

**ITEM FOR INFORMATION - APPEALS****APPEALS RECEIVED****Application No. EN2009/0915/ZZ**

- The appeal was received on 27 November 2009
- 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 and Mrs Marriot
- The site is located at 13 The Maltings, Dormington, Herefordshire, HR1 4FA
- The breach of planning control alleged in this notice is:  
*Unauthorised operational development in the form of an increase in roof height and the creation of dormer windows in the rear elevation roof of 13 The Maltings, Dormington, Hereford.*
- The requirements of the notice are:  
*Take down and remove all of the dormer windows constructed on the rear elevation of the dwelling. Reinststate the original roof, with matching materials, to it's original height and remove all resulting waste materials from the land.*
- The appeal is to be heard by Written Representations

**Case Officer: Rebecca Jenman on 01432 261961**

**Application No. DCNE2009/0746/L**

- The appeal was received on 2 December 2009
- 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 and Mrs Rogers
- The site is located at Rose Cottage, Acton Green, Acton Beauchamp, Worcester, WR6 5AA
- The development proposed is Painting of exterior render
- The appeal is to be heard by Hearing

**Case Officer: Roland Close on 01432 261803**

NB: This Hearing will be linked to the Enforcement Notice (EN2009/0076/ZZ) currently in progress at the same site. The Enforcement Notice appeal information was reported to the Northern Area Planning Sub Committee, but is repeated below for completeness:

**Application No. EN2009/0076/ZZ**

- The appeal was received on 10 September 2009
- 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 James Rogers
- The site is located at Rose Cottage, Acton Beauchamp, Worcester, WR6 5AA
- The breach of planning control alleged in this notice is:  
*The painting of the Grade 2 Listed Building in pink colour is considered to be inappropriate and has an adverse impact on the special interest of this 17<sup>th</sup>/18<sup>th</sup> Century box timber cottage whose plaster panels were previously painted white/off-white. As such, the works are considered to be contrary to the Central Government Advice contained within Planning Policy Guidance Note 15*

---

Further information on the subject of this report is available from the relevant Case Officer

## PLANNING COMMITTEE

10 FEBRUARY 2010

*entitled "Planning and the Historic Environment" and Policy HBA1 of the Herefordshire Unitary Development Plan 2007.*

- The requirements of the notice are:  
*Paint all those areas of the Grade II Listed cottage that have been painted pink with white masonry paint.*
- The appeal is to be heard by Hearing

**Case Officer: Roland Close on 01432 261803**

### **Application No. DCCE0009/1556/F**

- The appeal was received on 15 December 2009
- 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 Miss Trudy Spratling
- The site is located at No 1 Haven Cottages, Bartestree, Hereford, Herefordshire, HR1 4BX
- The development proposed is Erection of open lap fencing to front of property to a height of 950mm
- The appeal is to be dealt with by the Householder procedure

**Case Officer: Rebecca Jenman on 01432 261961**

### **Application No. DCNW0009/0956/F**

- The appeal was received on 21 December 2009
- 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 and Mrs Midwood
- The site is located at Brick Barn, Burrington, Ludlow
- The development proposed is Conversion of redundant agricultural building to form one house
- The appeal is to be heard by Written Representations

**Case Officer: Philip Mullineux on 01432 261808**

### **Application No. DMCE/092195/F**

- The appeal was received on 31 December 2009
- 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 I Baldwin
- The site is located at Adjacent To The Cottage, West Lydiatt Withington, Hereford, HR1 3PY
- The development proposed is Proposed barn for agricultural purposes.
- The appeal is to be heard by Hearing

**Case Officer: Ms R Jenman on 01432 261961**

**Application No. DMDCN/083331/F**

- The appeal was received on 5 January 2010
- 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 LA Pinkney and Miss Jenkins
- The site is located at Brilley Wood, Brilley, Whitney-On-Wye, Hereford, Here, HR3 6JE
- The development proposed is Proposed agricultural storage building and kennels.
- The appeal is to be heard by Written Representations

