

MODIFY OR DISCHARGE A PLANNING OBLIGATION

Applicant:

Mr M Mansell
Josan
Newlands Drive
Leominster
Herefordshire
HR6 8PR

Agent:

Nick La Barre
Easters Court
Leominster
Herefordshire
HR6 0DE

Date of Application: 4 December 2009

Application No: DMNW/093093/G

Grid Ref: 340562:251228

Proposed development:

SITE: 15 Burtonwood, Weobley, Herefordshire, HR4 8SU

DESCRIPTION: Removal of Condition 2 (Planning Obligations) from approved application DCNW0009/1365/F (Proposed New Dwelling)

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of Section 106A of the Town and Country Planning Act 1990, as amended, that MODIFICATION OR DISCHARGE OF THE PLANNING OBLIGATION described above has been GRANTED for the following reason(s):

- 1 The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason: To comply with the provisions of Section 91(1) (b) of the Town and Country Planning Act 1990 (as amended) and to reflect the decision of the Local Planning Authority on 4th March 2009 to suspend (effective from 1st April 2009) the requirements of the Authority's 'Planning Obligations' Supplementary Planning Document (February 2008) in relation to all employment developments falling within Classes B1, B2 and B8 of the Town and Country Planning Use Classes Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, the employment element of any mixed use development and residential developments of five dwellings or less.

Informative:

- 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:

S1 - Sustainable Development
DR5 - Planning Obligations

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: 19 April 2010


Team Leader North

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

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.