

Agenda Item: 7**Title: APPEAL DECISIONS****Author: Michael Ovenden - Head of Development Control**

APPEAL BY	LOCATION	APPLICATION NO	DESCRIPTION	APPEAL DECISION & DATE	DATE OF ORIGINAL DECISION	SUMMARY OF DECISION
Mr S Wheelhouse (Jenny Moody Properties)	Lyndfields Bannister Green Felsted	UTT/0799/08/FUL	Appeal against refusal to grant planning permission for demolition of the existing property and outbuildings and erection of seven 2-, 3- and 4- bedroom two storey dwellings	8 May 2009 ALLOWED	12 Jun 2008	The Inspector concluded that the mix of dwelling sizes was appropriate; the site is capable of accommodating seven dwellings without harm to the character of the area, neighbours or the listed building; traffic would not be increased by a material degree; and it would generally be in accordance with the Development Plan. An associated application for costs against the Council was rejected except in as far as an administrative error involving failure to notify third parties of the hearing. The amount has yet to be agreed but is likely to be small. (GB)
Appeal A AC & J Streeter and Sons	Hall Farm Church Road Great Hallingbury	UTT/0806/08/LB	Appeal against refusal to grant listed building consent for conversion to B1 and B8 uses	22 Apr 2009 ALLOWED	22 May 2008	The Inspector concluded that works to the listed building were in keeping and minor. (AW). NB The Council had no objection to the works other than that they were unnecessary given the planning refusal (see appeal B)

Appeal B AC & J Streeter and Sons	Hall Farm Church Road Great Hallingbury	UTT/0535/08/FUL	Appeal against refusal to grant planning permission for change of use to B1 and B8 uses	22 Apr 2009 DISMISSED	22 May 2008	The Inspector concluded that works would change the character of the site; the intensity and variety would detract from the area's rural character; travelling to the site would be overwhelming by private car; the buildings would require substantial rebuilding (AW)
Mr T Frampton	Land adj to the Barn Tye Green Elsenham	ENF/133/06/B	Appeal against refusal to grant planning permission for change of use of land to use for storage containers and outside storage	20 May 2009 DISMISSED	4 Nov 2008	(Note: This appeal was only on the ground that the period for complying with the enforcement notice was too short.) The Inspector concluded that appellant's claims for a longer period were not supported by any evidence and wholeheartedly supported the Council's view that the appellant's conflicting claims about the amount of storage undermined the company's claim for a longer period. (NB)
Mr Timur and Mrs Winifred Mustafa	Bluebell Cottage Priory Barn The Street Little Dunmow	UTT/0918/08/FUL	Appeal against refusal to grant planning permission for change of use of annexe to Priory Barn to separate dwelling	18 May 2009 DISMISSED	23 July 2008	The Inspector concluded that the location was unsustainable and there was insufficient evidence that non residential uses had been fully investigated as required by Policy H6. (JC)

Appeal A Acorn Development	5 London Road Great Chesterford	UTT/0851/08/FUL	Appeal against refusal to grant planning permission for demolition of existing dwelling and erection of two dwellings (semi-detached)	5 May 2009 DISMISSED	7 July 2008	The Inspector concluded that the design would give rise to poor living conditions of the occupiers of the new dwellings but thought that 1 space per dwelling was acceptable here. (PJ)
Appeal B Acorn Development	5 London Road Great Chesterford	UTT/0855/08/FUL	Appeal against refusal to grant planning permission for erection of a dwelling and new access to station approach	5 May 2009 ALLOWED	15 July 2008	The Inspector concluded that the new bungalow was acceptable – a view the Council had come to in granting permission for the subsequent application. (PJ)
Mr Glen Breckon	27 Tenterfields Great Dunmow	UTT/0568/08/FUL	Appeal against refusal to grant planning permission for erection of a 2 metre high fence	21 May 2009 ALLOWED	9 May 2008	The Inspector concluded that the fence and reduced grass verge would be in keeping with other parts of the estate. (CW)
Mr and Mrs D Davies	Road Farm Barn Thaxted Road Little Sampford	UTT/0477/08/FUL	Appeal against refusal to grant planning permission for barn conversion to a dwelling	20 May 2009 DISMISSED	3 Jun 2008	The Inspector concluded that insufficient marketing of the barn for non residential uses had been undertaken but fundamentally that the location was unsustainable and therefore inappropriate for a new dwelling. (JC)

Mr Paul Mascaux	Cherry Tree Farm Cherry Green Broxted	UTT/1272/08/FUL	Appeal against refusal to grant planning permission for the demolition of existing agricultural buildings and replacement with 2 single storey buildings to provide short term holiday lets accommodation	10 June 2009 DISMISSED	1 Oct 2008	The Inspector concluded that the removal of the existing buildings would be a plus but they are of a type in keeping with agriculture and are not harmful. The new buildings would be harmful and no satisfactory justification had been shown to justify new building in the countryside. (RM)
Springwell Nursery Limited	Springwell Nursery Springwell Road Little Chesterford	UTT/1297/08/FUL	Appeal against refusal to grant planning permission for erection of a mobile home for nursery worker	17 June 2009 DISMISSED	24 Sep 2008	The Inspector concluded that the mobile home would be harmful to the countryside and that the appellant had failed to show that there was a functional need for a second dwelling on the holding. (RM)
Mr Simon Bright	1 Burgess Cottages Pound Hill Little Dunmow	UTT/1526/08/FUL	Appeal against refusal to grant planning permission for side extension to private house	17 Jun2 2009 DISMISSED	30 Oct 2008	The Inspector concluded that the design would have a harmful effect on the host dwelling. (RM)