

## Appeals Report

Directorate for Sustainable Communities

Appeal Decisions received between 25-06-2026 and 28-08-2026

| Decisions    | Count     | Percentage  |
|--------------|-----------|-------------|
| Dismissed    | 9         | 64%         |
| Allowed      | 4         | 29%         |
| Split        | 1         | 7%          |
| <b>Total</b> | <b>14</b> | <b>100%</b> |

### Public Inquiry

#### Highwater Farm The Common East Hanningfield Chelmsford Essex CM3 8AH

|                   |                                                                                                                                                                                                                                                                                                                          |            |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 26/00001/ENF                                                                                                                                                                                                                                                                                                             |            |
| Proposal          | Without planning permission, the construction of three buildings, a path, lighting columns and concrete platform.                                                                                                                                                                                                        |            |
| Decision & Date   | Split decision                                                                                                                                                                                                                                                                                                           | 01/07/2026 |
| Key Themes        | Ground (a) whether planning permission should be granted - the effect of the development on the character and appearance of the area, whether it represented intentional unauthorised development and the personal circumstances of the Appellant. Ground (g) whether three months was a reasonable time for compliance. |            |
| Agreed            | The harm caused by the mikvah building and part of a section of lighting columns is contrary to the development plan and fails to protect the intrinsic character and beauty of the rural area. Three months is a reasonable time for compliance.                                                                        |            |
| Disagreed         | The garden room, storage shed, path, concrete platform, mikvah, and lighting columns south of the northern end of the mikvah are not in conflict with Policies S1, S11, DM10 and DM23 of the CLP, subject to conditions.                                                                                                 |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                     |            |
| Council's Costs   | Costs Refused :                                                                                                                                                                                                                                                                                                          |            |

### Public Inquiry

#### Land North And East Of Junction 17 Of The A12 Chelmsford Essex

|                   |                                                                                                                                                                                                                                                                                                                                                                                                           |            |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 25/00022/NONDET                                                                                                                                                                                                                                                                                                                                                                                           |            |
| Proposal          | Outline application with all matters reserved for the commercial development of up to 120,000sqm of logistics/warehousing development (Use class B8 with ancillary offices) along with servicing and infrastructure including new site accesses, internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associated works . |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                                                                                                                                                                                                          | 02/07/2026 |
| Key Themes        | principle, employment need, highway capacity and safety, sustainable location, character of the rural area, impact on protected trees, designated and non designated heritage assets                                                                                                                                                                                                                      |            |
| Agreed            | principle, highway capacity and safety, sustainable location, character of the rural area, impact on protected trees, designated and non designated heritage assets                                                                                                                                                                                                                                       |            |
| Disagreed         | employment need                                                                                                                                                                                                                                                                                                                                                                                           |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                                                                                                      |            |
| Council's Costs   | None                                                                                                                                                                                                                                                                                                                                                                                                      |            |

### Written Representation

#### The Stock Surgery Common Road Stock Ingatestone Essex CM4 9NF

|                   |                                                                |            |
|-------------------|----------------------------------------------------------------|------------|
| Reference         | 26/00011/REFUSE                                                |            |
| Proposal          | First Floor Rear Extension                                     |            |
| Decision & Date   | Appeal Allowed                                                 | 22/07/2026 |
| Key Themes        | Design, Conservation Area impact, harmful to neighbour amenity |            |
| Agreed            |                                                                |            |
| Disagreed         | Harm to Conservation Area. Impact on neighbour amenity.        |            |
| Appellant's Costs | None                                                           |            |
| Council's Costs   | None                                                           |            |

**Written Representation**
**Former Tennis Pavilion The Old Rodney Spring Elms Lane Little Baddow Chelmsford Essex CM3 4SD**

|                   |                                                                                                                                                                                                                                                                                                                                                    |            |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 24/00003/ENF                                                                                                                                                                                                                                                                                                                                       |            |
| Proposal          | Without planning permission, the construction of a hard surface.                                                                                                                                                                                                                                                                                   |            |
| Decision & Date   | Appeal Allowed                                                                                                                                                                                                                                                                                                                                     | 28/07/2026 |
| Key Themes        | Ground (b) appeal whether the breach has occurred as a matter of fact. Ground (a) appeal - whether planning permission should be granted; the effect of the development on the character, appearance and beauty of the Rural Area.                                                                                                                 |            |
| Agreed            |                                                                                                                                                                                                                                                                                                                                                    |            |
| Disagreed         | (b) - that the site plan could have been more precise, as a small section of the land did not contain hard surfacing (a) - that the development is compatible with the surroundings; it does not have any significant impact on the intrinsic character of the countryside; there is no identifiable conflict with CLP policies S11, DM10 or DM23. |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                                               |            |
| Council's Costs   | None                                                                                                                                                                                                                                                                                                                                               |            |

