

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSE2006/0171/F**

- The appeal was received on 6th December 2006
- 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 Persimmon Homes Ltd
- The site is located at On A40 (T) highway between the junction of A40 (T)/A449 and Rudhall Brook, Ross-on-Wye, Herefordshire
- The development proposed is Three arm roundabout on the alignment of the existing A40 (T)
- The appeal is to be heard by Written Representations

Case Officer: Steven Holder on 01432 260479

Enforcement Appeal Application No. EN2006/0136/ZZ

- The appeal was received on 18th December 2006
- 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 L Edwards
- The site is located at Two Parks Farm, Upton Bishop, Ross-on-Wye, HR9 7UH
- The breach of planning control alleged in this notice is "Without planning permission, the unauthorized change of use of the land for the siting of two mobile homes for residential purposes."
- The requirements of the notice are:
 1. Cease the residential use of the land.
 2. Remove the mobile homes from the land and all associated works and equipment.
 3. Remove all materials that arise from the removal of the mobile homes and all associated infrastructure from the land.
- The appeal is to be heard by Hearing

Case Officer: Yvonne Coleman on 01432 383803

Enforcement Notice EN2006/0043/ZZ

- The appeal was received on 29th December 2006
- 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 J Edwards
- The site is located at Jays Park, Two Parks Farm, Linton, Ross-On-Wye, Herefordshire
- The breach of planning control alleged in this notice is:

Without planning permission, the construction of unauthorised walls, gate-piers, fencing and gates on the land.
- The requirements of the notice are:
 - (i) *Demolish and remove the walls, gate-piers, fencing and gates.*
 - (ii) *Remove all materials that arise from the removal of the walls, gate-piers, fencing and gates.*

Further information on the subject of this report is available from the relevant Case Officer

- (iii) *Restore the land to its condition before the breach took place by planting a hedgerow in place of the wall. The hedgerow should consist of 40% Crataegus Monogyna (Hawthorn), 30% Corylus Avellana (Hazel), 10% Ilex Aquifolium (Holly). The hedging plants are to be 60-80cm in height and are to be planted in a staggered row, 450mm apart, allowing 7 plants per linear metre.*
 - (iv) *A 400mm high plastic spital rabbit guard should be erected to protect the plants. These guards should be supported by a 750mm stake or cane.*
 - (v) *The hedgerow should be maintained for a period of five years following planting, ensuring adequate watering and fertilising. Any dead, diseased or damaged plants are to be replaced annually.*
- The appeal is to be heard by Inquiry

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2006/2907/O

- The appeal was received on 9th January 2007
- 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 E Maddy
- The site is located at Land at Upper Llanrosser Farm, Michaelchurch Escley, Herefordshire, HR2 0PU
- The development proposed is Outline application for an agricultural workers dwelling with ancillary works.
- The appeal is to be heard by Hearing

Case Officer: Angela Tyler on 01432 260372

APPEALS DETERMINED

Application No. DCSE2006/0387/F

- The appeal was received on 20th June 2006
- 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 M Traynor
- The site is located at Sunny Bank, Marstow, Ross-On-Wye, Herefordshire, HR9 6HD
- The application, dated 6TH February 2006, was refused on 3rd April 2006
- The development proposed was Proposed conversion of redundant former agricultural building to form dwelling
- The main issues are Development Plan policies and those of the emerging Unitary Development Plan allow for residential conversion of rural buildings outside towns and villages in limited circumstances. The extent and impact of the work needed to turn this modest stone and tile farm building into residential use and the implications of its quite remote location.

Decision: The appeal was DISMISSED on 29th December 2006

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2006/2102/F

- The appeal was received on 9th October 2006
- 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 A & P Developments Ltd.
- The site is located at Perriflex, (Rear of 29-31), Brampton Street, Ross-on-Wye, Herefordshire, HR9 7EQ
- The application, dated 3RD July 2006, was refused on 25th August 2006
- The development proposed was Demolish office building and erect pair semi-detached dwelling.

