

## **REFUSAL OF PLANNING PERMISSION**

**Applicant:**

Mr & Mrs G Powell  
W W Powell and Sons  
Sollers Hope Farm  
Sollers Hope  
Herefordshire  
HR1 4RW

**Agent:**

Mr A Lee  
John Bowlers Eggs LLP  
Badger Farm  
Willowpit Lane  
Hilton  
Derbyshire  
DE65 5FN

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Date of Application: 23 June 2010    Application No: DMS/101560/O    Grid Ref:361464:233135

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**Proposed development:**

**SITE:**                      Sollers Hope Farm, Sollers Hope, Herefordshire, HR1 4RW  
**DESCRIPTION:**        Construction of 12,000 bird free range egg production unit.

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THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that **PLANNING PERMISSION** has been **REFUSED** for the carrying out of the development described above for the following reasons:

- 1      The scale, form and location of the proposed development extending the farm group onto adjoining land, together with the loss of trees and hedgerows, would cause visual harm to the character and appearance of this part of the Wye Valley Area of Outstanding Natural Beauty. As such the proposal conflicts with policies LA1, LA2, S2, S7 and E16 of the Herefordshire Unitary Development Plan.
  
- 2      In the absence of a Transport Statement and details and location of the proposed passing bays, it is considered the width and construction of the existing road network is inadequate to serve as access to this development. The proposal conflicts with policies S2, S6, E16, DR1 and DR3 of the Herefordshire Unitary Development Plan.

Planning Services  
PO Box 230  
Hereford  
HR1 2ZB

Date: 26 August 2010

  
**TEAM LEADER**

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

## **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.

### **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.