

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Enforcement Notice EN2005/0068/ZZ**

- The appeal was received on 26th October 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 Kingsley
- The site is located at Riverside House, Lugg Bridge Mills, Hereford
- The breach of planning control alleged in this notice is:
Without planning permission, the erection of a wooden first floor balcony on the western elevation of Riverside House, Lugg Bridge.
- The requirements of the notice are:
 - (i) *Remove from the land the balcony, platform, railings, supporting pillars and any other associated brackets.*
 - (ii) *Any harm caused to the building through the construction of the balcony should be made good.*
- The appeal is to be heard by Inquiry

Case Officer: Russell Pryce on 01432 261957

APPEALS DETERMINED**Application No. DCCW2006/0410/F**

- The appeal was received on 7th June 2006
- 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 Mr D Elsleys
- The site is located at The Old Post Office, Bishopstone, Hereford, Herefordshire, HR4 7HX
- The application, dated 2nd February 2006, was refused on 29th March 2006
- The development proposed was Demolition of porch, kitchen and attached structure and replacement with two storey extension
- The main issue is scale and character

Decision: The appeal was DISMISSED on 16th October 2006

Case Officer: Peter Clasby on 01432 261947

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, Herefordshire, HR4 0RH

- 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 main issues are whether the use of the appeal property as a house in multiple occupation (HMO) (i) is unacceptable in principle bearing in mind policy H18 of the adopted Hereford Local Plan (HLP) and Policy H17 of the emerging Herefordshire Unitary Development Plan (HUDP); (ii) causes or is likely to cause unacceptable harm to the living conditions of occupiers of nearby houses; or (iii) causes or is likely to cause unacceptable harm to the character of the property or its neighbourhood.

Decision: The appeal was DISMISSED on 18th October 2006

Case Officer: Peter Clasby on 01432 261947

Application No. DCCW2005/2713/F

- The appeal was received on 6th December 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 Mr J T W Lyon
- The site is located at Fairhaven, 36 Three Elms Road, Hereford, Herefordshire, HR4 0RH
- The application, dated 18th August 2005, was refused on 27th September 2005
- The development proposed was Use of property as house in multiple occupation
- The main issues are whether the use of the appeal property as a house in multiple occupation (HMO) (i) is unacceptable in principle bearing in mind policy H18 of the adopted Hereford Local Plan (HLP) and Policy H17 of the emerging Herefordshire Unitary Development Plan (HUDP); (ii) causes or is likely to cause unacceptable harm to the living conditions of occupiers of nearby houses; or (iii) causes or is likely to cause unacceptable harm to the character of the property or its neighbourhood.

Decision: The appeal was UPHELD on 18th October 2006

Case Officer: Peter Clasby on 01432 261947

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