**Case Officer: Miss K Gibbons on 01432 261781**

**Application No. DCNC0009/1759/F**

- The appeal was received on 12 January 2010
- 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 Lewis
- The site is located at Box Cottage, Little Cowarne, Bromyard, HR7 4RQ
- The development proposed is Proposed house extension by replacement of existing hay barn.
- The appeal is to be heard by the Householder procedure

**Case Officer: Mr A Banks on 01432 383085**

**Application No. DMSW /092228/F**

- The appeal was received on 15 January 2010
- 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 R Greenway
- The site is located at Land at Wernagavenny, Michaelchurch Escley, Hereford, HR2 0PU
- The development proposed is Erection of holiday chalet (removal of two static mobile homes) with ancillary works for use a rural tourism to support existing farm business
- The appeal is to be heard by Written Representations

**Case Officer: Mr A Prior 01432 261932**

**Application No. DMSW /092229/O**

- The appeal was received on 21 January 2010
- 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. Davies
- The site is located at The Chalice, The Thorn, Kingsthorpe, Hereford, HR2 8AL
- The development proposed is Site for the erection of a detached dwelling with
- The appeal is to be heard by Written Representations

**Case Officer: Mrs A Tyler on 01432 260372**

## APPEALS DETERMINED

### Application No. DCCE2008/2942/F

The appeal was received on 7 May 2009

- 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 Dent Farms Ltd
- The site is located at The Steppes, Withington, Herefordshire, HR1 3PZ
- The application was refused on 28 January 2009
- The development proposed was the construction of one detached house
- The main issues are:
  1. Whether the development would preserve or enhance the character or appearance of Withington Conservation Area.
  2. The effect of the development on the biodiversity value of the orchard.

**Decision:** The application was refused under delegated powers on 28 January 2009. The appeal was **Dismissed** on 26 October 2009.

**Case Officer: Russell Pryce on 01432 261957**

### Application No. DCCE2009/0592/F

The appeal was received on 2 July 2009

- 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 Lok To
- The site is located at 10 Watermeadow Close, Hereford, Herefordshire, HR1 1JG
- The application was refused on 19 May 2009
- The development proposed was two-storey extension to form garden room with bedroom over, together with single storey extensions to form extended kitchen and utility, with link to garage to form storage room
- The main issue is the effect of the proposal on the character and appearance of the surrounding area

**Decision:** The application was refused under delegated powers on 19 May 2009. The appeal was **Allowed** on 27 October 2009.

**Case Officer: Rebecca Jenman on 01432 261961**

### Application No. DCCE2008/2385/F

The appeal was received on 26 March 2009

- 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 and Mrs Maltby
- The site is located at Haughley Cottage, Mordiford, Hereford, Herefordshire, HR1 4LT
- The application dated 28 August 2008, was refused on 3 December 2008
- The development proposed was Retention of replacement dwelling, less conservatory, front canopy

---

Further information on the subject of this report is available from the relevant Case Officer

## PLANNING COMMITTEE

10 FEBRUARY 2010

- The main issue is whether the proposed dwelling accords with development plan policy relating to new housing in the countryside, and if not whether there are any material considerations that would justify granting planning permission for a development in conflict with the development plan

**Decision:** The Planning Application was refused by Committee, contrary to Officer recommendation. The appeal was **Allowed** (with new conditions) on 9 November 2009.

