

PLANNING PERMISSION

Applicant:
Mr H Smith
Ashgrove Croft
Marden
Hereford
HR1 3LA

Agent:

Date of application: 20th February 2006

Application code: **DCCW2006/0573/F**

Grid ref: 53984,49422

Proposed development:

SITE: Ashgrove Croft, Marden, Hereford, HR1 3LA
DESCRIPTION: Variation of condition 2 of application CW2005/2579/F

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. This permission shall enure for the benefit of Mr. Harry Smith and Mrs. Shirley Smith only and not for the benefit of the land or any other person interested in the land.

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

2. This permission relates to the siting of one mobile home and one touring caravan only. No other units of accommodation shall be brought onto, or occupied, on the site.

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

3. The stables shall be used to accommodate the applicant's own horses only and shall not be used for any commercial riding, breeding, training or other equestrian enterprise.

Reason: In order to safeguard the residential amenity of the area.

4. Within two months of the date of this permission a layout plan for the re-siting of the mobile home, touring caravan and associated structures onto the eastern side of the application site shall be submitted to and approved by the local planning authority. The relocation of these structures shall be undertaken with a timescale to be agreed in writing with the local planning authority and shall thereafter be retained in the approved location.

Reason: In order to protect the visual amenities of the area.

Continued

5. Within two months of the date of this permission, 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 within three months of that written approval.

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

6. Details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To safeguard local amenities.

7. None of the existing trees and/or hedgerows on the site (other than those specifically shown to be removed on the approved drawings) shall be removed, destroyed, felled, lopped or pruned without the prior consent in writing of the local planning authority.

Reason: To safeguard the amenity of the area.

8. Within two months of the date of this permission, details of a scheme of landscaping shall be submitted to and approved by the local planning authority, 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 any necessary tree surgery. All proposed planting shall be clearly described with species, sizes and planting numbers.

Reason: In order to protect the visual amenities of the area.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 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. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

Reason: In order to protect the visual amenities of the area.

10. Any new access gates/doors shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards only.

Reason: In the interests of highway safety.

11. Before any other works hereby approved are commenced, the construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.

Reason: In the interests of highway safety.

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Informatives:

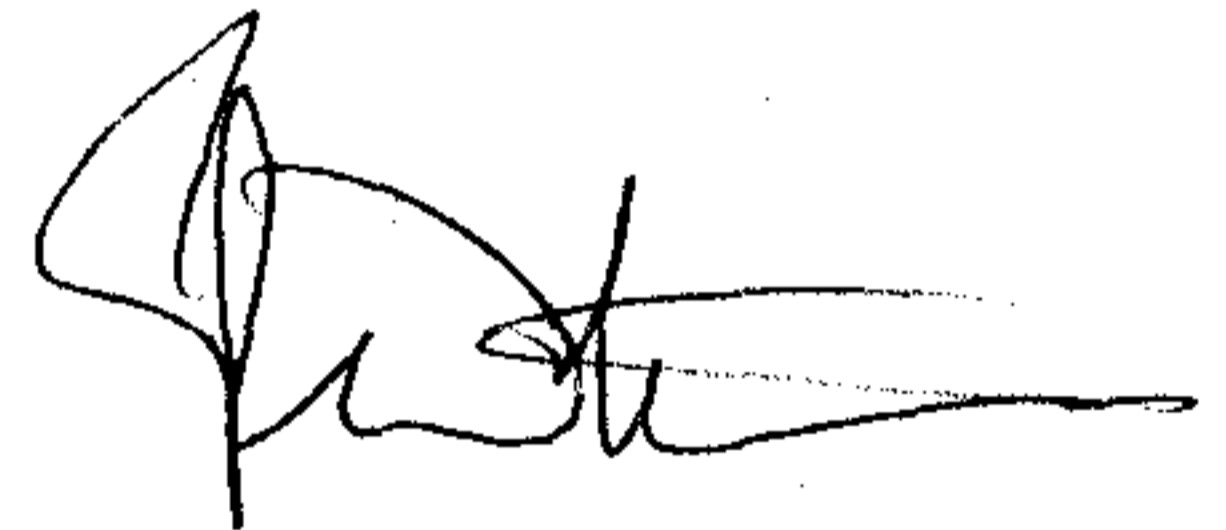
1. Your attention is drawn to the requirements of Part M of the Building Regulations 1991 in respect of the need to provide access and facilities for the disabled.
2. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
3. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Mr. C. Hall, Area Manager (Central), Thorn Business Park, Rotherwas, Hereford, HR2 6JT Tel: 01432-260786, shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification for the works together with a list of approved contractors.
4. 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:
SH25 - Gypsy Caravan Sites**

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 April 2006



Team Leader - Central

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.