

Committee: Development Control  
 Date: 25 July 2007  
 Title: Appeal Decisions  
 Author: Michael Ovenden

APPEAL BY	LOCATION	APPLICATION NO	DESCRIPTION	APPEAL DECISION & DATE	DATE OF ORIGINAL DECISION	SUMMARY OF DECISION
Mr & Mrs W King	Hillcrest Church Hill Ashdon	UTT/1292/06/FUL	Appeal against refusal to grant planning permission for single and two storey extensions together with alterations to a family house. Provision of a cartlodge. Demolition of the garage and the BBQ area	ALLOWED in part and is DISMISSED in part 5-JULY-07	11 Oct 2006	<p>The Inspector concluded that the scale of the extension was excessive and harmful to the countryside. The cart lodge would replace a garage and would be a slight improvement on the existing structure.</p> <p>NB. The Inspectorate has the ability to make a split decision (part approve/part dismiss) whereas the local planning authority does not. Given this and the fact that the Inspectorate agreed with the authority that the house extension was unacceptable but the cart lodge was not the appeal decision is supportive of the decision to refuse the application.</p>
Mr & Mrs M P Gibney	Land to the rear of Oaklynne Dell Lane Little Hallingbury	UTT/0835/06/FUL	Appeal against refusal to grant planning permission for demolition of a series of prefabricated and asbestos commercial buildings and replacement with one detached house	DISMISSED 4-JULY-07	14 July 2006	<p>The Inspector concluded that the proposal was in conflict with greenbelt policy and none of the circumstances either <u>individually or cumulatively</u> amount to very special circumstances necessary to outweigh the harm identified.</p>

Rebecka Price-Smith	Land behind Swards End Farm Redgates Lane Swards End	UTT/0906/06/FUL	Appeal against refusal to grant planning permission for land for the keeping of horses with associated building and facilities for the exercising of horses	DISMISSED 29-JUNE-07	2 Aug 2006	The Inspector concluded that the building and hardstanding would be obtrusive in the countryside.
Mr & Mrs Doree	6 Hallingbury Close Little Hallingbury	UTT/0958/06/FUL	Appeal against refusal to grant planning permission for extension at first floor and alterations to ground floor	DISMISSED 29-JUNE-07	4 Aug 2006	The Inspector concluded that the view from the front; would be incongruous and discordant; have the appearance of an additional building rather than an extension and would have a significant adverse effect on the character and appearance of both the dwelling and the street scene.
Mrs B Milard	The Whalebone White Roding	UTT/1792/06/FUL	Appeal against refusal to grant planning permission for convert garage to annexe with new double garage	ALLOWED 29-JUNE-07	22 Dec 2006	The Inspector concluded that the minor alterations to the building and its use for ancillary purposes to the main dwelling would protect the amenity of neighbours and the character of the greenbelt.
Frogmore Properties Ltd	Land between 161 & 163 Cherry Garden Lane Newport	UTT/1058/06/FUL	Appeal against refusal to grant planning permission for erection of a single dwelling	ALLOWED (Granted subject to conditions) 29-JUNE-07	11 Aug 2006	The Inspector concluded that it would have a neutral effect on the supply of amenity space in the area and respect the setting and living conditions of neighbours.

<p>Ambershire Limited "Christmas in the Easters"</p>	<p>Easter Hall, High Easter</p>	<p>ENF/234/06/B</p>	<p>Appeal against enforcement notice concerning "without the benefit of planning permission: (a) the erection of a marquee on the Land in the position marked approximately with blue hatching, the marquee being used for retail sales of goods and produce other than produce grown or reared on the Land, and (b) change of use of the Land from agricultural use to use for retail sales of goods and produce, other than produce grown or reared on the Land".</p>	<p>DISMISSED 13-JUNE-07</p>	<p>28 Nov 2006</p>	<p>The Inspector concluded that the retail use is in conflict with national and local policy relating to sustainability. "It is, quite simply an inappropriate location for a retail operation which results in a considerable amount of traffic". He considered that significant traffic would be attracted to the area to the detriment of its rural character. He was not convinced that the damage to the verges from traffic was long lasting or harmful to nature conservation interests. He balanced the various issue raised by the appellant but considered that none of these out weighed the harm it would also cause.</p> <p>The appellant made an application for costs at the hearing which failed because the Inspector concluded that the Council had acted reasonably.</p>
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