

Appeals Report



Directorate for Sustainable Communities

Appeal Decisions received between 15/04/2025 and 03/06/2025

PLANNING APPEALS

Total Appeal Decisions Received	9	
Dismissed	5	56%
Allowed	4	44%
Split	0	0%

Informal Hearing

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00386/FUL
Proposal	Erect Hay Barn
Appeal Decision	Appeal Allowed - 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00387/FUL
Proposal	Erect a cow barn
Appeal Decision	Appeal Allowed - 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00388/FUL
Proposal	Erect a cow barn
Appeal Decision	Appeal Allowed - 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00389/FUL
Proposal	Erect a cow barn
Appeal Decision	Appeal Allowed - 16/05/2025

Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Written Reps

Land Adjacent To Bungalow At Stock Hill Farm Stock Road Stock Ingatestone Essex

Reference	23/01833/FUL
Proposal	Erection of bungalow with associated works including parking
Appeal Decision	Appeal Dismissed - 09/05/2025
Key Themes	Whether inappropriate development in Green BeltEffect on living condition of occupiers of 1 Chase Farm PlaceWhether contrary to strategic approach to accessibility
Agreed with CCC on	Significant harmful effect on living conditions of neighbour - gloomier bedroom and erosion of neighbours capacity to enjoy their garden
Disagreed with CCC on	NPPF change since decision taken. Inspector flags that DM6 no longer aligns with the NPPF and attaches limited weight to DM6Not significantly harmful to openness so would not cause substantial harm to opennessSustainability - Inspector content that site would be adequately connected and accessible
Costs Decision	None

Land Rear Of Marigolds Main Road Bicknacre Chelmsford Essex CM3 4HD

Reference	23/01480/FUL
Proposal	Retrospective application for use of residential outbuilding as primary living accommodation. (seeking temporary permission/personal permission)
Appeal Decision	Appeal Dismissed - 29/05/2025
Key Themes	Suitable location and provides appropriate living accommodation for its occupants
Agreed with CCC on	- Policy DM10 is applicable and built less than 10 years ago, as such the site is not a suitable location- No evidence that the lawful use of the site is residential- Very little weight to the prospect that the use of the building as a dwelling may be a viable fallback position- Inappropriate living accommodation for its occupants contrary to space standards contained in Policy DM26. No evidence to allow lower provision.
Disagreed with CCC on	
Costs Decision	None

Silver Ash Cranham Road Little Waltham Chelmsford Essex CM3 3NB

Reference	23/01866/FUL
Proposal	Redevelopment of the existing site to provide 5 units consisting of B2 employment space with ancillary E(g) use and B8 open storage with associated parking, landscaping and infrastructure.
Appeal Decision	Appeal Dismissed - 17/04/2025

Key Themes	- whether the development would have an acceptable effect on the character and appearance of the area- whether the development would be suitably located in terms of the spatial strategy of the development plan, with particular regard to sustainable transport
Agreed with CCC on	- The scale, massing and encroachment onto undeveloped land of unit 5 would result in a significant increase to the sites built form, and would fail to reflect the intrinsic character and beauty of its countryside location, contrary to Policy DM8 A and B.- That the height of units 1 to 4 would substantially exceed that of the current and consented buildings, and their scale and massing would fail to meet the criteria set out in Policy DM8 A and B, and be out of keeping with their context in respect of replacement buildings conflicting with DM8 C.- That while the Chelmsford Garden Community is close, it remains designated as part of the Rural Area. Any changes along the Cranham Road frontage would not necessarily alter the site's character when viewed from other locations, such as Drakes Lane to the north, where the inspector had identified harm.- That the changes on the revised drawings submitted with the appeal are substantial and not appropriate to consider as part of the appeal.- That there are differences between the allowed appeal for a flour and feed mill and the proposal, and this did not alter the inspectors previous findings.- That measures to enhance landscaping and biodiversity, sustainable drainage and sustainable design would not outweigh the harm.
Disagreed with CCC on	- Considered that the extant permission represents a realistic fallback position- If occupied to capacity, as assessed in the Transport Statement and accepted by the local Highway Authority, the transport and sustainability impacts would be broadly the same between the proposal and the fallback position. Inspector concludes that the development is suitably located, and would accord with Policies S1 and S7.
Costs Decision	None

Land South Of Playing Fields Paradise Road Writtle Chelmsford Essex

Reference	24/00687/FUL
Proposal	Retrospective change of use of agricultural land to dog walking field with associated fencing and gates. Proposed permeable hardstanding area for parking.
Appeal Decision	Appeal Dismissed - 30/05/2025
Key Themes	Whether inappropriate development in the Green Belt, Green Belt openness, Impact on rural character
Agreed with CCC on	Inappropriate Green Belt Development, harmful impact on openness, harmful impact on rural character
Disagreed with CCC on	
Costs Decision	None

Householder

3 Cherrytree Cottages Stock Road Stock Ingatestone Essex CM4 9QU

Reference	24/01130/FUL
Proposal	Demolish existing extension and construction of single storey side extension with pitched roof.
Appeal Decision	Appeal Dismissed - 02/06/2025
Key Themes	Inappropriate development in GB - DM11Design and its impact on stock conservation area - DM23/DM13
Agreed with CCC on	Inappropriate development in the GBHarm to the Stock Conservation Area.
Disagreed with CCC on	
Costs Decision	None