

A. W. MORRIS

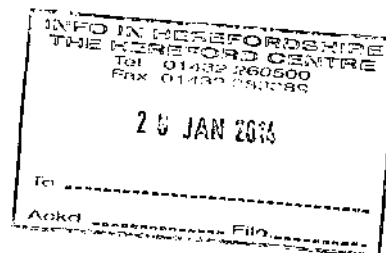
MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDALE ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 557930

My Ref: AWM/CF/PAA2891-11

Planning Application Ref No: 131578/F
Decision Date:- 24th July 2013

This Planning Application Ref:-
[Variation of Planning Condition No. 3]
:- P133464/F



27th January 2014

Mrs Charlotte Atkins
Senior Planning Officer
County of Herefordshire District Council
Planning Services
PO Box 230
Blueschool House
Blueschool Street
Hereford
HR1 2ZB

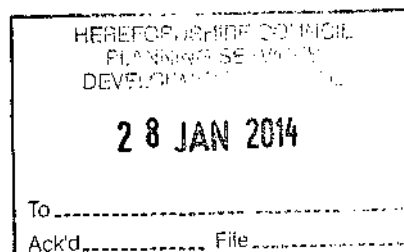
Dear Mrs Atkins

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

Further to the above matter, your letter to me of 22nd January 2014 the contents of which are noted and our recent telephone conversations regarding this Planning Matter please be advised as follows;

In noting the contents of your letter please find enclosed copies of the following documents and letter;

2891lets



A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDALE ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

27/01/2014

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

**Item[s] No. 1:- Notification of Planning Application Herefordshire Council
[Freeholder]**

Please find enclosed a copy of a letter dated 27th January 2014 which I have sent to Ms Gillian Stratford of the District Council Property Services Department, Plough Lane, P O Box 236, HR4 0WZ relating to the provision of Notice to The District Council as the Freeholder Owner of my clients, Kidwells Law Solicitors Ltd Development Proposal as of my clients Planning Application on the site they occupy noted above.

Please note that included within the various enclosures I have sent to Ms Gillian Stratford was a Formal Notice under "Town and Country Planning [Development Management Procedure] [England] Order 2010 Notice under Article 11 of Application for Planning Permission"] form advising The District Council of my clients Planning Consent application which I trust is self explanatory and I have completed correctly.

Please note that I also enclosed with the cover letter to Gillian Stratford and this completed form, the following additional information and drawings.

Item No. 2

I enclosed a copy of the Planning Consent Application form which related to my clients application for a variation to allow them consent for an Unrestricted use of their new Gymnasium Building [Amended Copy:- re-dated:- 27th January 2014].

Please note that I have amended Certificate B in the enclosed Planning Consent Application Form to include that I have notified The District Council as the freeholder of my clients site which forms the "Application Site" which I trust I have completed correctly.

Item No. 3

I enclose also with my letter to Gillian Stratford copies of the following drawings which relate to the "Approved Drawings under my clients Planning Consent in respect of their new Gymnasium Building.

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDALE ROAD
KINGS ACRE
HEREFORD
HR4 0RW

TELEPHONE & FAX: 01432 357930

27/01/2014

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

Planning Consent Ref:- 131578/F:- Decision Date:- 24th July 2013

Drawing No. 1

Drawing Ref:- 2092-11:- "Block and Site Location Plans:- dated 02/05/2013

Drawing No. 2

Drawing Ref:- 2092-10 Rev B "Plans and Elevations":- dated:- 02/05/2013

Drawing No. 3

Drawing Ref:- 2092/15 :- Rev A "Parking" Dated:- 05/07/2013.

Item No. 4

Please note that I also sent Gillian Stratford a copy of my clients Planning Consent relating to my clients Gymnasium building noted above. **Planning Application
Reference Number 131578/F:- Decision Date 24th July 2013- 3 pages**

I trust that all of the above information is self explanatory.

Formal Notice to Tenant:- Andy Mifflin Property

Please find enclosed a copy of a letter dated 27/1/2014 which I have sent to Mr Andrew Mifflin who is the Tenant from whom my clients Kidwells Law Solicitors Ltd Lease the site at Coldnose Road, Hereford.

I trust that this letter and its contents are self explanatory.

Please note that I sent copies of all of those documents and drawings which I have noted above and which I sent to Gillian Stratford of The District Council to Mr Mifflin as well for his information and records.

