

Title: Appeal Decisions

Item 6

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LOCATION	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	SUMMARY OF DECISION
The Paddocks Pledgdon Green Henham	UTT/2495/11/FUL	Appeal against refusal to grant planning permission for a garage/hobby room structure	28 Sep 2012 DISMISSED	In dismissing the appeal the Inspector concluded that the proposal would introduce an unjustified substantial new building in the countryside, and it would materially harm the character and appearance of the countryside.
Land to the rear of Brooklyns Weaverhead Lane Thaxted	UTT/1609/11/FUL	Appeal against refusal to grant planning permission for 5. No. two bedroom houses, 4 no. three-bedroom houses, with associated garages and car-ports	28 Sep 2012 DISMISSED	It was concluded by the Inspector through the loss of most of the existing trees and hedgerow along the Copthall Lane frontage; the significant reduction in height, and removal of part, of the frontage wall; and the introduction of high density houses close to the north side of Copthall Lane, would fail to preserve or enhance the character and appearance of the Thaxted Conservation Area. Whilst the harm that would be caused in this regard would not be substantial, it would be significant.

Whitefriars High Lane Stansted	UTT/0606/12/FUL	Appeal against refusal to grant planning permission for single dropped-kerb (4 kerb stone).	25 Sep 2012 ALLOWED	<p>This proposal sought permission for a second vehicular access for the residential property. The Local Highway Authority objected to the proposal as an unjustified second access to the property.</p> <p>The Inspector accepted that the householder's current access and parking space does not meet their needs, and therefore accepted that it was justified. It was also concluded that the proposal would be unlikely to have a material impact on highway safety or the ability of this part of the road network to carry traffic freely and safely between centres of population. The proposal would not, therefore, conflict with the aims of policy DM3 of the Essex County Council Development Management Policies Supplementary Guidance (2011)</p>
Appeal A 1 Bentfield Bower Stansted	UTT/1554/11/FUL	Appeal against refusal to grant planning permission for retrospective change of use planning application for land purchased from farm adjacent to property, converted to grow fruit, vegetables and plants, also to develop a wildflower and wildlife area	18 Sep 2012 ALLOWED	<p>In allowing Appeals A-D the Inspector concluded that the land that has been enclosed in each case is relatively small in scale compared to the surrounding arable fields. Each plot is generally free from domestic paraphernalia, although garden sheds have been erected at Nos.1 and 2. Its sense of openness could be retained through a condition restricting permitted development rights, as suggested by the Stansfield Mountfitchet Parish Council. This would enable the District Council to control the erection of sheds, outbuildings and unsuitable outdoor storage.</p>

<p>Appeal B</p> <p>2 Bentfield Bower Stansted</p>	<p>UTT/1538/11/FUL</p>	<p>Appeal against refusal to grant planning permission for retrospective change of use of land adjacent to 2 Bentfield Bower from agricultural land to residential garden use</p>	<p>18 Sep 2012 ALLOWED</p>	<p>In allowing Appeals A-D the Inspector concluded that the land that has been enclosed in each case is relatively small in scale compared to the surrounding arable fields. Each plot is generally free from domestic paraphernalia, although garden sheds have been erected at Nos.1 and 2. Its sense of openness could be retained through a condition restricting permitted development rights, as suggested by the Stansfield Mountfitchet Parish Council. This would enable the District Council to control the erection of sheds, outbuildings and unsuitable outdoor storage.</p>
<p>Appeal C</p> <p>3 Bentfield Bower Stansted</p>	<p>UTT/1689/11/FUL</p>	<p>Appeal against refusal to grant planning permission for retrospective change of use from agricultural land to garden use</p>	<p>18 Sep 2012 ALLOWED</p>	<p>In allowing Appeals A-D the Inspector concluded that the land that has been enclosed in each case is relatively small in scale compared to the surrounding arable fields. Each plot is generally free from domestic paraphernalia, although garden sheds have been erected at Nos.1 and 2. Its sense of openness could be retained through a condition restricting permitted development rights, as suggested by the Stansfield Mountfitchet Parish Council. This would enable the District Council to control the erection of sheds, outbuildings and unsuitable outdoor storage.</p>
<p>Appeal D</p> <p>4 Bentfield Bower Stansted</p>	<p>UTT/1584/11/FUL</p>	<p>Appeal against refusal to grant planning permission for retrospective change of use from agricultural land to garden use</p>	<p>18 Sep 2012 ALLOWED</p>	<p>In allowing Appeals A-D the Inspector concluded that the land that has been enclosed in each case is relatively small in scale compared to the surrounding arable fields. Each plot is generally free from domestic paraphernalia, although garden sheds have been erected at Nos.1 and 2. Its sense of openness could be retained through a condition restricting permitted development rights, as suggested by the Stansfield Mountfitchet Parish Council. This would enable the District Council to control the erection of sheds, outbuildings and unsuitable outdoor storage.</p>

<p>Foxley House Green Road Rickling Green</p>	<p>UTT/2364/11/OP</p>	<p>Appeal against refusal to grant planning permission for described as outline application for a residential development of 14 new market homes on land adjoining Foxley House (SHLAA site ref QUE5); homes vary in size 3-6 bedrooms, all with garaging/off street parking; new access to site off B1383</p>	<p>17 Sep 2012 DISMISSED</p>	<p>The Inspector concluded that facilities within Rickling Green are limited; notwithstanding the presence of a bus service most trips would be more likely by car. He stated that the village does not perform well in terms of the sustainability principles of the LDF. He did criticise the layout of the proposal as fundamentally inward looking rather facing onto the road, and there would be a failure to establish a sense of place, as such it was concluded that the proposal would harm the character of the area. The Inspector considered that by virtue of being a site of more than 0.5 hectares, its failure to provide 40% affordable housing was contrary to Policy H9.</p>
<p>Tessmoorlands Frenches Green Dunmow</p>	<p>UTT/2340/11/LB</p>	<p>Appeal against refusal to grant planning permission for removal of all existing white-painted timber windows and their replacement with double glazing white-painted timber. Replacement of two white-painted timber doors with white-painted timber doors</p>	<p>17 Sep 2012 ALLOWED</p>	<p>The Inspector concluded that the proposed replacement windows would be of similar design. It was considered that the glazing bars would not be unduly heavy or chunky in design, and there would be little readily appreciable difference in outward appearance of the building, which stands apart from its nearest neighbours. The property is an integral whole and, consent having been already granted for windows of the same form and design as those subject to this appeal, it would be appropriate for similar windows to be incorporated in order to provide a unified appearance. Against this background, the proposal would not result in material harm to the special architectural and historic interest of this heritage asset.</p>