Decision: The appeal was WITHDRAWN on 28th December 2006

Case Officer: Steve Holder on 01432 260479

Application No. DCSE2006/0385/F

- The appeal was received on 19th September 2006
- 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 M Yeates
- The site is located at Rose Cottage, Ivy House Lane, Gorsley, Herefordshire, HR9 7SL
- The application, dated 6th February 2006, was refused on 3rd April 2006
- The development proposed was Construction of a new four bedroom house in large garden area to west of Rose Cottage.
- The main issue is open countryside, character and appearance

Decision: The appeal was DISMISSED on 18TH December 2006

Case Officer: Yvonne Coleman on 01432 383083

Application No. DCSW2005/3309/O

- The appeal was received on 2nd February 2006
- 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 J.M. Hughes
- The site is located at Adjacent to Hill Dene, Abbeydore, Herefordshire, HR2 0AG
- The application, dated 12th October 2005, was refused on 28th November 2005
- The development proposed was Proposed bungalow with garage.
- The main issues are whether there is an essential need for the proposed dwelling for the efficient running of the agricultural enterprise and the effect of the proposed development on the character and appearance of the countryside.

Decision: The appeal was DISMISSED on 18th December 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/3080/O

- The appeal was received on 6th April 2006
- 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 Scott & Newman Pension Scheme
- The site is located at Land to rear of Doctors Surgery at Kingstone, Herefordshire, HR2 9HN.
- The application, dated 9th September 2005, was refused on 11th November 2005
- The development proposed was Outline application for social and affordable housing and/or low cost market.
- The main issues are:
 - (i) Whether the proposal would comply with policy for the control of new housing in rural locations
 - (ii) The effect of the proposal on the character and appearance of the rural setting of Kingstone.
 - (iii) The effect of the proposal on the living conditions of nearby residents, with particular reference to noise and disturbance, visual intrusion and privacy.

Decision: The appeal was DISMISSED on 19th December 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/2970/F

- The appeal was received on 8th June 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions
- The appeal was brought by Mr A Regan
- The site is located at The Closerie, Lyston, Wormelow, Herefordshire, HR2 8EL
- The application, dated 12th September 2005, was approved subject to conditions
- The development proposed was Upgrading of track. Converting barn to stables and change of use on animal shed to workshop/store/garage.
- The main issues are the effect that removing or varying the disputed conditions would have on the character and appearance of the area, and the effect that removing or varying the disputed conditions would have on the living conditions of nearby residents.

Decision: The appeal was ALLOWED on 29th December 2006

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2005/2231/RM

- The appeal was received on 21st April 2006
- 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 Voyage Limited
- The site is located at Hunters Lodge, Wormelow, Hereford, Herefordshire, HR2 8EQ
- The application, dated 5th July 2005, was refused on 5th October 2005
- The development proposed was Approval of reserved matters for erection of low dependency accommodation.

SOUTHERN AREA PLANNING SUB-COMMITTEE

24TH JANUARY, 2007

- The main issue is the effect of the proposal on the character and appearance of the surrounding area, including the setting of Hunters Lodge and Bryngwyn Manor.

Decision: The appeal was ALLOWED on 11th January 2007

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2006/0594/F

- The appeal was received on 7th August 2006
- 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 Voyage Limited
- The site is located at Hunters Lodge, Wormelow, Herefordshire, HR2 8EQ
- The application, dated 15th February 2006, was refused on 25th May 2006
- The development proposed was Erection of 4 detached buildings within the grounds of Hunters Lodge to provide 3 small care homes and communal leisure facility.
- The main issue is the effect of the proposal on the character and appearance of the surrounding area, including the setting of Hunters Lodge and Bryngwyn Manor.

Decision: The appeal was ALLOWED on 11th January 2007

Case Officer: Andrew Prior on 01432 261932

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