

PLANNING PERMISSION

Applicant:

Mrs B Jewell
Rosemary Cottage
Rhystone Lane
Lugwardine
Herefordshire
HR1 4AP

Agent:

IJW Design & Consulting
Tupsley Court Cottage
Hampton Dene Road
Hereford
Herefordshire
HR1 1UX

Date of application: 21st May 2009

Application code: **DCCE0009/1062/F**

Grid ref: 55516,40488

Proposed development:

SITE: Rosemary Cottage, Lugwardine, Hereford, Herefordshire, HR1 4AP
DESCRIPTION: Proposed stables and menage

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. The development shall be carried out strictly in accordance with the approved plans 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 Herefordshire Unitary Development Plan.

3. The external timber cladding on the stable building hereby approved shall be stained a matt, dark colour, details of which shall first be submitted to and approved in writing by the local planning authority before development commences.

Reason: To protect the visual amenities of the area and to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

4. The stable building and menage shall be used to accommodate the applicant's own horses only and shall not be used for any commercial riding, breeding, training or other equestrian enterprise.

Reason: In order to safeguard the character and amenity of the area and to comply with Policy S1 of Herefordshire Unitary Development Plan.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, type, design and materials of any boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details and the boundary treatment shall be retained in perpetuity.

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.

6. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

7. No external lighting shall be installed upon the site or the external elevation of the stable without the prior written consent of the local planning authority.

Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of the Herefordshire Unitary Development Plan.

Informatives:

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

Site plan and elevation plan date stamped 21st May 2009.

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:

S1 - Sustainable Development

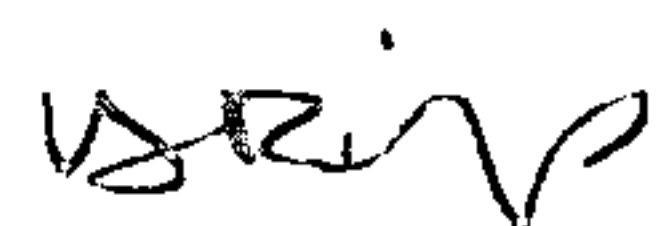
DR1 - Design

DR4 - Environment

RST1 - Criteria for Recreation, Sport and Tourism Development

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).

Central Planning Services
PO Box 230
Hereford
HR1 2ZB



Decision Date: 15th July 2009

Team Leader – Central

YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

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.