

Economy, Communities and Corporate Directorate

Director: Geoff Hughes

Miss Catherine Murray
Walford PC (Kerne Bridge)
Rose Cottage
Coughton
Ross-On-Wye
Herefordshire
HR9 5SF

Your Ref:
Our Ref: E2017/233595/ENS
Please ask for: Mr Scott Low
Direct Line / Extension: 01432 261814
E-mail: scott.low@herefordshire.gov.uk

8 December 2017

Dear Miss Murray,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
RE: ALLEGED UNAUTHORISED OPERATIONAL DEVELOPMENT- ALLEGED UNAUTHORISED
WORKS: CREATION OF UNAUTHORISED ACCESS ONTO CLASSIFIED ROAD AT LAND AT
KERNE BRIDGE PICNIC SITE, SOUTH OF BISHOPSWOOD VILLAGE HALL, KERNE BRIDGE,
ROSS-ON-WYE, HEREFORDSHIRE, HR9 5QX**

I refer to the above and my visit today where I met both yourself and Frank Myers on site.

Having discussed the above matter further with Jill Tookey-Williams (Council Highways Engineer), I am therefore now of the opinion that the access created is not directly onto the classified road (B4234) and therefore these works constitute 'permitted development' under Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015:

PART 12 Development by local authorities Class A Permitted development

- A. The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of— (a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers; (b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar (a) Section 196D was inserted by paragraph 6 of Schedule 17 to the Enterprise and Regulatory Reform Act 2013 (c. 24). 94 structures or works required in connection with the operation of any public service administered by them.

Interpretation of Class A A.1 For the purposes of Class A, "urban development corporation" has the same meaning as in Part 16 of the Local Government, Planning and Land Act 1980 (urban development)(a). A.2 The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding

For the avoidance of doubt, Class B below also stipulates;

Interpretation of Part 12 C: For the purposes of Part 12, "local authority" includes a parish council.

Therefore, as the works constitute 'permitted development', no formal planning application is required.

Whilst Jill is still concerned about the visibility splays in an Easterly direction, as you have agreed to remove as much foliage as is possible within your land-holding to achieve the best possible visibility, this is therefore deemed acceptable on the understanding that the works to reduce the foliage in an Easterly direction will take place during Easter 2018.

In respect of the café/kiosk I can confirm that there was no evidence that I could see of any concrete base to the building.

I hope the above serves to clarify the matter, if you require any further assistance please contact me directly on the above number.

Yours sincerely,

MR SCOTT LOW
PLANNING ENFORCEMENT OFFICER