

MEETING:	PLANNING COMMITTEE
DATE:	22 FEBRUARY 2012
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. S112474/F

- The appeal was received on 13 January 2012
- 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 L Andrews
- The site is located at 40 Blackmarston Road, Hunderton, Hereford, HR2 7AJ
- The development proposed is Proposed demolition of garage and construction of attached two-bed dwelling.
- The appeal is to be heard by Written Representations

Case Officer: Ms Kelly Gibbons on 01432 261781

Application No. S112967/F

- The appeal was received on 26 January 2012
- 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 Anthea Morton-Saner
- The site is located at Nupend Barn, Woolhope, Herefordshire, HR1 4QH
- The development proposed is Proposed solar photovoltaic panels attached to roof.
- The appeal is to be heard by Written Representations

Case Officer: Mr E Thomas on 01432 260479

Application No. S112968/L

- The appeal was received on 26 January 2012
- 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 Anthea Morton-Saner
- The site is located at Nupend Barn, Woolhope, Herefordshire, HR1 4QH
- The development proposed is Proposed solar photovoltaic panels attached to roof.
- The appeal is to be heard by Written Representations

Case Officer: Mr E Thomas on 01432 260479

Application No. N111375/F

- The appeal was received on 27 January 2012
- 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 Paul Thorne
- The site is located at Lucton School, Lucton, Herefordshire, HR6 9PN
- The development proposed is New equestrian manege for school and community use with improvements to road access
- The appeal is to be heard by Written Representations

Case Officer: Mr C Brace on 01432 261795

APPEALS DETERMINED

Application No. DMN/111666/FH

- The appeal was received on 15 November 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 Mr Peter Chalk
- The site is located at Laurel Cottage, Birchwood, Storridge, Malvern, Herefordshire, WR13 5HA
- The application dated 22 June 2011 was refused on 3 October 2011
- The development proposed was a first floor extension.
- The main issue is the effect of the proposal on the character of the existing dwelling.

Decision: The application was refused under delegated powers on 3 October 2011.
The appeal was dismissed on 10 January 2012.

Case Officer: Mr N Banning on 01432 383093

Application No. S110810/F

- The appeal was received on 10 October 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 Mr Harry Bramer
- The site is located at Land nr Caradoc, Sellack, Herefordshire
- The application dated 14 April 2011 was refused on 29 June 2011
- The development proposed was a carport to plot 1, and five garages to replace garden sheds.
- The main issue is the effect of the proposal on the character and appearance of the area

Decision: The application was refused by Committee contrary to Officer Recommendation.
The appeal was allowed on 20 January 2012.

Case Officer: Mr E Thomas on 01432 260479

Application No. N111007/F

- The appeal was received on 1 September 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 Mr Peter Sanderson
- The site is located at Tick Bridge Farm, Tick Bridge Lane, Hamnish, Leominster, Herefordshire
- The application dated 12 April 2011 was refused on 7 July 2011
- The development proposed was the retention of two mobile homes for one year for temporary agricultural dwelling and storage (as originally granted for applications DCN/2007/2648 and DCN2008/2739/F)
- The main issue is whether there is a proven functional need for residential accommodation on the site on a temporary or permanent basis, to house someone primarily employed at the farm, and if there is, whether the enterprise is economically viable and has a clear prospect of remaining so.

Decision: The application was refused under delegated powers on 7 July 2011.
The appeal was allowed on 26 January 2012.

Case Officer: Mr A Banks on 01432 383085

Application No. N103149/O

- The appeal was received on 1 September 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 Mr Peter Sanderson
- The site is located at Tickbridge Farm, Tickbridge Lane, Hamnish, Leominster, Herefordshire
- The application dated 29 November 2010 was refused on 30 March 2011
- The development proposed was an outline planning application for an agricultural dwelling.
- The main issue is whether there is a proven functional need for residential accommodation on the site on a temporary or permanent basis, to house someone primarily employed at the farm, and if there is, whether the enterprise is economically viable and has a clear prospect of remaining so

Decision: The application was refused under delegated powers on 30 March 2011.
The appeal was dismissed on 26 January 2012.

Case Officer: Mr A Banks on 01432 383085

Application No. EN11/001404/ZZ

- The appeal was received on 9 September 2011
- 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 Peter Sanderson
- The site is located at Tick Bridge Farm, Tick Bridge Lane, Hamnish, Leominster, Herefordshire, HR6 0QL
- The breach of planning control alleged in this notice is without planning permission the use of the land as a site for the positioning of 2 mobile homes both used for mixed residential and storage use.
- The requirements of the notice are: Remove the 2 mobile homes, hard standing and associated buildings from the land and reinstate the land to grass. The period of compliance with the requirements is 180 days for the removal of the 2 mobile homes and associated buildings; and 270 days for the removal of the hard standing and reinstatement of the land to grass.
- The main issue is whether there is a proven functional need for residential accommodation on the site on a temporary or permanent basis, to house someone primarily employed at the farm, and if there is, whether the enterprise is economically viable and has a clear prospect of remaining so.

Decision: The appeal was allowed on 26 January 2012, the enforcement notice is quashed, and planning permission is granted.

Case Officer: Mr A Banks on 01432 383085

Application No. EN2011/001347/ZZ

- The appeal was received on 2 August 2011
- 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 Deborah Gillingham & Mr Richard Greatrex
- The site is located at Mulberry Cottage, Woods Eaves, Eardisley, Herefordshire, HR3 6LZ
- The breach of planning control alleged in this notice is the installation of two solar panels on the roof of a side lean-to which forms part of the building affecting its character of special architectural or historic interest.
- The requirements of the notice are: Removal of the solar panels from the lean-to roof and the making good of any fixing or pipe-holes
- The main issue is the effect of the works upon the special architectural or historic interest of the listed building

Decision: The appeal is dismissed and the listed building enforcement notice is Upheld. Listed building consent is refused for the retention of the works carried out in contravention of section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended on 31 January 2012

Case Officer: Mr P Mullineux on 01432 261808

Application No. N102856/L

- The appeal was received on 14 June 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 Ms Deborah Gillingham & Mr Richard Greatrex
- The site is located at Mulberry Cottage, Woods Eaves Lane, Eardisley, Herefordshire, HR3 6LZ
- The application dated 4 January 2011 was refused on 24 February 2011
- The development proposed was the retention of two solar panels
- The main issue is the effect of the works upon the special architectural or historic interest of the listed building

Decision: The application was refused under delegated powers on 24 February 2011.
The appeal was dismissed on 31 January 2012.

Case Officer: Mr P Mullineux on 01432 261808

Application No. N102858/FH

- The appeal was received on 14 June 2011
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a planning condition.
- The appeal was brought by Ms Deborah Gillingham & Mr Richard Greatrex
- The site is located at Mulberry Cottage, Woods Eaves, Eardisley, Herefordshire, HR3 6LZ
- The application dated 2 November 2010, was granted on 28 February 2011
- The development proposed was the construction of a rear conservatory extension, repair 3 no windows and one new window, insulation of interior roof slopes and replacement garage (retrospective application).
- The main issue is the effect of the works upon the special architectural or historic interest of the listed building

Decision: The application was approved on 28 February 2011 under delegated powers.
The appeal was allowed on 31 January 2012.

Case Officer: Mr P Mullineux on 01432 261808

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