

# PLANNING PERMISSION

**Applicant:**

Mr S Galvin  
Newcroft Farm  
Much Birch  
Herefordshire  
HR2 8HY

**Agent:**

Mr D F Baume  
Hook Mason Limited  
41 Widemarsh Street  
Hereford  
HR4 9EA

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Date of Application: 20 September 2011

Application No:DMS/112381/F

Grid Ref:351290:229516

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**Proposed development:**

**SITE:** Newcroft Farm, Much Birch, Herefordshire, HR2 8HY  
**DESCRIPTION:** Proposed variation of conditions 2 & 13 of planning permission DCSW0009/1368/F (Change of use of redundant former traditional agricultural outbuildings to create four residential dwellings) - Drive layout re-alignment, individual treatment plants & air/water heat pumps, roof light to stable 2 & postponement of highways improvement works.

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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 GRANTED for the development described above in accordance with the application and plans submitted to the authority subject to the following conditions:

- 1 The permission hereby granted is an amendment to planning permission DMDS/091314/F dated 24 May 2010 and, otherwise than is altered by this permission, the development shall be carried out in accordance with that planning permission and the conditions attached thereto.

Reason: For the avoidance of doubt and to comply with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 2 The development hereby approved shall be carried out strictly in accordance with the approved plans 5394-1-8C, 9C, 12C, 13B and 14E, details for flues, vents and surfacing for driveway under cover of letter dated 8 November 2011 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 development shall not be brought into use prior to completion of access works as detailed on TMSC/SG/NF/1376/01 Revision A - "General Arrangement" has been carried out in conjunction with the Highways Agency and local planning authority.

Reason : In order to ensure that vehicles accessing and exiting the site ensure the safety of users on the A49.

- 4 The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

- 5 Prior to the commencement of ground works, a full working method statement relating to biodiversity should be submitted to and be 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 (Natural Habitats, &c) Regulations 1994 (as amended) and Policies NC1, NC6 and NC7 of Herefordshire Unitary Development Plan.

Informatives:

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the Herefordshire Unitary Development Plan 2007 set out below, and to all relevant material considerations including Supplementary Planning Guidance:

DR1 - Design  
DR2 - Land Use & Activity  
DR3 - Movement  
HBA12 - Re-use of Rural Buildings  
HBA13 - Re-use of Rural Buildings for Residential Purposes  
T6 - Walking  
T8 - Road Hierarchy  
NC1 - Biodiversity & Development  
NC2 - Sites of International Importance  
NC3 - Sites of National Importance  
NC4 Sites of Local Importance

In reaching this decision the local planning authority was mindful of the particular circumstances of the case, namely the extent to which the development complied with policy and the way in which local issues of amenity, highway safety and biodiversity were addressed.

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 Hereford Customer Services, Franklin House, 4 Commercial Road, Hereford. HR1 2BB (tel: 01432 261563).

Planning Services  
PO Box 230,  
Hereford,  
HR1 2ZB

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 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.

**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.