

PLANNING PERMISSION

Applicant:

Mr Philip Brown
Humber Ford and Stoke Prior Group Parish
Council
Great Marston Farmhouse
Risbury
Leominster
HR6 0NJ

Agent:

Mr Philip Brown
Great Marston Farmhouse
Risbury
Leominster
HR6 0NJ

Date of Application: 21 February 2013

Application No:130348/F

Grid Ref:352243:256530

Proposed development:

SITE: Land adjacent Stoke Prior Village Hall, Stoke Prior, Leominster, HR6 0LG
DESCRIPTION: Provision of 10 car parking spaces (including 2 disabled) for Stoke Prior Village Hall on adjacent field.

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 (Project 12-13 drawing number 1 revision B (amended 18/03/2013), 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.

- 3 No development shall commence on site until a habitat enhancement scheme which contains proposals to enhance the habitat on site for wildlife and biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.

Reason: In order to ensure that diversity is conserved and enhanced in accordance with the requirements of PPS9, the NERC Act 2006 and Policies NC6, NC7, NC8 and NC9 of Herefordshire Unitary Development Plan

- 4 Prior to the commencement of development a full working method statement shall be

submitted to and approved in writing by the local planning authority and the work shall be implemented as approved.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NCI, NC6 and NC7 of the Herefordshire Unitary Development Plan

- 5 No development shall commence on site until a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

Soft landscaping

a) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and shrub planting and grass areas

b) A written specification clearly describing the species, sizes, densities and planting numbers and giving details of cultivation and other operations associated with plant and grass establishment.

Hard landscaping

a) Existing and proposed finished levels or contours

b) Hard surfacing materials

c) Location of existing and proposed functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating routes, manholes, supports etc.)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

- 6 If the village hall ceases to exist, within 6 months of it doing so, the site hereby permitted for use as a car park shall be returned to its previous state and agricultural use.

Reason: In order to maintain the visual amenities of the area and to conform with policies DR2, LA2 and CF5 of the Herefordshire Unitary Development Plan.

- 7 Prior to the first use of the hereby permitted car park, the cycle storage area as defined on the site plan [Project 12-13 drawing number 1 revision B (amended 18/03/2013)] shall be erected.

Reason: To ensure that there is adequate provision for secure cycle storage within the application site, encouraging alternative modes of transport in accordance with both local and national policy and to conform with the requirements of policy DR3 of the Herefordshire Unitary Development Plan.

- 8 During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

Reason for Approval:

- 1 The local planning authority considers that the installation of a car park will enhance an existing important community facility, enabling the village hall to be accessed by all persons and providing a designated parking area away from the main road (C1110). The car park would be of a suitable size, commensurate to the need of the village hall and the local community helping to alleviate highways issues which have arisen as a result of the existing inadequate parking provision for the village hall. The impact on the landscape would be minimal and would be further alleviated through additional hedgerow planting. There would be no undue negative impact on neighbouring dwellings or their occupiers. Consequently the scheme accords with policies DR2, DR14, LA2 and CF5 of the Herefordshire Unitary Development plan and the National Planning Policy Framework.

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. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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



Date: 18 April 2013

DEVELOPMENT MANAGER

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.