

**4 ITEM FOR INFORMATION - APPEALS****APPEALS DETERMINED****Enforcement Appeal No. EN2004/0026/ZZ.**

- The appeal was received on 30th September 2004
- 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 S and A Property Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster
- The breach of planning control alleged in this notice is "without planning permission the erection of a single-storey building, hardstanding and water, electricity and sewage connections ("the works")"
- The requirements of the notice are: (1) Totally remove the single-storey building, hardstanding and all associated connections (including in each case all associated works and equipment) without causing additional harm to the agricultural quality or archaeological potential of the land to which this notice relates. (2) Remove from the land all building materials and rubble resulting from compliance with requirement (1) and (3) Restore the land to its condition before the breach took place by levelling the ground re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

**Decision:** The appeal was DISMISSED on 3<sup>rd</sup> November 2005

**Case Officer:** Mark Tansley on 01432 261956

**Enforcement Appeal No. EN2004/0028/ZZ.**

- The appeal was received on 30th September 2004
- 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 S and A Property Ltd
- The site is located at land at Brierley Court Farm, Brierley, Leominster
- The breach of planning control alleged in this notice is "without planning permission the installation of a sewage-treatment plant, pumping station and hardstanding on the land together with associated connections from caravans in an adjoining field ("the associated connections")"
- The requirements of the notice are: (1) Totally remove the sewage-treatment plant, the pumping station, the hardstanding and all associated connections (including in each case all associated works and equipment) without causing additional harm to the agricultural quality or archaeological potential of the land to which the notice relates (2) Remove from the land all building materials and rubble resulting from compliance with requirement (1) and (3) Restore the land to its condition before the breach took place by levelling the ground, re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.

- The appeal is to be heard by Inquiry

**Case Officer: Mr M Tansley on 01432 261956**

**Enforcement Appeal No. EN2004/0028/ZZ.**

- The appeal was received on 30th September 2004
- 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 S and A Property Ltd
- The site is located at land at Brierley Court Farm, Brierley, Leominster
- The breach of planning control alleged in this notice is "without planning permission the installation of a sewage-treatment plant, pumping station and hardstanding on the land together with associated connections from caravans in an adjoining field ("the associated connections")"
- The requirements of the notice are: (1) Totally remove the sewage-treatment plant, the pumping station, the hardstanding and all associated connections (including in each case all associated works and equipment) without causing additional harm to the agricultural quality or archaeological potential of the land to which the notice relates (2) Remove from the land all building materials and rubble resulting from compliance with requirement (1) and (3) Restore the land to its condition before the breach took place by levelling the ground, re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

**Decision:** The appeal was DISMISSED on 3<sup>rd</sup> November 2005

**Case Officer: Mark Tansley on 01432 261956**

**Enforcement Appeal No. EN2004/0027/ZZ.**

- The appeal was received on 30th September 2004
- 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 S and A Property Ltd
- The site is located at land at Brierley Court Farm, Brierley, Leominster
- The breach of planning control alleged in this notice is "without planning permission, change of use of the land from use for agriculture to use as a residential caravan site for the permanent stationing of caravans, together with associated works comprising the construction, erection and building of roadways, pathways, fuel tanks, water, electricity and sewage connections and storage and amenity buildings ("the associated works")"
- The requirements of the notice are: (1) Stop using any part of the land for the siting of caravans for residential use (2) Remove from the land all caravans and all associated site works as specified in the breach of planning control and (3) Restore the land to its condition before the breach took place by levelling the ground re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.

- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

**Decision:** The appeal was WITHDRAWN during the Inquiry

**Case Officer:** Mark Tansley on 01432 261956

**Application No. DCNC2004/0902/F**

- The appeal was received on 10th August 2004
- 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 S & A Property Ltd
- The site is located at Brierley Court Farm, -, Brierley, Leominster, Herefordshire, HR6 0NU
- The application, dated 24<sup>th</sup> March 2004, was refused on 17<sup>th</sup> May 2004
- The development proposed was Proposed sewage treatment plant and pumping station
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

**Decision:** The appeal was DISMISSED on 3<sup>rd</sup> November 2005

**Case Officer:** Mark Tansley on 01432 261956

**Application No. DCNC2004/0321/F**

- The appeal was received on 10th August 2004
- 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 S & A Property Ltd
- The site is located at Brierley Court Farm, -, Brierley, Leominster, Herefordshire, HR6 0NU
- The application, dated 6<sup>th</sup> February 2004, was refused on 12<sup>th</sup> May 2004
- The development proposed was Construction of amenity building, toilet buildings and siteworks for 300 unit caravan standing for farmworkers accommodation.
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

**Decision:** The appeal was DISMISSED on 3<sup>rd</sup> November 2005

**Case Officer:** Mark Tansley on 01432 261956

**Application No. EN2004/0051/ZZ**

- The appeal was received on 25th November 2004
- 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 Williams
- The site is located at The Bank, Leintwardine, Herefordshire SY7 0LB
- The breach of planning control alleged in this notice is " Without planning permission the unauthorized building being a container for the storage of historic fairground organs and parts for restoration."
- The requirements of the notice are: Remove the building from the land.
- The main issue was the effect on the amenity of the conservation area.

**Decision:** The appeal was WITHDRAWN on 10<sup>th</sup> November 2005

**Case Officer: Mark Tansley on 01432 261936**

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