**Written Representation**
**Phillips Farm Highwood Road Highwood Chelmsford Essex CM1 3PX**

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 26/00012/REFUSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            |
| Proposal          | Outline application for the development of 2 self build dwellings. All matters reserved.                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 28/07/2026 |
| Key Themes        | - the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies with particular regard to openness;- 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 required to justify the proposal;- the proposed development would be located in an unsustainable location for purposes of planning policies. |            |
| Agreed            | - the proposal is inappropriate development in the Green Belt as it harms its openness;- there are no very special circumstances to justify the proposal;- the proposed development would be located in an unsustainable location contrary to planning policies.                                                                                                                                                                                                                                                  |            |
| Disagreed         | - None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |
| Council's Costs   | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |

**Written Representation**
**Danecourt Copt Hill Danbury Chelmsford Essex CM3 4NW**

|                   |                                                                                                                                                                                                                                            |            |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 24/00025/S195                                                                                                                                                                                                                              |            |
| Proposal          | Construction of a single storey store.                                                                                                                                                                                                     |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                                           | 30/07/2026 |
| Key Themes        | - whether the proposed development would be considered permitted development                                                                                                                                                               |            |
| Agreed            | - the proposed outbuilding would be located outside the residential curtilage of the house as such would not comply with GPDO Class E requirements and cannot be considered permitted development- the Council's decision was well founded |            |
| Disagreed         | - None                                                                                                                                                                                                                                     |            |
| Appellant's Costs | None                                                                                                                                                                                                                                       |            |
| Council's Costs   | None                                                                                                                                                                                                                                       |            |

**Written Representation**
**The House East Hanningfield Road Sandon Chelmsford Essex CM2 7TQ**

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |            |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 24/00046/ENF                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
| Proposal          | Without planning permission, the erection of a gate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 03/08/2026 |
| Key Themes        | Ground (a) appeal - whether planning permission should be granted; the effect of the development on the intrinsic character and appearance of the countryside<br>Ground (c) appeal - the matters (if they occurred) do not constitute a breach of planning control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |
| Agreed            | c) the gates exceed the maximum permitted height of 2 metres<br>a) the form and design of the gates are dominating and create an excluding barrier to the property. The Inspector also noted that the colour of the gates exacerbate their incongruity and their findings were reinforced by the fact the gates required planning consent and therefore, are controllable under the Council's development management function. The development is harmful to the character and appearance of the surrounding area, and is in conflict with the aims and requirements of CLP policies DM8, DM23 and, importantly, the development plan, as a whole. It also conflicts with relevant advice in paragraph 135 of the National Planning Policy Framework. |            |
| Disagreed         | c) the gates were considered to be adjacent to the highway as they are of a significant distance from the highway to the point where the two entities have little, meaningful, physical relationship                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |            |
| Council's Costs   | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |            |

|                    |
|--------------------|
| <b>Householder</b> |
|--------------------|

|                                                                           |
|---------------------------------------------------------------------------|
| <b>Bekeswell House Bekeswell Lane Galleywood Chelmsford Essex CM2 8TL</b> |
|---------------------------------------------------------------------------|

|                   |                                                                                                                                                                                                                           |            |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 25/00058/HH                                                                                                                                                                                                               |            |
| Proposal          | High Hedge Complaint                                                                                                                                                                                                      |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                          | 22/07/2026 |
| Key Themes        | Appeal dismissed no remedial notice served.                                                                                                                                                                               |            |
| Agreed            | Porch, bathrooms and washrooms not included. Hedge does not harm the reasonable enjoyment of main rooms or garden. Width did not affect reasonable enjoyment. Pile and beam foundations are irrelevant to the high hedge. |            |
| Disagreed         | Action hedge height and angle of the windows.                                                                                                                                                                             |            |
| Appellant's Costs | None                                                                                                                                                                                                                      |            |
| Council's Costs   | None                                                                                                                                                                                                                      |            |

|                    |
|--------------------|
| <b>Householder</b> |
|--------------------|

|                                                                         |
|-------------------------------------------------------------------------|
| <b>Hard Oak Mashbury Road Chignal St James Chelmsford Essex CM1 4TZ</b> |
|-------------------------------------------------------------------------|

|                   |                                                                                                                                  |            |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 26/00016/REFUSE                                                                                                                  |            |
| Proposal          | Closure of existing access and creation of new access for dwelling with surfacing of existing track (Amendment to 25/00812/FUL). |            |
| Decision & Date   | Appeal Dismissed                                                                                                                 | 27/07/2026 |
| Key Themes        | The effect of the proposal on the character and appearance of the area.                                                          |            |
| Agreed            | Inspector agreed with the LPA that the development would harm the intrinsic character and beauty of the countryside.             |            |
| Disagreed         | Inspector did not disagree with the LPA on any matter.                                                                           |            |
| Appellant's Costs | None                                                                                                                             |            |
| Council's Costs   | None                                                                                                                             |            |

