

## REFUSAL OF PLANNING PERMISSION

**Applicant:**  
Ms A Gifford  
C/O Agent

**Agent:**  
Paul Smith Associates  
19 St Martins Street  
Hereford  
Herefordshire  
HR2 7RD

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Date of application: 19th June 2007

Application code: **DCSE2007/1975/F**

Grid ref: 59068,19618

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Proposed development:

**SITE:** Units A and B, Windsong Barn, Bulls Hill, Walford, Ross-on-Wye,  
Herefordshire, HR9 5QU  
**DESCRIPTION:** Removal of condition 2 of planning permission SE2001/2696/F

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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 reason:

1. The use of this rural building for residential purposes would conflict with the Council's policies for conversion of rural buildings for residential purposes as:
  - (a) it has not been demonstrated that every reasonable attempt has been made to secure an alternative business, recreational or community use and that such uses are not acceptable or practical
  - (b) the building is not worthy of retention or meets a demonstrated housing need or relates to a rural business
  - (c) the proposal harms the character of this group of former farm buildings
  - (d) the dwelling would not be in a sustainable location.

The policies referred to are: HBA.12, HBA.13, H.7, LA.1, S.1 and S.2 of the Herefordshire Unitary Development Plan 2007.

Southern Planning Services  
PO Box 230  
Hereford  
HR1 2ZB

**Decision Date: 14th August 2007**

  
Team Leader - South

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 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 30.05, Wile 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.