

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCSE2003/3091/F**

- The appeal was received on 25th March 2004
- 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 D Boynton & Son
- The site is located at Hildersley Farm, Hildersley, Ross-On-Wye, Herefordshire, HR9 7NW
- The development proposed is Demolition of barn. Erection of general-purpose building for agricultural engineering and commercial workshop/store.
- The appeal is to be heard by Written Representations

Case Officer: Mr Steven Holder 01432 260479

Application No. DCSE2003/3272/F

- The appeal was received on 23rd March 2004
- 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 D A Wyatt
- The site is located at Slades, Peterstow, Ross-on-Wye, Herefordshire, HR9 6LJ
- The development proposed is Site for caravan storage
- The appeal is to be heard by Written Representations

Case Officer: Mr Steven Holder on 01432 260479

Application No. DCSW2003/3895/O

- The appeal was received on 18th March 2004
- 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 O Beman
- The site is located at Land at The Old Bungalows, Minster Farm, Much Birch
- The development proposed is Site for 1 dwelling.
- The appeal is to be heard by Hearing

Case Officer: Mr Andrew Prior on 01432 261932

Application No. EN2003/0048/ZZ

- The appeal was received on 12th March 2004
- 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 PGL Travel Ltd
- The site is located at The School House, Hole in the Wall, Foy, Ross-on-Wye, Hereford
- The breach of planning control alleged in this notice is "The erection of a porch"
- The requirements of the notice are: Remove the unauthorized porch and reinstate the front of the building to its former appearance.

- The appeal is to be heard by Written Representations

Case Officer: Mr Steven Holder on 01432 260479

Application No. DCSW2003/3772/O

- The appeal was received on 5th March 2004
- 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 & Mrs J E & J D Sloper
- The site is located at Fallow Wood, Dorstone, Hereford, Herefordshire, HR3 6AU
- The development proposed is Site for erection of holiday chalet to extend holiday chalet park
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior 01432 261932

Application No. DCSW2003/3096/F

- The appeal was received on 4th March 2004
- 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 D Thomas
- The site is located at Perry Hill Farm, Clehonger, Hereford, HR2 9SB
- The development proposed is Removal of condition 4 of application SW01/1457/F.
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior 01432 261932

Application No. DCSW2003/3107/F

- The appeal was received on 3rd March 2004
- 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 & Mrs C Swainson
- The site is located at 1 Redlands Cottages, Longtown, Hereford, HR2 0LQ
- The development proposed is Proposed first floor extension
- The appeal is to be heard by Written Representations

Case Officer: Mr Andrew Prior on 01432 261932

Application No. DCSE2003/3059/F

- The appeal was received on 26th February 2004
- 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 S. Chan & Lin Choi
- The site is located at Land at Butchers Alley (rear of 25/26 Brookend Street), Ross-on-Wye
- The development proposed is Erection of 4 no. flats
- The appeal is to be heard by Hearing

Case Officer: Mr Nigel Banning 01432 261974

Application No. DCSE2003/2028/O

- The appeal was received on 2nd March 2004
- 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 Green
- The site is located at Waters Edge, -, Howle Hill, Ross-On-Wye, Herefordshire, HR9 5SP
- The development proposed is Site for agricultural/ horticulture bungalow with garage and re-siting of solar polytunnel.
- The appeal is to be heard by Written Representations

Case Officer: Mrs Charlotte Atkins on 01432 260536

Application No. DCSW2003/3076/L

- The appeal was received on 3rd March 2004
- 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 & J Cook
- The site is located at Clodock Mill, Longtown, Herefordshire, HR2 0PD
- The development proposed is Deletion of condition 3 of listed building consent SW2002/2796/L. Variation of design of replacement windows.
- The appeal is to be heard by Written Representations

Case Officer: Mrs Angela Tyler on 01432 260372

APPEALS DETERMINED

Application No. SE2002/3889/F

- The appeal was received on 13th August 2003
- 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 Dr. W Green
- The site is located at Land adjacent to The Link, Weston Under Penyard, Ross-On-Wye, Herefordshire, HR9 7QA
- The application, dated 9th December 2002, was refused on 18th February 2003
- The development proposed was Proposed dwelling
- The main issue is the effect of the proposal on the character and appearance of the village and the surrounding countryside, which lies within an Area of Great Landscape Value (AGLV)

