

# Appeals Report

Appeal Decisions received between 21/10/2023 and 21/11/2023

## PLANNING APPEALS

Total Appeal Decisions Received	5	
Dismissed	4	80%
Allowed	1	20%
Split	0	0%

### Written Reps

#### Land North East Of Bumpsteads Cottage Buildings Margaretting Road Writtle Chelmsford Essex

<b>Reference</b>	22/00923/FUL
<b>Proposal</b>	Demolition of existing dwelling and garage and construction of a replacement dwelling, new access and garage and the use of land for temporary occupation of a residential motorhome during the construction of a new dwelling.
<b>Appeal Decision</b>	Appeal Dismissed - 16/11/2023
<b>Key Themes</b>	inappropriate development in the Green Belt, harmful effect on the openness, character and appearance of the Green Belt, no very special circumstances exists.
<b>Agreed with CCC on</b>	inappropriate development in the Green Belt, harmful impact on the openness, character and appearance of the Green Belt/area No very special circumstances to justify the proposal.
<b>Disagreed with CCC on</b>	n/a
<b>Costs Decision</b>	None

#### Village Nursery 56 Well Lane Stock Ingatestone Essex CM4 9LZ

<b>Reference</b>	22/01265/OUT
<b>Proposal</b>	Outline application for the construction of a residential dwelling on land at 56 Well Lane. All matters reserved.
<b>Appeal Decision</b>	Appeal Dismissed - 25/10/2023
<b>Key Themes</b>	- whether the development would be inappropriate development in the Green Belt ; - the effect of the development on the openness of the Green Belt; - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.
<b>Agreed with CCC on</b>	- the development would not result in limited infilling under the requirements of the LP Policy DM9; therefore- the development would be inappropriate development in the Green Belt ; and - the development would harm the openness of the Green Belt; and - no very special circumstances were detected to justify the proposal.
<b>Disagreed with CCC on</b>	- none.
<b>Costs Decision</b>	None

**Land South West Of Riverside Maltings Road Battlesbridge Wickford Essex**

<b>Reference</b>	22/00483/FUL
<b>Proposal</b>	Retrospective application for the retention of a mobile home for residential occupancy. Alterations to existing entrance gates.
<b>Appeal Decision</b>	Appeal Dismissed - 06/11/2023
<b>Key Themes</b>	dm6, dm10, - GREEN BELT HARM to openness dm16 - RAMs dm18 - Flooding riskdm23 - design of the gates
<b>Agreed with CCC on</b>	loss of openness, unacceptable within the flood zone,
<b>Disagreed with CCC on</b>	appearance of the gates. no comments on RAMs as the appeal has been upheld for other reasons of inappropriateness.
<b>Costs Decision</b>	None

**Householder****Ewer Farm Damases Lane Boreham Chelmsford Essex CM3 3AL**

<b>Reference</b>	22/02294/FUL
<b>Proposal</b>	Demolition of existing side and rear extensions. Construction of two storey side extension. Two storey rear extension. Internal alterations.
<b>Appeal Decision</b>	Appeal Dismissed - 20/11/2023
<b>Key Themes</b>	The main issue is the effect of the development on the character and appearance of the host dwelling and surrounding area, with particular reference to the building as a non-designated heritage asset.
<b>Agreed with CCC on</b>	Inspector agreed that the proposed development would be harmful to the character of the area and to the significance of the Non-Designated Heritage Asset.
<b>Disagreed with CCC on</b>	None.
<b>Costs Decision</b>	None

**50 Hopping Jacks Lane Danbury Chelmsford CM3 4PJ**

<b>Reference</b>	23/00836/FUL
<b>Proposal</b>	Retrospective planning application for front boundary fencing and electric gates
<b>Appeal Decision</b>	Appeal Allowed - 09/11/2023
<b>Key Themes</b>	Harmful to character of the street, highway safety and represents poor design.
<b>Agreed with CCC on</b>	None
<b>Disagreed with CCC on</b>	Not harmful to character of the street, highway safety and does not represent poor design.
<b>Costs Decision</b>	None

## TREES APPEALS

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

### Householder

#### 49 Broughton Road South Woodham Ferrers Chelmsford CM3 5YP

<b>Reference</b>	22/05057/TPO
<b>Proposal</b>	Oak (T3) - Crown reduction by 5m - Reason - The tree blocks out sunlight from our garden and in our opinion is too tall for where is is situated, lower branches over hanging into other garden
<b>Appeal Decision</b>	Appeal Split Decision - 26/10/2023
<b>Key Themes</b>	TPO work, light impacted
<b>Agreed with CCC on</b>	TPO works excessive
<b>Disagreed with CCC on</b>	Lesser TPO works recommended, harmful light loss
<b>Costs Decision</b>	None