

PLANNING PERMISSION

Applicant:

Mr J Jackson
Chockbury Cottage
Chockbury Lane
Upper Westlands
Cradley
Worcestershire
WR13 5NA

Agent:

Date of application: 21st September 2006

Application code: **DCNE2006/3055/F**

Grid ref: 72572,46915

Proposed development:

SITE: Chockbury Cottage, Chockbury Lane, Cradley, Malvern, Herefordshire, WR13 5NA
DESCRIPTION: Proposed cottage and detached garage with vehicular access.

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. Prior to commencement of the development hereby permitted, written details and samples of all external materials shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until such written approval has been received from the Local Planning Authority. The development shall be carried out in accordance with the approved materials and thereafter maintained as such.

Reason: To ensure a satisfactory appearance to the development.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development normally permitted by Classes A, B, C, D, E and F of Part 1 and Class A of Part 2 of Schedule 2, Article 3 shall be carried out.

Reason: To safeguard the character and appearance of the area, the amenities of occupiers of adjoining residential properties and the setting of the Grade 2 Listed Chockbury Cottage.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be

retained together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The submitted scheme of landscaping must include details as to the location of all planting, the species, their size and the density of planting.

Reason: To ensure that the development is satisfactorily landscaped.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following completion of the development or first occupation of the dwelling, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the development is satisfactorily landscaped.

6. The garage building hereby permitted shall only be used for purposes incidental to the use of the dwelling hereby permitted as a single-family dwellinghouse. The garage building hereby permitted shall permanently be kept available for the parking of two private motor vehicles. The garage building shall not be used for any business or commercial purposes.

Reason: In the interests of highway safety and to safeguard the amenities of neighbouring local residents.

7. Prior to commencement of the development full details of all boundary treatments (i.e. walls, fences, gates or other means of enclosure) shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until such written approval has been received from the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained.

Reason: To safeguard the character and appearance of the area and the amenities of occupiers of adjoining dwellings.

8. Prior to commencement of the development large scale drawings of all external joinery shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until such written approval has been received from the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To ensure a satisfactory appearance to the development.

9. The private driveway hereby permitted shall not exceed a gradient of 1 in 8.

Reason: In the interests of highway safety.

10. Prior to commencement of the development written details as to the surfacing material of the private driveway and turning/manoeuvring area shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until such written approval has been obtained from the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained.

Reason: To ensure a satisfactory appearance to the development.

Informatives:

1. The decision to grant planning permission has been taken having regard to the policies and proposals in the Unitary Development Plan and Malvern Hills District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

Herefordshire Unitary Development Plan (Revised Deposit Draft)
H4 - Main Villages: Settlement Boundaries
DR1 - Design
H18 - Alterations and Extension

Malvern Hills District Local Plan
Housing Policy 3 - Settlement Boundaries


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 Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

2. For the avoidance of any doubt the plans to which this decision relate are:

Application Site Plan (Scale 1:1250) received 24th August 2006;
Site Plan and Garage Plan (Scales 1:500 and 1:100) - Drawing Number CR-01A received 24th August 2006;
Foundation Setting Plan (Scale 1:50) Drawing Number CR-04A received 24th August 2006;
Floor Plans and Elevations (Scale 1:100) - Drawing Number CR-001/B received 21st September 2006;
Floor Plans, Elevations and Sections (Scales 1:50 and 1:100) - Drawing Number CR09B received 21st September 2006.

Northern Planning Services
PO Box 230
Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Decision Date: 27th October 2006


Team Leader - North

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

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.