**Case Officer: Peter Clasby on 01432 261947**

### Application No. EN2009/0036/ZZ

- The appeal was received on 7 May 2009
- 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 Allied Irish Bank
- The site is located at Haughley Cottage, Mordiford, Hereford, HR1 4LT
- The breach of planning control alleged in this notice is:  
*Without the benefit of planning permission the erection of a dwelling and detached garage*
- The requirements of the notice are:  
To demolish the dwelling and detached garage, and remove from the land all materials arising from the demolition
- The main issue is whether the proposed dwelling accords with development plan policy relating to new housing in the countryside, and if not whether there are any material considerations that would justify granting planning permission for a development in conflict with the development plan

**Decision:** The appeal was **Allowed** and the Enforcement Notice be quashed on 9 November 2009

**Case Officer: Peter Clasby on 01432 261947**

### Application No. DCNE2008/2571/F

The appeal was received on 10 June 2009

- 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 Gilbert
- The site is located at Gilberts Farm, Lilley Hall Lane, Ledbury, Herefordshire, HR8 2LD
- The application was refused on 21 November 2008
- The development proposed was Proposed garden room to side and glazed lean-to to the rear
- The main issue is whether the proposed dwelling extensions, and the resultant dwelling, are justified having regard to relevant national guidance and development plan policy for ensuring sustainable development in the countryside

**Decision:** The application was refused under delegated powers on 21 November 2008. The appeal was **Dismissed** on 16 November 2009.

**Case Officer: Roland Close on 01432 261803**

### Application No. DCCE2009/0309/F

---

Further information on the subject of this report is available from the relevant Case Officer

## PLANNING COMMITTEE

10 FEBRUARY 2010

The appeal was received on 18 June 2009

- 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 Jane Lisle
- The site is located at The Crickets Croft, Little Dewchurch, Hereford, Herefordshire, HR2 6PN
- The application was refused on 9 April 2009
- The development proposed was Retrospective application for ancillary accommodation for elderly
- The main issue is whether the building amounts to a new dwelling in the open countryside, contrary to the aims of local and national planning policies that seek to restrict such development

**Decision:** The application was refused under delegated powers on 9 April 2009.  
The appeal was **Dismissed** on 18 November 2009.

**Case Officer: Russell Pryce on 01432 261957**

### Application No. DCNE2009/0652/F

The appeal was received on 9 July 2009

- 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 Anderson
- The site is located at The Bee House And The Hive, Nashend, Bosbury, Ledbury, Herefordshire, HR8 1JU
- The application was refused on 18 May 2009
- The development proposed was Removal of conditions 3 and 4 of previously approved application
- The main issues are:
  1. Whether the condition 3 is reasonable and necessary having regard to the character and appearance of the countryside, policies aimed at locating residential development in sustainable locations and the value and viability of tourist accommodation.
  2. Whether condition 4 is reasonable and necessary having regard to the living conditions of the occupiers of Nashend, with particular reference to noise and disturbance, and
  3. The effect of the proposed driveway on the setting of Nashend, a Grade II listed building.

**Decision:** The application was refused under delegated powers on 18 May 2009.  
The appeal was **Dismissed** on 19 November 2009.

**Case Officer: Roland Close on 01432 261803**

### Application No. EN2009/0056/ZZ

- The appeal was received on 23 April 2009
- 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 Ms Pamela Hansen
- The site is located at 5 Church Street, Ledbury, Herefordshire, HR8 1DH
- The breach of planning control alleged in this notice is:

The alteration of the Building without Listed Building consent by the removal of second floor left and right windows, second floor landing rear, first floor landing rear, ground floor utility room and ground floor door and surround and their replacement with the installation of UPVC (Unplasticised Poly Vinyl Chloride) double glazed windows to the front and rear elevation of the building and door to the rear of the building.

- The requirements of the notice are:  
The existing UPVC windows and surround should be removed. These should be replaced with a timber casement window to the dimensions as required in a timber frame. The external joinery should be painted white.
- The main issue is the effect of the development on the character and appearance of the Listed Building

