

**Town and Country Planning Act 1990
Planning and Compensation Act 1991**

REFUSAL OF PLANNING PERMISSION

Applicant:
Hereford Residential Developments Limited
C/O Agent

Agent:
Bryan Smith Associates
33 The Dell
Westbury-on-Trym
Bristol
BS9 3UE

Date of application: 25th May 2007

Application code: **DCCE2007/1655/O**

Grid ref: 51704,41785

Proposed development:

SITE: Holmer Trading Estate, College Road, Hereford HR1 1JS
DESCRIPTION: Mixed Use development comprising residential (115 units), employment (office, industrial and warehousing), retail and supporting infrastructure including new access off College Road, roads, footpaths, open spaces, landscaping, parking and re-opening of part of canal.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that PLANNING PERMISSION has been REFUSED for the carrying out of the development described above for the following reasons:

1. The proposed development will result in the loss of safeguarded employment land to non employment uses and there are no substantial benefits to residential or other amenity in allowing the alternative forms of development nor is the site considered to be unsuitable for employment uses. As such, the development is contrary to Policy E5 of the Herefordshire Unitary Development Plan 2007.

Central Planning Services
PO Box 230
Hereford
HR1 2ZB

Decision Date: 3rd September 2008


Team Leader – Central

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

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 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.