

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	17 JANUARY 2018
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 172940

- The appeal was received on 23 November 2017
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Reserved Matters
- The appeal is brought by Mr David Williams
- The site is located at The Trees, Orcop, Herefordshire
- The development proposed is Application for approval of reserved matters following outline permission 161771 (Site for proposed replacement of a fire destroyed dwelling plus the erection of 2 dwellings (total 3 dwellings)).
- The appeal is to be heard by Written Representations

Case Officer: Mr Fernando Barber-Martinez on 01432 383674

Application 172318

- The appeal was received on 24 November 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 Miss Norris
- The site is located at White Wells, Laskett Lane, Much Birch, Herefordshire
- The development proposed is Proposed two storey building for dance studio, gym, treatment room and office with client accommodation.
- The appeal is to be heard by Written Representations

Case Officer: Mr Fernando Barber-Martinez on 01432 383674

Application 171411

- The appeal was received on 24 November 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 & Mrs J Jones
- The site is located at Land adjacent to Sunnybank Cottage, Little Birch, Herefordshire
- The development proposed is Proposed dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Mr Fernando Barber-Martinez on 01432 383674

Application 172045

- The appeal was received on 24 November 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 Dennis Hutchinson
- The site is located at Land at Apple Mead, Kinnersley, Herefordshire, HR3 6QB
- The development proposed is Outline application for the erection of three new bungalows including access, layout, turning, manoeuvring and car parking
- The appeal is to be heard by Written Representations

Case Officer: Mr Adam Lewis on 01432 383789

Application 170289

- The appeal was received on 24 November 2017
- 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 Peter Cooke
- The site is located at Field 5251 North East of A44 & A49 Roundabout, Leominster, Herefordshire
- The development proposed is Proposed conversion of an agricultural building into a one bedroom single storey dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Hazel Nash on 01432 261903

Application 162068

- The appeal was received on 27 November 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 & Mrs Sparey
- The site is located at Land opposite Yarpole Village Hall, Cock Gate, Leominster, Herefordshire, HR6 0BL
- The development proposed is Proposed 3 no. dwellings with garages and private drive.
- The appeal is to be heard by Written Representations

Case Officer: Mr M Tansley on 01432 261815

Application 172040

- The appeal was received on 1 December 2017
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Non determination
- The appeal is brought by The Owner and/or Occupier
- The site is located at Land at The Beeches, Brampton Abbots, Ross-on-Wye, Herefordshire, HR9 7JD
- The development proposed is Residential development of 4 new dwellings
- The appeal is to be heard by Written Representations

Case Officer: Mr C Brace on 01432 261947

Application 172110

- The appeal was received on 1 December 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 Peter Styles
- The site is located at Land adjacent Wheatsheaf Inn, Whitbourne, Herefordshire
- The development proposed is Proposed 4 bedroom detached house (live/work) with parking.
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior on 01432 261932

Application 162809

- The appeal was received on 1 December 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 & Mrs S Powell-Bateson c/o Agent
- The site is located at Tom's Patch, Stanford Bishop, Bringsty, Worcester
- The development proposed is Proposed holiday park for 40 holiday caravans, associated infrastructure and managerial lodge.
- The appeal is to be heard by Written Representations

Case Officer: Mr A Banks on 01432 383085

Application 170615

- The appeal was received on 7 December 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 Gary Williams
- The site is located at Hill Side, Walford, Ross-On-Wye, Herefordshire, HR9 5QS
- The development proposed is Widening of existing driveway to create a battered bank on the left hand side. Creation of a wider drive in/drive out access and reduction of angle of the Whitings Lane facing slope.
- The appeal is to be heard by Written Representations

Case Officer: Miss Emily Reed on 01432 383894

Application 172417

- The appeal was received on 8 December 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 Elizabeth Bond
- The site is located at Parkway House, Parkway, Ledbury, Herefordshire, HR8 2JG
- The development proposed is Proposed erection of two dwellings
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior on 01432 261932

Application 163900

- The appeal was received on 8 December 2017
- 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 & Mrs B Wynne
- The site is located at Former poultry unit on land at Upper Buskwood Farm, Hope-under-Dinmore, Herefordshire
- The development proposed is Prior notification for a proposed change of use of part of an agricultural building to flexible uses (use classes A1, A2 and B1). (Class R)
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior on 01432 261932

Application 172894

- The appeal was received on 11 December 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 & Mrs M G & G J Morgan
- The site is located at Land South East of Bage Court, Dorstone, Hereford, Herefordshire, HR3 5SU
- The development proposed is Erection of an agricultural building for free range egg production with associated egg packing area and feed bin (amended scheme of 161909)
- The appeal is to be heard by Written Representations

