

**Committee:** Development Control  
**Date:** 10 January 2007  
**Title:** Appeal Decisions  
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Agenda Item

**6**

Item for decision

| APPEAL BY                 | LOCATION  | APPLICATION NO  | DESCRIPTION   | APPEAL DECISION & DATE | DATE OF ORIGINAL DECISION | SUMMARY OF DECISION   |
|---------------------------|---|-----------------|---|------------------------|---------------------------|---|
| Mr G J Benn               | 2 London Road<br>Great Chesterford                | UTT/0712/06/FUL | Appeal against refusal to grant planning permission for addition of two pitched roof dormer windows with windows to the front elevation and a pitched roof to a single storey extension | DISMISSED<br>6-DEC-06  | 21 Jun 2006               | The Inspector concluded that the large front dormer windows would be disproportionately large, bulky, unsightly and fail to achieve sympathetic design achieved on attached property. The Inspector saw no reason why an alternative scheme could not meet the objectives of good design. |
| Mr and Mrs David Sargeant | High Pastures<br>Stortford Road<br>Hatfield Heath | UTT/1839/06/FUL | Appeal against refusal to grant planning permission for replacement side extension and garage (single-storey) and detached annex (1.5-storey)   | DISMISSED<br>7-DEC-06  | 5 Jan 2006                | The Inspector concluded that the garage would detract from the character of the main frontage; would be harmful to character of the area; the annexe and garage would be unacceptably overbearing on the neighbour.   |

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| Rydon Remediation Ltd       | Land forming part of the former British Gas site Radwinter Road Saffron Walden | UTT/1785/04/FUL | Appeal against refusal to grant planning permission for demolition of all existing buildings and areas of hardstanding and redevelopment for 10 No. 2-bed flats with associated vehicle and cycle parking, landscaping, private and communal open space provision and access via Radwinter Road | DISMISSED 15-NOV-06 | 24 Nov 2005 | The Inspector had no hesitation in stating that the development of this site in conjunction with the adjacent depot would result in a superior scheme and seems not to have been thoroughly investigated by the applicant. The proposal itself was poorly designed and laid out and would detract from the character of the adjacent conservation area. He considered that it would be acceptable from the point of view of highway safety.                 |
| APPEAL A<br>Bollington Hall | Broom and Burney Wood Ugley  | ENF/141/04/B    | Appeal against refusal to grant planning permission for (a) a change of use of the land by using the land for paintball games, and (b) placing a portable building, caravan, toilets, containers and netting on the land in connection with the paintball games                                 | DISMISSED 21-NOV-06 | 5 Oct 2005  | The Inspector concluded that nature conservation operates on a precautionary principle and in the absence of a fully formed management plan it was not possible to demonstrate that nature conservation interests would be protected. She considered that the proposal need not be detrimental to highway safety subject to access improvements. The compliance period for the enforcement notice was extended from one to three months (i.e. 21 Feb 2007). |

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| APPEAL B<br>Bollington Hall         | Broom and Burney<br>Wood<br>Ugley                              | UTT/0070/05/FUL | Appeal against refusal to grant planning permission for plantation woodland to be used for paintball games; portacabin/mobile toilets | DISMISSED<br>21-NOV-06  | 20 Apr 2005 | See above.   |
| Mrs J Rich                          | Foxley House<br>Green Road<br>Rickling Green<br>Saffron Walden | UTT/0572/06/OP  | Appeal against refusal to grant planning permission for two storey house  | ALLOWED<br>Planning permission granted subject to conditions<br>22-NOV-06 | 12 Jun 2006 | The Inspector concluded that the varied characteristics of surrounding development would allow for a new dwelling on the site without it appearing out of place. Care would need to be taken to achieve a satisfactory scheme. |
| APPEAL A<br>Mr and Mrs A<br>Zanella | Roast Farm Barn<br>Roast Green<br>Clavering                    | UTT/2039/05/LB  | Appeal against refusal to grant planning permission for detached new cart lodge building  | No decision is necessary<br>14-NOV-06                                     | 31 Jan 2006 | The Inspector concluded that the proposal did not require listed building consent and therefore no decision was necessary. This supported the Council's decision to return the application.                                    |
| APPEAL B<br>Mr and Mrs A<br>Zanella | Roast Farm Barn<br>Roast Green<br>Clavering                    | UTT/2038/05/FUL | Appeal against refusal to grant planning permission for detached new building for a cart lodge  | DISMISSED<br>14-NOV-06  | 31 Jan 2006 | The Inspector concluded that the substantial building remote from the main farmstead would intrude into open countryside and harm the setting of the listed building.  |

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| Mrs J McGowan     | Mascallsbury White Roding                               | UTT/1804/05/FUL | Appeal against refusal to grant planning permission for the erection of a pool house                                       | ALLOWED<br>12-DEC-06   | 18 Jan 06 | The Inspector concluded that the proposed pool building was marginally larger than one approved following a subsequent application and was not harmful to the greenbelt. |
| A F & A D Appleby | Land adj. 1 & 2<br>The Common Church Walk<br>Littlebury | UTT/0805/06/FUL | Appeal against refusal to grant planning permission for the erection of one dwelling with new vehicular access and parking | DISMISSED<br>12-Dec-06 | 5-July-06 | The Inspector concluded that the proposal was unacceptable overdevelopment and did not overcome the previous Inspectors concerns.  |