**Decision:** The appeal was **Dismissed** on 20 November 2009.  
The Enforcement Notice is upheld with Variations.

**Case Officer: Carl Brace on 01432 261795**

**Application No. EN2009/0066/ZZ**

- The appeal was received on 31 July 2009
- 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 Miller
- The site is located at Old Rectory, Cradley, Malvern, Herefordshire, WR13 5LQ
- The breach of planning control alleged in this notice is:  
*The partial demolition of a stone wall which lies within the curtilage of the Old Rectory, Cradley, this being a listed building as recognized by the Planning (Listed Buildings and Conservation Areas) Act 1990. The unauthorised work, namely the partial demolition of the wall fails to preserve the special character of the Old Rectory by removal of a section of stone rubble wall from the south facing continuous garden wall as shown on the plan.*
- The requirements of the notice are:  
*The reconstruction of part of the curtilage wall between the points marked on the plan, using the stone previously removed or matching stone, laid in courses to match the rubble bonding with coping stones laid upright to match the form of the adjoining undisturbed stones. The overall height and width of the said wall shall match that of the existing wall that it abuts. The jointing for the wall shall be in a lime mortar to match the existing lime mortar with a slightly brushed finish to set back the weathered arises of the stone.*
- The main issues are:
  - i) *Whether a new opening is warranted on highway safety grounds*
  - ii) *Whether the special character of The Old Rectory is preserved following the creation of the new opening in the boundary wall*

**Decision:** The appeal was **Allowed** with new conditions on 20 November 2009

**Case Officer: Roland Close on 01432 261803**

**Application No. EN2009/0015/ZZ**

- The appeal was received on 14 April 2009
- 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 John Pudge
- The site is located at Upper House Farm, Ivington, Leominster, Herefordshire
- The breach of planning control alleged in this notice is:  
*Without planning permission the material change of use of land to a use for the permanent stationing of a caravan for residential purposes, together with the associated operational development consisting of the laying of hardstanding and construction of a building.*
- The Requirements of the Notice are:
  - i) *Permanently cease using the land for the permanent stationing of a caravan.*
  - ii) *Remove the caravan shown marked in the approximate position marked with an 'X' on the attached plan from the land subject of this Notice.*
  - iii) *Demolish the building shown coloured green on the plan attached, ensuring that any services contained within disconnected and left in a safe condition.*
  - iv) *Remove all materials resulting from both the removal of the caravan and the demolition of the building from the land subject of this Notice.*
  - v) *Take up all hardsurfacing and remove from the land subject of this Notice.*
  - vi) *Restore the land to its former condition prior to the development taking place by levelling the land and re-seeding it with grass.*
- The main issues are whether the change of use to locate a caravan on the site is acceptable in terms of local planning policy

**Decision:** Subject to corrections the Appeal was **Dismissed** and the enforcement notice upheld on 23 November 2009

**Case Officer: Andrew Banks on 01432 383085**

**Application No. DCNC2008/2482/F**

The appeal was received on 9 June 2009

- 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 Roger Sayce
- The site is located at Little Wacton Farm, Bredenbury, Bromyard, Herefordshire, HR7 4TQ
- The application dated 18 September 2008, was refused on 8 December 2008
- The development proposed was Proposed garage (retrospective) revised height and windows
- The main issues are whether there is harm to the character and appearance of the area and secondly, whether the setting of the listed building is preserved

**Decision:** The Planning Application was refused under delegated powers on 8 December 2008. The appeal was **Allowed** on 2 December 2009.

**Case Officer: Andrew Banks on 01432 383085**

**Application No. EN2009/0058/ZZ**



## PLANNING COMMITTEE

10 FEBRUARY 2010

- The appeal was received on 24 July 2009
- 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 Roger Sayce
- The site is located at Little Wacton Farm, Bredenbury, Bromyard, Herefordshire, HR7 4TQ
- The breach of planning control alleged in this notice is that on 18 July 2007 planning permission was granted for the erection of a domestic garage, workshop and office (amendment to permission DCNC2005/2981/F). Unauthorised development has taken place in that the height of the said garage, workshop and office is 0.8m in excess of the permitted height of 5 metres. Furthermore, windows have been put in contrary to the approved plans DCNC2007/1646/F drawings NOs1239/30 & 31
- The requirements of the notice are that the building edged red on the attached plan be modified to comply with the approved plans (drawings 1239/30 & 31) of planning permission DCNC2007/1646/F, including the reduction in height of the building and the removal of the first floor windows from the east and west elevations
- The main issues are in the context of the difference between the approved plans and what has been built, firstly whether there is harm to the character and appearance of the area and secondly, whether the setting of the listed building is preserved

