



















#### **Enforcement Notice 143865**

- The appeal was received on 31 December 2014
- 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 Howard Humphries
- The site is located at Land at Probyns Pitch, Upton Bishop, Ross on Wye, Herefordshire, HR9 7UJ
- The breach of planning control alleged in this notice is:  
Without planning permission, the material change of use of land from a use for agriculture, to a mixed use for agriculture and the siting of a mobile home for residential purposes.
- The requirements of the notice are:  
Permanently remove the mobile home as shown in the approximate location marked "A" on the attached plan from the land thereby causing the cessation of its residential use on the land.

#### **Decision:**

- The appeal was Dismissed and the enforcement notice upheld on 12 August 2015

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

#### **Application 141859**

- The appeal was received on 7 May 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 Hereford Islamic Society
- The site is located at 36 Holme Lacy Road, Hereford, Herefordshire, HR2 6BY
- The development proposed was Proposed change of use of ground floor retail unit to day centre (D1)
- The main issues were:  
I consider there are two main issues in this case. Firstly, the adequacy of the parking arrangements and the effect on highway safety, and secondly; the effect on the living conditions of nearby residents with regards to noise and other disturbance likely to be generated by the proposal.

#### **Decision:**

- The application was Refused under Delegated Powers on 2 October 2014
- The appeal was Dismissed on 13 August 2015

**Case Officer: Ms Kelly Gibbons on 01432 261781**

#### **Application 142710**

- The appeal was received on 11 May 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 & Mrs Emmett
- The site is located at Land adjacent to Nellies Oak, Dinedor, Hereford, HR2 6LG
- The development proposed was Proposed four bedroom detached house and three bedroom detached bungalow
- The main issues were:  
The Council's 3rd reason for refusal concerns the junction of the access with the B4399 which has restricted visibility. However, taking into account the lawful business use of part of the site, the Council has since indicated that it does not wish to defend this reason for refusal.

I therefore consider the main issues in this case are: 1) The effect of the proposal on the character and appearance of the surrounding countryside; 2) The effect of the proposal on the setting, and therefore the significance, of a nearby listed building (Dinedor Court); 3) the effect of the proposal on the site's ecology; and 4) Whether the proposed development should be considered sustainable in the overall planning balance.

**Decision:**

- The application was Refused/Approved under Delegated Powers (at Planning Committee (against Officer Recommendation)) on 11 November 2014
- The appeal was Dismissed on 18 August 2015

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

## ***APPEALS WITHDRAWN***

### **Application 150772**

- The appeal was received on 8 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 Sharon Gray
- The site is located at The Cottage, Bosbury, Ledbury, Herefordshire, HR8 1QW
- The development proposed was Proposed upgrade and link extension to dwelling

**Appeal is Withdrawn:**

- The application was Refused on 11 May 2015
- The appeal was Withdrawn on 10 August 2015

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

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