

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCNC2006/3983/F**

- The appeal was received on 28th 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 Preservation
- The site is located at Forbury Chase, Sherford Street, Bromyard, Herefordshire
- The development proposed is Proposed retention and conversion of existing school house to residential
- The appeal is to be heard by Written Representations

Case Officer: Andrew Banks on 01432 383085

Application No. DCNW2006/3821/F

- The appeal was received on 29th 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 Mr & Mrs G Ward
- The site is located at Leapyards, Stretford, Monkland, Herefordshire, HR6 9DG
- The development proposed is Proposed two storey rear extension, side conservatory and new vehicular access
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNW2007/0066/F

- The appeal was received on 30th 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 Mrs R Hall
- The site is located at Land to the rear of Terracotta barn, East Street, Pembridge, Leominster, Herefordshire, HR6 9HB
- The development proposed is Proposed construction of a pair of semi-detached cottages.
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

APPEALS DETERMINED**Application No. DCNW2006/1085/F**

- The appeal was received on 30th 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 & Mrs Fox

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

- The site is located at Lawton Hall, Eardisland, Leominster, Herefordshire, HR6 9AX
- The application, dated 31st March 2006, was refused on 30th May 2006
- The development proposed was Conversion of byre to residential
- The main issue is whether the works amount to major reconstruction and whether the various uses are compatible with one another.

Decision: The appeal was UPHeld on 21st March 2007

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNW2006/1104/F

- The appeal was received on 30th 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 & Mrs Fox
- The site is located at Byre, Lawton Hall, Eardisland, Leominster, Herefordshire, HR6 9AX
- The application, dated 31st March 2006, was refused on 30th May 2006
- The development proposed was Conversion of byre to residential
- The main issue is whether the works amount to major reconstruction and whether the various uses are compatible with one another.

Decision: The appeal was DISMISSED on 21st March 2007

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNC2004/0321/F

- The appeal was received on 10th August 2004
- 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 S & A Property Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster, Herefordshire, HR6 0NU
- The application, dated 6th February 2004, was refused on 12th May 2004
- The development proposed was Construction of amenity building, toilet buildings and site works for 300 units caravan standing for farm workers accommodation.
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005

The appeal was DISMISSED (by the Secretary of State) on 11th April 2007

Case Officer: Mark Tansley on 01432 261956

Application No. DCNC2004/0902/F

- The appeal was received on 10th August 2004
- 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 S & A Property Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster, Herefordshire, HR6 0NU
- The application, dated 24th March 2004, was refused on 17th May 2004
- The development proposed was Proposed sewage treatment plant and pumping station
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005
The appeal was DISMISSED (by the Secretary of State) on 11th April 2007

Case Officer: Mark Tansley on 01432 261956

Enforcement Appeal No. EN2004/0026/ZZ.

- The appeal was received on 30th September 2004
- 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 S and A Property Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster
- The breach of planning control alleged in this notice is:
Without planning permission the erection of a single-storey building, hardstanding and water, electricity and sewage connections ("the works")
- The requirements of the notice are:
 - Totally remove the single-storey building, hardstanding and all associated connections (including in each case all associated works and equipment) without causing additional harm to the agricultural quality or archaeological potential of the land to which this notice relates.*
 - Remove from the land all building materials and rubble resulting from compliance with requirement (1).*
 - Restore the land to its condition before the breach took place by levelling the ground re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.*
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005
The appeal was DISMISSED (by the Secretary of State) on 11th April 2007
The Enforcement Notice was UPHELD with corrections

Case Officer: Mr Mark Tansley on 01432 261956

Enforcement Appeal No. EN2004/0028/ZZ.

- The appeal was received on 30th September 2004
- 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 S and A Property Ltd
- The site is located at land at Brierley Court Farm, Brierley, Leominster

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

- The breach of planning control alleged in this notice is
Without planning permission the installation of a sewage-treatment plant, pumping station and hardstanding on the land together with associated connections from caravans in an adjoining field ("the associated connections")
- The requirements of the notice are:
 - i) *Totally remove the sewage-treatment plant, the pumping station, the hardstanding and all associated connections (including in each case all associated works and equipment) without causing additional harm to the agricultural quality or archaeological potential of the land to which the notice relates.*
 - ii) *Remove from the land all building materials and rubble resulting from compliance with requirement (1).*
 - iii) *Restore the land to its condition before the breach took place by levelling the ground, re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.*
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005
The appeal was DISMISSED (by the Secretary of State) on 11th April 2007
The Enforcement Notice was UPHELD with corrections

Case Officer: Mark Tansley on 01432 261956

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