**Decision:** The appeal is allowed, the enforcement notice is quashed and planning permission is granted. The appeal was **Allowed** on 2 December 2009

**Case Officer: Andrew Banks on 01432 383085**

### Application No DCSW0009/1235/F

The appeal was received on 12 November 2009

- 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 Derek Wood
- The site is located at Brooks Farm, Pontrilas, Hereford, Herefordshire, HR2 0BL
- The application dated 28 May 2009, was refused on 22 July 2009
- The development proposed was Single storey garden room to side of existing dwelling
- The main issue is it would appear incongruous and out of character with the existing building

**Decision:** The application was refused under delegated powers on 22 July 2009  
The appeal was **Dismissed** on 22 December 2009.

**Case Officer: Andrew Prior on 01432 261932**

### Application No. EN0009/0094/ZZ

- The appeal was received on 9 September 2009
- 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 Dr Harrison
- The site is located at Middleton Farm, Middleton, Little Hereford, Ludlow, Herefordshire, SY8
- The breach of planning control alleged in this notice is "Without planning permission , the material change of use of the land from agriculture to domestic cartilage to the residential property of

---

Further information on the subject of this report is available from the relevant Case Officer

Middleton Farm, together with associated operational development in the form of the construction of a driveway and turning head”

The requirements of the notice are:

- (i) Permanently cease using the land edged red on the attached plan as domestic curtilage to the residential property of Middleton Farm.
- (ii) Permanently remove the driveway and turning area from the land shown edged red on the attached plan.
- (iii) Remove all materials resulting from the removal of the driveway and turning head from the land.
- (iii) Restore the land to its former agricultural condition including reseeding areas with grass.

The period for compliance with the requirements is 13 weeks.

The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 as amended.

- The main issues are the effect of the extended residential use and the formation of the driveway and turning area on the character and appearance of the area and the living conditions of the occupiers of neighbouring properties

**Decision:** The appeal is **Dismissed**, the correction notice upheld and planning permission is refused on the deemed application on 22 December 2009

**Case Officer: Andrew Banks on 01432 383085**

**Application No. DCNE0009/0962/F**

The appeal was received on 20 November 2009

- 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 Gareth Gwenlan
- The site is located at Putley Mill, Putley, Ledbury, Herefordshire, HR8 2QW
- The application dated 16 April 2009, was refused on 29 July 2009
- The development proposed was Erection of two post and rail fences and timber raised flower bed
- The main issues are the effects on the setting of Putley Mill and Mill Cottage and the effects on the living conditions of the occupiers of Mill Cottage

**Decision:** The application was refused by Committee contrary to Officer Recommendation on 29 July 2009. The appeal was **Allowed** on 4 January 2010.

**Case Officer: Carl Brace on 01432 261795**

**Application No. DCCE2007/1655/O**

- The appeal was received on 5 March 2009
- 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 Hereford Residential Developments Limited
- The site is located at Holmer Trading Estate, College Road, Hereford, HR1 1JS
- The application was refused on 3 September 2008

## PLANNING COMMITTEE

10 FEBRUARY 2010

- The development proposed was Mixed Use development comprising residential (115 units), employment (B1, B2 and B8), retail (A1) uses and supporting infrastructure including roads, footpaths, open space, landscaping, parking facilities and re-opening of part of Canal.
- The main issue is the effects of the proposed development on the supply of employment land and employment provision, having regard to relevant policy and other material considerations.

**Decision:** The application was refused by Committee contrary to Officer recommendation on 3 September 2008. The appeal was **Allowed** on 21 August 2010.

