

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED

Application No. DCNW2007/0980/O

- The appeal was received on 20th December 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. Edmonds
- The site is located at 13 The Birches, Shobdon, Leominster, Herefordshire, HR6 9NG
- The development proposed is Site for the erection of a proposed three bedroom dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Kelly Gibbons On 01432 261781

Application No. DCNE2007/1105/F

- The appeal was received on 15th January 2008
- 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. C Jones
- The site is located at 35 Jubilee Close, Deer Park, Ledbury, Herefordshire, HR8 2XA
- The development proposed is Construction of two-storey extension to front of existing dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Carl Brace on 01432 261795

Application No. DCNE2007/2937/O

- The appeal was received on 21st January 2008
- 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 M Hollins
- The site is located at Northcroft, Lower Eggleton, Ledbury, Herefordshire, HR8 2TZ
- The development proposed is Site for erection of six new dwellings and demolition of small outbuilding and removal of lorry containers.
- The appeal is to be heard by Written Representations

Case Officer: Carl Brace on 01432 261795

Application No. DCNW2007/0603/F

- The appeal was received on 29th January 2008
- 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 Border Oak Design & Construction
- The site is located at Land adjacent to Weobley Methodist Chape Weobley.
- The development proposed is Proposed erection of 12 dwelling units and ancillary garages.
- The appeal is to be heard by Hearing

Case Officer: Philip Mullineux on 01432 261808

APPEALS DETERMINED

Application No. DCNE2007/0448/F

- The appeal was received on 6th August 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 Fair-Sky Ltd
- The site is located at Monksbury Court Barns, Monkhide, Ledbury, Herefordshire, HR8 2TU
- The application, dated 4th January 2007, was refused on 26th March 2007
- The development proposed was Retrospective application for formation of bay window and provision of new porch to units 1,2, & 5.
- The main issue is the effect of the scheme on the character and appearance of the existing buildings.

Decision: The appeal was DISMISSED on 26th November 2007

Case Officer: Carl Brace on 01432 261795

Application No. DCNC2007/2442/A

- The appeal was received on 31st October 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. Patel
- The site is located at 12 - 24 Bengry Motors Ltd, The Bargates, Leominster, Herefordshire, HR6 8EY
- The application, dated 30th July 2007, was refused on 11th September 2007
- The development proposed was a single sided free standing display unit
- The main issue is the impact including the cumulative impact of the proposed poster unit on the character and appearance of the site and the surrounding conservation area.

Decision: The appeal was DISMISSED on 4th January 2008

Case Officer: Julia Shields on 01432 261560

Application No. DCNW2006/1693/F

- The appeal was received on 6th December 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 Downton Estate
- The site is located at Nacklestone Farm, Nacklestone, Leintwardine, Craven Arms, Shropshire.
- The application, dated 19th May 2007, was refused on 18th July 2007
- The development proposed was Change of use from agricultural to storage and warehousing (B8)
- The main issues are whether the location of the appeal site is suitable for the use proposed, with particular regard to the principles of sustainable development and the nature of the surrounding road network and the effect of the proposal on the living conditions of the occupiers of neighbouring properties, with particular regard to noise and disturbance.

Decision: The appeal was DISMISSED on 8th January 2008

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNE2005/3784/RM

- The appeal was received on 15th March 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 Ms H Kent
- The site is located at Site of Rose & Coome Cottages, Floyds Lane, Wellington Heath, Ledbury, Herefordshire, HR8 1LR
- The application, dated 22nd November 2005, was refused on 7th December 2006
- The development proposed was Erection of one dwelling
- The main issue is the effect of the proposed development on the living conditions of the occupiers of the adjacent property known as Hillside, to the east of the appeal site.

Decision: The appeal was DISMISSED on 14th January 2008
An application made by the appellant for the award of costs against the Council was DISMISSED

Planning Permission for an alternative scheme on the same site was approved at the Northern Area Planning Sub Committee on 16th January 2008

Case Officer: Ed Thomas on 01432 261961

Application No. DCNW2006/3338/F

- The appeal was received on 12th April 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 Haywood Developments Ltd
- The site is located at Former Keeble Timber Yard, Kinnersley, Hereford, HR3 6QD
- The application, dated 14th October 2006, was refused on 14th December 2006
- The development proposed was Conversion and alteration of offices and workshop to create four live/work units including demolition of factory sheds.
- The main issue is the former timber yard lies in open countryside as defined by the UDP, with poor access to public transport facilities.

Decision: The appeal was DISMISSED on 29th January 2008

Case Officer: Philip Mullineux on 01432 261808

Enforcement Notice EN2007/0116/ZZ

- The appeal was received on 4th December 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 S& A Soft Fruits Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster, Herefordshire
- The breach of planning control alleged in this notice is:
Without planning permission the erection of polytunnels (to be rotated around fields within the land as required by crops under cultivation)
- 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 issue is the impact of the development upon the landscape

Decision: The appeal was WITHDRAWN on 31st January 2008
The Council has withdrawn the Enforcement Notice served upon those with an interest in the land, and will re-issue a new Enforcement Notice in light of the recent appeal decision at Pennoxstone Court, Kings Caple, Herefordshire

Case Officer: Mark Tansley on 01432 261956

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