Case Officer: Mr Roland Close on 01432 261803

Application 171040

- The appeal was received on 8 December 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 Claire Snead
- The site is located at Wymm House, Sutton St Nicholas, Hereford, Herefordshire, HR1 3BU
- The development proposed is Proposed erection of one dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Miss Emily Reed on 01432 383894

Application 163901

- The appeal was received on 8 December 2017
- 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 & Mrs B Wynne
- The site is located at Former poultry unit on land at Upper Buskwood Farm, Hope-under-Dinmore, Herefordshire
- The development proposed is Prior notification for a proposed change of use of part of an agricultural building to a registered children's day nursery. (Class S)
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior on 01432 261932

Application 172355

- The appeal was received on 8 December 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 E Whittington-Fleckner
- The site is located at Land adjacent to Glenwood, Ruckhall, Eaton Bishop, Herefordshire
- The development proposed is Proposed demolition of 2 concrete panel garage buildings and 2 wooden sheds and construction of new house.
- The appeal is to be heard by Written Representations

Case Officer: Mr Simon Withers on 01432 260612

Application 130945

- The appeal was received on 12 December 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 Larkrise Co-housing and Herefordshire Housing Ltd
- The site is located at Land at Tump Lane, Much Birch, Hereford, Herefordshire, HR2 8HW
- The development proposed is Residential development comprising up to 20 dwellings, including up to 10 affordable dwellings with associated new access (via Tump Lane) and car parking arrangements for both existing and proposed and community facility.

- The appeal is to be heard by Written Representations
Case Officer: Mr Andrew Prior on 01432 261932

Application 172705

- The appeal was received on 19 December 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 Ruth Punshon
- The site is located at Little Red House, Eaton Bishop, Hereford, Herefordshire, HR2 9QT
- The development proposed is Proposed exchange of existing asbestos cement roof sheets for roofing slates and works incidental to. Change in business operating hours.
- The appeal is to be heard by Written Representations

Case Officer: Mr Fernando Barber-Martinez on 01432 383674

Application 163370

- The appeal was received on 13 December 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 Nigel Green
- The site is located at Stoney Court Poultry Ltd, Stone Street, Madley, Hereford, Herefordshire, HR2 9NH
- The development proposed is Redevelopment of Existing Poultry Unit Involving the Decommissioning of 4 No. Existing Poultry Buildings and the Erection of 8 No. Replacement Poultry Units Together with Associated Infrastructure of Feed Bins, Site Office, Hard Standings and Drainage Attenuation Pond.
- The appeal is to be heard by Hearing

Case Officer: Mr Roland Close on 01432 261803

Application 171716

- The appeal was received on 14 December 2018
- 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 Geoffrey Jordan
- The site is located at Field Barn, Marstow, Ross-On-Wye, Herefordshire, HR9 6HD
- The development proposed is Removal of condition 4 following (DCSE2004/1226/F change of use of barn to holiday let.) Change use to residential.
- The appeal is to be heard by Written Representations

Case Officer: Mr C Brace on 01432 261947

Application 171840

- The appeal was received on 14 December 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 Y Thomas
- The site is located at Darnells Farm, Linton, Ross-On-Wye, Herefordshire
- The development proposed is Proposal for 4 no. glamping units and ancillary works.
- The appeal is to be heard by Written Representations

Case Officer: Mr C Brace on 01432 261947

Application 172686

- The appeal was received on 19 December 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 Guy Poulton
- The site is located at Land at The Nest, Eye Lane, Moreton Eye, Herefordshire

- The development proposed is Proposed erection of dwelling house on derelict tennis court.
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior on 01432 261932

Enforcement Notice 174047

- The appeal was received on 18 December 2018
- 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 Elwyn Brooke
- The site is located at Lower Penalt Farm, Kings Caple, Hereford, Herefordshire, HR1 4UQ
 - The breach of planning control alleged in this notice is: Without planning permission the unauthorised material change of use of land from agricultural land to a mixed use of agricultural land and to site a caravan for a residential purpose.
- The requirements of the notice are:
 - Permanently cease the use of the land as a caravan site and remove the unauthorised caravan from the land at Lower Penalt Farm, Kings Caple, Hereford, HR1 4UQ.
- The appeal is to be heard by Written Representations

Case Officer: Mr Scott Low on 01432 261814

Enforcement Notice 174798

- The appeal was received on 18 December 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 Ms S Dovey
- The site is located at Live And Let Live, Bringsty, Worcester, Herefordshire, WR6 5UW
- The breach of planning control alleged in this notice is: Without planning permission, the change of use of land used as a car parking area to a mixed use of car parking area and a use for the storage of building materials, a lorry trailer and various other miscellaneous items.
- The requirements of the notice are:
Remove all the building materials from the land surrounding the Live and Let Live PH and cease the use of all the land for storage purposes (edged in green).
- The appeal is to be heard by Written Representations

