

MEETING:	PLANNING COMMITTEE
DATE:	28 OCTOBER 2015
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 150804

- The appeal was received on 22 September 2015
- 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 Caerswall Cottages
- The site is located at Cowlease Cottage, Much Marcle, Ledbury, Herefordshire, HR8 2NG
- The development proposed is Proposed detached double garage with garden office.
- The appeal is to be heard by Householder Procedure

Case Officer: Miss Emily Reed on 01432 383894

Application 151216

- The appeal was received on 24 September 2015
- 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 J Price
- The site is located at Chances Pitch Barn, Barton Farm, Colwall, Malvern, Herefordshire, WR13 6HW
- The development proposed is Proposed orangery link between the kitchen and garage block, to be used as an entrance lobby/sun room
- The appeal is to be heard by Householder Procedure

Case Officer: Mr A Prior on 01432 261932

Application 150594

- The appeal was received on 23 September 2015
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Prior Approval
- The appeal is brought by Mr Henry May
- The site is located at Stable Block, Tidnor Wood Orchards, Tidnor Lane, Lugwardine, Herefordshire, HR1 4DF
- The development proposed is Proposed change of use farm building to dwelling house for agricultural worker
- The appeal is to be heard by Written Representations

Case Officer: Mrs Charlotte Atkins on 01432 260536

Application 150293

- The appeal was received on 25 September 2015
- 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 Richard Rodgman
- The site is located at Land adjoining The Highlands, Hay Lane, Kimbolton, Leominster, Herefordshire, HR6 0DH
- The development proposed is Proposed erection of new single storey dwelling
- The appeal is to be heard by Written Representations

Case Officer: Mr A Prior on 01432 261932

Application 151613

- The appeal was received on 24 September 2015
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Lawful Certificate
- The appeal is brought by Mr Simon Holden
- The site is located at Kingstone Court, Bishops Frome, Worcester, Herefordshire, WR6 5BL
- The development proposed is Certificate of lawfulness for proposed alterations to existing outbuilding
- The appeal is to be heard by Written Representations

Case Officer: Fernando Barber-Martinez on 01432 383674

Application 141368

- The appeal was received on 28 September 2015
- 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 Bell Homes Ltd
- The site is located at Land at Castle End, Lea, Ross-on-Wye, Herefordshire
- The development proposed is Proposed site for 14 new residential properties, vehicle turning and landscaping.
- The appeal is to be heard by Written Representations

Case Officer: Mr K Bishop on 01432 260756

Enforcement Notice 152894

- The appeal was received on 24 September 2015
- 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 Mr Simon Porter
- The site is located at Land at The Chase Hotel, Gloucester Road, Ross-On-Wye, Herefordshire, HR9 5LH

- The breach of planning control alleged in this notice is:
Without planning permission unauthorised operational development in the form of deposit of spoil upon that part of the land.

- The requirements of the notice are:
 1. Permanently remove the deposited spoil from the land.
 2. Permanently re-instate the original level of the land within the said area to that pertained prior to the breach of planning control.
 3. Fully grass-seed the said area of land.

- The appeal is to be heard by Written Representations

Case Officer: Mr Roland Close on 01432 261803

Enforcement Notice 152902

- The appeal was received on 24 September 2015
- 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 Ms Caroline Constance
- The site is located at Land at The Chase Hotel, Gloucester Road, Ross-On-Wye, Herefordshire, HR9 5LH

- The breach of planning control alleged in this notice is:
Without planning permission unauthorised operational development in the form of deposit of spoil upon that part of the land.

- The requirements of the notice are:
 1. Permanently remove the deposited spoil from the land.
 2. Permanently re-instate the original level of the land within the said area to that pertained prior to the breach of planning control.
 3. Fully grass-seed the said area of land.

- The appeal is to be heard by Written Representations

Case Officer: Mr Roland Close on 01432 261803

Enforcement Notice 152903

- The appeal was received on 24 September 2015
- 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 Ms Amanda Gething-Lewis
- The site is located at Land at The Chase Hotel, Gloucester Road, Ross-On-Wye, Herefordshire, HR9 5LH

- The breach of planning control alleged in this notice is:
Without planning permission unauthorised operational development in the form of deposit of spoil upon that part of the land.

