

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>24 FEBRUARY 2010</b>
<b>TITLE OF REPORT:</b>	<b>ITEM FOR INFORMATION - APPEALS</b>

## **APPEALS RECEIVED**

### **Application No. DMCW /091666/F & DCCW0009/1790/F**

- The appeal was received on 1 February 2010
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr P Mammatt
- The site is located at 129 Kings Court, Kings Acre Road, Hereford, Herefordshire, HR4 0SP
- The development proposed is Construction of balcony with patio doors.
- The appeal is to be heard by Householder procedure

**Case Officer: Mr P Clasby (01432 261947)**

### **Application No. EN2009/00914/ZZ**

- The appeal was received on 2 February 2010
- 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 Charles Smith
- The site is located at The Deep Litter Shed, Eccles Green, Norton Canon, Hereford, HR4 7BH
- The breach of planning control alleged in this notice is Without planning permission the unauthorised material change of use of agricultural land to a use for the stationing of a caravan for residential purposes, together with associated operational development in form of the construction of a driveway, turning area and erection of a storage shed.
- The requirements of the notice are:
- 1) Plant a replacement hedgerow 16.6 metres in length in the location of the removed section of hedgerow in the northwest boundary. Plant 100 number of shrubs in total. Hedging plants are to be 600-800 mm high bareroot, healthy and vigorous transplants to be planted in a double staggered row, 400mm apart, and 6 plants per linear metre. The species mix as follows:

Hazel/Corylus avellana 50% (50 shrubs)

Hawthorn/Crataegus monogyna 20% (20 shrubs)

Blackthorn/Prunus spinosa 14% (14 shrubs)

Holly/Ilex aquifolium 11% (11 shrubs)

Dog rose/Rosa canina 5% (5 shrubs)

The appeal is to be heard by Hearing

- 2) Permanently cease the residential use of land subject to this notice and
- 3) Permanently remove the caravan and portable toilet from the land
- 4) Demolish the wooden storage shed and remove all resulting material from the land  
Subject of this notice
- 5) Take up all hardsurfacing and remove from the land
- 6) Restore the land to its previous agricultural condition by levelling the earth and reseeded with grass

**Case Officer: Mr P Mullineux (01432 261808)**

### **Application No. DMNC /092074/FH**

- The appeal was received on 5 February 2010
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr T Huckerby
- The site is located at Churchlands, Tedstone Delamere, Herefordshire, HR7 4PR
- The development proposed is Demolition of pole barn and erection of garage and tractor store.
- The appeal is to be heard by Householder

**Case Officer: Mr A Banks on 01432 383085**

## **APPEALS DETERMINED**

### **Application No. DCCE0009/1556/F**

- The appeal was received on 15 December 2009
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Miss Trudy Spratling
- The site is located at No 1 Haven Cottages, Bartestree, Hereford, Herefordshire, HR1 4BX
- The application dated 30 April 2009 was refused on 17 September 2009
- The development proposed was Erection of open lap fencing to front of property to a height of 950mm
- The main issue is the effect on conditions of highway safety

**Decision:** The application was refused under delegated powers on 17 September 2009  
The appeal was dismissed on 2 February 2010.

**Case Officer: Ms R Jenman 01432 261961**

### **Application DCNE2009/0253/F**

- The appeal was received on 2 September 2009
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr Roger Cole
- The site is located at Hall House Farm, Gloucester Road, Ledbury, Herefordshire, HR8 2JE
- The application dated 4 February 2009 was refused on 22 May 2009
- The development proposed was Proposed two, three-storey extensions and re-modelling.
- The main issue is the effects of the proposed development on the character and appearance of the existing building and on the area.

**Decision:** The application was refused under delegated powers on 22 May  
The appeal was allowed on 21 January 2010.

**Case Officer: Mr C Brace 01432 261795**

### **Application No. EN2009/0076/ZZ**

- The appeal was received on 10 September 2009
- 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 James Rogers
- The site is located at Rose Cottage, Acton Beauchamp, Worcester, WR6 5AA
- The breach of planning control alleged in this notice is:  
The painting of the Grade 2 Listed Building in pink colour is considered to be inappropriate and has an adverse impact on the special interest of this 17<sup>th</sup>/18<sup>th</sup> Century box timber cottage whose plaster panels were previously painted white/off-white. As such, the works are considered to be contrary to the Central Government Advice contained within Planning Policy Guidance Note 15 entitled "Planning and the Historic Environment" and Policy HBA1 of the Herefordshire Unitary Development Plan 2007.
- The requirements of the notice are:  
Paint all those areas of the Grade II Listed cottage that have been painted pink with white masonry paint.
- The main issue is that the external painting affects the character of a listed building.

**Decision:** The appeal was dismissed on 5 February 2010

**Case Officer:** Mr R Close on 01432 261803

### **Application No. DMDCN/090759/L DCNE2009/0746/L**

- The appeal was received on 2 December 2009
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs Rogers
- The site is located at Rose Cottage, Acton Green, Acton Beauchamp, Worcester, He, WR6 5AA
- The application dated 27 March 2009 was refused on 26 May 2009
- The development proposed was Painting of exterior render.
- The main issue is that the external painting affects the character of a listed building.

**Decision:** The application was refused under delegated powers.  
The appeal was dismissed on 5 February 2010.

**Case Officer:** Mr R Close on 01432 261803

### **Application No. DMDS /091678/A DCSW0009/1590/A**

- The appeal was received on 29 October 2009
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Ms Juliette Allen
- The site is located at In Field Adjoining The South W, Near Poston Court, Vowchurch, Hereford
- The application was refused on 4 September 2009
- The development proposed was Rectangular free standing sign for The Boughton Arms, Peterchurch -
- The main issue is that the displaying of the advertisement is detrimental to the interests of amenity and public safety.

**Decision:** The application was refused under delegated powers.  
The appeal was dismissed on 10 February 2010.

**Case Officer:** Mrs A Tyler on 01432 260372

**Application No. DMNC /091547/A DCNC0009/1515/A**

- The appeal was received on 28 October 2009
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Primesite Ltd
- The site is located at Saffrons Cross Garage, Bodenham, Hereford, Herefordshire, HR1 3LE
- The application was refused on 25 August 2009
- The development proposed was Proposed erection of one internally illuminated double sided pole
- The main issue is the effect of amenity, with particular regard to the setting of nearby listed buildings.

**Decision:** The application was refused under delegated powers.  
The appeal was dismissed on 9 February 2010.

**Case Officer: Mr N Banning on 01432 383093**

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