Please note that I also sent a completed copy of the Formal Notification to Mr Mifflin of my clients Development Proposal which is the subject of this letter and its contents.

2891lets

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDALE ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

27/01/2014

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

Therefore please be advised that I completed and also sent to Mr Mifflin a completed copy of the Formal Notice under "Town and Country Planning [Development Management Procedure] [England] Order 2010 Notice under Article 11 of Application for Planning Permission"] to his property address noted below [Mr Andrew Mifflin, Andy Mifflin Property, Goldsmith Close, Hampton Dene, Hereford, HR1 1XE] dated 27/01/2014.

Please also note that I also sent Mr Mifflin a copy of the Planning Application Form relating to this Planning Consent application for a "Variation of Condition 3 of permission 131578/F [Single Storey Detached Gymnasium to the rear]:- to allow unrestricted use of the Gymnasium within which you will note within which I have amended "Certificate B" to provide Formal Notification to Mr Mifflin of my Clients Planning Consent Application in this matter.

I trust that this complies with the Formal Notification requirements of my clients Planning Consent Application.

Please be advised that I also sent to Mr Mifflin with my letter to him of the 27/01/2014 copies of the three drawings indicated above and in my letter of the 27/01/2014 to Mrs Gillian Statford and a copy of the Formal Planning Consent [Ref:- 131578/F]..

With respect to the various comments you have made within the last section of your letter of 22nd January 2014 I believe that I have already addressed all of those issues in a letter I sent to you dated 17th January 2014 regarding another Planning Consent application.

However I enclose with this letter and various enclosures a further copy of that letter dated 17th January 2014 which I have already sent to you for your information and records relating to this separate Planning Matter.

I trust that all of the information enclosed within this cover letter and attachment address the various issues you have raised.

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDAL ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

24/01/2014

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

However if you require any further information or wish to discuss any aspect of my clients development proposal for this parcel of land please do not hesitate to contact me.

My Contact Details are as follows;

Postal Address: A W Morris Chartered Building Surveyor 20 Ferndale Road,
Kings Acre, Hereford, HR4 0RW

Contact Details: Office Telephone: 01432 357930

Mobile: 07977 140 692

Email Address : anthonywmorris@btinternet.com

Yours Sincerely



**A W MORRIS MSc [CONSERVATION OF HISTORIC BUILDINGS-BATH]BSc
[BLD SVG], MRICS CHARTERED BUILDING SURVEYOR**

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDAL ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

My Ref: AWM/CF/PAA2891-11

Planning Application Ref No:- 131578/F
[Approved 24th July 2013]

This Planning Application Ref:-
[Variation of Planning Condition No. 3]
:- P133464/F

27th January 2014

Ms Gillian Stratford
Property Services Department
Herefordshire Council
Plough Lane
P O Box 236
HR4 0WZ

COPY

Dear Ms Stratford

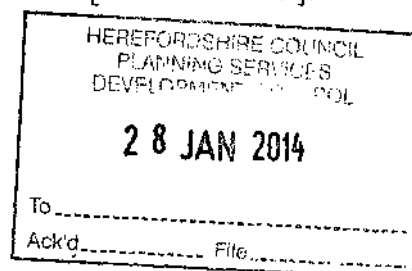
**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

Further to the above matter please be advised that Charlotte Atkins of the District Council has brought to my attention that Herefordshire Council are the Freehold Owners of the "Application Site" noted above.

On this basis please find enclosed a copy of the an "Application for removal or variation of a condition following grant of Planning Permission" Form, dated 27/01/2014, which has been completed by this office on behalf of Kidwells Law Solicitors in respect of my clients Planning Consent application noted above.

Please note within this application form that Certificate B indicates that Formal Notification has been made to you of my clients development proposal and consent to vary a Planning Consent Condition to The District Council regarding this Planning Consent Application to an already approved Planning Consent [Ref:- 131578/F].

2891lets



A. W. MORRIS

MSC (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDAL ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

27/01/2014

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

I also enclose a copy of "Town and Country Planning [Development Management Procedure] [England] Order 2010 Notice under Article 11 of Application for Planning Permission" form which I have again completed on behalf of my client, Kidwells Law Solicitors Ltd, which is dated 27/01/2014. This form relates to my clients application to The District Council to vary a Planning Consent Condition which is to allow the unrestricted use of their new Gymnasium under the Planning Consent noted above in respect of the land where the Gymnasium has been built on which Herefordshire Council are we understand the Freehold Owner. .

