

**Title:** Appeal Decisions Committee 23<sup>rd</sup> July 2014

**Item 7**

**Author:** Nigel Brown –

<b>SITE ADDRESS</b>	<b>APPLICATION NO</b>	<b>DESCRIPTION</b>	<b>APPEAL DATE &amp; DECISION</b>	<b>SUMMARY OF DECISION</b>	<b>DECISION BY OFFICER/OVERTURNED BY COMMITTEE</b>
1 Chickney Hall Villas Chickney Road Chickney Great Dunmow	UTT/13/0685/CLE	Use of Land adj. 1 Chickney Villas for domestic purposes such as parking and recreation	Appeal Dismissed 02.07.2014	The Inspector concluded that the evidence submitted in support of the application was too general to support the grant of the Certificate of Lawfulness. The appellant failed to discharge the burden of proving that, on the balance of probability, the use of the land for domestic purposes was lawful.	<b>Refuse</b>
Motts Hall Green Street Elsenham Bishops Stortford Hertfordshire CM22 6DS	UTT/13/1589/FUL	Formation of a maximum 7 metre high x maximum 25 metre wide Acoustic Earth Bund to the Southern and Western boundaries of the site	Appeal Dismissed 01.07.2014	<p>The Inspector concluded that the proposed bunding would be harmful to the landscape of the area and the setting of the Grade 2 listed Motts Hall. Furthermore she did conclude that no evidence was put forward to demonstrate that the bund would provide any benefits in terms shielding the residential property from noise from the airport.</p> <p>On an additional point the Inspector considered the impact of the proposed tunnelling of the public right of way through the bund. She concluded that the tunnel could detract from the enjoyment of the public right of way there would no effect on the safety of people using it.</p>	<b>Refuse</b>

<p>Land At The Vineyard Cole End Lane Sewards End Saffron Walden</p>	<p>UTT/13/1655/OP</p>	<p>Outline application for the erection of 3 No. dwellings and associated garages with all matters reserved except access</p>	<p>Appeal Dismissed 23.06.2014</p>	<p>The Inspector concluded that the development of this site resulted in a more built up appearance, taking this beyond the existing limits of the village. As a result, the rural character of the area would be harmed.</p> <p>The Inspector considered that development in this location would be unsustainable due to its distance from the nearest local services within Saffron Walden. Although bus services did exist he was not convinced that it would fundamentally change the travel choices of those with a car.</p> <p>He did raise concerns over the status of the affordable housing contributions, and whether it had been through any formal consultation process.</p> <p>The Inspector was content with Council's five year land supply calculations, and considered that the five year land supply was currently in place.</p>	<p><b>Conditional approval – overturned at Committee</b></p>
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<p>Land At The Vineyard Cole End Lane Sewards End Saffron Walden</p>	<p>UTT/13/2741/OP</p>	<p>Outline application for the erection of 1 no. dwelling with all matters reserved except access</p>	<p>Appeal Dismissed 23.06.14</p>	<p>As above</p>	<p><b>Refuse</b></p>
<p>Land to rear of 22-30 Bolford Street Thaxted</p>	<p>UTT/13/2975/OP</p>	<p>Outline application for the erection of 5 no. dwellings with all matters reserved except access</p>	<p>Appeal Dismissed 23.06.14</p>	<p>The Inspector considered that the introduction of a small cluster of new dwellings to the rear of existing frontage development would appear incongruous and wholly at odds with the established pattern of development. As such, the development would have a significant, harmful impact upon the Thaxted Conservation Area.</p> <p>He did raise concerns over the status of the affordable housing contributions, and whether it had been through any formal consultation process.</p> <p>The Inspector was content with Council's five year land supply calculations, and considered that the five year land supply was currently in place</p>	<p><b>Refuse</b></p>

Land Rear Of 22-30 Bolford Street Bolford Street Thaxted		Outline application for the erection of 13 no. dwelling with all matters reserved except access	Appeal Dismissed 23.06.14	As above	<b>Refuse</b>
Little Blossom Braintree Road Stebbing Dunmow	UTT/13/2833/FUL	Proposed Farm shop and cafe (A1 and A3).	Appeal Dismissed 24.06.14	Due to its location the shop and café would be almost entirely reliant on car borne customers and whilst some of the trade may be from passing traffic much could be from additional journeys. This would be contrary to LP Policy GEN1 (e) which seeks to ensure development encourages movements by means other than driving a car.	<b>Refuse</b>