

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Enforcement Notice: EN2005/0109/ZZ**

- The appeal was received on 3rd March, 2006.
- 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. J.T.W Lyon.
- The site is located at Fairhaven, 36 Three Elms Road, Hereford.
- The breach of planning control alleged in this notice is: Without planning permission, change of use of the land from the use as a residential dwelling to a house of multiple occupancy.
- The requirements of the notice are: Cease use of the land as a house of Multiple Occupancy.
- The appeal is to be heard by Hearing.

Case Officer: Peter Clasby on 01432 261947

APPEALS DETERMINED**Application No. DCCW2004/2611/F**

- The appeal was received on 12th January, 2005.
- 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 Tesco Stores Ltd.
- The site is located at Tesco Stores Ltd, Abbotsmead Road, Belmont, Hereford, Herefordshire, HR2 7XS.
- The application, dated 13th July, 2004, was refused on 14th December, 2004.
- The development proposed was Variation of condition 10 of planning permission CW2001/1848/F to allow for one tanker delivery to petrol station on Sundays between 10.00 a.m. and 4.00 p.m.
- The main issue is the effect varying condition No10 to allow one fuel tanker delivery to take place on Sundays between 10.00hours and 16.00hours would have on the living conditions of nearby residents in terms of noise.

Decision: The appeal was UPHELD on 9th March, 2006.

Case Officer: Peter Clasby on 01432 261947

Application No. DCCE2005/0260/O

- The appeal was received on 27th September, 2005.
- 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 J.M. & C.A. Samwells.
- The site is located at Little Tarrington Lodge Little Tarrington HR1 4JA.
- The application, dated 24 January 2005, was refused on 24th March, 2005.
- The development proposed was Site for one and half storey dwelling & detached double garage.
- The main issue is that the proposed development is in open countryside and is visually intrusive.

Decision: The appeal was DISMISSED on 8th March, 2006.

Case Officer: Russell Pryce on 01432 261957

Application No. DCCE2005/2356/F

- The appeal was received on 29th November, 2005.
- 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 I.E. Developments Ltd.
- The site is located at Carfax House site, Aylestone Hill, Hereford, Herefordshire, HR1 1HX.
- The application, dated 11th July 2005, was refused on 21st September, 2005.
- The development proposed was Construction of 16 no. residential units, associated carparking and landscaping.
- The main issue is the effect the proposed development would have on the character and appearance of the site of the former Carfax House and Cottage and its surroundings in the context of the Aylestone Hill Conservation Area.

Decision: The appeal was UPHELD on 8th March, 2006.

Case Officer: Adam Sheppard on 01432 261961

Application No. DCCW2004/0393/F

- The appeal was received on 25th November, 2005.
- 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 Hussar Minerals.
- The site is located at Moreton Road, Upper Lyde, Hereford.
- The application, dated 22nd January, 2004, was refused on 21st September, 2005.
- The development proposed was Variation of condition 6 on CW2001/1427/F - widening of carriageway and construction of 6 passing bays
- The main issue is whether the proposed planting of a new hedge behind each passing bay is an acceptable alternative course of action to the hedge translocation process already permitted.

Decision: The appeal was DISMISSED on 13th March, 2006.

Case Officer: Debby Klein on 01432 260136

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