

**ITEM FOR INFORMATION - APPEALS****APPEALS RECEIVED****Enforcement Notice EN2006/0161/ZZ**

- The appeal was received on 16th February 2007
- 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 S Willmet
- The site is located at Land at Bacon Lane, Aymestry
- The breach of planning control alleged in this notice is:  
*Without planning permission, the material change of use of an agricultural building to a mixed use for agricultural storage and residential purposes and the material change of use of agricultural land to garden land.*
- The requirements of the notice are:  
*Permanently cease the residential use of the agricultural building; Remove all domestic fixtures and fittings from the said building; Remove the central heating system and all associated fixtures and fittings from the said building; Remove all materials resulting from the cessation of the residential use of the agricultural building from the land subject of this Notice; Permanently cease use of the agricultural land as garden land; Remove all garden furniture and play equipment from the said land; Infill the pond with inert uncontaminated material from a licensed reputable source; Remove all items resulting from the cessation of the unauthorized use of the agricultural land from the land subject of this Notice.*
- The appeal is to be heard by Written Representations

**Case Officer: Philip Mullineux on 01432 261808**

**Application No. DCNW2006/1672/F**

- The appeal was received on 23rd February 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 P S Williams
- The site is located at Mortimers Cross Inn (land to rear), Mortimers Cross, Leominster, Herefordshire, HR6 9PD
- The development proposed is Change of use of land for holiday chalet development, erection of 8 chalets in landscaped gardens
- The appeal is to be heard by Written Representations

**Case Officer: Philip Mullineux on 01432 261808**

**Application No. DCNC2006/2136/F**

- The appeal was received on 23rd February 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 S Cooke

## **NORTHERN AREA PLANNING SUB-COMMITTEE**

**28TH MARCH 2007**

- The site is located at Garden on east side of 2 Cross Cottages, Risbury, Leominster, Herefordshire, HR6 0NQ
- The development proposed is Proposed two storey dwelling.
- The appeal is to be heard by Written Representations

**Case Officer: Andrew Banks on 01432 383085**

### **Application No. DCNW2006/2702/F**

- The appeal was received on 23rd February 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 J P Turner & Son
- The site is located at Headbrook Barn, Headbrook, Kington, Herefordshire
- The development proposed is Proposed Barn Conversion.
- The appeal is to be heard by Written Representations

**Case Officer: Philip Mullineux on 01432 261808**

### **Application No. DCNW2006/2252/F**

- The appeal was received on 23rd February 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 & Mrs B Crick
- The site is located at Willow Cottage, Monkland Common, Leominster, Herefordshire, HR6 9DD
- The development proposed is Proposed replacement cottage.
- The appeal is to be heard by Written Representations

**Case Officer: Philip Mullineux on 01432 261808**

### **Application No. DCNE2005/3784/RM**

- The appeal was received on 15th March 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 Ms H Kent
- The site is located at Site of Rose & Coome Cottages, Floyds Lane, Wellington Heath, Ledbury, Herefordshire, HR8 1LR
- The development proposed is Erection of one dwelling
- The appeal is to be heard by Hearing

**Case Officer: Ed Thomas on 01432 261795**

## **APPEALS DETERMINED**

### **Application No. DCNC2006/1225/F**

- The appeal was received on 13th 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 F Evans
- The site is located at Workshops, Leopard Alley, Bromyard, Herefordshire, HR7 4DT
- The application, dated 12<sup>th</sup> April 2006, was refused on 12<sup>th</sup> July 2006
- The development proposed was Demolition of steel framed building for erection of 4 No. flats including refurbishment of adjacent brick building
- The main issue is the effect of the proposal on highway safety with specific reference to parking provision

**Decision:** The appeal was UPHeld on 19<sup>th</sup> February 2007

**Case Officer: Andrew Banks on 01432 383085**

**Application No. DCNC2006/2800/O**

- The appeal was received on 6th November 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 D Howe
- The site is located at West Eaton Nurseries, Bromyard Road, Leominster, Herefordshire, HR6 0NA
- The application, dated 23rd August 2006, was refused on 20th February 2007
- The development proposed was Proposed new dwelling.
- The main issue is whether there is a financial and functional need for a permanent dwelling on the site.

