

PLANNING PERMISSION

Applicant:

Mr Robert Errington
C/o The Lough Pool Inn
Sellack
Ross-on-Wye
Herefordshire
HR9 6LX

Agent:

Mr Julian Scriven
Long Orchard
5 Overbury Road
Hereford
Herefordshire
HR1 1JE

Date of Application: 15 August 2012

Application No: S122291/F

Grid Ref: 354213:237211

Proposed development:

SITE: Field opposite Fairhurst, Dinedor, Herefordshire, HR2 6LF

DESCRIPTION: Single storey agricultural stabling to house goats

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 hereby approved shall be carried out strictly in accordance with the approved plans (amended plans - drawing numbers: JS/08/12/1 and JS/08/12/2 rev B.) and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 3 The storage of manure shall only take place in accordance with details, including a plan showing the location of the storage area, to be submitted to and approved by the Local Planning Authority prior to the first use of the building for the keeping of livestock.

Reason: In order to safeguard the designated sites and the watercourse and to comply with policies NC3 and NC4 of the Herefordshire Unitary Development Plan and section 11 of the National Planning Policy Framework.

Reason for Approval:

- 1 The proposed building would be on agricultural land and as such would be acceptable in principle. By reason of its siting, scale, mass, design and materials it would not adversely impact upon the landscape, designated sites, potentially contamination land, highway safety and residential amenity. The proposal complies with policies DR1, DR2, DR4, E13, LA2, NC3, NC4 of the Herefordshire Unitary Development Plan and paragraph 28 and section 11 of the National Planning Policy Framework.

Informatives:

- 1 The proposed development is within 150 metres of a closed landfill site and partially on the site of a former railway line. Both of these uses may be considered potentially contaminative and as such this should be considered by the applicant and specialist advice sought where necessary.

Planning Services
PO Box 230,
Hereford,
HR1 2ZB



DEVELOPMENT MANAGER

Date: 10 October 2012

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.