**Case Officer: Mr R Pryce on 01423 261957**

### Application No. DCNW2008/2997/F

- The appeal was received on 15 June 2009
- 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 Clarke
- The site is located at Deerfold Cottage, Deerfold, Birtley, Bucknell, Herefordshire
- The application dated 27 November 2008 was refused on 30 January 2009
- The development proposed was Proposed three storey extension
- The main issue is the effect of the proposal on the character of the original dwelling

**Decision:** The application was refused under Delegated Powers on 30 January 2009. The appeal was **Partially Allowed** on 16 September 2009 (two-storey rear extension permitted, three-storey side extension refused)

**Case Officer: Mrs J Perkins on 01432 383088**

### Application No. DCNW2008/2456/F

- The appeal was received on 1 May 2009
- 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 John Mills
- The site is located at Woonton Grange, Woonton, Almeley, Hereford, Herefordshi, HR3 6QN
- The application dated 17 September 2008 was refused on 5 November 2008
- The development proposed was Retention of temporary mobile home to house agricultural worker.
- The main issues are whether the agricultural arguments in this case are sufficient to justify making an exception to local and national policies which aim to restrain residential development in the countryside and whether the proposal would result in an increased use of the access to the site and the effect of this on highway safety

**Decision:** The application was refused under Delegated Powers on 5 November 2008. An application for the award of costs made by the Council against the Appellant was allowed. The appeal was **Dismissed** on 22 September 2010.

**Case Officer: Mr P Mullineux 01432 261808**

**Application No. DCCE2009/0809/F**

- The appeal was received on 28 August 2009
- 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 Andrew Taylor
- The site is located at Chestnut House, Shucknall Hill, Hereford, Herefordshire, HR1 3SL
- The application dated 30 March 2009 was refused on 11 June 2009
- The development proposed was Proposed alterations and extensions to the rear of the property -
- The main issue is the effect of the proposed development on the character and appearance of the existing dwelling

**Decision:** The Planning Application was refused under Delegated Powers on 11 June 2009. The appeal was **Allowed** on 13 October 2009.

**Case Officer: Ms R Jenman 01432 261961**

**Application No. DCNC2009/0453/F**

- The appeal was received on 10 August 2009
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against non determination
- The appeal was brought by Prof Philip Witting
- The site is located at 35 Pinsley Road, Leominster, Herefordshire, HR6 8NW
- The application was dated 24 February 2009
- The development proposed was Erection of an amateur radio antenna of commercial design (Hustler 6BTV)
- The main issues are:
  - i) The effects of the proposed development on the character and appearance of the area
  - ii) The effects of the proposed development on the health and amenity of local residents

**Decision:** The appeal was **Dismissed** on 8 January 2010.

**Case Officer: Mr A Banks on 01432 383085**

**Please note that the two decisions listed below, regarding the Former Public Convenience Building at The Oval, Belmont, Hereford were decided upon the basis of a joint Hearing and Site Visit, which took place on 15 December 2009.**

**Application No. DCCW2008/2781/F**

- The appeal was received on 25 September 2009
- 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 Cheung
- The site is located at Public Convenience, The Oval, Belmont Road, Hereford, Hereford, HR2 7HG
- The application dated 16 October 2008 was refused on 1 April 2009

## PLANNING COMMITTEE

10 FEBRUARY 2010

- The development proposed was Demolish existing public convenience and replace with three storey
- The main issues are:
  - i) The effect of the proposal on the character and appearance of the locality
  - ii) The effect of the proposal on personal safety and security

**Decision:** The Application was refused by Committee contrary to Officer recommendation on 1 April 2009. The appeal was **Allowed** on 11 January 2010. An application for the award of costs, made by the Appellant against the Council, was Dismissed.

