

MEETING:	PLANNING COMMITTEE
DATE:	26 APRIL 2016
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 an executive decision

Recommendation

That the report be noted.

APPEALS RECEIVED

Application 151248

- The appeal was received on 31 March 2016
- 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 HKSLEP Limited T/A Natalka Delicatessen
- The site is located at 61 Stanhope Street, Hereford, Herefordshire, HR4 0HA
- The development proposed is Change of use to HMO and installation of fire alarm Grade A LD2, all bedrooms and kitchen door to be replaced with fire door, all walls repainted, carpets refitted, additional shower room and toilet, one internal stud wall added. (Retrospective)
- The appeal is to be heard by Written Representations

Case Officer: Mrs Charlotte Atkins on 01432 260536

Application 153000

- The appeal was received on 31 March 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Planning Conditions
- The appeal is brought by Red Miracle Ltd
- The site is located at Unit 3, 109-111 Belmont Road, Hereford, Herefordshire, HR2 7JR
- The development proposed is Variation of Condition 7 of Planning Permission CW2002/3803/F and Condition 1 of Planning Permission CW2003/3853/F.
- The appeal is to be heard by Written Representations

Case Officer: Steffan Thomas on 01432 260627

Application 131997

- The appeal was received on 8 April 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Planning Conditions
- The appeal is brought by Mr Joseph Travis
- The site is located at Replacement dwelling at The Laurels, Llangrove, Ross on Wye, Herefordshire, HR9 6EZ
- The development proposed is Demolition of existing dwelling and attached outbuildings and construction of replacement dwelling with detached garage.
- The appeal is to be heard by Written Representations

Case Officer: Mr Roland Close on 01432 261803

Application 153239

- The appeal was received on 8 April 2016
- 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 Ms Mary George
- The site is located at The Old Coach House, Goodrich Manor, Goodrich, Ross-On-Wye, Herefordshire, HR9 6JB
- The development proposed is Proposed change of use of redundant agricultural land to amenity space and garden.
- The appeal is to be heard by Written Representations

Case Officer: Mr C Brace on 01432 261947

Application 153205

- The appeal was received on 11 April 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission (Householder)
- The appeal is brought by Mr Paul Croucher
- The site is located at Edwyn Wood, Edwyn Ralph, Bromyard, Herefordshire, HR7 4LX
- The development proposed is Proposed first floor extension and internal alterations.
- The appeal is to be heard by Householder Procedure

Case Officer: Hazel Nash on 01432 260000

APPEALS DETERMINED

Application 141687

- The appeal was received on 10 April 2015
- 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 Miss Lizzie Janes
- The site is located at Mid Summer Orchard, (Land at Oakley Cottage), Ridge Hill, Herefordshire, HR2 8AG
- The development proposed was Change of use of land from agriculture to a one family traveller site, with stationing of one mobile home, one touring caravan, parking and turning area, re-designed access and septic tank.
- The main issues were:
 - Firstly, whether the Appellant and proposed occupiers of the site fall within the PPTS definition of gypsies and travellers for planning purposes,

- Secondly, the effect of the proposed development on the character and appearance of the surrounding area,
- Thirdly, the implications of the proposal for objectives of sustainable development, and
- Fourthly, whether any harm arising from the above issues is outweighed by other considerations, including the level of need for gypsy and traveller sites, personal circumstances and Human Rights considerations.

Decision:

- The application was Refused at Planning Committee on 10 December 2014
- The appeal was Dismissed on 23 March 2016
- An Application for the award of Costs, made by the Appellant against the Council, was Dismissed

Case Officer: Mr C Brace on 01432 261947

Application 151075

- The appeal was received on 22 December 2015
- 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 Simon Tinson
- The site is located at Land at 1 Bridge Street, Ledbury, Herefordshire, HR8 2AJ
- The development proposed was Proposed change of use of redundant building into single dwelling.
- The main issues were:

No. 1 Bridge Street is a Grade II listed building dating from the early 19th century. The buildings to be converted are an outbuilding linked by a partially demolished structure to what is described in the appellant's heritage statement as a summer house. This range of buildings lies to the rear of No. 1 and by virtue of their location are curtilage listed buildings. The scheme would include the formation of a new access to serve the proposed dwelling and would pass adjacent to No. 1 before emerging onto Bridge Street. As such, I consider the main issue in these appeals is whether the proposals would preserve the special architectural or historic interest of the buildings to be converted and the setting of No. 1 Bridge Street.

