

MEETING:	PLANNING COMMITTEE
DATE:	8 JANUARY 2014
TITLE OF REPORT:	APPEALS

CLASSIFICATION: Open

Wards Affected

Countywide

Purpose

To note the progress in respect of the following appeals.

Key Decision

This is not an executive decision.

Recommendation

That the report be noted

APPEALS RECEIVED

Application 131999/F

- The appeal was received on 27 November 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr J Whilding
- The site is located at Mobile Home at The Amberley Arms, Sutton St Nicholas, Hereford, Herefordshire, HR1 3BX
- The development proposed is Temporary stationing of a mobile home in connection with an established rural business
- The appeal is to be heard by Hearing

Case Officer: Ms K Gibbons on 01432 261781

Application 132077/F

- The appeal was received on 29 November 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr M Jackson
- The site is located at Site adjacent to Appledore, Wood Lane, Edwyn Ralph, Herefordshire, HR7 4LX
- The development proposed is Temporary change of use for the siting of one caravan for holiday purposes.
- The appeal is to be heard by Written Representations

Case Officer: Mr Matt Tompkins on 01432 261795

Application 123461/F

- The appeal was received on 3 December 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr John Bothamley
- The site is located at Replacement Dwellings at The Rhydd, Much Dewchurch, Herefordshire
- The development proposed is Construction of 4 no new houses to replace derelict block of 4 no houses.
- The appeal is to be heard by Written Representations

Case Officer: Mr A Prior on 01432 261932

Application 131269/F

- The appeal was received on 13 December 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr D Oseman
- The site is located at Building adjacent to Vinesyard Farm, Vines End, Cradley, Herefordshire
- The development proposed is Conversion of rural building to one dwelling and associated works.
- The appeal is to be heard by Written Representations

Case Officer: Mr C Brace on 01432 261947

Application 132055/FH

- The appeal was received on 16 December 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission (Householder)
- The appeal is brought by Mr & Mrs Hamblin
- The site is located at Parsons Cottage, Staplow, Ledbury, Herefordshire, HR8 1NP
- The development proposed is Change of material to conservatory approved under application 2004/1327/F and 2004/1328/L, minor amendment to add plinth wall to cill.
- The appeal is to be heard by Written Representations

Case Officer: Mr M Tansley on 01432 261815

Application 132056/L

- The appeal was received on 16 December 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Listed Building Consent
- The appeal is brought by Mr & Mrs Hamblin
- The site is located at Parsons Cottage, Staplow, Ledbury, Herefordshire, HR8 1NP
- The development proposed is Change of material to conservatory approved under application 2004/1327/F and 2004/1328/L, minor amendment to add plinth wall to cill.
- The appeal is to be heard by Written Representations

Case Officer: Mr M Tansley on 01432 261815

Application 131049/F

- The appeal was received on 17 December 2013
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr M Parsons
- The site is located at Land adjoining Ivydene, Munstone, Herefordshire
- The development proposed is Proposed construction of two new dwellings.
- The appeal is to be heard by Written Representations

Case Officer: Ms K Gibbons on 01432 261781

APPEALS DETERMINED

Application 120761/F

- The appeal was received on 28 June 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr Roger Sayce
- The site is located at Little Wacton Farm, Bredenbury, Herefordshire, HR7 4TQ
- The development proposed was Conversion of garage/workshop/office to holiday let.

The main issue(s) were: (a) The justification for the proposed development in this countryside location and (b) the effect of the proposal on: (i) the living conditions of the future occupiers in respect of noise, disturbance and smell, and (ii) wildlife habitats with regard to protected watercourses.

Decision:

- The application was Refused at Planning Committee against Officer Recommendation on 17 October 2012
- The appeal was Allowed on 29 November 2013
- An Application for the award of Costs, made by the Appellant against the Council, was Allowed.

Case Officer: Ms R Jenman on 01432 261961

Application 130060/F

- The appeal was received on 19 June 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by The Owner and/or Occupier
- The site is located at Land South of Greytrees Road, Greytrees, Ross-on-Wye, Herefordshire
- The development proposed was Erection of 14 no. semi-detached and detached dwellings.

Decision:

- The appeal was Dismissed on 1 November 2013
- An Application for the award of Costs, made by the Appellant against the Council.

Decision:

- The application for a partial award of costs is allowed

Case Officer: Mr A Prior on 01432 261932

Application 131433/V

- The appeal was received on 8 August 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Lawful Certificate
- The appeal was brought by Mr Lapsley
- The site is located at Castaways, Acton Green, Acton Beauchamp, Worcester, WR6 5AA
- The development proposed was Application for a Lawful Development Certificate for a proposed second storey loft conversion.

Decision:

- The application was Refused under Delegated Powers on 25 July 2013
- The appeal has a Split Decision and was determined on 13 December 2013. The appeal fails in respect of the rear roof dormer. A Certificate of Lawfulness is issued for the 3 front roof lights.

Case Officer: Mark Tansley on 01432 261815

Application 120452/FH

- The appeal was received on 29 May 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr A E Mifflin
- The site is located at Wilcroft, Bartestree, Hereford, HR1 4BB
- The development proposed was Change of use with alterations to form small residence from former Coach House.

The main issue(s) were: a) whether the proposed development would provide adequate private amenity space, a safe means of access and parking for domestic vehicles having regard to the need to retain access to the pole barn for larger agricultural vehicles; and

b) whether the works would serve to preserve the building, or its setting along with that of the neighbouring curtilage listed buildings and any features of special architectural or historic interest and if no harm would arise whether, in the light of the first main issue, the alterations to the listed building to enable residential occupation are unwarranted and premature.

Decision:

- The application was Refused under Delegated Powers on 11 October 2012
- The appeal was Dismissed on 18 December 2013

Case Officer: Mr E Thomas on 01432 260479

Application 120454/L

- The appeal was received on 29 May 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr A E Mifflin
- The site is located at Wilcroft, Bartestree, Hereford, HR1 4BB
- The development proposed was Change of use with alterations to form small residence from former Coach House.

The main issue(s) were: a) whether the proposed development would provide adequate private amenity space, a safe means of access and parking for domestic vehicles having regard to the need to retain access to the pole barn for larger agricultural vehicles; and

b) whether the works would serve to preserve the building, or its setting along with that of the neighbouring curtilage listed buildings and any features of special architectural or historic interest and if no harm would arise whether, in the light of the first main issue, the alterations to the listed building to enable residential occupation are unwarranted and premature.

Decision:

- The application was Refused under Delegated Powers on 11 October 2012
- The appeal was Dismissed on 18 December 2013

Case Officer: Mr E Thomas on 01432 260479

Application 130013/F

- The appeal was received on 22 May 2013
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr & Mrs Rogers
- The site is located at Barrats Orchard, Cradley, Near Malvern, Herefordshire, WR13 5NF
- The development proposed was Proposed single storey dwelling, partially submerged into ground to minimise visual impact. Greenroof and natural materials to be used.

The main issue(s) were: a) Whether the appeal proposal would preserve or enhance the character or appearance of the Cradley Conservation Area, its effect on the character and appearance of the Area of

Outstanding Natural Beauty (AONB) and the setting of nearby listed buildings; and b) the effect of the proposal on the living conditions of neighbouring residential occupiers in terms of the potential for noise and disturbance and whether the proposed dwelling would provide satisfactory living conditions for future occupiers in terms of private amenity space.

Decision:

- The application was Refused under Delegated Powers on 18 February 2013
- The appeal was Allowed on 19 December 2013

Case Officer: Mr R Close on 01432 261803

If members wish to see the full text of decision letters copies can be provided.