**Case Officer: Mr P Clasby on 01432 261947**

### Application No. DCCW0009/1654/F

- The appeal was received on 22 October 2009
- 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 Cheung
- The site is located at Disused Public Toilets, The Oval, Hereford, Herefordshire, HR2 7HG
- The application dated 1 July 2009 was refused on 16 September 2009
- The development proposed was Demolition of derelict public toilet building and erection of two
- The main issues are:
  - i) The effect of the proposal on the character and appearance of the locality
  - ii) The effect of the proposal on personal safety and security

**Decision:** The application was refused by Committee contrary to Officer recommendation on 16 September 2009. The appeal was **Allowed** on 11 January 2010. An application for the award of costs, made by the Appellant against the Council, was Dismissed.

**Case Officer: Mr P Clasby on 01432 261947**

### Application No DCNE2009/0145/F

- The appeal was received on 15 September 2009
- 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 Turner
- The site is located at Land To The Rear Of Denbrig, Walwyn Road, Colwall, Malvern, Herefordshire
- The application dated 8 January 2009 was refused on 13 March 2009
- The development proposed was Proposed two-storey dwelling
- The main issues are the effect of the proposed development on the character and appearance of the locality and on the living conditions of future occupiers of the proposed dwelling with particular reference to external amenity space.

**Decision:** The planning application was refused under Delegated Powers on 13 March 2009. The appeal was **Dismissed** on 18 January 2010.

**Case Officer: Mr R Close 01432 261803**

**Application No. DCSE0009/0959/F**

- The appeal was received on 9 October 2009
- 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 Martin
- The site is located at Upper Cwyn Barn, Llanrothall, Welsh Newton, Herefordshire, NP25 5RD
- The application dated 7 April 2009 was refused on 23 June 2009
- The development proposed was Conversion of ex barn to residential use
- The main issue is the sustainability issue regarding a development in the open countryside, as set out in the criteria of Planning Policy Statement 7: Sustainable Development in Rural Areas

**Decision:** The planning application was refused under Delegated Powers on 23 June 2009. The appeal was **Dismissed** on 26 January 2010.

**Case Officer: Mr E Thomas on 01432 260479**

**Application No. DCNW2009/0056/F**

- The appeal was received on 28 August 2009
- 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 J Grosvenor
- The site is located at Valentine's Barn, Comberton, Orleton, Ludlow
- The application dated 1 January 2009 was refused on 2 March 2009
- The development proposed was Proposed conversion of farm building to form one dwelling
- The main issues are a) the effect of the proposal on highway safety, with particular reference to visibility from the access to the west along the B4362 and b) whether there are any factors that would give support to the proposal having regard to national and local planning policies for the retention and re-use of historic buildings

**Decision:** The application was refused under Delegated Powers on 2 March 2009 The appeal was **Dismissed** on 22 January 2010.

**Case Officer: Mr P Mullineux 01432 261808**

**Application No. DCNE2009/0103/F**

- The appeal was received on 29 October 2009
- 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 David Millington
- The site is located at The Old Sawmills, Millfields, Canon Frome, Ledbury, Hereford, HR8 2TH
- The application dated 8 January 2009 was refused on 23 April 2009
- The development proposed was Retrospective application for retention of garage different from previously approved design

**PLANNING COMMITTEE**

**10 FEBRUARY 2010**

- The main issue is the effects of the proposed development on the character and appearance of the area

**Decision:** The application was refused under Delegated Powers on 23 April 2009 The appeal was **Dismissed** on 26 January 2010.

**Case Officer: Mr C Brace 01432 261795**

**Application No DCSE0009/1700/F**

- The appeal was received on 16 October 2009
- 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 J White
- The site is located at Land Rear Of Greytrees Lodge, Second Avenue, Greytrees, Ross-On-Wye
- The application dated 25 July 2009 was refused on 29 September 2009
- The development proposed was Erection of one bungalow and access drive.
- The main issues are a) the effects of the proposed development on the living conditions of adjoining occupiers with particular reference to noise and disturbance; b) whether the future occupiers of the proposed bungalow would have reasonable amenity space and outlook

**Decision:** The planning application was refused under Delegated Powers on 29 September 2009. The appeal was **Dismissed** on 26 January 2010.

**Case Officer: Mr E Thomas 01432 260479**

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