

Appeals Report

Appeal Decisions received between 25-11-2025 and 10-02-2026

| Decisions | Count | Percentage |
|--------------|-----------|-------------|
| Dismissed | 10 | 63% |
| Allowed | 4 | 25% |
| Split | 2 | 13% |
| Total | 16 | 100% |

Public Inquiry

Land North Of Sandon Lodge Woodhill Road Sandon Chelmsford Essex

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| Reference | 25/00038/NONDET | |
| Proposal | Outline planning application for a commercial development of up to 46,605sqm of mixed employment, logistics, storage and distribution uses (use classes E(g)(iii), B2, B8) supporting associated development, infrastructure and landscaping. Appearance, landscaping, scale and layout reserved. Access being sought. | |
| Decision & Date | Appeal Allowed | 11/12/2025 |
| Key Themes | Non determination appeal - highways, flooding, minerals safeguarding were initially putative reasons for refusal, but later overcome meaning CCC not opposed to the development. Heritage, landscape, and amenity were raised by 3rd parties. | |
| Agreed | As CCC not opposed to the development ultimately, PINS and CCC agreed on all matters - highways, flooding, minerals safeguarding, heritage, landscape and amenity - but in this case it means all matters were not grounds for resisting development | |
| Disagreed | | |
| Appellant's Costs | None | |
| Council's Costs | None | |

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| Public Inquiry |
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| Land West Of The Fox And Raven Chelmer Village Way Chelmer Village Chelmsford Essex |
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| Reference | 25/00021/REFUSE | |
| Proposal | Residential development comprising the construction of 55 affordable homes, provision of open space, landscaping, sustainable drainage, ground re-profiling, formation of bund, cycle and footpath links, vehicular access from Chelmer Village Way and highway changes to Chelmer Village Way. | |
| Decision & Date | Appeal Dismissed | 08/01/2026 |
| Key Themes | Green Wedge, design standards, heritage impacts, removal of trees, flood risk, highway impacts, planning obligations, 'tilted balance', planning balance. | |
| Agreed | Urban sprawl and material harm to the Green Wedge as a valued landscape. Harm to the setting and significance of two listed buildings and the Conservation Area. No material impact on other listed buildings. Harm from the removal of trees. Poor design in terms of living environment and provision of private open space. Acceptable parking provision. Acceptable impacts on the highway network. Appropriate area of search for the flood risk sequential test. Development can be made safe from all types of flood risk. Planning benefits including provision of housing, affordable housing, and the transfer land. All S106 obligations would be valid, including the transfer land. Conflict with the development plan read as a whole. Benefits insufficient to outweigh cumulative harm in the tilted planning balance. | |
| Disagreed | Minor increase in flood risk elsewhere resulting in exemption test not being fully satisfied. Specific degrees of weight to be afforded to harms and benefits. Weight to be afforded to most relevant local policies (significant rather than substantial). Harm from removal of trees temporary only, according with local policy. | |
| Appellant's Costs | None | |
| Council's Costs | None | |

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| Hearing |
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| Site At Bishops Lodge Broomwood Lane Stock Billericay CM11 1JR |
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| Reference | 25/00048/REFUSE | |
| Proposal | Retrospective application for the demolition of 5 poultry sheds and the construction of 5 buildings in B8 storage use. Proposed change of use of 1 poultry shed to B8 storage use, including repair and re-cladding works. Installation of security fencing and gates. | |
| Decision & Date | Appeal Dismissed | 19/12/2025 |
| Key Themes | Grey Belt, Employment need, Sustainable Location, Openness of the Green Belt | |
| Agreed | Does not strongly contribute to purposes (a), (b) or (d) and complies with criterion (a) of paragraph 155 and definition of Grey Belt; Golden rules (criterion (d)) no relevant, Scenario 1 of the Employment Land Reviews satisfies the requirements of the NPPF; Not a sustainable location and fails to comply with criterion (c) of paragraph 155; Negative on spatial and visual openness of the Green Belt resulting in significant harm to the Green Belt contrary to Policies S11 and DM6; Fallback position materially lesser impact on the openness of the Green Belt than the proposal and not realistic; Material finish and reduction of fencing height by condition would not address harm to openness; No very special circumstances; Substantial weight to Green Belt ham not clearly outweighed by the benefits. | |
| Disagreed | Limited weight can be attributed to the emerging Local Plan in the context of demonstrating employment need; Undemonstrable unmet need for storage and distribution (B8) uses; Complies with criterion (b) of paragraph 155 of the NPPF. | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Downham Hall Castledon Road Downham Billericay Essex CM11 1LG

