

Appeals Report

Appeal Decisions received between 22/12/2021 and 27/01/2022

PLANNING APPEALS

Total Appeal Decisions Received	2	
Dismissed	2	100%
Allowed	0	0%
Split	0	0%

Written Reps

Land Adjacent 4 James Croft Galleywood Chelmsford Essex

Reference	20/01249/FUL
Proposal	Construction of a single detached dwelling
Appeal Decision	Appeal Dismissed - 22/12/2021
Key Themes	Design, character and appearance of the area; and The impact on the living conditions of existing occupiers, with particular reference to outlook and light
Agreed with CCC on	Poor design and out of character and harmful to the overall appearance of the area and harm to the occupiers of No. 4 James Croft with particular reference to loss of light and outlook
Disagreed with CCC on	N/A
Costs Decision	None

59 Well Lane Stock Ingatestone Essex CM4 9LZ

Reference	20/01804/FUL
Proposal	Demolition of existing dwelling. Construction of new dwelling and detached double garage.
Appeal Decision	Appeal Dismissed - 10/01/2022
Key Themes	Effect of development on the character and appearance of the area, in respect of a protected tree.
Agreed with CCC on	The development would be likely to result in pressure to remove the tree which would harm the character and appearance of the area.
Disagreed with CCC on	N/A
Costs Decision	None

ENFORCEMENT APPEALS

Total Appeal Decisions Received	2	
Dismissed	0	0%
Allowed	0	0%
Split	2	100%

Public Inquiry

Brooklands 182 Main Road Broomfield Chelmsford Essex CM1 7AJ

Reference	18/00380/ENFB
Proposal	Without planning permission, the material change of use of the land as an operating base for a landscape contractors business
Appeal Decision	Appeal Split Decision - 17/01/2022
Grounds of Appeal	- whether the landscape contractors yard has been in operation for ten years and was in operation before 31 May 2009.- whether the steps to remedy the breach are excessive - whether the three month time period for compliance would be acceptable.
Agreed with CCC on	- Agreed that, on the balance of probabilities, the landscape contractors yard had not been in operation ten years prior to the date of the notice. - agreed that the steps to remedy the breach were acceptable.
Disagreed with CCC on	- Considered that the three month compliance period was too short. Extended it to six months.
Costs Decision	None

Brooklands 182 Main Road Broomfield Chelmsford Essex CM1 7AJ

Reference	18/00380/ENFB
Proposal	Without planning permission, the material change of use of the land for storage that are not for purposes incidental to the enjoyment of the dwellinghouse as such
Appeal Decision	Appeal Split Decision - 17/01/2022
Grounds of Appeal	- whether the storage is commercial storage or for the purposes incidental to the enjoyment of the dwellinghouse. - whether a material change of use has occurred. - whether the works to remedy the breach are acceptable. - whether the time period for compliance is acceptable.
Agreed with CCC on	
Disagreed with CCC on	- The Inspector considered that the storage is incidental to the enjoyment of the dwellinghouse and not commercial.
Costs Decision	None

TREES APPEALS

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

Householder

41 Maltese Road Chelmsford CM1 2PB

Reference	20/05190/TPO
Proposal	T1 - Oak - Reduce crown by 3 metres and thin by approximately 5%. Reasons - Tree has become to large blocking all sunlight into the surrounding gardens behind. It is starting to move fence posts and gravel boards in the gardens behind. This will allow som
Appeal Decision	Appeal Allowed - 10/01/2022
Key Themes	The effect of the crown reduction and thinning on the character and appearance of the surrounding area and whether there are sufficient reasons to justify the works.
Agreed with CCC on	The condition of the tree and the impact it has to the property.
Disagreed with CCC on	The thinning works are low intensity. The tree has limited public visibility and the crown reduction would have a limited impact on the character and appearance of the area.
Costs Decision	None