**Householder**

**BP 346B Baddow Road Great Baddow Chelmsford CM2 9RA**

|                   |                                                             |            |
|-------------------|-------------------------------------------------------------|------------|
| Reference         | 26/00018/ADVREF                                             |            |
| Proposal          | Erection of an illuminated small format advertising display |            |
| Decision & Date   | Appeal Allowed                                              | 27/07/2026 |
| Key Themes        | Neighbour Amenity, Visual Amenity                           |            |
| Agreed            |                                                             |            |
| Disagreed         | Harmful to neighbour amenity, harmful to visual amenity.    |            |
| Appellant's Costs | None                                                        |            |
| Council's Costs   | None                                                        |            |

**Householder**

**Arundene Elm Green Lane Danbury Chelmsford Essex CM3 4DW**

|                   |                                                                                                                                                                                                                              |            |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 25/00005/HH                                                                                                                                                                                                                  |            |
| Proposal          | High Hedges Complaint                                                                                                                                                                                                        |            |
| Decision & Date   | Appeal Allowed                                                                                                                                                                                                               | 31/07/2026 |
| Key Themes        | Remedial notice served on 6.6m of 16.65 m long hedge.                                                                                                                                                                        |            |
| Agreed            | The remainder of the hedge does not need to be reduced. Heights and proximities similar to the Council. Sizeable front facing windows provide light to the front room and bedrooms. Storeroom and bathroom are not included. |            |
| Disagreed         | 6.6 m of hedge in proximity to the kitchen can take a staged reduction down to 3.5 m                                                                                                                                         |            |
| Appellant's Costs | None                                                                                                                                                                                                                         |            |
| Council's Costs   | None                                                                                                                                                                                                                         |            |

|                    |
|--------------------|
| <b>Householder</b> |
|--------------------|

|                                                             |
|-------------------------------------------------------------|
| <b>Chancellor Hall Market Road Chelmsford Essex CM1 1XA</b> |
|-------------------------------------------------------------|

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 26/00014/ADVREF                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |
| Proposal          | 1x projecting sign and 1x fascia sign                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 31/07/2026 |
| Key Themes        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |
| Agreed            | <p>Agreed with the council:- The sign would harm visual amenity because of its scale, design, colour and prominence. - The sign would be out of keeping with the character of existing signage in the area- The sign would harm views towards the Conservation Area (CA), including views of the Grade II* listed Shire Hall.-The proposal would fail to preserve the setting and significance of the Conservation Area.</p> <p>Disagreed with council:- The Inspector considered Policies DM13, DM23 and S3, but these were not the determining factors. The refusal was based on advertisement legislation and NPPF guidance relating to amenity and heritage impacts.</p> |            |
| Disagreed         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            |
| Council's Costs   | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            |

|                    |
|--------------------|
| <b>Householder</b> |
|--------------------|

|                                                                           |
|---------------------------------------------------------------------------|
| <b>1 Woodside Cottages Nathans Lane Highwood Chelmsford Essex CM1 3RD</b> |
|---------------------------------------------------------------------------|

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |            |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 26/00021/REFUSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |            |
| Proposal          | Construction of a timber fence with an electronic sliding gate and a side access gate.                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 03/08/2026 |
| Key Themes        | Impact of the fence and gate on the character and appearance of the area. Whether the development would appear prominent, intrusive and out of keeping with local character. Loss of openness and enclosed frontage. Highway safety implications of the gate location. Whether vehicles could wait clear of the highway while the gate opens. Impact on traffic flow and driver expectations. Impact on pedestrian safety and footway obstruction. Compliance with Policy DM23 and NPPF paragraphs 115 and 116. |            |
| Agreed            | Insufficient space for vehicles to stand clear of the highway while the gate opens. Proposal would result in harm to highway safety. Proposal conflicts with NPPF paragraphs 115 and 116. Development would be out of keeping with the prevailing character of the area. Proposal would harm the character and appearance of the locality.                                                                                                                                                                      |            |
| Disagreed         | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |
| Council's Costs   | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |

|                    |
|--------------------|
| <b>Householder</b> |
|--------------------|

|                                                  |
|--------------------------------------------------|
| <b>253 Ongar Road Writtle Chelmsford CM1 3NT</b> |
|--------------------------------------------------|

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |            |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Reference         | 26/00023/REFUSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |            |
| Proposal          | Single storey rear extension.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |            |
| Decision & Date   | Appeal Dismissed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 24/08/2026 |
| Key Themes        | Neighbouring amenity concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |            |
| Agreed            | <p>The outlook from the neighbours doors makes an important contribution to the residential amenity of the occupiersThe orientation of the house means that impacts in terms of daylight and sunlight would be limited.Introduction of the proposal would result in a considerable increase in built form in close proximity to the neighbouring patio doors and would lead to a significant reduction in the quality of the external outlook from the habitable room served. The proposed extension would result in a more confined and enclosed environment, The sense of enclosure created by the scale and proximity of the proposed extension would be overbearing on the residential amenity of the neighbouring occupiers</p> |            |
| Disagreed         | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |            |
| Appellant's Costs | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |            |
| Council's Costs   | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |            |