

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>4 OCTOBER 2017</b>
<b>TITLE OF REPORT:</b>	<b>APPEALS</b>

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**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 171105**

- The appeal was received on 1 September 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 Mr Derek Cornes
- The site is located at Little Howle Farm, Howle Hill, Nr Ross-on-Wye, Herefordshire
- The development proposed is Proposed erection of two bedroom bungalow. Construction of new access and associated development.
- The appeal is to be heard by Written Representations

**Case Officer: Miss Emily Reed on 01432 383894**

### **Application 170609**

- The appeal was received on 1 September 2017
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Non determination
- The appeal is brought by Mr Julian Parry
- The site is located at Land to the East of Holme Copse House and Brick House, Ocle Pychard, Herefordshire, HR1 3RE
- The development proposed is Application to erect two detached 4 bedroom houses each with detached single storey garage
- The appeal is to be heard by Written Representations

**Case Officer: Mr Andrew Prior on 01432 261932**

## ***APPEALS DETERMINED***

### **Enforcement Notice 170069**

- The appeal was received on 11 January 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 Mark Dew
- The site is located at Land at Doward Farm, Whitchurch, Ross on Wye, Herefordshire
- The breach of planning control alleged in this notice is:

Without planning permission the unauthorised material change of use of land from agricultural to a mixed use of agricultural and for siting of numerous old/scrap cars, vans and non-agricultural vehicles.

- The requirements of the notice are:

Permanently remove the numerous old/scrap cars, vans and non-agricultural vehicles from the land thereby causing the cessation of its (sic) mixed use on the land.

#### **Decision:**

- The enforcement notice is quashed.

**Case Officer: Mr Scott Low on 01432 261814**

### **Application 163115**

- The appeal was received on 27 June 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 C/O Agent
- The site is located at Land East of Pine Lodge, Dinmore, Herefordshire, HR1 3JR
- The development proposed was A new house and detached garage to replace the collection of
- The main issue is whether the development would be located such that its future occupiers would have acceptable access to goods and services.

#### **Decision:**

- The application was Refused under Delegated Powers on 26 January 2017
- The appeal was Dismissed on 31 August 2017

**Case Officer: Mr M Tansley on 01432 261815**

### **Application 164113**

- The appeal was received on 27 June 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 Nirmal Suman
- The site is located at Withington Post Office and Stores, 6 Springfield Road, Withington, Hereford, Herefordshire, HR1 3RU
- The development proposed was Proposed extension and alterations to existing Post Office, stores and dwelling to a form new (A5) hot food takeaway.
- The main issues are the effect of the proposal on highway safety, and the effect on the living conditions of the occupiers of neighbouring properties with regard to noise and disturbance.

#### **Decision:**

- The application was Refused under Delegated Powers on 24 April 2017.
- The appeal was Allowed on 31 August 2017.

**Case Officer: Mrs Charlotte Atkins on 01432 260536**

**Application 164102**

- The appeal was received on 27 June 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 D Brown
- The site is located at Land adjacent to Moorend Wychend Road, Much Cowarne, Herefordshire
- The development proposed was Site for residential development of 3 no. detached dwellings with associated garages and private gardens.
- The main issue is whether the development would represent the acceptable spatial growth of the existing settlement.

**Decision:**

- The application was Refused under Delegated Powers on 8 March 2017.
- The appeal was Allowed on 31 August 2017

**Case Officer: Mr Andrew Prior on 01432 261932**

**Application 163400**

- The appeal was received on 27 June 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 The Owner and/or Occupier
- The site is located at Land at Church Field, (opposite The Firs),, Brimfield, Ludlow, Herefordshire
- The development proposed was Site for proposed housing development.
- The main issues were:
  - Whether the appeal site is an appropriate location for housing with regard to the development plan and the National Planning Policy Framework (the Framework); and
  - The effect of the proposal on the significance of a designated heritage asset.

**Decision:**

- The application was Refused under Delegated Powers on 13 January 2017
- The appeal was Dismissed on 1 September 2017

**Case Officer: Mr Andrew Prior on 01432 261932**

**Application 170215**

- The appeal was received on 22 May 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 Phin Leng
- The site is located at Outbuilding at 179 Whitecross Road, Hereford, HR4 0LT
- The development proposed was Conversion of existing outbuilding into new residential accommodation.
- The main issue(s) was:
  - Whether the proposal would provide acceptable living conditions existing and future occupiers, with regard to outdoor amenity space and overlooking.

**Decision:**

- The application was Refused under Delegated Powers on 21 March 2017
- The appeal was Dismissed on 5 September 2017

**Case Officer: Mr Fernando Barber-Martinez on 01432 383674**

**Application 161859**

- The appeal was received on 22 May 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 S Fraser
- The site is located at Land West of Larksmead, Brampton Abbots, Ross-On-Wye, Herefordshire, HR9 7JE
- The development proposed was Proposed residential dwelling
- The main issue was:
  - The effect on the character and appearance of the area and whether the proposal would conserve and enhance the natural beauty of the Wye Valley Area of Outstanding Natural Beauty (AONB)

**Decision:**

- The application was Refused at Planning Committee against Officer Recommendation on 7 December 2016
- The appeal was Allowed on 5 September 2017

**Case Officer: Mr Simon Withers on 01432 260612**

**Application 170677**

- The appeal was received on 12 June 2017
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Non determination
- The appeal was brought by Mr Clive Grindon
- The site is located at Land at Castle End, Lea, Ross-on-Wye, Herefordshire
- The development proposed was Application for up to 10 new residential properties, vehicle turning, manoeuvring and landscaping
- The main issue is the effect of the proposal on highway safety.

**Decision:**

- The appeal was Allowed on 18 September 2017
- An Application for the award of Costs, made by the Council against the Appellant was dismissed.
- An application for the award of Costs, made by the Appellant against the Council was allowed.

**Case Officer: Mr C Brace on 01432 261947**

**Application 161482**

- The appeal was received on 14 June 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 Greg Mifflin
- The site is located at Land East of The Rosie Public House, Coldwells Road, Munstone, Hereford
- The development proposed was Construction of a detached self-build dwelling with integral one bedroom dependent relative annexe to replace the existing static caravan and new children's play area for the pub.
- The main issues were:
  - a) Whether satisfactory living conditions would be provided for future occupiers of the proposed development with regard to noise and disturbance;
  - b) The effect of the proposed development on the viability of a community facility; and
  - c) The effect of the proposed development on the character and appearance of the surrounding area.

**Decision:**

- The application was Refused under Delegated on 13 October 2016
- The appeal was Dismissed on 19 September 2017

**Case Officer: Mrs Charlotte Atkins on 01432 260536**

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