

**From:** Withers, Simon  
**Sent:** 13 June 2016 16:17  
**To:** [marchesplanning@gmail.com](mailto:marchesplanning@gmail.com)  
**Subject:** Planning application 152868

Dear Helen,

I am happy to allow further time to seek a resolution to this matter. This will of course be subject to a formal extension of time that will need to be agreed with the applicant.

I think it unlikely that this will be resisted whilst there is a positive direction of travel in terms of your clients interests.

Yours sincerely

**Simon Withers**

Development Manager | Development Management

Economy, Environment and Corporate Services | Places and Communities  
**Personal Contact Details:**

**Tel** 01432 260612

**@** [swithers@herefordshire.gov.uk](mailto:swithers@herefordshire.gov.uk)

**From:** Helen Hamilton [<mailto:marchesplanning@gmail.com>]  
**Sent:** 13 June 2016 15:49  
**To:** Withers, Simon <[SWithers@herefordshire.gov.uk](mailto:SWithers@herefordshire.gov.uk)>  
**Subject:** Planning application 152868

Simon

To update you, my clients and I met the applicant and his agent on Friday and they provisionally agreed the following (to be confirmed in writing):

1) To provide a full drainage survey from a qualified drainage engineer. This will establish whether the foul drainage tank is indeed a septic tank and not a cesspit; it will include a photographic survey showing the condition of tank and pipework and plans of the entire drainage system showing the extent and location of the drainage field and the connection from the hall to the tank: provide documentary evidence of the applicant's rights to access and maintain the drainage field and a management plan to ensure that the drainage system does not become damaged or blocked. The survey will also confirm that no surface water drains to the septic tank/cesspit.

2) To provide permanent obscure glazing to the bottom half of all windows facing the neighbouring property (Red Court) and the roof light to the extension will be fully obscure glazed. This will be proposed as a planning condition to Herefordshire Council.

We would, therefore, be grateful if you could allow us to wait until we have received the drainage survey etc before submitting any comment on the planning application. I am sure the council's drainage advisors will require the same detail, as there is no evidence at present that there is any drainage field at all to serve the foul drainage tank. The only evidence supplied so far is the email from the architect reporting the words of a builder who provided dimensions. The architect, Mr Barter, advised that the tank was measured simply by inserting a pole into the tank to ascertain where the walls were. No assessment of any drainage field was carried out and neither Mr Barter nor his client were able to confirm that there was any drainage system beyond the tank. The applicant should be required to provide this evidence to ensure that the policy is compliant with Core Strategy policies SD3 and SD4.

My earlier comments that the drainage field was to the north of the property was based on a misunderstanding of the title deeds relating to the neighbouring property. In fact, the Gospel Hall does not have any rights outside the ownership boundary and there is no evidence of a drainage field. Title deeds attached.

My client's land is at a lower level than the Gospel Hall and stands the greatest risk of pollution should the foul drainage arrangements prove inadequate for the new use and development.

Please could you confirm that you will allow a further consultation period to allow the applicant to address our clients' concerns.

Many thanks and best regards

Helen

**MARCHES PLANNING & PROPERTY CONSULTANCY**  
01568 709155/07711 569791  
[www.marchesplanning.co.uk](http://www.marchesplanning.co.uk)

Title Number : HE53810

This title is dealt with by Land Registry, Telford Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 9 FEB 2016 at 14:40:21 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HE53810
Address of Property	: Mission Hall, Portway, Burghill, Hereford
Price Stated	: £70,500
Registered Owner(s)	: SOLOMON PROPERTY DEVELOPMENTS LIMITED (Co. Regn. No. 05762617) of Old Barn, North Road, Kingsland, Leominster HR6 9RZ.
Lender(s)	: None

## Title number HE53810

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 9 FEB 2016 at 14:40:21. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

## A: Property Register

This register describes the land and estate comprised in the title.

### HEREFORDSHIRE

- 1 (08.05.2015) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Mission Hall, Portway, Burghill, Hereford.
- 2 (10.09.2015) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 27 August 2015 made between (1) Alfred Austin Morris, Philip Randles, David John Affleck Robertson and Ernest Gwyn Davies and (2) Solomon Property Developments Limited but is subject to any rights that are reserved by the said deed and affect the registered land.  
  
