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# APPROVAL OF RESERVED MATTERS

**Applicant:**  
Mr & Mrs Jenkins  
Bliss House  
Staunton On Wye  
Hereford  
HR4 7NA

**Agent:**  
Owen Hicks Architecture  
Second Floor Offices  
46 Bridge Street  
Hereford  
HR4 9DG

Date of Application: 4 November 2013

Application No:132968/RM

Grid Ref:336303:245317

## Proposed development:

**SITE:** Land adj to Bliss House, Staunton on Wye, Herefordshire, HR4 7NA  
**DESCRIPTION:** Approval of all reserved matters; appearance, layout, scale and landscaping pertaining to outline planning consent N121940/O.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the above Acts that APPROVAL has been GRANTED in respect of the details referred to above for the purpose of the conditions imposed on outline planning permission reference N121940/O subject to these further conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the approved plans (Site plan as proposed – drawing number 9338-JH-P1 – Rev A, Landscaping and biodiversity enhancement scheme – drawing number 9338 – JH – P13, Plot one – floor plans and elevations – drawing number 9338-JH-P2 – Rev A, Plot two – floor plans and elevations – drawing number 9338-JH-P3 – Rev A, Plot three – floor plans and elevations – drawing number 9338-JH-P4 – Rev A, Plot four – floor plans and elevations – drawing number 9338-JH-P5 – Rev A, Plot five – floor plans and elevations – drawing number 9338-JH-P6 – Rev A, Plot six – floor plans and elevations – drawing number 9338- JH-P7 – Rev A, Plot six – garage floor plans and elevations – drawing number 9338-JH-P8 – Rev A, Plots Seven and eight – floor plans and elevations – drawing number 9338-JH-P9 – Rev B, Plots 9 and 10 – floor plans and elevations – drawing number 9338-JH-P10 – Rev B, Plot 11 – floor plans and elevations – drawing number 9338-JH-P11 – Rev B, Engineering layout – drawing number J01276/A1/001) 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 and the National Planning Policy Framework.

- 2 Notwithstanding the approved plans no development shall take place until details, (or samples), of external roofing and brick wall construction materials 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 suitable external construction materials are used in the



external construction of the dwellings and to comply with Policies DR1 and LA2 of the Herefordshire Unitary Development Plan.

- 3 Prior to any development on site full details will be submitted to and approved in writing by the Local Planning Authority with regards to re-routing of the overhead power line that crosses the application site.

Reason: With consideration to the visual amenity of the surrounding area and to comply with Policy DR2 of the Herefordshire Unitary Development Plan.

- 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 and the National Planning Policy Framework.

- 5 No development shall commence until the Developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been submitted to and approved in writing by the local planning authority in liaison with Dwr Cymru Welsh Water's Network Development Consultant. The work shall be carried out in accordance with the approved scheme.

Reason: To ensure the effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system so as to comply with Policy CF2 of Herefordshire Unitary Development Plan and the National Planning Policy Framework.

Informatives:

- 1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in additional information submitted in support of the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2 The attention of the applicant is drawn to the conditions on the outline planning permission granted on 17 June 2013 (Reference No. N121940/F). This application for the approval of reserved matters is granted subject to these conditions.
- 3 If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on Tel: 0800 917 2652.
- 4 This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.
- 5 This permission does not authorise the laying of private apparatus within the confines of



the public highway. The applicant should apply to Amey Herefordshire (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 04132 845900), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 845900.

- 6 This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Amey Herefordshire (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 845900), 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, and supervision arranged for the works.

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 845900.

Planning Services  
PO Box 230,  
Hereford,  
HR1 2ZB

Date: 27 January 2014



**DEVELOPMENT MANAGER**

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF



**Please note:** 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.

## 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 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.