

MEETING:	PLANNING COMMITTEE
DATE:	6 AUGUST 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 133173/F

- The appeal was received on 2 July 2014
- 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 TJ Parry
- The site is located at Burnt Mill, Hampton Wafre, Docklow, Leominster, Herefordshire, HR6 0SN
- The development proposed is Erection of two Gaia 133 11kW turbines on 27m tubular towers - 33.5m height to blade tip.
- The appeal is to be heard by Written Representations

Case Officer: Mr A Prior on 01432 261932

APPEALS DETERMINED

Application 131908/F

- The appeal was received on 31 March 2014
- 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 Co-Operative Estates
- The site is located at Co-operative Foodstore, 77 Holme Lacy Road, Hereford, Herefordshire, HR2 6DF
- The development proposed was Variation of Condition 6 of planning permission CE2001/2182/F (Demolition of existing co-op store and 2 No. dwellings. Construction of single storey supermarket and 1 No. 2 storey detached house) – To allow deliveries on Sundays, Bank holidays and Public Holidays between 08:00 and 18:00.
- The main issue was:- the effect of the proposed extension in times for the loading and unloading of service and delivery vehicles on the living conditions of neighbouring residents in terms of noise and disturbance

Decision:

- The application was Refused under Delegated Powers on 2 October 2013
- The appeal was Dismissed on 7 July 2014

Case Officer: Mr E Thomas on 01432 260479

Application 132145/F

- The appeal was received on 11 February 2014
- 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 Brockhampton Estate
- The site is located at Parlours Barn, Brockhampton, Herefordshire
- The development proposed was Conversion of a redundant farm building to provide office
- The main issue(s) were: (i) whether, given its rural location, the proposal would amount to sustainable development; (ii) is the adequacy of the highway network, in terms of highway safety. (iii) is effect of the proposed conversion works on the building's character and appearance.

Decision:

- The application was Refused under Delegated Powers on 30 October 2013
- The appeal was Allowed on 7 July 2014
- An Application for the award of Costs, made by the Appellant against the Council, was Dismissed

Case Officer: Mr R Close on 01432 261803

Enforcement Notice 132779/ENF

- The appeal was received on 10 October 2013
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by NJ & IE Cockburn
- The site is located at Pennoxstone Court Farm, Kings Caple, Herefordshire, HR1 4TX
- The breach of planning control alleged in this notice is: without planning permission, unauthorized siting of polytunnels
- The requirements of the notice are: remove all unauthorized polytunnels and associated structures including polytunnel covers, leg rows, interlinking arched hoops, end kits and any combination thereof from fields.
- The main issue(s) were: the effect of the development on the character and appearance of the Wye Valley Area of Outstanding Natural Beauty (AONB), with particular reference to the scale of the proposal, and its impact on the social and economic well-being of the area and, if there is any identified harm, whether this

would be outweighed by any other material considerations, to the extent that planning permission should be granted for the development

Decision: The Enforcement appeal had a Split Decision on 11 July 2014

Case Officer: Mr M Tansley on 01432 261815

Application 100966/F

- The appeal was received on 6 November 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 NJ & IE Cockburn
- The site is located at Pennoxstone Court Farm, Kings Cuple, Herefordshire, HR1 4TX
- The development proposed was Application (part retrospective) to erect, take down and re-erect, take down and re-erect polytunnels, rotated around fields as required by the crops under cultivation (soft fruit).
- The main issue(s) were: the effect of the development on the character and appearance of the Wye Valley Area of Outstanding Natural Beauty (AONB), with particular reference to the scale of the proposal, and its impact on the social and economic well-being of the area and, if there is any identified harm, whether this would be outweighed by any other material considerations, to the extent that planning permission should be granted for the development

Decision:

- The application was Refused on 24 April 2013
- The appeal was Split Decision on 11 July 2014

Case Officer: Mr M Tansley on 01432 261815

Application 140070/FH

- The appeal was received on 29 May 2014
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission (Householder)
- The appeal was brought by Mr Paul Lewis
- The site is located at Box Cottage, Little Cowarne, Bromyard, Herefordshire, HR7 4RQ
- The development proposed was the reduction in length and increase in pitch of the roof of the the outbuilding and construction of a link block between the outbuilding and existing dwelling.
- The main issue(s) was: the effect of the proposed extension on the character and appearance of Box Cottage and the surrounding area.

Decision:

- The application was Refused under Delegated Powers on 14 March 2014
- The appeal was Dismissed on 22 July 2014

Case Officer: Mr A Prior on 01432 261932

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