

MEETING:	PLANNING COMMITTEE
DATE:	17 MAY 2017
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 161869

- The appeal was received on 20 April 2017
- 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 Mrs Hinton-Powell c/o Agent
- The site is located at Land to the rear of The Lindens, North Road, Kingsland, Herefordshire, HR6 9RU
- The development proposed is Proposed erection of 30 dwellings with highway access onto North Road; associated infrastructure and landscaping/open space provision
- The appeal is to be heard by Written Representations

Case Officer: Mr A Banks on 01432 383085

Application 151983

- The appeal was received on 20 April 2017
- 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 G T Williams
- The site is located at Rogers Farm, Bush Bank, Hereford, Herefordshire, HR4 8EP
- The development proposed is Proposed erection of two poultry buildings, new access and conversion of building to house biomass boiler
- The appeal is to be heard by Written Representations

Case Officer: Mr Edward Thomas on 01432 260479

Application 162824

- The appeal was received on 26 April 2017
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Non determination
- The appeal is brought by Mrs Angela Vaughan
- The site is located at Land at Balance Farm, Eywood Lane, Titley, Kington, Herefordshire, HR5 3RU
- The development proposed is Site for the proposed erection of 5 dwellings.
- The appeal is to be heard by Hearing

Case Officer: Mr M Tansley on 01432 261815

Application 162518

- The appeal was received on 26 April 2017
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Planning Conditions
- The appeal is brought by Mrs Angela Vaughan
- The site is located at Balance Farm, Titley, Kington, Herefordshire, HR5 3RU
- The development proposed is Application for removal of condition 2 following grant of planning permission. (95/0238/O) to remove the agricultural workers dwelling restriction.
- The appeal is to be heard by Hearing

Case Officer: Mr M Tansley on 01432 261815

Enforcement Notice 171539

- The appeal was received on 20 April 2017
- 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 Martin Soble
- The site is located at Whitethorn Farm, Witherstone Lane, Carey, Herefordshire
- The breach of planning control alleged in this notice is:
 - Without planning permission this is an unauthorised material change of use of land from agricultural to a mixed use of agriculture and to site a mobile home for a residential purpose.
- The requirements of the notice are:
 - Permanently remove the unauthorised caravan from the land thereby causing the cessation of its residential use on the land.
- The appeal is to be heard by Written Representations

Case Officer: Mr Scott Low on 01432 261814

Enforcement Notice 171433 & 171448

- The appeal was received on 20 April 2017
- 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 Derek Wood
- The site is located at Old Brooks Farm, Pontrilas, Hereford, Herefordshire, HR2 0BL
- The breach of planning control alleged in this notice is:
Without planning permission, this is unauthorised operational development by erection of a veranda to the rear elevation.
- The requirements of the notice are:
Permanently remove the unauthorised veranda
- The appeal is to be heard by Written Representations

Case Officer: Mr Scott Low on 01432 261814

APPEALS DETERMINED

Application 162629

- The appeal was received on 15 December 2016
- 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 Hereford Oak Buildings Ltd
- The site is located at Land adjoining Crossways, Shirl Heath, Kingsland, Leominster, Herefordshire, HR6 9RF
- The development proposed was Proposed 6 no dwellings and 4 no garages.

- The main issue(s) were:
 - (a) The effect on the character and appearance of the area: and
 - (b) Whether the site would be a suitable location for dwellings having regard to the housing strategy of the development plan.

Decision:

- The application was Refused under Delegated Powers on 31 October 2016
- The appeal was Dismissed on 20 April 2017

Case Officer: Mr Andrew Prior on 01432 261932

Application 161413

- The appeal was received on 6 February 2017
- 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 G Adams
- The site is located at Land adjoining Millbrook Gardens, Lea, Ross-on-Wye, Herefordshire
- The development proposed was Outline application for 3 nos. four bedroom dwellings, turning and manoeuvring area.

- The main issues were:
 - i) The effect of the proposal on the character and appearance of the appeal site and the surrounding area;
 - ii) Whether the proposal would have a harmful effect in relation to flood risk; and
 - iii) The effect of the proposal on housing land supply.

Decision:

- The application was Refused under Delegated Powers on 26 July 2016
- The appeal was Dismissed on 20 April 2017

Case Officer: Mr C Brace on 01432 261947

Application 162047

- The appeal was received on 6 February 2017
- 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 Adam Cale
- The site is located at Bickerton Cottage, Much Marcle, Herefordshire
- The development proposed was Proposal to split existing land and build a new dwelling which will replace the large workshop.

- The main issues were:
 - i) the effect of the proposal on the character and appearance of the surrounding area;
 - ii) whether the proposal would have an unacceptable impact on highway safety; and
 - iii) the effect of the proposal on housing land supply.

Decision:

- The application was Refused under Delegated Powers on 24 August 2016
- The appeal was Dismissed on 20 April 2017

Case Officer: Miss Emily Reed on 01432 383894

Application 161522

- The appeal was received on 6 February 2017
- 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 F Price
- The site is located at Land at Yarpole, Leominster, Herefordshire, HR6 0BA
- The development proposed was Proposed 6 no. detached dwellings and 4 no. garages.
- The Inspector considered the main issue in this appeal to be the effect of the proposal on highway safety.

Decision:

- The application was Refused at Planning Committee on 7 December 2016.
- The appeal was Allowed on 4 May 2017.
- An Application for the award of Costs, made by the Appellant against the Council, was allowed.

Case Officer: Mr M Tansley on 01432 261815

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