

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCNW2007/2430/F**

- The appeal was received on 16th April 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 Glenholme Developments Ltd
- The site is located at Four Winds, Mocktree, Leintwardine, Craven Arms, Herefordshire, SY7 0LY
- The development proposed is a proposed two-storey extension and log store.
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNW2007/3207/F

- The appeal was received on 18th April 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 Blake
- The site is located at Primrose Cottage, Lucton Village, Lucton, Leominster, Herefordshire, HR6 9PH
- The development proposed is a proposed two-storey extension and solar panels to south roof elevation.
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

APPEALS DETERMINED**Application No. DCNC2007/0656/F**

- The appeal was received on 19th 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 & Mrs K Dowling
- The site is located at Plot 3, Land adjacent Village Hall, Stoke Prior, Leominster, Herefordshire
- The application, dated 27th February 2007, was refused on 29th May 2007
- The development proposed was Erection of dwelling house & garage/garden store (amendments to previous approval NC2004/0778/RM).

- The main issues are:
 - i) *The effect of the proposal on the character and appearance of the local area.*
 - ii) *The effect of the proposal on the living conditions of the occupiers of "Belmont" in terms of outlook, privacy and levels of natural light.*
 - iii) *Whether the proposal complies with the principles of community involvement endorsed by national and local planning policies.*

Decision: The appeal was UPHeld on 31st March 2008
An application for the award of costs, made by the appellant against The Council, was DISMISSED

Case Officer: Peter Yates on 01432 261782

Application No. DCNW2007/1349/F

- The appeal was received on 23rd 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 Mr & Mrs J.W. Morris
- The site is located at Portway Cottage Farm, Portway, Orleton, Herefordshire, SY8 4HG
- The application, dated 4th April 2007, was refused on 20th June 2007
- The development proposed was Construction of two timber framed dwellings
- The main issues are:
 - i) *Whether the proposal is consistent with the development plan policy*
 - ii) *The effect of the proposal on the character and appearance of the area, particularly with regard to the setting of a listed building*
 - iii) *Whether there are any other material considerations that would justify the scheme*

Decision: The appeal was UPHeld on 8th April 2008

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNE2007/2937/O

- The appeal was received on 21st January 2008
- 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 M Hollins
- The site is located at Northcroft, Lower Eggleton, Ledbury, Herefordshire, HR8 2TZ
- The application, dated 10th September 2007, was refused on 1st November 2007
- The development proposed was Site for erection of six new dwellings and demolition of small outbuilding and removal of lorry containers.
- The main issues are whether the proposal would accord with the principles of sustainable development and the effect of the proposal on highway safety in the surrounding area.

Decision: The appeal was DIMISSED on 9th April 2008

Case Officer: Carl Brace on 01432 261795

Application No. DCNE2007/0966/F

- The appeal was received on 28th November 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 Refined Petroleum Ltd
- The site is located at Land rear of Homend Service Station, The Homend, Ledbury, Herefordshire HR8 1DS
- The application, dated 23rd March 2007, was refused on 22nd August 2007
- The development proposed was Proposed three storey building to provide 13 apartments, with 18 parking spaces and associated cycle parking
- The main issue is the effect of the development on the character and appearance of the area.

Decision: The appeal was DISMISSED on 11th April 2008

An application for the award of costs, made by the appellant against The Council, was UPHELD (in part)

Case Officer: Kelly Gibbons on 01432 261781

Application No. DCNE2007/1258/F

- The appeal was received on 14th December 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 L.R.C. Llewellyn
- The site is located at Cosy Cottage, Baddymarsh Lane, Lower Eggleton, Ledbury, Herefordshire, HR8 2UH
- The application, dated 21st April 2007, was refused on 11th June 2007
- The development proposed was a proposed detached house with garage to replace existing mobile home on adjacent site.
- The main issue is whether there is a functional need for an agricultural workers dwelling on this site in the open countryside.

Decision: The appeal was DISMISSED on 15th April 2008

Case Officer: Roland Close on 01432 261803

Application No. DCNW2007/0980/O

- The appeal was received on 20th December 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 Edmonds
- The site is located at 13 The Birches, Shobdon, Leominster, Herefordshire, HR6 9NG
- The application, dated 26th March 2007, was refused on 22nd May 2007
- The development proposed was Site for the erection of a proposed three bedroom dwelling.

- The main issues are the character and appearance of the area and the living conditions of adjoining occupiers with particular reference to privacy and visual impact.

Decision: The appeal was DISMISSED on 21st April 2008

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNC2007/1591/O

- The appeal was received on 17th 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 Mr & Mrs Cadwallader
- The site is located at Bethany, Luston, Leominster, Herefordshire, HR6 0EB
- The application, dated 30th April 2007, was refused on 16th July 2007
- The development proposed was a proposed site for the demolition of existing dwelling, and creation of new access and eight detached dwellings.
- The main issues are:
 - i) Whether the proposal would conflict with policies aimed at limiting residential development in Luston.*
 - ii) The effect of the proposal on the character and appearance of the Luston Conservation Area and the surrounding area.*
 - iii) Whether the proposal would harm nature conservation interests.*

Decision: The appeal was DISMISSED on 22nd April 2008

An application for the award of costs, made by The Council against the appellant, was DISMISSED

Case Officer: Nigel Banning on 01432 383093

Application No. DCNC2007/1592/C

- The appeal was received on 17th 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 Mr & Mrs Cadwallader
- The site is located at Bethany, Luston, Leominster, Herefordshire, HR6 0EB
- The application, dated 30th April 2007, was refused on 16th July 2007
- The development proposed was the demolition of the existing dwelling
- The main issues are:
 - i) Whether the proposal would conflict with policies aimed at limiting residential development in Luston.*
 - ii) The effect of the proposal on the character and appearance of the Luston Conservation Area and the surrounding area.*
 - iii) Whether the proposal would harm nature conservation interests.*

Decision: The appeal was DISMISSED on 22nd April 2008

An application for the award of costs, made by The Council against the appellant, was DISMISSED

Case Officer: Nigel Banning on 01432 383093

Enforcement Notice EN2007/0078/ZZ

- The appeal was received on 18th September 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 Willis
- The site is located at Ledwyche Farm, Bleathwood, Little Hereford
- The breach of planning control alleged in this notice is:
Without Planning Permission, change of use of the land from agriculture and site for two holiday houses to a mixed use of agriculture, site for two holiday houses and for the siting of two conjoined mobile homes for residential purposes together with the siting of lorry containers for domestic storage and electricity generator.
- The requirements of the notice are:
 - i) *Permanently remove the mobile homes from the land.*
 - ii) *Permanently remove the lorry containers from the land.*
- The main issue is the effect of the development upon the character and appearance of the area, primarily with regard to impact upon the open countryside.

Decision: The appeal was DISMISSED on 24th April 2008

Case Officer: Andrew Banks on 01432 383085

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