

**Committee:** Development Control Committee

**Agenda Item**

**Title:** Appeal Decisions

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| APPELLANT               | LOCATION  | APPLICATION NO  | DESCRIPTION   | APPEAL DATE & DECISION    | DATE OF ORIGINAL DECISION | SUMMARY OF DECISION   |
|-------------------------|---|-----------------|---|---------------------------|---------------------------|---|
| Mr C Brock & Mr R Brock | Lorne Cottage/West View Cutlers Green Thaxted       | UTT/0975/10/FUL | Appeal against refusal to grant planning permission for demolition of the existing cottages and the erection of two detached dwellings with attached garages, with alterations to the existing access | 31 Mar 2011<br>DISMISSED  | 15 Sept 2010              | The Inspector concluded that the proposal was contrary to policies S7, H7 and the SPD concerning replacement dwellings. The dwellings would be much larger than the existing ones and the extant permission. The personal preference for detached dwellings does not out weigh the SPD/policy requirement for semis to be replaced with semis. (CG) |
| Mr P Pyrgoudes          | Dovecote Restaurant, Lower Road, Little Hallingbury | UTT/0922/10/FUL | Appeal against refusal to grant planning permission for side and rear extension to restaurant, with associated parking and terraced seating area  | 31 Mar 2011<br>DISMISSED  | 29 July 2010              | The Inspector concluded that it would be inappropriate development in greenbelt and affect the purposes of designating the greenbelt. He saw no very special circumstances to permit the development. Concerned about unresolved plan to relocate footpath and did not accept the reliance on landscaping to 'cover up' the development. (CG)       |
| Arora Ltd               | Endeavour House                                     | UTT/1552/10/FUL | Appeal against refusal to grant   | 4 April 2011<br>DISMISSED | 19 Nov 2010               | The Inspector concluded that there were merits in allowing the temporary use of the   |

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|                   | Cooper's End Road<br>Stansted Airport   |                 | planning permission for erection of an office building and associated car parking without complying with a condition attached to planning  |                           |                 | building for non airport related purposes. However he considered that it would inevitably be seen as a precedent for allowing similar proposals. It would be difficult to resist a further temporary period if circumstances persisted after the initial six year period. By accretion significant floorspace might become used for non airport uses turning the area into a business park rather than a self contained airport in the countryside. (CG)  |
| G & O Estates Ltd | Granary Court<br>Haslers Lane<br>Dunmow | UTT/0677/09/FUL | Appeal against refusal to grant planning permission for construction of an extension to provide a block of 9 one-bedroom flats with lift access and re-arrangement of the car parking layout | 8 April 2011<br>DISMISSED | 3 Dec 2009<br>- | <p>The Inspector concluded that the proposal would provide inadequate amenity space for occupiers and the density of the scheme was indicative of overdevelopment. (SB)</p> <p>An application for an award of costs was made by the appellant against the Council. In determining this application the Inspector concluded that the Council had behaved reasonably. It gave a reasoned argument for claiming that the amenity space would be inadequate. The Inspector noted that the previous Inspector's calculations of garden space were unclear and the Council was right to pursue the issue, particularly in the changed circumstances of the appeal proposal. The reference to the 'new' parking standards was appropriate even though it had not been part of the reason for refusal. The appellant had received the opportunity to comment on it but not taken it up. The application for costs failed.</p> |
| Mr L Reid         | Bradburys,<br>Walden Road               |                 | Appeal against condition   | 7 April 2011<br>ALLOWED   | 2 Aug 2010      | The Inspector concluded that it was important for details of the windows to be  |

|              |  |                 |   |                           |             |  |
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|              | Stocking Green, Radwinter                        |                 | attached to listed building consent relating to submission of details of windows                        |                           |             | submitted but thought it appropriate to broaden the terms of the condition to allow the appellant to submit details he thought were satisfactory, although of a type the original wording of the condition would not permit. The planning authority retains the ability to refuse unacceptable details. (TW) |
| Mr C Riddell | Land south west of Appledore, Bran End, Stebbing | UTT/1913/10/FUL | Appeal against refusal to grant planning permission for change of use from agricultural to garden land. | 7 April 2011<br>DISMISSED | 13 Dec 2010 | The Inspector concluded that the proposal would erode the openness of the site to the detriment of the character of the area and therefore be contrary to Policy S7. (TW)  |