I trust that both of the above completed documents are self explanatory.

Please find enclosed also a Site Location drawing on which the "Application Site" of my clients Planning Application for a variation in a Planning Condition is noted and the "Application Site" is outlined in red **[Drawing Ref:- 2092-11 "Block and Site Location Plans:- dated 02/05/2013]**

Please find enclosed copies of the other drawings which relate to my clients new Gymnasium Building "As Approved" under Planning Consent 131578/F as indicated below :- **Drawing Ref:- 2092-10 Rev B "Plans and Elevations" dated:- 02/05/2013** and **Drawing Ref:- 2092/15:- Rev A "Parking" Dated:- 05/07/2013 .**

I trust that both of the above enclosed drawings are also self explanatory.

Please note indicated above that the Planning Application Reference Number 131578/F:- Decision Date 24th July 2013 has been issued by the District Council for my clients Planning Consent Application relating to this development proposal. I also enclose a copy of the Planning Consent relating to my clients Gymnasium building noted above.

I trust that the enclosed information contained within this letter and those enclosed documents and drawings are self explanatory, however if you require any further information or wish to discuss any aspect of my clients development proposal for this parcel of land please do not hesitate to contact me.

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDAL ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

27/01/2014

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

My Contact Details are as follows;

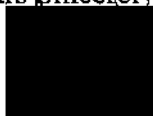
Postal Address: A W Morris Chartered Building Surveyor 20 Ferndale Road,
Kings Acre, Hereford, HR4 0RW

Contact Details: Office Telephone: 01432 357930

Mobile: 07977 140 692

Email Address : anthonywmorris@btinternet.com

Yours Sincerely



**A W MORRIS MSc [CONSERVATION OF HISTORIC BUILDINGS-BATH]BSc
[BLD SVG], MRICS CHARTERED BUILDING SURVEYOR**

PLANNING PERMISSION

Applicant:

Mr M Horne
Kidwells Law Solicitors Ltd
Kidwells House
Unit 4 Coldnose Road
Rotherwas Industrial Estate
Hereford
HR2 6JL

Agent:

Mr Anthony Morris
A W Morris Chartered Building Surveyor
20 Ferndale Road
Hereford
HR4 0RW

Date of Application: 7 June 2013

Application No:131578/F

Grid Ref:353447:237697

Proposed development:

SITE: Kidwells House, 4 Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL
DESCRIPTION: Single storey detached gymnasium to the rear.

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 and the National Planning Policy Framework.
- 2 The development shall be carried out strictly in accordance with the approved plans (drawing nos. 2092-10B; 11 & 15A), except where otherwise stipulated by conditions attached to this permission.

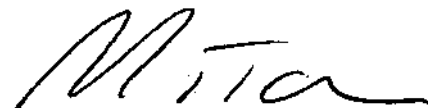
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.
- 3 The gymnasium hereby approved, and as shown on approved drawing SK001, shall only be used by employees of Kidwells Law Solicitors Ltd, Kidwells House, Unit 4 Coldnose Road, Hereford HR2 6JL.

Reason: The gymnasium only represents sustainable development in accordance with National Planning Policy Framework guidance and Policy S1 and DR3 of the Unitary Development Plan on the pretext that it is used by employees of Kidwells Law Solicitors Ltd working in the adjoining building.

Informatives:

- 1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Planning Services
PO Box 230,
Hereford,
HR1 2ZB



DEVELOPMENT MANAGER

Date: 24 July 2013

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 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.

Right to Challenge the Decision of the High Court

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision. Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review (JR).

The decision may be challenged by making an application for judicial review to the High Court. The time limits for bringing such challenges are very strict, and applications need to be made as soon as possible after the issue of the decision notice. So, if you think you may have grounds to challenge a decision by Judicial Review you are advised to seek professional advice as soon as possible.

These notes are provided for guidance only and apply to challenges under the legislation specified. If you require further advice on making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000). For further information on judicial review please go to <http://www.justice.gov.uk>

The Council has taken into account environmental information when making this decision. The decision is final unless it is successfully challenged in the Courts. The Council cannot amend or interpret the decision. It may be redetermined by the Council only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

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.

