

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>11 FEBRUARY 2015</b>
<b>TITLE OF REPORT:</b>	<b>APPEALS</b>

---

**CLASSIFICATION:** Open

## **Wards Affected**

Countywide

## **Purpose**

To note the progress in respect of the following appeals.

## **Key Decision**

This is not an executive decision

## **Recommendation**

**That the report be noted.**

## **APPEALS RECEIVED**

### **Application 142803/F**

- The appeal was received on 22 January 2015
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr Andrew Lunnon
- The site is located at Land at Rock Farm Caravan Park, Winslow, Bromyard, Herefordshire, HR7 4LP
- The development proposed is Change of use of land from agricultural to use for 40 no. static caravans
- The appeal is to be heard by Written Representations

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

### **Application 142904/F**

- The appeal was received on 15 January 2015
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr J Baker
- The site is located at Farmers Arms, Horse Road, Wellington Heath, Ledbury, HR8 1LS
- The development proposed is Proposed erection of single dwelling
- The appeal is to be heard by Written Representations

**Case Officer: Mr C Brace on 01432 261947**

**Application 141233/F**

- The appeal was received on 8 January 2015
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr David Richard Mark Mutlow
- The site is located at Steppe House Farm, Pencraig, Ross-On-Wye, Herefordshire, HR9 6HR
- Proposed variation of conditions 12 & 13 of planning permission DCSE2004/2744/F (Conversion of existing farms barns and outbuildings to form 4 no dwellings) - to allow the retention of the existing access. The appeal is to be heard by Written Representations.

**Case Officer: Mr M Tansley on 01432 261815**

**Enforcement Notice 143865/ENF**

- The appeal was received on 31 December 2014
- 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 Howard Humphries
- The site is located at Land at Probyns Pitch, Upton Bishop, Ross on Wye, Herefordshire, HR9 7UJ
- The breach of planning control alleged in this notice is: Without planning permission, the material change of use of land from a use for agriculture, to a mixed use for agriculture and the siting of a mobile home for residential purposes.
- The requirements of the notice are: Permanently remove the mobile home as shown in the approximate location marked "A" on the attached plan from the land thereby causing the cessation of its residential use on the land.
- The appeal is to be heard by Written Representations

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

**Enforcement Notice 143866/ENF**

- The appeal was received on 31 December 2014
- 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 Miss R Godber
- The site is located at Land at Probyns Pitch, Upton Bishop, Ross on Wye, Herefordshire, HR9 7UJ
- The breach of planning control alleged in this notice is: Without planning permission, the material change of use of land from a use for agriculture, to a mixed use for agriculture and the siting of a mobile home for residential purposes.
- The requirements of the notice are: Permanently remove the mobile home as shown in the approximate location marked "A" on the attached plan from the land thereby causing the cessation of its residential use on the land.
- The appeal is to be heard by Written Representations

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

**Enforcement Notice 143862/ENF**

- The appeal was received on 30 December 2014
- 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 Roger Helme
- The site is located at Grove Cottage, Ford Bridge, Leominster, Herefordshire, HR6 0LE
- The breach of planning control alleged in this notice is:
  - Without listed building consent, the installation of five UPVC windows in a listed building.
  - Without listed building consent the rebuilding of the cottage chimney stack to a design and height dissimilar to the chimney structure in place prior to the said works having been carried out.
- The requirements of the notice are:
  1. Remove all UPVC windows from the building
  2. Where a window has been removed install replacement hardwood framed windows with glazing bars, the windows are to be single glazed.
  3. Paint the wooden hardwood frame of all replaced windows white.
  4. Render the chimney with a lime mortar mix producing a rough finish to match the southern gable end of the cottage.
- The appeal is to be heard by Written Representations

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

**Enforcement Notice 150027/ENF**

- The appeal was received on 30 December 2014
- 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 T Helme
- The site is located at Grove Cottage, Ford Bridge, Leominster, Herefordshire, HR6 0LE
- The breach of planning control alleged in this notice is:
  - Without listed building consent, the installation of five UPVC windows in a listed building.
  - Without listed building consent the rebuilding of the cottage chimney stack to a design and height dissimilar to the chimney structure in place prior to the said works having been carried out.
- The requirements of the notice are:
  5. Remove all UPVC windows from the building
  6. Where a window has been removed install replacement hardwood framed windows with glazing bars, the windows are to be single glazed.
  7. Paint the wooden hardwood frame of all replaced windows white.
  8. Render the chimney with a lime mortar mix producing a rough finish to match the southern gable end of the cottage.
- The appeal is to be heard by Written Representations

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

## **APPEALS DETERMINED**

### **Application 141757/O**

- The appeal was received on 1 September 2014
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr Helm
- The site is located at Land at Wharton Court, Wharton, Leominster, Herefordshire, HR6 0NX
- The development proposed was Proposed erection of six dwellings, garages and associated
- The main issues were:
  - i) the effect of the proposal on the character and appearance of the area and
  - ii) whether residential development would be acceptable having regard to sustainability principles.

### **Decision:**

- The application was Refused under Delegated Powers on 31 July 2014
- The appeal was Dismissed on 9 January 2015
- An Application for the award of Costs, made by the Appellant against the Council, was Dismissed

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

### **Application 140012/F**

- The appeal was received on 2 October 2014
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr N Jones
- The site is located at Revells Farm, Linton, Ross-On-Wye, Herefordshire, HR9 7SD
- The development proposed was Removal of Condition 3 and 4 of Planning Permission SE05/3536/F
- The main issues were:
  - i) whether or not condition 3 is reasonable or necessary in the context of local and national policies which generally seek to avoid isolated dwellings in the countryside and
  - ii) is condition 4 reasonable or necessary to restrict the sale or lease of the dwelling separately from the agricultural holding.

### **Decision:**

- The application was Refused under Delegated Powers on 19 March 2014
- The appeal was Split Decision on 12 January 2015  
*The appeal is allowed in part and planning permission is granted for an agricultural dwelling at Revells Farm, Linton, Ross-on-Wye, Herefordshire HR9 7SD, in accordance with the application Ref P140012/F dated 30 December 2013, without compliance with condition number 4 previously imposed on planning permission ref DCSE2005/3536/F, dated 20 January 2006, but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect.*
- An Application for the award of Costs, made by the Council against the Appellant, was Dismissed

**Case Officer: Mr Roland Close on 01432 261803**

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