

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	6 DECEMBER 2017
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 160238

- The appeal was received on 17 October 2017
- 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 Tony Holland
- The site is located at Land at Oak Tree View, Beggars Ash Lane, Wellington Heath, Herefordshire
- The development proposed is Change of use of land from agricultural to a one family traveller site including stationing of two mobile homes, 2 touring caravans, treatment plant, sheds and associated parking/turning/hardstanding and new access.
- The appeal is to be heard by Hearing

Case Officer: Mr Fernando Barber-Martinez on 01432 383674

Application 170191

- The appeal was received on 30 October 2017
- 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 Ms B Eakins
- The site is located at Plot 1 Mobile Home at Redwood Orchard, Redwood Lane, St Michaels, Tenbury Wells, WR15 8TL
- The development proposed is Application for a Lawful Development Certificate for a proposed use of the land for the siting of a caravan for the purpose of human habitation throughout the year as person's sole or main place of residence.
- The appeal is to be heard by Written Representations

Case Officer: Mr M Tansley on 01432 261815

Enforcement Notice 173279

- The appeal was received on 18 October 2017
 - 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 Mrs K V Smolas
 - The site is located at Glamping Site, Drovers Cottage, Dorstone, Hereford, Herefordshire, HR3 6AG
 - The breach of planning control alleged in this notice is:
 - Without planning permission the erection of safari tents in the approximate positions marked with a cross on the attached plan.
 - The requirements of the notice are:
 1. The safari tents shall only be occupied for either holiday's purposes or in connection with the training/corporate event business operated in accordance with the planning permission reference no. 132192/F dated 8/5/15.
 2. The safari tents shall be removed from the site by 1st November each year and not re-erected until 28th February of the following year.
 3. In the event of the holiday use ceasing, the safari tents including their bases and all associated infrastructure shall be removed within 3 months of the written notice from the Council to do so.
 4. Within 1 month of the date that this notice becomes effective a landscaping scheme shall be submitted to the Local Planning Authority for approval. Thereafter the approved scheme shall be implemented before 28th February 2018. This shall be maintained for a period of 5 years. During this time, any trees, shrubs or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.
 - The appeal is to be heard by Written Representations
- Case Officer: Mr M Tansley on 01432 261815**

Enforcement Notice 173963

- The appeal was received on 18 October 2017
 - 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 P A Smolas
 - The site is located at Glamping Site, Drovers Cottage, Dorstone, Hereford, Herefordshire, HR3 6AG
 - The breach of planning control alleged in this notice is:
 - Without planning permission the erection of safari tents in the approximate positions marked with a cross on the attached plan.
 - The requirements of the notice are:
 1. The safari tents shall only be occupied for either holiday's purposes or in connection with the training/corporate event business operated in accordance with the planning permission reference no. 132192/F dated 8/5/15.
 2. The safari tents shall be removed from the site by 1st November each year and not re-erected until 28th February of the following year.
 3. In the event of the holiday use ceasing, the safari tents including their bases and all associated infrastructure shall be removed within 3 months of the written notice from the Council to do so.
 4. Within 1 month of the date that this notice becomes effective a landscaping scheme shall be submitted to the Local Planning Authority for approval. Thereafter the approved scheme shall be implemented before 28th February 2018. This shall be maintained for a period of 5 years. During this time, any trees, shrubs or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.
 - The appeal is to be heard by Written Representations
- Case Officer: Mr M Tansley on 01432 261815**

Application 171538

- The appeal was received on 13 November 2017
- 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 O'Connor
- The site is located at Oaklands Caravan Site, C1262 From B4348 Llandinabo To A49 At Oaklands House, Llandinabo, Herefordshire
- The development proposed is Proposed change of use of land from a three pitch travellers site to a five pitch travellers site. Construct a new washing facility for use by the site.
- The appeal is to be heard by Hearing

Case Officer: Mr C Brace on 01432 261947

Application 170739

- The appeal was received on 23 November 2017
- 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 Mrs A Smith & Mr G Barrett
- The site is located at Land at The Woodlands, Bridstow, Ross-on-Wye, Herefordshire
- The development proposed is Proposed erection of a single chalet bungalow.
- The appeal is to be heard by Written Representations

Case Officer: Miss Emily Reed on 01432 383894

APPEALS DETERMINED**Enforcement Notice 172688**

- The appeal was received on 10 July 2017
- 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 Jim Gillespie
- The site is located at Lower House Farm, Church Road, Little Birch, Herefordshire, HR2 8BB
- The breach of planning control alleged in this notice is:
Without planning permission unauthorised operational development by erection of a log cabin.
- The requirements of the notice are:
Permanently remove the unauthorised log cabin from the land.
- The main issue in this case is the effect of the development on the character and appearance of the area.

The log cabin has been sited at the entrance to Lady Coppice Woods, an ancient woodland. It can be clearly seen from the 'Herefordshire Trail', a public footpath which runs immediately alongside the log cabin.

Decision:

- The appeal was Dismissed on 15 November 2017

Case Officer: Mr Simon Withers on 01432 260612

Application 170292

- The appeal was received on 10 July 2017
- 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 Jim Gillespie
- The site is located at Lower House Farm, Church Road, Little Birch, Herefordshire, HR2 8BB

Further information on the subject of this report is available from the relevant case officer

- The development proposed was Log cabin to land at rear of Lower House Farm. Refer to application no 172688 for the Enforcement Appeal.
- The main issues were: The effect of the development on the character and appearance of the area.

The log cabin has been sited at the entrance to Lady Coppice Woods, an ancient woodland. It can be clearly seen from the 'Herefordshire Trail', a public footpath which runs immediately alongside the log cabin.

Decision:

- The application was Refused under Delegated Powers on 20 March 2017.
- The appeal was Dismissed on 15 November 2017

Case Officer: Mr Simon Withers on 01432 260612

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