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDALE ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 557930

My Ref: AWM/CF/PAA2891-11

Planning Application Ref No:- 131578/F
[Approved 24th July 2013]

COPY

This Planning Application Ref:-
[Variation of Planning Condition No. 3]
:- P133464/F

Mr Andrew Mifflin
"Andy Mifflin Property"
Goldsmith Close
Hampton Dene
Hereford
HR1 1XE

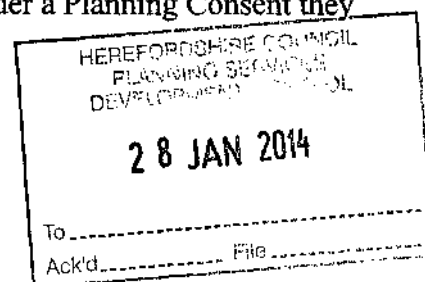
Dear Mr Mifflin

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

Further to the above matter please be advised that Charlotte Atkins of The District Council has brought to my attention that you are a Tenant of the "Application Site" noted above.

On this basis please find enclosed a copy of the an "Application for removal or variation of a condition following grant of Planning Permission" Form, dated 27/01/2014, which has been completed by this office on behalf of Kidwells Law Solicitors in respect of my clients Planning Consent application noted above.

Please note within this enclosed Application Form that Certificate B indicates that Formal Notification has been made to you of my clients development proposal and consent to vary a Planning Consent Condition to you under a Planning Consent they currently hold [Ref:- 131578/F].



2891lets

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDALE ROAD
KINOS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

27/01/2014

Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House, No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a Condition Following Grant of Planning Permission]

I also enclose also a copy of "Town and Country Planning [Development Management Procedure] [England] Order 2010 Notice under Article 11 of Application for Planning Permission" form which I have again completed on behalf of my client, Kidwells Law Solicitors Ltd which is dated 27/01/2014. This form relates to my clients application to The District Council to vary a Planning Consent Condition which is to allow the unrestricted use of their new Gymnasium under the Planning Consent noted above in respect of the land where the Gymnasium has been built on which we understand you are a Tenant.

I trust that both of the above completed documents are self explanatory.

Please find enclosed also a Site Location drawing on which the "Application Site" of my clients Planning Application for a variation in a Planning Condition is noted and the "Application Site" is outlined in red **[Drawing Ref:- 2092-11 "Block and Site Location Plans":- dated 02/05/2013]**

Please find enclosed copies of the other drawings which relate to my clients new Gymnasium Building "As Approved" under Planning Consent 131578/F as indicated below :- **Drawing Ref:- 2092-10 Rev B "Plans and Elevations" dated:- 02/05/2013** and **Drawing Ref:- 2092/15:- Rev A "Parking" Dated:- 05/07/2013 .**

I trust that both of the above enclosed drawings are also self explanatory.

Please note indicated above that the Planning Application Reference Number 131578/F:- Decision Date 24th July 2013 has been issued by the District Council for my clients Planning Consent Application relating to this development proposal. I also enclose a copy of this Planning Consent relating to my clients Gymnasium building noted above for your information and records.

I trust that the enclosed information contained within this letter and those enclosed documents and drawings are self explanatory. However if you require any further information or wish to discuss any aspect of my clients development proposal for this parcel of land please do not hesitate to contact me.

A. W. MORRIS

MSc (Conservation of Historic Buildings, Bath University)
BSc (BLD. SVG), MRICS, IHBC
CHARTERED BUILDING SURVEYOR

20 FERNDAL ROAD
KINGS ACRE
HEREFORD
HR4 0RW
TELEPHONE & FAX: 01432 357930

27/01/2014

**Ref: Single Storey Detached Gymnasium:- Kidwells Solicitors, Kidwells House,
No. 4, Coldnose Road, Rotherwas Industrial Estate, Hereford, HR2 6JL- My
Client: Kidwells Law [Solicitors] Ltd [Application for Removal or Variation of a
Condition Following Grant of Planning Permission]**

My Contact Details are as follows;

Postal Address: A W Morris Chartered Building Surveyor 20 Ferndale Road,
Kings Acre, Hereford, HR4 0RW

Contact Details: Office Telephone: 01432 357930

Mobile: 07977 140 692

Email Address : anthonywmorris@btinternet.com

Yours Sincerely

**A W MORRIS MSc [CONSERVATION OF HISTORIC BUILDINGS-BATH]BSc
[BLD SVG], MRICS CHARTERED BUILDING SURVEYOR**