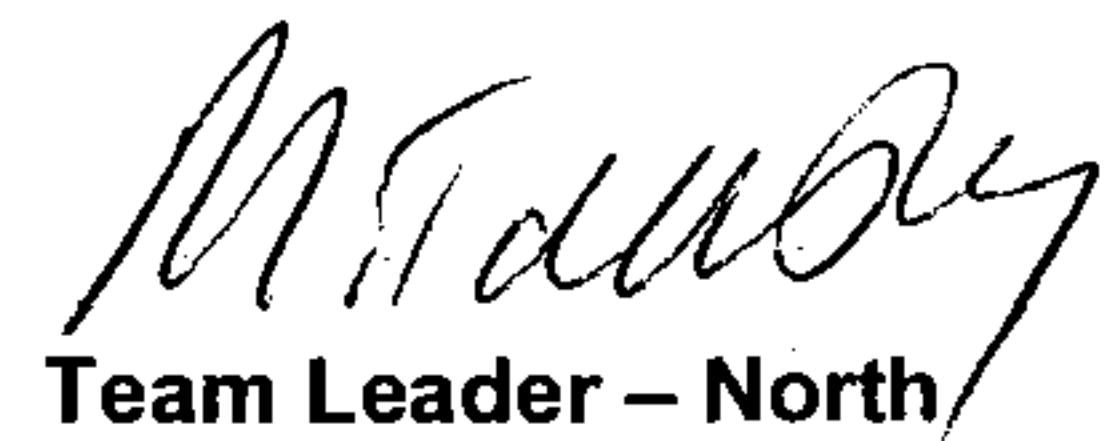
Titled 'Site layout Plan', Drawing No 63183/05, scale 1:25, received 18th March 2008

Titled 'Electrical and Earthing Plan, Drawing No 63183/06, scale 1:25, received 18th March 2008

4. The applicant's attention is drawn to the right of access enjoyed by other landowners via the existing surfaced road and track, which adjoins the site. The development and the carrying out of the works to implement the development should not impinge upon these rights.

Northern Planning Services
PO Box 230
Hereford
HR1 2ZB

Decision Date: 9th May 2008


Team Leader – North

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 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.