Decision: The appeal was **Dismissed** on 11th March 2004

Case Officer: Mr Steven Holder on 01432 260479

Application No. SE2003/0668/F

- The appeal was received on 18th July 2003
- 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 E Heyes
- The site is located at Hill Bungalow, -, Symonds Yat, Ross-On-Wye, Hereford, HR9 6BN

- The application, dated 26th February 2003, was refused on 28th April 2003
- The development proposed was Two storey extension
- The main issue is the effect of the proposed extension on the character and appearance of the existing dwelling and, in turn, the wider countryside which is within the Wye Valley Area of Outstanding Natural Beauty (AONB) and designated as an Area of Great Landscape Value (AGLV)

Decision: The appeal was **Dismissed** on 11th March 2004

Case Officer: Mr Steven Holder on 01432 260479

Application No. SW2002/3212/RM

- The appeal was received on 24th November 2003
- 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 J.G. Price & Sons Ltd.
- The site is located at Albion Villa, Peterchurch, Hereford, HR2 0RT
- The application, dated 22 October, 2002 sought approval of details pursuant to conditions Nos 3, 4 and 5 of a planning permission granted by the council on 12th June, 2002
- The application was refused on 28th August, 2003
- The development proposed was Erect detached dwelling and garage.
- The main issue is the effect of the proposed noise attenuation measures on the living conditions of the future occupiers of the proposed dwelling, with particular regard to noise

Decision: The appeal was **Allowed** in part on 16th March, 2004

Case Officer: Mr Andrew Prior on 01432 261932

Application No. EN2003/0028/ZZ

- The appeal was received on 11th September 2003
- 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 M Phelps
- The site is located at The Laurel Farm, Barrel Lane, Aston Ingham, Ross-on-Wye
- The breach of planning control alleged in this notice is "change of use of land from agriculture to a mixed use for agriculture and the siting of a mobile home, without planning permission
- The requirements of the notice are: to remove the mobile home, extension and septic tank from the land and return the land to its former condition

Decision: The notice is varied to extend the period for compliance. Subject to this amendment the appeal is dismissed and the notice upheld.

Case Officer: Mr Mike Willmont on 01432 260612

Application No. SE2003/1157/F

- The appeal was received on 5th December 2003
- 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 A. Ayres
- The site is located at Brynhyfryd, Phocle Green, Ross-on-Wye, Herefordshire

- The application, dated 10th April, 2003, was refused on 6th June, 2003
- The development proposed was Two-storey extension consisting of bedroom at first floor and new entrance lobby, study and utility room at ground floor.
- The main issue in this case is the effect of the proposed extension on the character and appearance of the host building and the surrounding area

Decision: The appeal was **Dismissed** on 31st March, 2004

Case Officer: Mr Nigel Banning on 01432 261974

Application No. SW2003/0575/F

- The appeal was received on 7th May 2003
- 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 E Gittoes
- The site is located at Cwm Farm, Walterstone, Herefordshire, HR2 0DX
- The application, dated 17th February, 2003, was refused on 23rd April, 2003
- The development proposed was Demolition of modern agricultural buildings. Construction of a new house and four bay garage with one bedroom staff flat over, together with associated gardens and landscaping. Restoration of existing cottage and barn and new access drive.
- The main issue is as the appellants acknowledge, the proposal does not comply with the local development plan. They rely on the specific exception to countryside protection policies set out in paragraph 3.21 of PPG7. This indicates that *'isolated new houses in the countryside require a special justification – for example, where they are essential to enable farm or forestry workers to live at or near their place of work. An isolated new house in the countryside may also exceptionally be justified if it is clearly of the highest quality, is truly outstanding in terms of architecture and landscape design, and would significantly enhance its immediate setting and wider surroundings. Proposals for such development would need to demonstrate that proper account had been taken of the defining characteristics of the local area, including local or regional building traditions and materials. This means that each generation would have the opportunity to add to the tradition of the Country House which has done so much to enhance the English countryside.'*

There is no claim that the house is justified by an essential need for agricultural or forestry purposes. The proposal is effectively for a new Country House. While many local people object to the proposal in principle, the Council accepts that the house would be clearly of the highest quality and would be truly outstanding in terms of its architecture and landscape design. It therefore seems to me that the main issue in this appeal relates to the 3rd test set by paragraph 3.21 of PPG7, that is, whether the proposal would significantly enhance its immediate setting and wider surroundings such that an exception to the development plan countryside protection policies is justified.

Decision: The appeal was **Dismissed** on 31st March, 2004

Case Officer: Mr Mike Willmont on 01432 260612

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