

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCCW2007/2037/F**

- The appeal was received on 5th March, 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. B. Lane.
- The site is located at Rose Cottage, 304 Kings Acre Road, Hereford, Herefordshire, HR4 0SD.
- The development proposed is Proposed detached house with double garage.
- The appeal is to be heard by Written Representations.

Case Officer: Kevin Bishop on 01432 261946

Application No. DCCW2007/2806/F

- The appeal was received on 12th March, 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 S.A. Davies.
- The site is located at Brook Farm, Marden, Hereford, Herefordshire, HR1 3ET.
- The development proposed is Continued use of land as a caravan site and retention of accommodation block for seasonal agricultural workers.
- The appeal is to be heard by Hearing.

Case Officer: Kevin Bishop on 01432 261946

Application No. DCCW2007/2834/F

- The appeal was received on 20th March, 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 Persimmon Homes South Midlands.
- The site is located at Land to the rear of Mulberry Close, Belmont, Hereford.
- The development proposed is Proposed erection of 69 dwellings and delivery of Haywood Country Park.
- The appeal is to be heard by Inquiry.

Case Officer: Russell Pryce on 01432 260756

Application No. DCCE2007/2612/F

- The appeal was received on 25th March, 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. D. Holmes.
- The site is located at Land at Wyeseide, Outfall Works Road, Hereford, Herefordshire, HR1 2RQ.
- The development proposed is Retrospective application for change of use of land to commercial storage and siting of shipping container.
- The appeal is to be heard by Written Representations.

Case Officer: Edward Thomas on 01432 261961

APPEALS DETERMINED

Enforcement Notice EN2005/0020/ZZ

- The appeal was received on 14th 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. I.C. Joseph.
- The site is located at Lower Lyde (Parcel 7209), Herefordshire, HR1 3AS.
- The breach of planning control alleged in this notice is:
Without planning permission, change of use of the land from agriculture to a mixed use for agriculture and the siting of one static caravan for residential purpose and the storage of another caravan on the land.
- The requirements of the notice are:
 - i) *Remove the caravans from the land.*
 - ii) *Remove all materials that arise from the removal of the caravans.*
- The main issue is whether there are any compelling exceptional reasons to allow development in the countryside.

Decision: The appeal was DISMISSED on 7th March, 2008.

Case Officer: Peter Clasby on 01432 261947

Enforcement Notice EN2007/0082/ZZ

- The appeal was received on 21st 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. S.K Williams.
- The site is located at Wyeside, Outfall Works Road, Hereford, HR1 1XY.
- The breach of planning control alleged in this notice is:
Without planning permission, the change of use of the land to a use for general industrial and ancillary storage purposes.
- The requirements of the notice are:
 - i) *Cease the unauthorized general industrial use of the land.*
 - ii) *Remove all associated materials, plant and machinery from the land.*
- The main issue is whether the existing use of the land had been in operation for a period of ten years or more prior to the service of this Enforcement Notice.

Decision: The appeal was UPHELD on 19th March, 2008.

The Enforcement Notice is quashed.

Case Officer: Ed Thomas on 01432 261961

Application No. DCCE2007/0267/U

- The appeal was received on 27th June, 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 Mr. S.K. Williams.
- The site is located at Urban Steel Works, Outfall Works Road, Hereford, HR1 1XY.
- The application, dated 29th January, 2007, was refused on 23rd March, 2007.
- The development proposed was Certificate of lawfulness for an existing change of use of land.
- The main issue is whether the development for which the Certificate of Lawful Use is in application for has existed for more than ten years since the date of the application (29th January, 2007).

Decision: The appeal was UPHELD on 19th March, 2008.

The Certificate of Lawful Use for the development within the land outlined "Red" on the plan is granted.

The Certificate of Lawful Use for the development within the land outlined "Brown" on the plan is dismissed.

Case Officer: Ed Thomas on 01432 261961

Enforcement Application No. EN2006/0173/ZZ

- The appeal was received on 22nd 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. J.L.N. Williams.
- The site is located at Land Near Radway Bridge, Whitestone, Hereford HR1 3NE.
- The breach of planning control alleged in this notice is:
Without planning permission, the unauthorised change of use of the land from agriculture to land used for the recreational keeping of horses and associated erection of buildings, including stables and a pigeon loft.
- The requirements of the notice are:
 1. *Permanently cease the unauthorised use of the land for the recreational keeping of horses.*
 2. *Demolish the unauthorised stables and pigeon loft buildings and remove the resultant materials from the land.*
 3. *Restore the land to its condition prior to the unauthorised building operations taking place.*
- The main issues are whether the alleged change of use of the land occurred more than 10 years before the Enforcement Notice was issued and whether the unauthorised erection of the building took place more than 4 years before the Enforcement Notice was issued.

Decision: The appeal was DISMISSED on 2nd April, 2008.

Case Officer: Russell Pryce on 01432 260756

Enforcement Notice EN2007/0003/ZZ

- The appeal was received on 14th 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 S. & A. Davies.
- The site is located at Brook Farm, Marden, Herefordshire.
- The breach of planning control alleged in this notice is:
The growing of a soft fruit crop or other agricultural produce under polythene or similarly covered tunnels by the "table top" method without the benefit of planning permission.
- The requirements of the notice are:
 - i) *Remove all framework including all equipment and material associated with growing of soft fruit by the tabletop method as referred to in paragraph 3 above.*
 - ii) *Return the land to its condition prior to the unauthorised development.*
- The main issues are:
 - i) *The effect of the development on the landscape, including the village of Marden.*
 - ii) *The effect of the development on residential amenity*
 - iii) *The support for the appellants business within the rural community*

Decision: The appeal was DISMISSED on 3rd April, 2008.

Case Officer: Kevin Bishop on 01432 261946

Application No. DCCW2006/2534/F

- The appeal was received on 5th 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 S. & A. Davies.
- The site is located at Brook Farm, Marden, Hereford, Herefordshire, HR1 3ET.
- The application, dated 28th July, 2006, was refused on 24th October, 2006.
- The development proposed was Retention of polytunnels in connection with raised-bed strawberry production.
- The main issues are:
 - i) *The effect of the development on the landscape, including the village of Marden.*
 - ii) *The effect of the development on residential amenity.*
 - iii) *The support for the appellants business within the rural community.*

Decision: The appeal was DISMISSED on 3rd April, 2008.

Case Officer: Kevin Bishop on 01432 261946

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