

MEETING:	PLANNING COMMITTEE
DATE:	6 APRIL 2011
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. DMS/102805/F

- The appeal was received on 25 February 2011
- 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 Shaw
- The site is located at 44 Tower Road, Hereford, Herefordshire, HR4 0LF
- The development proposed is Proposed demolition of existing dwelling & erection of 5 two bedroom apartments and provision of public turning area.
- The appeal is to be heard by Written Representations

Case Officer: Ms K Gibbons on 01432 261781

Application No. DMNW/100435/F

- The appeal was received on 28 February 2011
- 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 Ms A Cleverly
- The site is located at Lower Field At Ash Farm, Barnet Lane, Wigmore, Herefordshire, HR6 9UJ
- The development proposed is Retrospective re-application for change of use of land from agricultural to one family travellers site, including stationing of one caravan, shed and ancillary structure
- The appeal is to be heard by Hearing

Case Officer: Mr C Brace on 01432 261795

Application No. DMS/102740/F

- The appeal was received on 8 March 2011
- 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 N Grant
- The site is located at Apartments at Millbrook House, Brookend Street, Ross on Wye, Herefords
- The development proposed is Proposed new two storey one bed dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Mr D Thomas on 01432 261974

APPEALS DETERMINED

Application No. DMN/090923/O

- The appeal was received on 22 September 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 Brian Gray
- The site is located at Land Adjacent To Bathfield, Hope-Under-Dinmore, Leominster, Herefordshire
- The application dated 6 April 2009 was refused on 18 August 2010
- The development proposed was the siting of a wooden cabin in connection with an established equine enterprise for training of horses under rules and stud
- The main issue is whether, in the context of strict controls that exist over development in the countryside for reasons of character and sustainability, there is an essential need for a dwelling on the site for rural occupation worker

Decision: The application was refused under delegated powers on 18 August 2010.
The appeal was **DISMISSED** on 16 February 2011.
An application for the award of costs, made by the Council against the appellant, was **ALLOWED**

Case Officer: Mr C Brace on 01432 261795

Application No. DMS/102384/A

- The appeal was received on 20 December 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 Nigel Yeomans
- The site is located at The Travel Centre, Old School Lane, Hereford, Herefordshire, HR1 1EX
- The application dated 14 September 2010 was refused on 2 November 2010
- The development proposed was the erection of 2 double sided banners on 8m high flag poles
- The main issue is the impact that the pair of freestanding banner signs, one at each of the entrance to the travel centre, would have on the visual amenities of their surroundings

Decision: The application was refused under delegated powers on 14 September 2010.
The appeal was **DISMISSED** on 7 March 2011.

Case Officer: Mrs C Atkins on 01432 260536

Application No. DMSE/100592/F

- The appeal was received on 17 November 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 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, Herefordshire, HR9 5PT
- The application was refused on 12 May 2010
- The development proposed was the Installation of 15 Metre high Saturn 411T replica telegraph pole, housing 6 no. antennas within a GRP shroud. There will also be a 1 no. shared radio equipment cabinet, 1 no. electrical meter cabinet and ancillary development thereto.
- The main issues are the effect of the proposal on the character and appearance of the surrounding area, and whether there are other considerations sufficient to outweigh the harmful environment impact of the proposal

Decision: The application was refused under delegated powers on 12 May 2010
The appeal was **DISMISSED** on 8 March 2011.

Case Officer: Mrs C Atkins on 01432 260536

Application No. DMSW/100930/F

- The appeal was received on 19 November 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 Stephanie Lawrence
- The site is located at Site between, Holme Lee and New House, Cobhall Common, Herefordshire,
- The application dated 20 April 2010 was refused on 13 July 2010
- The development proposed was the erection of new dwelling.
- The main issue is whether there are any material considerations which justify not determining the proposal in accordance with those policies

Decision: The application was refused under delegated powers on 13 July 2010.
The appeal was **DISMISSED** on 9 March 2011.

Case Officer: Mr A Prior on 01432 261932

Application No. DMS/101705/FH

- The appeal was received on 21 January 2011
- 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 Tina Mitchell
- The site is located at Windy Corner, 1 Willowfields Withies Lane, Withington, Herefordshire,
- The application dated 29 June 2010 was refused on 24 November 2010
- The development proposed was the addition of first storey over existing double garage and utility
- The main issues are *the* effects of the proposal on the character and appearance of the local area; and the living conditions at neighbouring properties, with particular regard to effects on light and outlook at 2 Willowfields.

Decision: The application was refused under delegated powers on 24 June 2010.
The appeal was **DISMISSED** on 15 March 2011.

Case Officer: Mrs C Atkins on 01432 260536

Application No. DMN/102084/F

- The appeal was received on 15 December 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 John Stinton
- The site is located at The Beech, Haynall Lane, Little Hereford, Herefordshire, SY8 4BG
- The application dated 9 August 2010 was refused on 7 October 2010
- The development proposed was the use of land and associated works for the holding of 14 markets/calender year at the Beech, Haynall Lane, Little Hereford. These markets to be agriculturally related for the sales of livestock, agricultural machinery and the seasonal sale of holly and mistletoe
- The main issue is Highway safety

Decision: The planning application was refused under delegated powers on 7 October 2010. The appeal was **DISMISSED** on 17 March 2011.

Case Officer: Mr M Tansley on 01432 261815

Application No. EN2010/001262/ZZ

- The appeal was received on 23 December 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 John Stinton
- The site is located at The Beech, Haynall Lane, Little Hereford, Herefordshire, SY8 4BG
- The breach of planning control alleged in this notice is Material change of use of the land and an agricultural building upon it from use for agriculture to a mixed use for agriculture and for the undertaking of sales utilizing hard standing area within the said land.
- The requirements of the notice are: Permanently cease using any part of the land and building for sales in contravention of relevant permitted developments rights.
- The main issue is Highway issues

Decision: The Enforcement notice with corrections be **UPHELD** 17 March 2011

Case Officer: Mr M Tansley on 01432 261815

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