**Decision:** The appeal was DISMISSED on 20<sup>th</sup> February 2007

**Case Officer: Andrew Banks on 01432 383085**

**Application No. DCNC2006/0795/F**

- The appeal was received on 12th 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 J.F. Bell
- The site is located at Land at the Baiting House, Stourport Road, Upper Sapey, Herefordshire
- The application, dated 10<sup>th</sup> March 2006, was refused on 9<sup>th</sup> May 2006
- The development proposed was Change of use to locate 12 No. lodge style holiday static caravans with landscaping and environmental improvements.
- The main issue is Impact on landscape

**Decision:** The appeal was DIMISSED on 2<sup>ND</sup> March 2007

**Case Officer: Andrew Banks on 01432 383085**

**Application No. DCNE2006/2156/F**

- The appeal was received on 29th November 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against planning conditions
- The appeal was brought by G & B B Houlbrooke & Son
- The site is located at Siddington Farm, Leddington, Ledbury, Herefordshire, HR8 2LN
- The application, dated 19<sup>th</sup> June 2006, was allowed on 11<sup>th</sup> October 2006
- The development proposed was Change of use of orchard to private winter caravan storage (temporary), ancillary to Siddington Farm.
- The main issue is whether the disputed conditions are reasonable and necessary in the interests of protecting the character and appearance of the surrounding countryside.

**Decision:** The appeal was UPHELD on 7<sup>th</sup> March 2007

**Case Officer: Roland Close on 01432 261803**

**Application No. DCNW2006/0205/F**

- The appeal was received on 22nd 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 Ms A Cleverly & Mr R Wells
- The site is located at Ash Farm (OS 406, 689), Barnet Lane Wigmore, Leominster, Herefordshire, HR6 9UJ
- The application, dated 19<sup>th</sup> January 2006, was refused on 17<sup>th</sup> March 2006
- The development proposed was Change of use from agricultural land to a one family travellers site including stationing of 2 dwelling vehicles and storage space (retrospective application).
- The main issues are:
  - (i) *The effect of the proposal on the character and appearance of the area.*
  - (ii) *The effect of the proposal on the setting of the village of Wigmore, and on the setting of Wigmore Castle, a Scheduled Ancient Monument and a Grade I listed building.*

**Decision:** The appeal was UPHELD on 7<sup>th</sup> March 2007

**Case Officer: Philip Mullineux on 01432 261808**

**Enforcement Notice EN2006/0040/ZZ**

- The appeal was received on 3rd August 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 R Wells & Mrs A Cleverley
- The site is located at Ash Farm, Barnet Lane, Wigmore, Hereford
- The breach of planning control alleged in this notice is "Without planning permission, change of use or agricultural land for the stationing of a mobile home for residential use together with the siting of three associated container units and a tin shed structure.
- The requirements of the notice are:
  - 1) *Cease the residential use of the land.*

- 2) *Permanently remove the mobile residential motor home from the land.*
  - 3) *Remove the three container units from the land.*
  - 4) *Remove all commercial vehicles from the land.*
  - 5) *Remove all materials that have arisen from the removal of the mobile residential motorhome, the three container units and tin shed structure from the land..*
  - 6) *Restore the land to its condition before the breach took place by seeding of the grass and other such work as is necessary to return its agricultural land quality to at least that which it formally had.*
- The main issues are:
    - (iii) *The effect of the proposal on the character and appearance of the area.*
    - (iv) *The effect of the proposal on the setting of the village of Wigmore, and on the setting of Wigmore Castle, a Scheduled Ancient Monument and a Grade I listed building.*

**Decision:** The appeal was UPHELD on 7<sup>th</sup> March 2007  
With the Enforcement Notice being corrected

**Case Officer: Philip Mullineux on 01432 261808**

**Application No. DCNW2006/2418/F**

- The appeal was received on 22nd November 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 HA Tipton
- The site is located at Crackadonia, Lyonshall, Kington, HR5 3LN
- The application, dated 25<sup>TH</sup> July 2006, was refused on 13<sup>th</sup> September 2006
- The development proposed was Subdivision of existing single residential unit to form two dwelling houses.
- The main issue is whether the proposal would comply with policies aimed at restricting residential development in the countryside and the effect of the proposal on highway safety.

**Decision:** The appeal was DISMISSED on 12<sup>th</sup> March 2007

**Case Officer: Philip Mullineux on 01432 261808**

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