

PLANNING PERMISSION

Applicant:

Mr M Link
4 Hill Crest
Moss Haven
Haywood Callow
Hereford
HR2 8BZ

Agent:

Heald Partnership
Garnets Orchard
Poorscript Lane
Grosmont
Monmouthshire

Date of application: 10th April 2006

Application code: **DCCE2006/1251/F**

Grid ref: 55908,42081

Proposed development:

SITE: Castle Farm, Blackhole Lane, Bartestree, Hereford, HR1 4BE

DESCRIPTION: Change of use for conversion of redundant animal pen building to home office.

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 in all respects 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.

3. No development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings.

4. The premises shall be used for office accommodation and for no other purpose (including any other purpose in Use Class B1 (a) of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The local planning authority wish to control the specific use of the premises, in the interest of local amenity.

5. The premise hereby permitted shall be used solely for the applicant's personal administration office and for no other purpose. No employee shall be employed at any time within the premise.

Reason: In order to safeguard the amenities of the locality.

6. The premise associated with the main dwelling known as Castle Farm Barn shall not be sold separately from each other.

Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.

7. Prior to the commencement of the development details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of the building hereby permitted.

Reason: In order to ensure that satisfactory drainage arrangements are provided.

8. The development hereby approved shall be carried out strictly in accordance with the recommendation and mitigation measures set out in the DEFRA Bat Licence Application for The Castle Farm Barn, Blackhole Lane, Bartestree, Herefordshire received on 6th March, 2006. An ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee ecological mitigation work. Timing of the development together with post-development site safeguards and monitoring mentioned in the report should be adhered to. The converted building shall not be brought into use until the written confirmation has been submitted to and approved in writing by the local planning authority that the mitigation measures have been incorporated satisfactorily.

Reason: To protect the wildlife interest of the site and locality.

INFORMATIVES:


1. The presence of nesting birds should be evaluated throughout the works and if revealed or potentially disturbed by the development then Herefordshire Council's Ecologist should be notified. Works should avoid disturbance to the nests, young, eggs, adults and nesting area, and can only be resumed after the nesting season. The applicant is reminded that under the Wildlife and Countryside Act 1981 (as amended), all protected birds, their nests and eggs are protected by law and it is thus an offence to intentionally kill, injure to take any wild bird or intentionally damage or destroy the nest of any wild bird or whilst it is nest building. The maximum penalty that can be imposed in respect of a single bird, nest or egg would be a fine of up to 5,000, six months imprisonment or both.
2. The decision to grant planning permission has been taken having regard to the policies and proposals in the South Herefordshire District Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

South Herefordshire District Local Plan:
C1 - Development within open countryside
C36 - Re-use and adaptation of rural buildings
ED12 - Working from home

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).

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

Decision Date: 5th June 2006


Team Leader - Central

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 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.