

Agenda Item: 9**Title: APPEAL DECISIONS****Author: Michael Ovenden - Interim Head of Development Control**

APPEAL BY	LOCATION	APPLICATION NO	DESCRIPTION	DATE & APPEAL DECISION	DATE OF ORIGINAL DECISION	SUMMARY OF DECISION
Mr R F Bunten	Land to the north of Debden Road and Newport Fire Station Newport	UTT/1488/07/FUL	Appeal against refusal to grant planning permission for single storey dwelling with detached double garage	27 May 2008 DISMISSED	15 Oct 2007	The Inspector concluded that That the appellants claim that the site should have been within development limits was misplaced as the position should be determined by local plan review and not ad hoc applications. Neither was the Inspector persuaded that it was appropriate to permit a new dwelling in the floodplain.
Mr & Mrs P Noble	5 Crix Green Villas Felsted	UTT/1315/07/FUL	Appeal against refusal to grant planning permission for erection of an extension to existing dwelling	13 Jun 2008 ALLOWED	10 Sept 2007	The Inspector concluded that the extension would not have a material impact on the amenity of the neighbouring property.
Mr & Mrs R Joyce	Manns Cottage High Easter Road High Easter	UTT/1121/07/FUL	Appeal against refusal to grant planning permission for part two storey rear extension including a small bay window with a pitched roof over	16 Jun 2008 DISMISSED	3 Sept 2007	The Inspector was fully supportive of the Council's policies and the SPD on extensions and concluded that the proposal failed to meet its requirements and was unacceptable.

Stephen Bulling	The Green Garages Cambridge Road Newport	UTT/1599/07/FUL	Appeal against refusal to grant planning permission for use of existing offices, currently used in connection with the building's use for non commercial storage purposes, for commercial offices as defined within class A2 of the Use Classes Order 2005	13 Jun 2008 ALLOWED	13 Nov 2007	The Inspector appreciated the Council's concern about intensification but concluded that the very modest floorspace of the building (which is next to the road and the railway line) meant that there would be no material harm caused by removing the condition.
Mr Ludo Marcelo	Yew Tree Farm Tile Kiln Green Great Hallingbury	UTT/1920/07/FUL	Appeal against refusal to grant planning permission for alteration and extension to existing bed and breakfast hotel with new access and parking area	11 Jun 2008 DISMISSED	26 Oct 2007	The Inspector concluded that the development would have a substandard access which would create highway dangers and the proposal provided inadequate information about the impact on protected species. *
Mr & Mrs R Cooper	Lovecote lodge Chickney Road Henham	UTT/2054/06/CLE	Appeal against refusal to grant certificate of lawful use for occupation of dwelling without complying with agricultural occupancy condition.	10 Jun 2008 ALLOWED	9 Feb 2007	The Inspector concluded that sufficient information had been submitted by the applicant to prove on the balance of probability that the condition had been breached for ten years and therefore a certificate should be granted.

Jonathan Hey	Walthams The Broadway Great Dunmow	UTT/0604/07/FUL	Appeal against refusal to grant planning permission for garage court and outbuildings to existing dwelling; widening and improvement of driveway bellmouth to Essex County Council Highway standards	9 Jun 2008 ALLOWED	4 July 2007	The Inspector concluded that the proposed building would not have an adverse effect on the character of the site or the locality.*
Chalkdene Ltd	Green Acres Rickling Green Rd Rickling	UTT/1918/07/FUL	Appeal against refusal to grant planning permission for new roof and attic accommodation, side extension, detached garage and rear extension	6 Jun 2008 ALLOWED	2 Jan 2008	The Inspector concluded that the existing building was on no merit, that the proposal was sizeable and was unconcerned about the apparent conflict with policy on extensions and energy efficiency.*
Mr & Mrs A Geraghty	Orchard House Lukins Drive Great Dunmow	UTT/1175/07/FUL	Appeal against refusal to grant planning permission for proposed is demolition of existing garage, erection of replacement garage and erection of one detached house and garage	9 Jun 2008 DISMISSED	23 Aug 2007	The Inspector concluded that the proposed dwelling would be too big and dominant.*

Mr G Purser	Quoins Farm Barnston Dunmow	UTT/1531/07/FUL	Appeal against refusal to grant planning permission for proposed is a stock tunnel (retrospective)	5 Jun 2008 DISMISSED	19 Oct 2007	The Inspector concluded that the polytunnel was visually intrusive in the countryside, not likely to be mitigated by planting in any reasonable timescale.
Mr James Briggs	Foxreach Stocking Green Radwinter	UTT/1603/07/FUL	Appeal against refusal to grant planning permission for add bedroom in new roof space above double garage (approved under UTT/1149/07/FUL)	28 May 2008 ALLOWED	1 Nov 2007	The Inspector concluded that the proposed additions were satisfactory.
Miss L Collinson	Tingates Delfits Lane Tilty Duton Hill	UTT/1161/07/FUL & UTT/1162/07/LB	Appeal against refusal to grant planning permission for conversion of redundant barn to residential unit and extension to cart lodge garage	29 May 2008 ALLOWED	10 Sept 2007	The Inspector concluded that design of the conversion was acceptable; that the site is within convenient distance of services in Dunmow and Thaxted. He thought the marketing (to assess demand for non residential uses) was poor but sufficient.

APPEAL A Country Property Ltd	Plot adjacent No 3 Butchers Pasture Little Easton	UTT/1055/07/FUL	Appeal against refusal to grant planning permission for side extension to existing approved scheme	2 Jun 2008 DISMISSED	9 Aug 2007	The Inspector concluded that the proposed extension would be bulky and harmful to the simplicity of the approved scheme.*
APPEAL B Country Property Ltd	Plot adjacent No 3 Butchers Pasture Little Easton	UTT/1707/07/FUL	Appeal against refusal to grant planning permission for revised dwelling	2 Jun 2008 ALLOWED	28 Nov 2007	The Inspector concluded that the proposal was an satisfactory as the approved scheme.*
Mr & Mrs D Meriday	Lees Farm Cottages Salts Green Good Easter	UTT/2096/07/LB	Appeal against refusal to grant planning permission for alterations to front and side elevation windows	4 Jun 2008 DISMISSED	22 Jan 2008	The Inspector concluded that the proposed window designs would be unacceptably damaging to the character of the listed building.
Mr and Mrs I Ford-Roberson	Hyde Farm Gallows Green Dunmow	UTT/1188/07/FUL	Appeal against refusal to grant planning permission for erection of a stable block	6 Jun 2008 ALLOWED	13 Sept 2007	The Inspector concluded that the proposed stable block would be of traditional design and would form a suitable grouping with the main dwelling.

Goldings Estates Ltd	The Cedars Pharisee Green Dunmow	UTT/1614/07/FUL	Appeal against refusal to grant planning permission for demolition of existing bungalow and erection of new 1 ½ storey four bedroom dwelling & change of use of land to residential & erection of 3 bay detached cart shed	5 Jun 2008 DISMISSED	18 Dec 2007	The Inspector concluded that the proposed replacement dwelling would be too big and dominant in the countryside and therefore fail the requirements of adopted policy.
Mr and Mrs Dorset	The Paddocks Pledgdon Green Henham	UTT/0865/07/FUL	Appeal against refusal to grant planning permission for one and a half storey extension to form study and guest bedroom	5 Jun 2008 ALLOWED	10 July 2007	The Inspector concluded that the proposed extension would be modest unobtrusive and acceptable.