

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
May Walk Elsenham Road Stansted	ENF/13/0193/C	Appeal against Enforcement Notice	Corrected/Varied/ Upheld 03.03.2015	<p>The Inspector corrected the Enforcement to be “unauthorised use as an animal rescue centre”. The Inspector dismissed the appeal on Ground (c), i.e. planning permission not required for the development. He did not consider that the use as an animal rescue centre fell within the use of agricultural, nor did he consider that structures, albeit moveable, were temporary structures. The applicant failed to demonstrate her Ground (d) appeal, i.e. the breach was time barred from enforcement action. Although some of the buildings had likely been in place since 1989/9 the current use had occurred less than ten years ago.</p> <p>The Inspector considered that the requirements of the notice (i.e. the removal of the buildings and the cessation of the use) were reasonable and necessary to deal with the breaches of planning control.</p>	N/A

Land Adjacent To Linden Lodge London Road Saffron Walden	UTT/13/1967/F UL	Demolition of garage/store and erection of 1 no. detached dwelling and garden wall	Dismissed 16.03.2015	<p>The Inspector did consider that the proposed dwelling would not be unduly overbearing and would appear as a subservient building in the street scene. She went on and considered that the proposal would improve the setting of the listed building by reason of its sympathetic design and would therefore enhance the character and appearance of the Conservation Area.</p> <p>She considered that any overlooking on the adjacent property 2 Debden Road would be oblique and would not be unacceptable. She did not consider any issues with respect of overlooking onto properties on the opposite side of London Road.</p> <p>However, the Inspector did consider that the lack of turning space would cause a problem resulting on vehicles reversing onto London Road, and dismissed it on this matter alone.</p>	N/A
Brockingbury Stud Roast Green Clavering	ENF/13/0220/C	Appeal against Enforcement Notice	Dismissed/Notice upheld with correction. 04.03.2015	<p>The matter relates to the erection of 1.8-2.4 metre high fence including gate of 1.8 metres around a Grade II Listed Building. The Inspector concurred with the Council's view that the fence and gates are a somewhat urban feature and consider the overall effect alien and incongruous in the context of a traditional cottage. As such he concluded that the fencing and gates were harmful to the setting of the listed building.</p> <p>On Ground (g) i.e. the period to comply with the notice the Inspector extended the period from 3 to 6 months to allow further considering by the appellants of their security needs.</p>	N/A

<p>The Laurels Old Mead Lane Henham</p>	<p>UTT/14/0324/H HF</p>	<p>Proposed front and rear extension with loft conversion</p>	<p>Dismissed 05.03.2015</p>	<p>The Inspector considered that proposed dormers would be a size commensurate with the existing ground floor and have a largely matching style. However, the Inspector did consider that new central gable would dominate the front elevation of the dwelling, and would be unsympathetic to the host dwelling.</p> <p>The Inspector did consider that the extension was required to allow better manoeuvrability to deliver wheelchair accessible accommodation to meet the appellant's future family needs. However, he did conclude that the proposal would be harmful to the need to protect the character of the area. Personal circumstances can change whereas harm to the environment is likely to be permanent.</p>	<p>N/A</p>
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