

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCCE2007/0624/A**

- The appeal was received on 25th 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 Suzuki GB Plc.
- The site is located at Stirlings Suzuki, Callow, Hereford, Herefordshire, HR2 8BT.
- The development proposed is Four internally illuminated fascia panels and one internally illuminated totem pole sign.
- The appeal is to be heard by Written Representations.

Case Officer: Russell Pryce on 01432 261957

Enforcement Notice EN2007/0035/ZZ

- The appeal was received on 23rd May, 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. A.R. Badham.
- The site is located at 59 St. Owen Street, Hereford, HR1 2JQ.
- The breach of planning control alleged in this notice is:
Without planning permission, the erection of steel security shutters on the shop front of the commercial property situated on the land.
- The requirements of the notice are:
 - (i) *Remove the security shutters and associated galvanized steel housing, side runners and brackets from the building.*
 - (ii) *Restore the shop front to its condition prior to the unauthorized works being carried out.*
- The appeal is to be heard by Written Representations.

Case Officer: Russell Pryce on 01432 261957

Enforcement Notice EN2007/0033/ZZ

- The appeal was received on 5th June, 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. K. Lancett.
- The site is located at Marshfield Cottage, Cross Keys, Withington, Hereford.
- The breach of planning control alleged in this notice is:
On 14th January, 2004 planning permission was granted for the change of use of the land to domestic cartilage, subject to conditions. One of those conditions removed the permitted development rights relating to development within the cartilage of a dwelling house. It appears to the Council that the condition has not been complied with, because a gazebo has been erected without planning permission.
- The requirements of the notice are:
 - (i) *Remove the unauthorized gazebo from the land.*
 - (ii) *Restore the land to its condition prior to the commencement of the building operations.*
- The appeal is to be heard by Hearing

Case Officer: Ed Thomas on 01432 261961

Application No. DCCE2007/0610/A

- The appeal was received on 15th 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. P. Butt.
- The site is located at Chadds Commercial Street Hereford HR1 2DH.
- The development proposed is 8 x projecting banners - retrospective.
- The appeal is to be heard by Written Representations.

Case Officer: Ed Thomas on 01432 261961

APPEALS DETERMINED**Application No. DCCW2006/1780/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 Front South Ltd. & Bovale Ltd.
- The site is located at Land off Faraday Road, Hereford HR4 9NS.
- The application, dated 3rd May, 2006, was refused on 7th August, 2006.
- The development proposed was Development to provide total care village for the elderly - use class C2 (residential institution) and associated infrastructure.
- The main issues are firstly whether the site should be retained for employment uses, secondly whether the proposal would provide satisfactory living conditions for future residents because of odour and whether that factor might prejudice future operations at a nearby chicken processing plant, and thirdly whether the proposal should make any provision for affordable housing.

Decision: The appeal was DISMISSED on 17th May, 2007.

Case Officer: Kevin Bishop 01432 261946

EN2005/0119/ZZ

- The appeal was received on 24th August, 2006.
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of **two** Enforcement Notices.
- The appeal is brought by Mr. T.W Jones.
- The site is located at Small Ashes Farm, Marden, Herefordshire, HR1 3DA.
- The breach of planning control alleged in these notices are:
 - (i) *Without planning permission, the importation of material onto the land known as Small Ashes Farm, Marden to create tracks and hard standing and bunding which are not reasonably necessary for agricultural purposes causing operational development to take place.*
 - (ii) *Without planning permission, the unauthorized change of use of the land as a site for the operation of heavy goods vehicles and also as an aggregate distribution centre.*
- The requirements of the notices are:
 - (i) *Permanently remove all material used to consolidate accesses, internal tracks and hard standing from the site, this material should then be disposed of in a responsible manner and return the land to it's former condition.*
 - (ii) *Permanently cease the use of the land as a site for heavy goods vehicle operations and also as an aggregate distribution centre.*

- The main issues are whether the project conforms with policies relating to the location of development (in particular location of development in the countryside), whether it is likely to cause material detriment to the amenity of neighbours or to the character and appearance of the locality and whether it would be detrimental to highway safety.

Decision: The appeal was DISMISSED on 13th June, 2007.
The Enforcement Notice was upheld with corrections.

Case Officer: Peter Clasby on 01432 261947

Enforcement Notice EN2005/0068/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 Mr. Kingsley.
- The site is located at Riverside House, Lugg Bridge Mills, Hereford.
- The breach of planning control alleged in this notice is:
Without planning permission, the erection of a wooden first floor balcony on the western elevation of Riverside House, Lugg Bridge.
- The requirements of the notice are:
 - (i) *Remove from the land the balcony, platform, railings, supporting pillars and any other associated brackets.*
 - (ii) *Any harm caused to the building through the construction of the balcony should be made good.*
- The main issue is the effect of the development on the setting and character of the area.

Decision: The appeal was DISMISSED on 14th June, 2007.

Case Officer: Russell Pryce on 01432 261957

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