

From: Christopher Ridler <chris.ridler@hotmail.com>
Sent: 29 August 2019 10:18
To: LedburyTC Clerk
Cc:
Subject: Landscaping around The Master's House
Attachments: Letter to The Mayor of Ledbury.docx; Decision Notice (1).docx

14

Dear Councillor Howells

The attached letter explains why we seek help from the Town Council with regard to bringing this plan to a successful conclusion.

Having looked at the Approval notice (28 January 2018) we are concerned that there seems to be requirement to duplicate a number of conditions

That have already been covered, particularly number 6 Archaeological work. If these are required then it is feared that there will be no funding left to cover the work.

We are happy to discuss this project if you feel it would be helpful

Chris Ridler
Secretary
Friends of The Master's House

This email has been scanned for spam & viruses. If you believe this email should have been stopped by our filters, [click here](#) to report it.

200

Mayor P. Howells.

Ledbury Town Council

Dated: August 29 2019

Subject: Landscaping around The Master's House. Application number: 150041

The original plan for Landscaping has been much reduced from the original proposals, as the monies available were reduced during the restoration in 2015

The arrival of Aldi gave us access to planning gain/Public realm funds with which we hoped to use to improve some of the worst aspects of the original fund limited work. Approval for the 'new' plan was given in November 2018 (A copy of the Approval is attached)

Following this a certain amount of the fund was eaten up by admin tasks, seeking tenders for the work, paying the designers etc. (we are concerned that Condition 6 which appears to require work already completed to be undertaken again)

The tenders for the reduced scheme were sent out and we have now heard that they all exceed the amount of funding now available.

We have been given minimal information about where the project currently stands. The last email from the Project Officer states:

'Just giving you an update on where we are with the landscape works at St Katherine's. We have had tenders back and they are in excess of our available budget. Various options are being considered on how best to proceed and I will let you know when further information is available on programme.'

This statement makes us concerned as to how the design may be altered to fit the reducing amount of money available and exactly what these 'various options' may be. As the Master's House has now become such a Community building in Ledbury we wondered if the Town Council is being involved in the potentially important open air facility which is of interest and benefit to everyone and if the Council can help to ensure whatever is decided makes best use of the money available, either by using smaller contractors or by approaching Speller Metcalfe who did such a professional job on the House and might look on this as an opportunity to 'finish the job'? What we are anxious to avoid is the gradual diminution of the money so the barest of repair is carried out with no real improvement to the surrounding area.

The Friends are particularly concerned that the area provides clearer access to the building, that whatever paths are maintained or created are properly paved (removing the damaging grit) and that an attractive open space with appropriate seating is provided with soft landscaping which reflects the historic site of St Katherine's Hospital.

We have already committed to giving £500 towards the re-engraving of the ground plan and are in the process of applying for additional cycle stands to be installed.

The Friends are aware of our limited influence as a volunteer public interest group but would support any positive moves by the Town Council to see the project completed satisfactorily.

Yours Sincerely



Secretary, Friends of The Master's House

PLANNING PERMISSION

Applicant:

Mr Philip Huggett
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

Agent:

Ms Ruth Sears
One Creative Environmental Ltd
Unit 5 The Triangle
Wildwood Drive
Worcester
WR5 2QX

Grid Ref:371033:237649

Date of Application: 28 January
2015

Application No:
150041

Proposed development:

SITE: The Masters House, St Katherines, High Street, Ledbury, Herefordshire HR8 1EA
DESCRIPTION: Landscaping of the Masters House to enhance its setting

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 development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 None of the lighting hereby approved shall be switched on from 11pm on any day until 7am the next day during the period 1 April until 1 October in any calendar year, without the prior written consent of the Local Planning Authority.

Reason: To safeguard protected species in accordance with policy LD2 of the Herefordshire Local Plan Core Strategy 2011-2031.

- 3 Any trees or plants that die, are removed or become seriously damaged or diseased within a period of five years from implementation of the development must be replaced in the next planting season with identical species.

Reason: To ensure that the approved planting scheme becomes properly established as an integral part of the wider landscaping scheme thus according with policy LD1 of the Herefordshire Local Plan Core Strategy 2011-2031.

4 Notwithstanding condition 3 above prior to commencement of the development hereby approved the following matter shall be submitted to the Local Planning Authority for their written approval:-

- A full written five year landscape maintenance plan including provisions to ensure that the new trees are managed to ensure that they become established, including information regarding formative pruning, regular watering schedule and additional mulch added and removal of weeds/grass.

No development shall commence until the written approval of the Local Planning Authority has been obtained. Thereafter the implemented development shall be managed in full accordance with the approved written landscape maintenance plan.

Reason: To ensure that the approved planting scheme becomes properly established as an inherent part of the wider landscaping scheme thus according with policy LD1 of the Herefordshire Local Plan Core Strategy 2011-2031.

5 Unless otherwise approved in writing by the Local Planning Authority, the development hereby permitted shall be fully implemented in accordance with the following approved documents:-

- Design and Access Statement (April 2018) – P0652-RE-5-001 Revision D;
- Landscape Sections – Drawing number DR-5-007 Revision B;
- Typical Tree Pits Details – Drawing number DR-5-010;
- Detailed Planting Plan 1 of 2 – Drawing number DR-5-008 Revision C;
- Detailed Planting Plan 2 of 2 – Drawing number DR-5-009 Revision A;
- Landscape Master Plan – Drawing number DR-5-002 Revision F;
- Application Site Plan – Drawing number co00378128/0512509/ ; and
- E-mail from Ruth Sears (One Ltd.) dated 01 August 2018 14:15.

Reason: For the avoidance of doubt and to ensure that the development is carried out in full accordance with the approved plans and documentation securing an appropriate high level of quality thus according with policies SS6, LD1 and LD4 of the Herefordshire Local Plan Core Strategy 2011-2031.

6 No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This programme shall be in accordance with a brief prepared by the County Archaeology Service.

Reason: To ensure the archaeological interest of the site is recorded and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework. The commencement in advance of such approval could result in irreparable harm to any identified heritage asset.

Informative

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,

including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Planning Services
PO Box 4,
Hereford,
HR4 0XH



**EDWARD THOMAS
DEVELOPMENT MANAGER**

Date: 21 November 2018

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

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.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at <https://www.herefordshire.gov.uk/search?q=annexes>

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).

204

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.