

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED**

No new appeals to report.

APPEALS DETERMINED**EN2007/0002/ZZ**

- The appeal was received on 3rd 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 N.J. Cockburn
- The site is located at Pennoxstone Court, Kings Caple, Herefordshire, HR1 4TX
- The breach of planning control alleged in this notice is:
Without planning permission, the erection of polytunnels
- The requirements of the notice are:
 - i) *Demolish the polytunnels*
 - ii) *Remove any materials that arise from the demolition of the polytunnels from the land*
- The main issues are:
 - i) *The effect of the polytunnels on the natural beauty of the landscape and the countryside of the Wye Valley Area of Outstanding Natural Beauty (AONB)*
 - ii) *The effect of the polytunnels on the setting of the listed Church of St John the Baptist, Kings Caple*
 - iii) *The weight to be attached to the benefits of the polytunnels in terms of the quantity and quality of the soft fruit produced, the contribution made to the rural economy and the substitution of locally grown fruit for imported fruit.*

Decision: The appeal was DISMISSED on 8th January, 2008

The appeal is allowed in part on grounds (d) and (a), but otherwise the appeal is DISMISSED and the enforcement notice upheld with corrections and variations

Case Officer: Mike Willmont on 01432 260612

Application No. DCSE2007/0620/C

- The appeal was received on 18th July, 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 Aldi Stores Ltd
- The site is located at Gardner Butcher Garages, Brookend Street, Ross-On-Wye, Herefordshire, HR9 7EG
- The application, dated 1st March, 2007, was refused on 29th May, 2007
- The development proposed was Demolition of existing buildings to facilitate redevelopment for Aldi Foodstore.

- The main issues are the effect of the proposal on the character and appearance of the Conservation Area, highway matters and the issue of flooding

Decision: The appeal was WITHDRAWN on 7th January, 2008

Case Officer: Steven Holder on 01432 260479

Application No. DCSE2007/0674/F

- The appeal was received on 18th July, 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 Aldi Stores Limited
- The site is located at Gardner Butcher Garage, Brookend Street, Ross-on-Wye, Herefordshire, HR9 7EG
- The application, dated 7th March, 2007, was refused on 4th June, 2007
- The development proposed was Erection of Aldi discount foodstore with associated parking, landscaping and access.
- The main issues are the effect of the proposal on the character and appearance of the Conservation Area, highway matters and the issue of flooding

Decision: The appeal was WITHDRAWN on 7th January, 2008

Case Officer: Steven Holder on 01432 260479

Application No. DCSW2006/1689/O

- The appeal was received on 24th 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 Pencoyd Court Farm
- The site is located at Land adjacent Pencoyd Rise, Harewood End, Herefordshire
- The application, dated 24th May, 2006, was refused on 21st July, 2006
- The development proposed was Site for construction of new agricultural workers dwelling.
- The main issue is whether there is an agricultural justification for a new dwelling in the countryside.

Decision: The appeal was UPHELD on 21st January, 2008

An application made by the appellant for the award of costs against the Council was UPHELD

Case Officer: Andrew Prior on 01432 261932

Application No. DCSW2006/1811/F

- The appeal was received on 19th 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 Mrs G M Windows
- The site is located at Cusop Village Hall, Cusop, Hay-on-Wye, Herefordshire.

- The application, dated 7th June, 2006, was refused on 3rd August, 2006
- The development proposed was Proposed conversion of disused Church Hall into a dwelling and proposed new vehicular access.
- The main issues are:
 - i) *The effect of the proposal on community facilities in Cusop*
 - ii) *The effect of the proposal on the character and appearance of the existing building*
 - iii) *The effect of the proposal on highway safety, namely on the Hardwicke Road (B4348)*

Decision: The appeal was DISMISSED on 24th January, 2008

Case Officer: Andrew Prior on 01432 261932

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