

MEETING:	PLANNING COMMITTEE
DATE:	14 SEPTEMBER 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 160671

- The appeal was received on 31 August 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 Mr Dave Hufton
- The site is located at The Barn, Hampton Charles, Tenbury Wells, Worcestershire, WR15 8PZ
- The development proposed is Proposed live/work dwelling with extension to garage.
- The appeal is to be heard by Written Representations

Case Officer: Mr A Prior on 01432 261932

Application 153581

- The appeal was received on 24 August 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Lawful Certificate
- The appeal is brought by Wyldecrest Parks
- The site is located at Saltmarshe Castle Caravan Park, Tedstone Wafre, Bromyard, Herefordshire, HR7 4PN
- The development proposed is Certificate of lawfulness for use as a residential caravan park.
- The appeal is to be heard by Written Representations

Case Officer: Mr A Prior on 01432 261932

APPEALS DETERMINED

Application 150053

- The appeal was received on 13 May 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 Mr & Mrs Preece
- The site is located at Land at and West of West Winds, Cholstrey Road, Leominster, Herefordshire
- The development proposed was Proposed 25 dwellings with garages and car spaces.

Decision:

- The application was Refused at Planning Committee on 24 February 2016
- The appeal was Withdrawn on 17 August 2016

Case Officer: Mr A Prior on 01432 261932

Application 150765

- The appeal was received on 27 April 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 Mr Angus Davison
- The site is located at Trumpet Fields adjacent A438, Trumpet, Ledbury, Herefordshire, HR8 2RA
- The development proposed was Erection of polytunnels on fields at Trumpet for covered commercial growing of soft fruit and new pond area.
- The main issue in this case is the effect of the scheme on the character and appearance of the landscape. The Council's second reason for refusal relating to flood risk has been withdrawn following the appellant's submission of a flood risk assessment on 17 March 2016.

Decision:

- The application was Refused under Delegated Powers on 15 October 2015
- The appeal was Allowed on 17 August 2016

Case Officer: Mr Roland Close on 01432 261803

Application 152634

- The appeal was received on 12 May 2016
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Planning Conditions
- The appeal was brought by Mr John Bratton
- The site is located at The Old Granary, Upper Cwm Farm, Welsh Newton, Monmouth, Herefordshire, NP25 5RW
- The development proposed was Retention of barn conversion and repair outbuilding to provide garage and store
- The main issue is whether the disputed conditions are reasonable and necessary, with particular regard to provision of a safe environment, highway safety and the parking arrangements of the site.

Decision:

- The application was Approved under Delegated Powers on 23 October 2015
- The appeal was Allowed on 18 August 2016

Case Officer: Mr C Brace on 01432 261947

Application 143843

- The appeal was received on 20 May 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 Mr M Soble
- The site is located at Land At Whitethorn Farm, Carey, Hereford, HR2 6NG
- The development proposed was (Retrospective) Retention of temporary living accommodation.
- The main issues were:
 - Whether there is an essential need for a dwelling to accommodate a rural worker;
 - The effect of the development on the character and appearance of the countryside in this part of the Wye Valley Area of Outstanding Natural Beauty (WVAONB)

Decision:

- The application was Refused under Delegated Powers on 14 September 2015
- The appeal was Dismissed on 22 August 2016
- An Application for the award of Costs, made by the Appellant against the Council, was Dismissed

Case Officer: Mrs Charlotte Atkins on 01432 260536

Application 153671

- The appeal was received on 13 May 2016
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Prior Approval
- The appeal was brought by Mr Barry Kearley
- The site is located at Drovers Barn at Crookshill Farm, Acton Beauchamp, Worcestershire
- The development proposed was Proposal to convert an agricultural building into a dwellinghouse
- The main issue is whether the proposal would be permitted development under Class Q, subject to the prior approval of certain matters. If the proposal is permitted development under Class Q, a further main issue would be the effect of the development with regard to transport and highway impacts.

Decision:

- The application was Refused under Delegated Powers on 28 January 2016
- The appeal was Dismissed on 22 August 2016

Case Officer: Mr Fernando Barber-Martinez on 01432 383674

Application 152188

- The appeal was received on 31 May 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 Earthworm Energy PLC Ltd
- The site is located at Land opposite Aylus Cottages, Auberrow, Wellington, Herefordshire
- The development proposed was Proposed erection of a solar photovoltaic array, including metering
- The main issue is whether the benefits of the proposed development, including the production of electricity from a renewable source, outweigh any harmful effects, with particular reference to the landscape character and visual amenity of the area.

Decision:

- The application was Refused under Delegated Powers on 20 November 2015
- The appeal was Dismissed on 23 August 2016

Case Officer: Mr Nick Hall on 01432 261808

Application 153625

- The appeal was received on 13 May 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 Mr Barry Pimblett
- The site is located at Vine Tree Cottage, Bishopswood, Ross on Wye, Herefordshire, HR9 5RA
- The development proposed was Proposed erection of a timber cabin in association with existing self-catering unit.
- The main issue in this case is whether or not the proposed development would constitute sustainable development having regard to relevant national and local policies.

Decision:

- The application was Refused under Delegated Powers on 4 February 2016
- The appeal was Dismissed on 23 August 2016
- An Application for the award of Costs, made by the Council against the Appellant, was Dismissed.

Case Officer: Mr C Brace on 01432 261947

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