- The requirements of the notice are:
 1. Permanently remove the deposited spoil from the land.
 2. Permanently re-instate the original level of the land within the said area to that pertained prior to the breach of planning control.
 3. Fully grass-seed the said area of land.
- The appeal is to be heard by Written Representations

Case Officer: Mr Roland Close on 01432 261803

Enforcement Notice 152904

- The appeal was received on 24 September 2015
- 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 Mr Mark Porter
- The site is located at Land at The Chase Hotel, Gloucester Road, Ross-On-Wye, Herefordshire, HR9 5LH
- The breach of planning control alleged in this notice is:
Without planning permission unauthorised operational development in the form of deposit of spoil upon that part of the land.
- The requirements of the notice are:
 1. Permanently remove the deposited spoil from the land.
 2. Permanently re-instate the original level of the land within the said area to that pertained prior to the breach of planning control.
 3. Fully grass-seed the said area of land.
- The appeal is to be heard by Written Representations

Case Officer: Mr Roland Close on 01432 261803

Application 151122

- The appeal was received on 30 September 2015
- 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 Michael Williams
- The site is located at Land at Lower Meadow Farm, Snodhill, Peterchurch, Dorstone, Herefordshire
- The development proposed is Proposed change of use of agricultural land for the siting of a mobile home for residential use for a period of up to three years. The appeal is to be heard by Hearing

Case Officer: Ms Jeanette Pryce on 01432 383101

Application 142410

- The appeal was received on 23 September 2015
- 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 MLN (Land and Properties) Ltd
- The site is located at Land adjacent to B4222, Lea, Ross on Wye, Herefordshire
- The development proposed is Proposed outline consent for the erection of up to 38 dwellings
- The appeal is to be heard by Inquiry

Case Officer: Mr A Banks on 01432 383085

Application 151797

- The appeal was received on 2 October 2015
- 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 Harris c/o agent
- The site is located at Chockbury Cottage, Chockbury Lane, Cradley, Malvern, Herefordshire, WR13 5NA
- The development proposed is Proposed two storey rear extension to provide garage, home office, bathroom and en-suite bedroom above.
- The appeal is to be heard by Written Representations

Case Officer: Fernando Barber-Martinez on 01432 383674

Application 151798

- The appeal was received on 2 October 2015
- 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 Harris c/o agent
- The site is located at Chockbury Cottage, Chockbury Lane, Cradley, Malvern, Herefordshire, WR13 5NA
- The development proposed is Proposed two storey rear extension to provide garage, home office, bathroom and en-suite bedroom above.
- The appeal is to be heard by Written Representations

Case Officer: Fernando Barber-Martinez on 01432 383674

Application 140215

- The appeal was received on 2 October 2015
- 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 Richard White
- The site is located at 83 Tower Hill, Dormington, Hereford
- The development proposed is Resumption of residential use. Retention of bat roost.
- The appeal is to be heard by Written Representations

Case Officer: Ms Kelly Gibbons on 01432 261781

Application 150238

- The appeal was received on 16 July 2015
- 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 Mrs Turner
- The site is located at The Hopkilns, Green Lane, Bromyard, Herefordshire, HR7 4RZ
- The development proposed was Proposed single storey extension
- The main issue is the effect of the proposed development on the special architectural and historic interest of the curtilage listed hop kilns and barn to which it would relate.

Decision:

- The application was Refused under Delegated on 24 March 2015
- The appeal was Dismissed on 7 October 2015

Case Officer: Fernando Barber-Martinez on 01432 383674

Application 150239

- The appeal was received on 16 July 2015
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Listed Building Consent
- The appeal was brought by Mrs Turner
- The site is located at The Hopkilns, Green Lane, Bromyard, Herefordshire, HR7 4RZ
- The development proposed was Proposed single storey extension
- The main issue is the effect of the proposed development on the special architectural and historic interest of the curtilage listed hop kilns and barn to which it would relate.