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| Reference | 23/00040/ENF | |
| Proposal | Without planning permission, the erection of a building. | |
| Decision & Date | Appeal Allowed | 25/11/2025 |
| Key Themes | Operation development enforcement notice; marquee building in Green Belt; inappropriate development; harm to openness; visual impacts; heritage impacts; temporary permission; very special circumstances. | |
| Agreed | Marquee is a building and is inappropriate development with no applicable exceptions; harmful to openness; visually harmful; has economic benefits; as permanent, not acceptable. | |
| Disagreed | Building is not harmful to heritage assets; as temporary, there are very special circumstances justifying development; (inferred) that harm during unlawful period is not to be weighed in the planning balance. | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Land South West Of Rivaside Maltings Road Battlesbridge Wickford Essex

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|-------------------|--|------------|
| Reference | 23/00097/ENF | |
| Proposal | Without planning permission, a material change in the use of land to a mixed use comprising storage and the siting of a caravan for residential purposes. | |
| Decision & Date | Split decision | 26/11/2025 |
| Key Themes | Whether the matters alleged constitute a breach of planning control; whether the steps required exceed what is necessary to remedy the breach of planning control; whether the period of compliance is too short | |
| Agreed | The matters alleged constitute a breach of planning control. The steps required are proportionate and do not exceed what is necessary to remedy the breach. | |
| Disagreed | The time for compliance is too short and was therefore extended to 8 months. | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Land East Of Land Known As Two Oaks Maltings Road Battlesbridge Wickford Essex

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|-------------------|---|------------|
| Reference | 23/00098/ENF | |
| Proposal | Vehicular access created | |
| Decision & Date | Split decision | 26/11/2025 |
| Key Themes | Whether the matters alleged constitute a breach of planning control; whether planning permission should be granted for the matters alleged; whether the steps required exceed what is necessary to remedy the breach of planning control; whether the period of compliance is too short | |
| Agreed | The matters alleged constitute a breach of planning control; the development constitutes inappropriate development in the green belt and planning permission should not be granted; The steps required are proportionate and do not exceed what is necessary to remedy the breach | |
| Disagreed | The time for compliance is too short and was therefore extended to 8 months. | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

BT Street Hub Unit Footpath East Of 216 Moulsham Street Chelmsford

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| Reference | 25/00028/REFUSE | |
| Proposal | Lead case: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit Linked case: Two digital 75 inch LCD display screen, one on each side of the Street Hub unit. | |
| Decision & Date | Appeal Dismissed | 28/11/2025 |
| Key Themes | Appeal A: Character of area, setting of listed and locally-listed buildings, Conservation Area | |
| Agreed | Appeal A: Harm to character of area, harm to setting of listed and locally-listed buildings, harm to Conservation Area | |
| Disagreed | | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

BT Street Hub Unit Footpath East Of 216 Moulsham Street Chelmsford

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|-------------------|--|------------|
| Reference | 25/00029/ADVREF | |
| Proposal | Lead case: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit Linked case: Two digital 75 inch LCD display screen, one on each side of the Street Hub unit. | |
| Decision & Date | Appeal Dismissed | 28/11/2025 |
| Key Themes | Appeal B: Amenity of area | |
| Agreed | Appeal B: Harm to amenity of area | |
| Disagreed | | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Blenheim Cottage Back Lane Little Waltham Chelmsford CM3 3PP

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|-------------------|--|------------|
| Reference | 25/00050/REFUSE | |
| Proposal | Proposed new stable | |
| Decision & Date | Appeal Allowed | 03/12/2025 |
| Key Themes | Whether acceptable in the Green Wedge. | |
| Agreed | Did not agree that the development would be contrary to policies DM7 and S11 of the Chelmsford Local Plan. | |
| Disagreed | Inspector took the view that the proposed stables were an appropriate facility for outdoor sport and would not harm the Green Wedge. | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Mama Sandras Food Catering 47A Duke Street Chelmsford Essex CM1 1JA

