

Appeals Report

Appeal Decisions received between 17/11/2020 and 18/12/2020

PLANNING APPEALS

Total Appeal Decisions Received	9	
Dismissed	4	44%
Allowed	4	44%
Split	1	11%

Written Reps

Site At Barns Springfield Hall Lawn Lane Chelmsford Essex

Reference	19/01721/FUL
Proposal	Conversion of existing building to 2no. dwellings with associated alterations to fenestration.
Appeal Decision	Appeal Dismissed - 11/12/2020
Key Themes	Green Wedge; Conversion; Heritage; biodiversity; Neighbour Amenity; Highway safety.
Agreed with CCC on	Harm to the heritage asset; urbanising effect on the Green Wedge; works would result in substantial re-construction; fails to demonstrate proposal would not harm protected species.
Disagreed with CCC on	Access arrangement would not prejudice the safety of vehicular and pedestrian traffic. Would not result in an unacceptable loss of privacy to the occupiers of Springfield Hall.
Costs Decision	None

Nettlebed Hawkwood Road Downham Billericay Essex CM11 1JZ

Reference	19/01226/FUL
Proposal	Proposed agricultural building
Appeal Decision	Appeal Dismissed - 01/12/2020
Key Themes	Green Belt, openness and character and appearance
Agreed with CCC on	Harmful to character and appearance
Disagreed with CCC on	Agricultural - not inappropriate
Costs Decision	None

Victors Croft Nathans Lane Writtle Chelmsford Essex CM1 3RF

Reference	16/01556/S73/1
Proposal	Variation of condition 17 to previously approved application 16/01556/FUL - Demolition of existing structures and redevelopment of site for single dwelling and associated works, including new boundary fencing, gate and brick piers. - To allow retention of
Appeal Decision	Appeal Allowed - 25/11/2020

Key Themes	Green Belt
Agreed with CCC on	Inappropriate development
Disagreed with CCC on	Very special circumstances
Costs Decision	None

Notes: Officers wholly disagree to the approach taken and a letter of complaint has been sent to the Planning Inspectorate.

Land North East Of The Old Vicarage Wydes Road Highwood Chelmsford Essex

Reference	19/02117/FUL
Proposal	Temporary siting of a storage container.
Appeal Decision	Appeal Allowed - 30/11/2020
Key Themes	Green Belt
Agreed with CCC on	N/A
Disagreed with CCC on	Container is a building for outdoor sport and recreation. Not inappropriate development.
Costs Decision	None

White Tyrells Ingatestone Road Stock Ingatestone Essex CM4 9PA

Reference	20/00460/FUL
Proposal	Use of land for occasional parking and turning of vehicles
Appeal Decision	Appeal Dismissed - 26/11/2020
Key Themes	Inappropriate development Whether any harm by reason of inappropriateness was outweighed by very special circumstances.
Agreed with CCC on	The proposal was inappropriate development. The proposal would lead to loss of openness and harm to the character and appearance of the countryside. The harm was not outweighed by very special circumstances.
Disagreed with CCC on	Nothing - the Inspector accepted the Council's case and all of the matters raised.
Costs Decision	None

Land Rear Of 4 The Lindens Stock Ingatestone Essex

Reference	20/00246/OUT
Proposal	Outline planning application with all matters reserved for the erection of 1no. dwelling
Appeal Decision	Appeal Allowed - 25/11/2020
Key Themes	Harm of development on the character and appearance of area
Agreed with CCC on	N/A
Disagreed with CCC on	Development would not be harmful to the character and appearance of area
Costs Decision	None

Land North East Of The Old Vicarage Wydes Road Highwood Chelmsford Essex

Reference	20/00108/FUL
Proposal	Retrospective application for creation of hardstanding and access track.
Appeal Decision	Appeal Allowed - 30/11/2020
Key Themes	Green Belt
Agreed with CCC on	N/A
Disagreed with CCC on	Preserves openness so not inappropriate development.
Costs Decision	None

Land At Great Oaks Main Road Little Waltham Chelmsford Essex

Reference	20/00708/REM
Proposal	Reserved matters application for the demolition of an existing workshop and construction of one new dwelling, with approval of all matters sought.
Appeal Decision	Appeal Dismissed - 08/12/2020
Key Themes	Rural Character; Green Wedge.
Agreed with CCC on	Adverse impact on the character and appearance of the Rural Area and Green Wedge
Disagreed with CCC on	n/a
Costs Decision	None

Land South Of 69 Torquay Road Chelmsford Essex

Reference	20/00094/FUL
Proposal	Erection of a 2-storey detached dwelling, proposed part 1-storey and part 2-storey rear extension to the host dwelling.
Appeal Decision	Appeal Split Decision - 17/12/2020
Key Themes	Impact on the character and appearance of the area.
Agreed with CCC on	New house would be a discordant addition and would have a significantly detrimental effect on the character and appearance of the site and its surroundings. Extensions to the existing house would be acceptable.
Disagreed with CCC on	n/a
Costs Decision	None

Notes: The appeal decision was split because the Inspector granted planning permission for the extensions. The Council had no objection to the extensions.

TREES APPEALS

Total Appeal Decisions Received	1	
Dismissed	1	100%
Allowed	0	0%
Split	0	0%

Householder**31 Purcell Cole Writtle Chelmsford CM1 3NB**

Reference	19/05198/TPO
Proposal	T1 - Blue Atlas Cedar - Fell - Reason: Tree is causing a hazard due to pollen, blocking sunlight, excessive needle drop all year round. Possible re-planting of any tree species.
Appeal Decision	Appeal Dismissed - 19/11/2020
Key Themes	The effect of the proposed felling of the Blue Atlas Cedar on the character and appearance of the area and whether sufficient justification has been provided to support the felling.
Agreed with CCC on	The felling would result in considerable harm to the character and appearance of the area and insufficient justification has been demonstrated to justify the felling.
Disagreed with CCC on	None.
Costs Decision	None