

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>15 DECEMBER 2010</b>
<b>TITLE OF REPORT:</b>	<b>APPEALS</b>

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**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 Nos. DMN/101374/FH & DMN/101375/L**

- The appeal was received on 16 November 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 Mrs L Wake.
- The site is located at Hill Cross Barn, Tedstone Delamere, Herefordshire, HR7 4PR.
- The development proposed is Single storey rear extension to existing house.
- The appeal is to be heard by Written Representations.

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

### **Application No. DMSW/100930/F**

- The appeal was received on 19 November 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 J Lawrence.
- The site is located at Site between Holme Lee and New House, Cobhall Common, Herefordshire, HR2 9BW.
- The development proposed is Erection of new dwelling.
- The appeal is to be heard by Hearing.

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

### **Application No. DMSE/100592/F**

- The appeal was received on 17 November 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 Vodafone UK Ltd.
- The site is located at Grass Verge at the Junction of Fernbank Road & Eastfield Road, Ashfield, Ross-on-Wye, HR9 5PP.
- The development proposed is Installation of 15 Metre high Saturn 411T replica telegraph pole, housing 6 no. antennas within a GRP shroud.
- The appeal is to be heard by Written Representations.

**Case Officer: Mrs CL Atkins on 01432 260536**

### **Application No. DMNC/100521/F**

- The appeal was received on 24 November 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 Thomas.
- The site is located at Cross Cottage, Upper Hill, Leominster, Herefordshire, HR6 0JZ.
- Additional use of existing building & associated site to include use for sandblasting services - retrospective.
- The appeal is to be heard by Written Representations.

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

### **Application No. DMS/101756/F**

- The appeal was received on 26 November 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 J Denny.
- The site is located at Denibois, 86 Eign Road, Hereford, Herefordshire, HR1 2RX.
- The development proposed is Demolition of existing rear garage and building of one bed bungalow with solar panels on roof.
- The appeal is to be heard by Written Representations.

**Case Officer: Mrs CL Atkins on 01432 260536**

## **APPEALS DETERMINED**

### **Application No. DMSW/100190/F**

- The appeal was received on 1 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 Mrs Chandler.
- The site is located at The Granary, Minster Farm, Much Birch, Herefordshire, HR2 8HS.
- The application dated 25 January 2010, was refused on 14 April 2010.
- The development proposed was Revision of application no. DCSW2005/3085/F - to incorporate an existing lean-to for additional living space.
- The main issue is the effect of the proposed development on the character and appearance of the surrounding area and the property.

**Decision:** The application was refused under Delegated Powers on 14 April 2010.  
The appeal was **Dismissed** on 4 November 2010.

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

### **Application No. DMNW/092821/F**

- The appeal was received on 17 May 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 Peter Evans.
- The site is located at Kingsland Baptist Chapel, Shirleath, Kingsland, Herefordshire, HR6 9RJ.
- The application dated 3 November 2009, was refused on 25 February 2010.
- The development proposed was Change of use of chapel to workshop with office/admin area above; installation of velux roof lights to use natural light; raise entrance to drive level to increase road visibility.
- The main issue is the effect of the proposal on road safety on the adjacent A4110 highway.

**Decision:** The application was refused under Delegated powers on 25 February 2010.  
The appeal was **Dismissed** on 15 November 2010.

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

### **Application No. DMNW/092730/F**

- The appeal was received on 3 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 Mr & Mrs Chilman.
- The site is located at New House Farm, Kinsham, Presteigne, Herefordshire, LD8 2HN.
- The application dated 21 October 2009, was refused on 19 January 2010.
- The development proposed was Siting of mobile home for use as a temporary agricultural dwelling.
- The main issue is whether there is an agricultural justification for a temporary building in the countryside.

**Decision:** The application was refused under Delegated powers on 19 January 2010.  
The appeal was **Allowed** on 16 November 2010.

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

### **Enforcement Notice EN2010/001118/ZZ**

- The appeal was received on 16 August 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 NJ & IE Cockburn.
- The site is located at Pennoxstone Court Farm, Kings Caple, Herefordshire, HR1 4TX.
- The breach of planning control alleged in this notice is:  
*Without planning permission, the erection of polytunnels and tunnel frames covered with bird netting*
- The requirements of the notice are:
  - i) Demolish the three netted tunnels*
  - ii) Demolish the polytunnels*
  - iii) Demolish the 'French' polytunnel*
  - iv) Remove any materials that arise from the demolition of the tunnels and polytunnels from the land*
- The main issue is the impact of polytunnel development within the Area of Outstanding Natural Beauty.

**Decision:** The appeal was **Withdrawn** on 17 November 2010.

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

#### **Application No. DMSE/100399/F**

- The appeal was received on 22 July 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 MF Freeman.
- The site is located at Penrice, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ.
- The application dated 26 February 2010, was refused on 12 May 2010.
- Demolition of existing residential property and construction of 14 no. apartments associated car parking landscaping and access.

**Decision** The appeal was **Withdrawn** on 23 November 2010.

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

#### **Application No. DMSE/100400/C**

- The appeal was received on 22 July 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 MF Freeman.
- The site is located at Penrice, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ.
- The application dated 26 February 2010, was refused on 12 May 2010.
- Demolition of existing residential property and construction of 14 no. apartments associated car parking landscaping and access.

**Decision:** The appeal was **Withdrawn** on 23 November 2010.

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

#### **Application No. DMNC/101271/F**

- The appeal was received on 24 August 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 Charles Probert.
- The site is located at 22 Westfield Walk, Leominster, Herefordshire, HR6 8HD.
- The application dated 25 May, was refused on 12 July 2010.
- The development proposed was Proposed 2 No dwellings & access. Resubmission of DMNC/100070/F.
- The main issue is the effect of the proposed development on the character and appearance of the area and on the living conditions of residents at 22 Westfield Walk.

**Decision:** The application was refused under Delegated powers on 12 July 2010  
The appeal was **Dismissed** on 23 November 2010.

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

#### **Application No. DCNW0009/1868/F**

- The appeal was received on 2 July 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 Mrs Watt.
- The site is located at Land adjoining, The Meadows, Eardisley, Hereford, Herefordshire, HR3 6PP.
- The application dated 4 August 2009, was refused on 5 November 2009.
- The development proposed was Erection of a detached 2 bedroom 2 storey house.

- The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

**Decision:** The application was refused under Delegated powers on 5 November 2009.  
The appeal was **Dismissed** on 23 November 2010.

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

**Application No. DMSE/100420/O**

- The appeal was received on 13 August 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 MF Freeman.
- The site is located at Land adjacent to Alton Business Park, Alton Road, Ross-on-Wye, Herefordshire.
- The application dated 26 February 2010, was refused on 21 July 2010.
- The development proposed was Erection of a 60 bed (maximum) care home for the elderly.
- The main issue is whether the proposal would be compatible with nearby existing employment uses in respect of providing adequate living conditions for future occupiers in respect of noise and disturbance and not harming the continued operation of those employment uses.

**Decision:** The application was refused by Committee contrary to Officer recommendation on 21 July 2010.

The appeal was **Allowed** on 29 November 2010.

**Case Officer: Mr D Thomas on 01432 261974**

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