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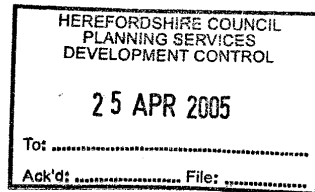
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Your Ref. T2004/4321

20 April 2005

Mr M Willmont
Planning Department
County of Herefordshire District Council
Southern Planning Services PO Box 230
Blueschool House
Blueschool Street
HEREFORD HR1 2ZB



Dear Mr Willmont

RE: ALTERATION, REPAIRS AND EXTENSION TO BARN FOR RESIDENTIAL PURPOSES, NEWTON FARM WELSH NEWTON MONMOUTH HEREFORDSHIRE NP5 3RN.

I refer to your recent letters in respect of the above-mentioned matter and note particularly your letter dated 8 April 2005 to Mr Gilling confirming your Council's intention to issue an Enforcement Notice requiring "the demolition of the unauthorised dwelling."

Following the withdrawal of the planning application we submitted we now submit a revised application for your Council's consideration. This revised proposal takes into account the matters raised in the informal meeting we held with Mr Crowther and myself and in the letter you sent following that meeting.

In your letter you raised the subject of irregularities between the submitted plans and what had been implemented on site. These have been investigated and addressed in these revised plans.

I would ask your Council to please consider these revised proposals and the arguments in favour of them before issuing the Enforcement Notice you mentioned because I consider that if a Notice was issued in advance of the proper consideration of the application, that action would be in breach of Government guidelines and be in breach of natural justice. I would also ask your Council to consider a number of points which we feel support these revised proposals.

An analysis of the original proposal which was approved (for Mr Gilling – not the previously approved proposal) shows that of the total length of external walling enclosing the dwelling, 51.7% was approved new build. It clearly involved taking down the old and rebuilding. Out of the 48.3% original walling, it was clear to all, including your own Planning Officer at the time of his site inspection prior to Committee consideration, that 16.5m length (25%) was new build work resulting from an earlier conversion attempt. Mr Gilling was advised by your Council's Building Inspector that this work was of such poor standard it had to be replaced.

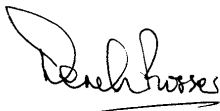
Principal: Derek J. Prosser, B.Sc., DipTP., MRTPI

This and other matters relating to the structural condition of the building were addressed by Mr Gilling in a careful and methodical way over a long period of time, at times under the watchful eye of the Building Inspector. Having paid substantial Building Regulations fees Mr Gilling felt that the Council's interests in the progress of the work were being carefully monitored. He is also conscious of a number of planning applications being considered during his time carrying out this work, which would have involved site inspections by a Planning Officer.

The issues involved in your Council's consideration of this proposal are clearly not straightforward and I noted during our last meeting you felt that there was an opportunity to address a number of design issues in the resubmission of the application. We have attempted to address these and sought to ensure that what will result on the site as a result of these proposals will be as close as possible to what was originally approved. There will be some additional new work over and above that which was originally approved but the actual amount is not disproportionately greater than approved for the reasons we have already indicated.

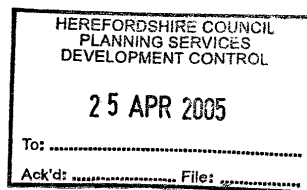
I do believe that in order to ensure my Client's position is fully understood it will be necessary for us to have a further meeting before you commit a Committee Report to writing. I hope this can be arranged in due course and look forward to hearing from you.

Yours sincerely



Derek Prosser BSc DipTP MRTPI

cc M J Crowther
J Gilling



**The Standing
Devauden
Newport
NP16 6PE**

County Of Herefordshire D C
Southern Planning Services P O Box 230
Blueschool House
Blueschool Street
Hereford
HR1 2ZB

May 26, 2005

For the attention of Mr M Willmont

Dear Sir

**Re: Alteration, repairs and extension to barn
for residential purposes
Newton Farm, Welsh Newton, Monmouth, Herefordshire,
NP5 3RN – Application No. 2005/1346/F**

We understand that the above mentioned planning application is to be reported to the Southern Area Planning committee on the 8th June 2005, and would be grateful if you report in full the following supporting information as opposed to the previously submitted letter from Derek Prosser Associates (dated 20th April 2005).

- As we trust Members will be aware, prior to the withdrawal of our initial planning application our agents met with the Case Officer to establish the extent and nature of variations to the scheme as currently constructed and as approved under the terms of the initial planning consent approved in November 2002 (Ref. SW2002/2136/F).
- The current planning application addresses all matters raised by the Planning Officer to render the scheme as close as practicable to the originally approved scheme (Ref. SW2002/2136/F).
- Further to the submission of the current planning application our Agents have met with the Case Officer to establish whether any further amendments could be made to render the scheme acceptable. No further amendments were identified by the Case Officer, which would further enhance the application.
- We would emphasise that as soon as we were advised by the Council's Officers that the works undertaken to date in particular the rebuilding of

barn walls were in contravention of the planning consent (Ref. SW2002/2136/F) we immediately ceased work.

- Whilst we now recognise the rebuilding of the barn walls was contrary to the terms of the original planning consent, we would confirm that the works were undertaken progressively over a 2 year period. Throughout this period the Council's Building Control Officer should have visited the site on a regular basis as part of the 1990 Building Act inspection service and various Planning Officers visited the site to assess further planning applications on adjacent land. At no point was any concern raised by Officers regarding the works being undertaken on site.
- We must stress that the works undertaken to date were undertaken in good faith with the knowledge of the Council's Officers and were not an attempt to circumvent National or Local Policies seeking to control development in the open countryside.
- We understand the Council's need to maintain policies to protect the countryside from sporadic development, however, in this instance the site is well located in relation to existing buildings and the principle of development is well established at the site encompassing the live planning consents for a detached garage and stables complex.
- Were the Council to refuse this planning application, my wife and I would face financial disaster as we have invested all our savings into the project. Accordingly we are anxious to explore any avenue which may render the proposal acceptable to Members and local residents.
- In this respect we are aware of concerns particularly from local residents and Llanrothal Parish Council regarding the recently issued planning consent for an equestrian centre, car parking and ancillary works (DCSE2004/2607/RM) on adjacent land under our ownership. Were Officers and Members willing to support the current application (DCSE 2005/1346/F) we would be willing to relinquish the right to the above mentioned consent and enter into a Section 106 Agreement or similar legal agreement preventing further development within the landownership encompassing both the current development area and adjacent land. Clearly this offer would have significant financial implications for us but would enable us to live at the site.

We respectfully request Members consider the special and specific circumstances of this application and support the application.

Yours faithfully

Mr & Mrs Gilling