

MEETING:	PLANNING COMMITTEE
DATE:	1 SEPTEMBER 2010
TITLE OF REPORT:	APPEALS

CLASSIFICATION: Open

Wards Affected

Countywide

Purpose

To note the progress in respect of the following appeals.

Key Decision

This is not a key decision

Recommendation

That the report be noted.

APPEALS RECEIVED

Application No. DMSE /100399/F

- The appeal was received on 22 July 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 M F Freeman
- The site is located at Penrice, Walford Road, Ross On Wye, Herefordshire, HR9 5PQ
- The development proposed Demolition of existing residential property & construction of 14 no. apartments associated carparking, landscaping and access
- The appeal is to be heard by Hearing

Case Officer: Andrew Prior on 01432 261932

Application No. DMNE/091943/FH

- The appeal was received on 3 August 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 C Gardner
- The site is located at Jacobs Cottage, Halmonds, Frome, Bishops Frome, Worcester, Herefordshire
- The development proposed is Demolition of existing single and two storey extensions, construction of new extension. complete refurbishment of original timber framed building (grade II listed)

- The appeal is to be heard by Hearing

Case Officer: Carl Brace on 01432 261795

Application No. DMNE /091944/L

- The appeal was received on 3 August 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 C Gardner
- The site is located at Jacobs Cottage, Halmonds, Frome, Bishops Frome, Worcester, Herefordshire
- The development proposed is Demolition of existing single and two storey extensions, construction of new extension and complete refurbishment of original timber framed building. (grade II listed)
- The appeal is to be heard by Hearing

Case Officer: Carl Brace on 01432 261795

Application No. DMNW /093215/F

- The appeal was received on 4 August 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 Dr D Pacy
- The site is located at Grange House School, Marston, Leominster, Herefordshire, HR6 9JA
- The development proposed is Conversion of existing school premises to residential dwelling
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

APPEALS DETERMINED

Application No. DMNC/092844/O

- The appeal was received on 30 June 2010
- 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 Nikki Harrison
- The site is located at Port House Farm, Tenbury Road, Bromyard, Herefordshire, HR7 4LW
- The application dated 5 January 2010, was refused on 17 March 2010
- The development proposed was Proposed erection of 175 dwellings with garages, sports pavilion and pitches, community/youth building, landscaping and associated works
- The main issues include:
 - The proposals included new residential development beyond the identified housing land allocation
 - A lack of information with regard to the transfer and maintenance of the proposed sports pitches
 - Potential overloading of the public sewerage system
 - The unsuitability of the proposal to provide all affordable housing in a single location
 - Insufficiently detailed information regarding highway surveying work and the requisite improvements that were likely to be required

Decision: The appeal was Withdrawn on 23 July 2010

Case Officer: Andrew Banks on 01432 383085

Application No. EN2009/0914/ZZ

- The appeal was received on 2 February 2010
- 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 Charles Smith
- The site is located at The Deep Litter Shed, Eccles Green, Norton Canon, Hereford, HR4 7BH
- The breach of planning control alleged in this notice is Without planning permission the unauthorised material change of use of agricultural land to a use for the stationing of a caravan for residential purposes, together with associated operational development in form of the construction of a driveway, turning area and erection of a storage shed
- The requirements of the notice are :
 - 1) Plant a replacement hedgerow 16.6 metres in length in the location of the removed section of hedgerow in the northwest boundary. Plant 100 number of shrubs in total. Hedging plants are to be 600-800 mm high bareroot, healthy and vigorous transplants to be planted in a double staggered row, 400mm apart, and 6 plants per linear metre. The species mix as follows: Hazel/Corylus avellana 50% (50 shrubs) Hawthorn/Crataegus monogyna 20% (20 shrubs) Blackthorn/Prunus spinosa 14% (14 shrubs) Holly/Ilex aquifolium 11% (11 shrubs) Dog rose/Rosa canina 5% (5 shrubs)
 - 2) Permanently cease the residential use of land subject to this notice and
 - 3) Permanently remove the caravan and portable toilet from the land
 - 4) Demolish the wooden storage shed and remove all resulting material from the land subject of this notice
 - 5) Take up all hardsurfacing and remove from the land
 - 6) Restore the land to its previous agricultural condition by levelling the earth and reseeded with grass
- The main issues are:
 - 1) Whether the site is in a sustainable location;
 - 2) The impact on the character and appearance of the countryside;
 - 3) The impact on biodiversity interest especially the Special Wildlife Site;
 - 4) The effect on highway safety on A480 road
 - 5) The need for gypsy sites in the area and pitch availability – both public and private sites.

Decision: The appeal was Allowed, the enforcement notice is quashed
Planning permission is granted in terms set out in the Formal decision
(issued on 28 July 2010)

Case Officer: Philip Mullineux on 01432 261808

Application No DCNC2009/0748/F

- The appeal was received on 6 April 2010
- 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 Colin Brant
- The site is located at The Paddocks, Normans Lane, Stoke Prior, Leominster, Herefordshire, HR6 0LQ
- The application dated 30 March 2009, was refused on 23 October 2009
- The development proposed was Change of use of land from agriculture to a one family traveller site, including stationing of one mobile home, two touring caravans and day/washroom - part retrospective
- The main issues are: the effect of the proposal on the character and appearance of the surrounding countryside; whether or not the site is reasonably located in relation to services and facilities; and the general need for, and provision of, gypsy and traveller sites in the area

Decision: The application was refused by Committee contrary to Officer Recommendation
The appeal was Allowed on 11 August 2010.

Case Officer: Nigel Banning on 01432 383093

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