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|-------------------|---|------------|
| Reference | 25/00041/REFUSE | |
| Proposal | Retrospective application for the construction of single storey rear shop extension to provide storage and preparation and toilet facilities. | |
| Decision & Date | Appeal Dismissed | 04/12/2025 |
| Key Themes | Character and appearance of building and area; Whether adequate waste storage area is available; Impact on West End Conservation Area | |
| Agreed | Building harmful to host building and wider area. No adequate area for refuse storage remaining. | |
| Disagreed | Impact on West End Conservation Area | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Land Adjacent To Mount Stephen Ongar Road Highwood Chelmsford Essex

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|-------------------|--|------------|
| Reference | 25/00049/REFUSE | |
| Proposal | Outline application for 1 new bungalow with detached garage, all matters reserved. | |
| Decision & Date | Appeal Dismissed | 04/12/2025 |
| Key Themes | Whether inappropriate development in Green Belt; Whether in sustainable location. | |
| Agreed | The site is not grey belt land; Inappropriate development in the Green Belt; Unsustainable location; Unknowns related to the proposed access could cause significant harm to highway safety. | |
| Disagreed | | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Land Opposite Greenacres De Beauvoir Chase Downham Billericay Essex

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|-------------------|---|------------|
| Reference | 24/00050/ENF | |
| Proposal | Without planning permission, the construction of a building | |
| Decision & Date | Appeal Dismissed | 16/12/2025 |
| Key Themes | Whether, at the time the Notice was served, the development was immune from planning enforcement action (Ground d). | |
| Agreed | The building was not substantially completed more than four years before the date of the Enforcement Notice. | |
| Disagreed | | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Mama Sandras Food Catering 47A Duke Street Chelmsford Essex CM1 1JA

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|-------------------|--|------------|
| Reference | 25/00040/ENF | |
| Proposal | Without planning permission, the construction of a rear extension. | |
| Decision & Date | Appeal Dismissed | 07/01/2026 |
| Key Themes | The time for compliance was too short. | |
| Agreed | The time for compliance was not too short and the time period (3 months) for compliance with the requirements of the notice is reasonable. | |
| Disagreed | | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

| The Lodge Country Inn Hayes Chase Battlesbridge Wickford Essex SS11 7QT | |
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| Reference | 25/00065/REFUSE |
| Proposal | Outline application for the erection of 22 chalet for overnight accommodation for guests of the Lodge Hotel. Access, Appearance and Layout being sought, all other matters (landscaping and scale) reserved. |
| Decision & Date | Appeal Dismissed 13/01/2026 |
| Key Themes | Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies, and the effect of the proposed development on the openness of the Green Belt; Whether the proposal would achieve sustainable development regarding the location of the appeal site in terms of accessibility and the effect of the proposed development on the character and appearance of the surrounding area; Whether harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations to amount to the very special circumstances required to justify the proposal. |
| Agreed | The proposed development would be inappropriate development in the Green Belt and cause harm to its openness. The proposal would not achieve sustainable development regarding the location in terms of accessibility and the harm that would be afforded to the character and appearance of the surrounding area. No very special circumstances were identified as part of the proposal. |
| Disagreed | None. |
| Appellant's Costs | None |
| Council's Costs | None |

Written Representation

16/17 Victoria Road Chelmsford CM1 1NZ

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|-------------------|--|------------|
| Reference | 25/00055/REFUSE | |
| Proposal | Outline application for Demolition of existing buildings and construction of a new mixed use multi story residential led block with ground floor E Class use and residential upper floors of not less than 5 storeys and not more than 12 storeys and not less than 35 residential units units, with all matters reserved. | |
| Decision & Date | Appeal Dismissed | 28/01/2026 |
| Key Themes | design and scale, heritage setting, securing appropriate infrastructure, RAMS/Trees, tilted balance | |
| Agreed | harmful design and scale, heritage harm, does not secure infrastructure, RAMS not satisfied, lack of tree planting, tilted balance insufficient to outweigh harms | |
| Disagreed | | |
| Appellant's Costs | None | |
| Council's Costs | None | |

Written Representation

Elm Tree House Elm Lane Roxwell Chelmsford Essex CM1 4NJ

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|-------------------|---|------------|
| Reference | 24/00073/S195 | |
| Proposal | Outbuilding and hardstanding | |
| Decision & Date | Appeal Allowed | 04/02/2026 |
| Key Themes | Whether permitted development under Class E | |
| Agreed | | |
| Disagreed | That the proposed outbuilding is genuinely and reasonably required and is no larger than necessary. | |
| Appellant's Costs | None | |
| Council's Costs | None | |