*NOTE: Copy filed HE53810.*
- 3 (10.09.2015) The Transfer dated 27 August 2015 referred to above contains a provision as to boundary structures.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (10.09.2015) PROPRIETOR: SOLOMON PROPERTY DEVELOPMENTS LIMITED (Co. Regn. No. 05762617) of Old Barn, North Road, Kingsland, Leominster HR6 9RZ.
- 2 (10.09.2015) The price stated to have been paid on 27 August 2015 was £70,500.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (08.05.2015) A Conveyance of the land in this title and other land dated 30 April 1982 made between (1) Edgar John Ballinger and Elizabeth Ballinger (Vendors) and (2) Anthony Reginald John Bayliss and others (Trustees) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

### Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Conveyance dated 30 April 1982 referred to in the Charges Register:-  
  
"The Trustees hereby jointly and severally covenant with the Vendors and their successors in title that the Trustees and their successors in title will at all times maintain good and sufficient stockproof fences

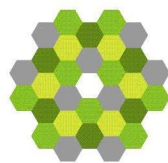
Title number HE53810

## Schedule of restrictive covenants continued

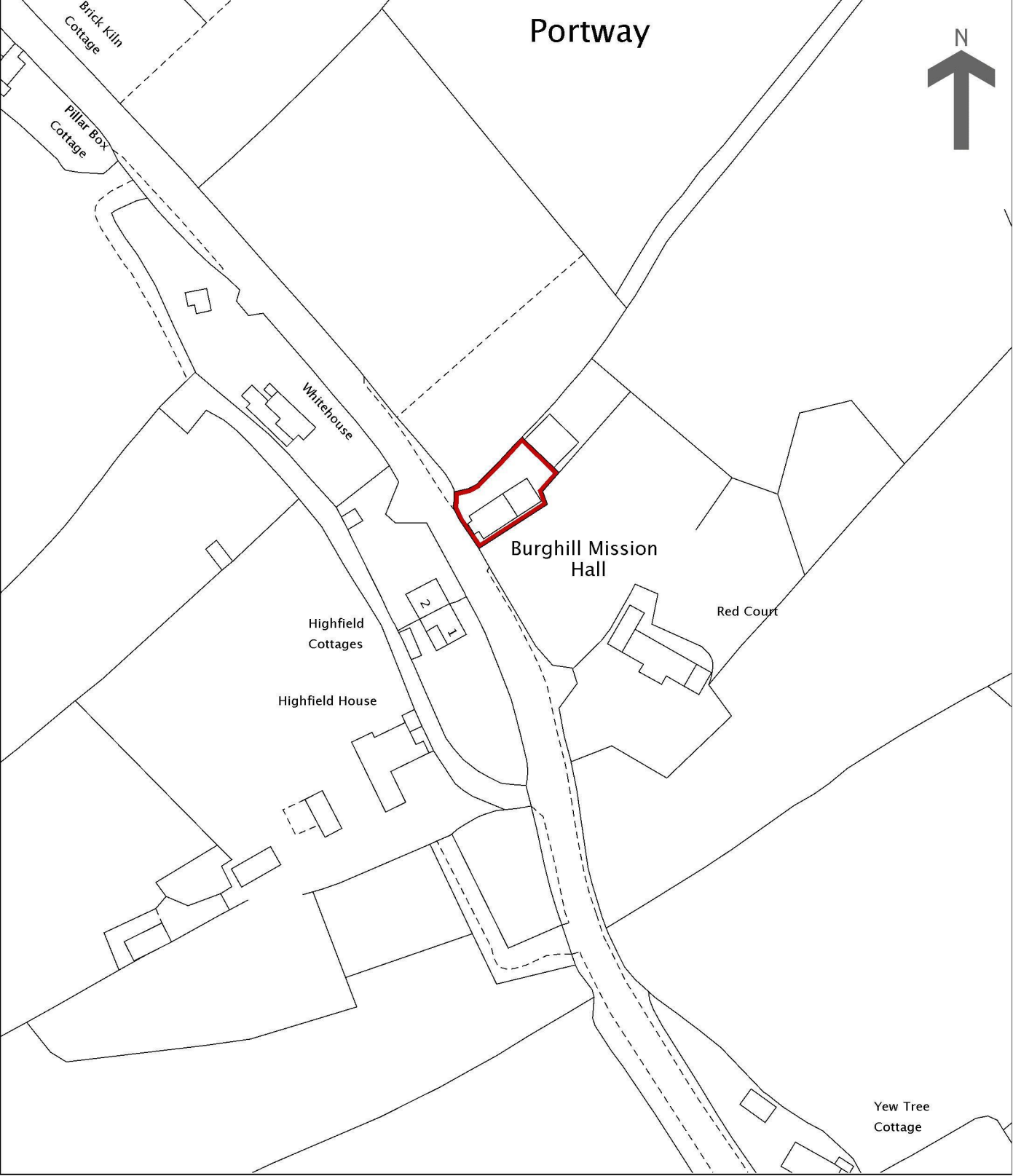
along the boundaries separating the property hereby conveyed from the adjoining property of the Vendors and that the Trustees and their successors in title will not do or suffer to be done anything which may become a nuisance damage or annoyance or detriment to the Vendors and their successors in title owners or occupiers for the time being of the property edged blue on the plan annexed hereto and known as Red Court Portway Burghill in the County of Hereford and Worcester"

NOTE: Copy plan filed under HE53067.

End of register



© Crown copyright and database rights 2015 Ordnance Survey 100026316. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



This is a copy of the title plan on 9 FEB 2016 at 14:40:21. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the title plan. An official copy of the title plan is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

The Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by Land Registry, Telford Office.