Case Officer: Mrs Jo Last on 01432 260243

Enforcement Notice 174716

- The appeal was received on 18 December 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 K Buchanan
- The site is located at Mobile Home At Corngreaves, Stretton Sugwas, Hereford, Herefordshire, HR4 7AH
 - The breach of planning control alleged in this notice is: Without planning permission the siting of two static caravans.
 - The requirements of the notice are: Remove the two static caravans.
- The appeal is to be heard by Written Representations

Case Officer: Mr Clive Lloyd on 01432 383403

Application 172214

- The appeal was received on 19 December 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 Tim Woodcock
 - The site is located at 11 Hartland Close, Belmont, Hereford, Herefordshire, HR2 7SL
 - The development proposed is Change of use of land to residential curtilage. Retention of timber deck, single flight of timber stairs, gravel path, steps and timber retaining wall. Post and wire boundary fence. Associated groundworks.
 - The appeal is to be heard by Written Representations
- Case Officer: Mrs Charlotte Atkins on 01432 260536**

APPEALS DETERMINED

Application 151983

- The appeal was received on 20 April 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 G T Williams
- The site is located at Rogers Farm, Bush Bank, Hereford, Herefordshire, HR4 8EP
- The development proposed was Proposed erection of two poultry buildings, new access and conversion of building to house biomass boiler.
- The main issues were:
The effect on the living conditions of neighbours, with particular regard to odour and noise, and the deposition of bio-aerosols.

Decision:

- The application was refused at Planning Committee (against Officer Recommendation) on 7 December 2016.
- The appeal was allowed on 4 December 2017.
- An application for the award of costs made by the Appellant against the Council was allowed.

Case Officer: Mr Edward Thomas on 01432 260479

Application 164008

- The appeal was received on 7 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 & Mrs Graham & Jo Atkins Hughes
- The site is located at Buttercups Palmers Flat, Dancing Green, Ross-On-Wye, Herefordshire, HR9 5TE
- The development proposed was Demolish and replace an existing summer house.
- The main issue is the effect of the replacement summer house on the character and appearance of the surrounding

Decision:

- The application was Refused under Delegated Powers on 5 March 2017
- The appeal was Dismissed on 8 December 2017

Case Officer: Mr C Brace on 01432 261947

Application 171105

- The appeal was received on 1 September 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 Derek Cornes
- The site is located at Little Howle Farm, Howle Hill, Nr Ross-on-Wye, Herefordshire
- The development proposed was Proposed erection of two bedroom bungalow. Construction of new access and associated development.
- The main issue was: Whether the proposed development would be in a suitable location.

Decision:

- The application was Refused under Delegated Powers on 24 May 2017
- The appeal was Dismissed on 15 December 2017

Case Officer: Miss Emily Reed on 01432 383894

Application 162155

- The appeal was received on 30 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 BSL Strategic Ltd c/o Agent
- The site is located at Land at Church Stile Farm, Vinesend Lane, Cradley, Nr Malvern, Herefordshire, WR13 5LG
- The development proposed was Outline planning application for the development of up to 29 dwellings, village shop/community facility, village greens, orchard, biodiversity enhancements and other ancillary works.
- The main issues are the effect on the Malvern Hills Area of Outstanding Natural Beauty and on designated heritage assets.

Decision:

- The application was Refused under Delegated Powers on 26 September 2016
- The appeal was Dismissed on 13 December 2017
- An Application for the award of Costs, made by the Council against the Appellant, was Dismissed

Case Officer: Mr Roland Close on 01432 261803

Application 171351

- The appeal was received on 21 July 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 Richard Brandram-Jones
- The site is located at Land adjacent to Mill Ditch Cottage, Kings Caple, Herefordshire, HR1 4UB
- The development proposed was Outline application for the erection of a three bedroom cottage,
- The main issues (were):
 - whether the proposed development would be in a suitable location, given that the appeal site is outside the settlement boundary;
 - the effect of the proposed development on the character and appearance of the countryside, having particular regard to its location within the Wye Valley Area of Outstanding Natural Beauty (AONB), and on the setting of non-designated heritage assets; and,
 - the effect of the proposed development on the living conditions of occupiers of Willow Cottage, with particular regard to light.

Decision:

- The application was Refused under Delegated Powers on 25 May 2017
- The appeal was Dismissed on 4 January 2018
- An Application for the award of Costs, made by the Council against the Appellant, was Dismissed

Case Officer: Mr C Brace on 01432 261947

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