Decision:

- The application was Refused under Delegated Powers on 23 June 2015.
- The appeal was Allowed on 30 March 2016

Case Officer: Mr A Prior on 01432 261932

Application 151076

- The appeal was received on 22 December 2015
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Listed Building Consent
- The appeal was brought by Mr Simon Tinson
- The site is located at Land at 1 Bridge Street, Ledbury, Herefordshire, HR8 2AJ
- The development proposed was Proposed change of use of redundant building into single dwelling
- The main issues were:

No. 1 Bridge Street is a Grade II listed building dating from the early 19th century. The buildings to be converted are an outbuilding linked by a partially demolished structure to what is described in the appellant's heritage statement as a summer house. This range of buildings lies to the rear of No. 1 and by virtue of their location are curtilage listed buildings. The scheme would include the formation of a new access to serve the proposed dwelling and would pass adjacent to No. 1 before emerging onto Bridge Street. As such, I consider the main issue in these appeals is whether the proposals would preserve the special architectural or historic interest of the buildings to be converted and the setting of No. 1 Bridge Street.

Decision:

- The application was Refused under Delegated Powers on 23 June 2015
- The appeal was Allowed on 30 March 2016

Case Officer: Mr A Prior on 01432 261932

Application 151160

- The appeal was received on 11 February 2016
- 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 N W & I Roper
- The site is located at Land adj. Home Farm, Pencraig, Ross-on-Wye, Herefordshire, HR9 6HR
- The development proposed was Proposed retention of existing hard surface and driveway for storage of sugar beet and straw.
- The main issues in this case are, firstly, the effect of the scheme on the character and appearance of the Wye Valley Area of Outstanding Natural Beauty, and secondly, the impact on the setting of nearby heritage assets.

Decision:

- The application was Refused under Delegated Powers on 22 May 2015
- The appeal was Dismissed on 1 April 2016

Case Officer: Mr C Brace on 01432 261947

Application 143116

- The appeal was received on 5 June 2015
- 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 Jason Lewis
- The site is located at Land to the South of Leadon Way, Ledbury, Herefordshire
- The Proposed outline planning permission for the erection of up to 321 residential dwellings (including up to 35% affordable housing, structural planting and landscaping, informal public open space, children's play area, surface water attenuation, vehicular access point from Leadon Way and associated ancillary works. All matters reserved with the exception of the main site access.
- The main issues relate to:
 - The Council's housing land supply position;
 - The effect of the development on the character and appearance of the area, including the landscape setting of the settlement, the setting of listed buildings and Ledbury Conservation Area, and the setting of the Malvern Hills Area of Outstanding Natural Beauty; and
 - Whether, in the overall planning balance, the development would represent sustainable development in the terms of the National Planning Policy Framework.

Decision:

- The application was Refused under Delegated Powers on 20 March 2015
- The appeal was Allowed on 4 April 2016

Case Officer: Mr A Banks on 01432 383085

Application 150476

- The appeal was received on 11 November 2015

- 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 & Mrs Carver
- The site is located at Land adjacent to St Mary's Park, Tillington Road, Burghill, Hereford
- The development proposed was Proposed residential development (20 dwellings which includes 7 affordable homes).
- The main issues were:
 - a. The effect of the proposal on the character and appearance of the area;
 - b. Whether the proposed development is sustainable; and
 - c. The effect of the proposal on highway safety.

Decision:

- The application was Refused under Delegated Powers on 26 June 2015
- The appeal was Dismissed on 23 March 2016

Case Officer: Ms Kelly Gibbons on 01432 261781

Application 150929

- The appeal was received on 5 November 2015
- 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 Harry Simpson
- The site is located at Stocks House Farm, Land West of C1109 Upper Wellington, Wellington, Hereford, Herefordshire, HR4 8AZ
- The development proposed was Proposed installation of a 1MW solar photovoltaic (PV) farm and ancillary infrastructure.
- The main issue is the effect of the development on the character and appearance of the area.

Decision:

- The application was Refused under Delegated Powers on 30 June 2015
- The appeal was Dismissed on 14 April 2016

Case Officer: Ms R Jenman on 01432 261961