Decision:

- The application was Refused under Delegated on 24 March 2015
- The appeal was Dismissed on 7 October 2015

Case Officer: Fernando Barber-Martinez on 01432 383674

Application 143631

- The appeal was received on 13 October 2015
- 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 Leominster Properties Ltd
- The site is located at Ground floor at, 18 Burgess Street, Leominster, Herefordshire, HR6 8DE
- The development proposed is Proposed change of use of ground floor commercial use to form four residential flats.
- The appeal is to be heard by Written Representations

Case Officer: Mr A Prior on 01432 261932

APPEALS DETERMINED

Enforcement Notice 150671

- The appeal was received on 20 March 2015
- 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 Mr K Lewis
- The site is located at Land at Middle Common Piggeries, Lower Maescoed, Herefordshire, HR2 0HP
- The main issue in this case, having regard to the objectives of the prevailing relevant policies, which seek to restrict non essential development in the countryside outside of settlements, is whether the development materially harms the rural character and appearance of the area.

Decision:

- The appeal was Allowed following correction and variation of the Notice as set out in the Formal Decision at paragraph 16 of the Appeal Decision Notice on 29 September 2015.

Case Officer: Mr Matt Tompkins on 01432 261795

Enforcement Notice 150833

- The appeal was received on 13 March 2015
- 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 Mr L Carter
- The site is located at Land at Old Baymore, Linley Green Road, Whitbourne, Worcester, Herefordshire, WR6 5RE
- The breach of planning control alleged in this notice is:
- Without planning permission the construction of a pole barn (marked 'B'), the construction of a brick and block building (marked 'C'), the construction of a wooden garage/store (marked 'D') and a wooden garden shed (marked 'E') which is unauthorised operational development.
- The requirements of the notice are:
- Demolish the Pole Barn, the brick and block building, the garage/store and wooden garden shed at the site and permanently remove all resulting material form the land.

Decision:

- The appeal was Withdrawn on 8 October 2015.
- I can also advise that at this time, the Local Planning Authority has withdrawn the Enforcement Notice in relation to the breach of planning control.
- The matter is currently being reviewed in light of new evidence by the case officer and the Development Control Manger.

Case Officer: Mr M Tansley on 01432 261815

Enforcement Notice 150844

- The appeal was received on 13 March 2015
- 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 Mr L Carter
- The site is located at Land at Old Baymore, Linley Green Road, Whitbourne, Worcester, Herefordshire, WR6 5RE
- The breach of planning control alleged in this notice is:
Without planning permission the unauthorized creation of a single dwelling house on the land by substantial alteration of a former mobile home which created a building which is unauthorized operational development
- The requirements of the notice are:
 1. Disconnect and make safe all utilities and the septic tank from the dwelling house.
 2. Demolish the unauthorized dwelling house located at the site and permanently remove all resulting material from the land.

Decision:

- The appeal was Withdrawn on 8 October 2015.
- I can also advise that at this time, the Local Planning Authority has withdrawn the Enforcement Notice in relation to the breach of planning control.
- The matter is currently being reviewed in light of new evidence by the case officer and the Development Control Manger.

Case Officer: Mr M Tansley on 01432 261815

Application 143370

- The appeal was received on 17 July 2015
- 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 S Watkins & Mr P Bennett
- The site is located at Land to the East of Brook Lane, North of B4220, Bosbury, Hereford
- The development proposed was Proposed residential development for up to 37 dwellings of which 13 (35%) will be affordable
- The main issue was:
Put simply, this is the effect of the proposal on the character and appearance of the area, and the setting of Bosbury. That analysis needs to take place in the context of any benefits the proposal might bring forward.

Decision:

- The application was Refused at Planning Committee (against Officer Recommendation) on 16 March 2015
- The appeal was Dismissed on 13 October 2015

Case Officer: Mr C Brace on 01432 261947

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