

Title: Appeal Decisions

Item 8

Author: Nigel Brown –

SITE ADDRESS	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	SUMMARY OF DECISION	DECISION BY OFFICER/OVERTURNED BY COMMITTEE
Site A, Land off Parsonage Lane Great Sampford	UTT/13/2981/OP	Outline application for the erection of 2 dwellings with garage/carport/parking provision and access point.	Dismissed 25.9.14	The proposals would fail to conserve or enhance the natural environment and so would conflict with the environmental dimension of sustainable development. There are economic benefits with regards house building sustaining or creating employment and business activity. There would also be contributions to housing land supply securing social benefits. However there would be limited access to local services and facilities, other than by private motor vehicle, for future residents of the dwellings which would represent an adverse social impact. In the balance, I conclude that the adverse impacts would outweigh the benefits for all three proposals. Accordingly, the presumption in favour of sustainable development would not apply.	
Site B Land Rear Of 2-12 Spare Penny Lane South Great Sampford	UTT/13/2978/OP	Outline application the erection of 5 No.dwellings with garages with all matters reserved	Dismissed 25.09.2014	ditto	N/A

Site C Land Adj. to Sparepenny Lane, Great Sampford	UTT/13/2982/OP	Outline application of two dwellings with garage/car port/parking provision and access point.	Dismissed 25.9.14	ditto	
Land Adj Mill House Mill End Green Mill End Green Road Great Easton	UTT/13/1690/FUL	Erection of 1 no. detached house and garage	Dismissed 28.08.2014	The Inspector concluded that the development did not constitute a sustainable form of development. He also concluded that “the proposed dwelling on the site would reduce the open gap between the existing dwellings and the introduction of further buildings and associated domestic paraphilia would in my opinion, result in a more urbanised and dense form of development along the road. This would harm the character and appearance of the open countryside” He rejected the application for costs.	N/A
Land North Of Rose Cottage Latchmore Bank Little Hallingbury Hertfordshire	UTT/14/0374/OP	Outline application with all matters reserved for the erection of up to 3 dwellings	Dismissed 24.09.2014	The Inspector concluded that the development would have significant negative impact on the openness of the Green Belt. As such the proposal would compromise one of the essential characteristics of the Green Belt. The proposal also was generally harmful to the character of the area. Although accepting the need for affordable housing, all that was provided at the appeal was the Guidance Document which itself does not provide adequate information on this point.	N/A

Land Adj Three Horse Shoes Bannister Green Felsted	UTT/13/2010/FUL	Erection of pair semi detached dwellings and 3 No. terraces houses with new vehicle access	Dismissed 27.08.2014	<p>The Inspector concluded that the proposal would represent encroachment into the countryside which would harm its open character and appearance. The amount of development proposed did appear to introduce an urbanised form of development into a countryside setting.</p> <p>On the issue of car parking the Inspector that the development was contrived and that the given the cramped nature of the parking, cars would likely be parked in nearby roads causing ongoing problems to highway safety. The Inspector was satisfied that a contribution to affordable housing would have been necessary had the appeal been allowed.</p>	N/A
Oakamoor Station Road Elsenham	UTT/13/2059/FUL	Change of use from residential property to class D1 (non residential institution) - as a pre- school	Dismissed 12.09.2014	<p>The Inspector raised concerns that the proposal would harm the living conditions of occupiers of the neighbouring properties because of the adverse impact of noise of disturbance on the use of their gardens. Due to the distance between the car parking area and the proposed facility, parents may be tempted to drop of children directly adjacent to the facility causing problems to highway safety.</p>	N/A
Jubilee Works Stickling Green Clavering	UTT/13/3357/DFO	Details following outline application UTT/2149/11/OP for the erection of 23 No. dwellings, garaging and associated development with approval for access, appearance, landscaping, layout and scale	Allowed 26.09.2014	<p>The Inspector concluded that the proposal, when read in the context of the whole scheme would not cause harm to the character and appearance of the area.</p> <p>The Inspector accepted that a single cluster of nine units in one location was acceptable, and in line with the Council's Housing Strategy. He also considered that the design and external materials of the affordable housing would also be reflective of the character and scale of the development as a whole. He concluded that the proposal would provide an acceptable</p>	N/A

				<p>layout and would not preclude social integration.</p> <p>The Inspector considered that the parking court was sufficiently small, in a discreet part of the site adjacent to the adjoining industrial complex at Britannica Works. He was satisfied that the design of parking court would be out of character. In the absence any evidence he concluded that the court would not result in anti-social behaviour. He rejected the application for costs.</p>	
<p>Land Adj To 48/49 Hazel End Hazelend Road Farnham</p>	<p>UTT/13/2522/FUL</p>	<p>Erection of 2 no. semi-detached dwellings</p>	<p>Dismissed 24.09.2014</p>	<p>The Inspector concluded that there is a degree of harm to the openness, in addition to that which has arisen from the inappropriate development in the Green Belt.</p> <p>With regards the impact upon the Hazel End Conservation Area; he added that the proposed building's proximity to both flanking properties would disrupt the established rhythm of the development, which would erode the agricultural context of the hamlet and reduce the spaciousness about the dwelling thus detracting from both the heritage significance of the Conservation Area and the setting of the nearby listed buildings.</p> <p>He dismissed the requirement for affordable housing contribution based only on Guidance Document.</p>	<p>N/A</p>

<p>Land At Sunnybook Farm Braintree Road Felsted</p>	<p>UTT/13/2942/OP</p>	<p>Outline application for the erection of up to 13 no. dwellings and related infrastructure with all matters reserved except access (new access from Braintree Road) and creation of extended domestic garden adjacent 'Moritz'</p>	<p>Dismissed 15.09.2014</p>	<p>The Inspector concluded that the proposal would substantially reduce the gap between Felsted and Watch House Green. Although she accepted that the development limits of the two settlements would not coalesce, she did not accept that the character of the area would be preserved if all the gaps were reduced to a lowest denominator. The proposal would therefore w be seriously detrimental to the character and appearance of the area.</p> <p>On five year land supply, the Inspector was satisfied that the Council can demonstrate a sufficient land supply.</p>	<p>N/A</p>
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