

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Enforcement Notice EN2006/0111/ZZ.**

- The appeal was received on 8th February 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 P Williams
- The site is located on land at Ledwyche Springs, Little Hereford, Bleathwood, Herefordshire
- The breach of planning control alleged in this notice is: Without planning permission, the extension of a building on agricultural land, associated engineering works, creation of an access track and works to alter an existing agricultural access.
- The requirements of the notice are:
 1. Remove the lean-to structure and associated building and engineering works and carry out such further works as are necessary to ensure compliance with the plans submitted for the purposes of Prior Approval reference DCNC2005/1683/S decision date 8th June 2005.
 2. Remove the access track and restore the land to its former agricultural condition and quality or at least that which it formally had prior to the development taking place.
 3. Restore the access back to its former condition and dimensions as an agricultural access with a 5 bar gate and permanently remove the area of hardstanding and the fencing that surrounding it.
- The appeal is to be heard by Written Representation

Case Officer: Andrew Banks on 01432 383085

Application No. DCNC2007/0234/S

- The appeal was received on 31st May 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 A Willis
- The site is located at Ledwyche Farm, Bleathwood, Ludlow, Herefordshire, SY8 4LF
- The development proposed is Proposed free range pig farrowing house.
- The appeal is to be heard by Written Representations

Case Officer: Andrew Banks on 01432 383085

Application No. DCNC2007/0623/F

- The appeal was received on 22nd May 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 F Rooke
- The site is located at The Bungalow, Ryelands Road, Leominster, Herefordshire, HR6 8PE
- The development proposed is Proposed housing development to create six dwellings.
- The appeal is to be heard by Written Representations

Case Officer: Andrew Banks on 01432 383085

Application No. DCNC2007/0440/F

- The appeal was received on 11th June 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 B P Legge
- The site is located at Ideal Bungalow, Thornbury, Bromyard, Herefordshire, HR7 4NJ
- The development proposed is Conversion of rural building to form holiday bungalow with associated external alterations.
- The appeal is to be heard by Written Representations

Case Officer: Nigel Banning on 01432 383093

APPEALS DETERMINED

Application No. DCNW2006/1423/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 a refusal to grant planning permission
- The appeal was brought by Fernhazel
- The site is located at Welshwood Farm, Whitney-On-Wye, Hereford, Herefordshire, HR3 6JA
- The application, dated 5th May 2006, was refused on 27th June 2006
- The development proposed was Demolition and conversion of farm buildings to 3 dwellings, garaging and storage.
- The main issue is whether every reasonable attempt has been made to secure an alternative business, recreational or community use for the former farm buildings.

Decision: The appeal was ALLOWED on 15TH May 2007

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNW2006/1858/O

- The appeal was received on 12th February 2007
- 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 M G George
- The site is located at The Old Garage, -, Mortimers Cross, Leominster, Herefordshire, HR6 9TQ
- The application, dated 9th May 2006 , was refused on 9th August 2006
- The development proposed was Site for demolition of engineering works and replacement residential development
- The main issue is that the development proposed would comprise unjustified residential development in an unsustainable rural location. Furthermore, it would lead to suburbanization of this part of the countryside, consolidating and intensifying the built form of development along this part of the A4110, to the detriment of the character and appearance of the area. Contrary to the relevant development plan policies and to national guidance. There is insufficient benefit in terms of planning gain to outweigh that harm. In addition, the absence of a formal flood risk assessment means that it is not possible to determine, with any degree of certainty, whether future occupiers would be likely to be at risk from flooding.

Decision: The appeal was **DISMISSED** on 31ST May 2007

Case Officer: Philip Mullineux on 01432 261808

Hedgerow Removal Notice DCNW2006/2138/H

- Herefordshire Council served a Hedgerow Retention Notice, in respect of the above Hedgerow Removal Notice on 4th August 2006
- The appeal against the Hedgerow Retention Notice was received on 25th August 2006
- The appeal was made under The Environment Act 1995, Section 97 and The Hedgerow Regulations 1997, Regulation 9 against a Hedgerow Retention Notice
- The appeal was brought by Mr D H G Probert
- The site is located south of the A4112 road, Oldcastle, Kinnersley, Herefordshire
- The main issue is whether the hedgerows should be regarded as important and if so, whether there is sufficient reason to justify their removal.

Decision: The appeal was dismissed on 8th May 2007

Case Officer: Bridgit Symons on 01432 383507

Hedgerow Replacement Notice

- Herefordshire Council served a Hedgerow Replacement Notice on 18th December 2006
- The appeal was received on 12th January 2007
- The appeal was made under The Environment Act 1995, Section 97 and The Hedgerow Regulations 1997, Regulation 9 against a Hedgerow Replacement Notice
- The appeal was brought by P T Baker Farms Ltd.
- The site is located at Eardisley Park Farm, Eardisley, Herefordshire
- The main issues are whether the vegetation that was removed was classed as hedgerows and therefore fell within The Hedgerow Regulations and if so, whether there is sufficient justification to accept their removal.

Decision: The appeal was dismissed and the Hedgerow Replacement Notice was upheld with variation on 15th May 2007

Case Officer: Juliet Wheatley on 01432 260157

Enforcement Notice EN2006/0090/ZZ

- The appeal was received on 26th October 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 M.D, P.G. & G.W. Ridge
- The site is located at The Deep Litter Shed, Norton Canon, Hereford, HR4 7BH
- The breach of planning control alleged in this notice is:
Without planning permission, change of use of the land from use for agriculture to use for the siting of a mobile home for residential purposes
- The requirements of the notice are:
Cease the residential use of the land
- Permanently remove the mobile home from the land
- The main issue is whether or not the mobile home has been in continual residential use for a period of ten years.

Decision: The appeal was dismissed on 23rd May 2007

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNC2006/2661/F

- The appeal was received on 16th January 2007
- 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 Pritchard
- The site is located at Little West, Pinsley Road, Leominster, Herefordshire, HR6 8NN
- The application, dated , was refused on
- The development proposed was Subdivision of "Little West" and proposed new dwelling.
- The main issue is the impact of the proposal on the surrounding area in terms of layout, density and access.

Decision: The appeal was dismissed on 5th June 2007

Case Officer: Nigel Banning on 01432 383093

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