

Title: Appeal Decisions

Item 6

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SITE ADDRESS	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	SUMMARY OF DECISION	DECISION BY OFFICER/OVERTURNED BY COMMITTEE
Elsenham Sawmill Fullers End Tye Green Road Elsenham	14/00026/REF	Demolition of all existing buildings and change of use of site from B2 light industrial to residential. Proposed erection of 5 dwellings and 2 cart sheds and external parking/storage. Provision of new vehicular access to one dwelling and new pedestrian access	Allowed 11.05.2015	The fundamental discussion on this case, relates to the concerns raised by the Council with regards the sustainability of the development of this site. The Inspector concluded that the level crossing relatively close to the development, allowed safe access across the railway to access the main services of Elsenham. The Inspector did not agree that the level crossing would deter pedestrian traffic and therefore undermine the sustainability of the proposed development. In allowing the appeal, the Inspector concluded that the provision of a footpath link was not proportionate to the development and such a provision would not pass the tests of CIL Regulations 2010.	Granted subject to Section 106 by Planning Committee. Planning Permission refused due to the failure of the applicant to complete a Section Obligation.

Land East Of St Edmunds Lane Great Dunmow	14/00066/REF	Outline application with all matters reserved for the development of land for the provision of 22 custom / self-build dwellings with associated access, parking provision and amenity space.	Allowed 15.05.2015	The Inspector concluded that the Council did not have a five-year land supply. She did consider that the development would result in the loss of open countryside and some limited harm to the countryside setting. However, she considered that the limited harm would be outweighed by the fact the development would be sustainable development, boosting significantly the supply of housing, and the provision of custom/self-build housing in particular..	Delegated Refusal
Land West Of Walden Road Thaxted	14/00059/REF	Outline application, with all matters reserved except for access, for residential development, for up to 120 dwellings, provision of open space with recreational facilities, site access, associated highway and infrastructure works.	Dismissed 01.06.2015	The Inspector concluded that the proposed development would cause significant harm to the landscape setting of Thaxted, although only "less than substantial" harm to its Heritage setting. He stated that regardless of any discussion over the lack of five-year supply of housing, he considered that the extent of harm, particularly to the character and appearance of the area and the harm to the setting of the church would not constitute sustainable development in terms of the Framework. Therefore the need for the housing does not outweigh the harm.	Delegated Refusal
The Old Post Office 65 Chapel Hill Stansted	15/00017/REF	Proposed demolition of existing outbuildings, erection of first floor rear extension and single storey studio building.	Dismissed 01.06.2015	By way of its design the Inspector that the proposal would neither preserve nor enhance the character and appearance of the Conservation Area.	Delegated Refusal

<p>Land South And North Of Thaxted Road Saffron Walden</p>	<p>14/00047/REF</p>	<p>Outline application with all matters reserved except access for residential development of up to 300 dwellings, pavilion building, extension to skate park and provision of land for open space/recreation use, including an option for a new primary school on a 2.4 ha site</p>	<p>Dismissed 02.06.2015</p>	<p>The Inspector concluded that was a five-year land supply of housing within the District. He stated that the proposed development would not have a significant adverse effect on the character of the area.</p> <p>On highways he concluded that application failed to demonstrate that the development would not adversely affect congestion within the town. Therefore he considered that development would have an adverse effect on the efficient operation the local highway network. He states that there would not be a material adverse effect on air quality in the town.</p> <p>He placed very little weight on the loss of best and versatile agricultural land.</p> <p>He considered that the proposal would not have a detrimental impact on the local infrastructure and services. However, he did not consider that the provision of the sports facilities was proportionate to the development, and was incompatible with the CIL Regulations 2010.</p>	<p>Committee Refusal Against Officer Recommendation</p>
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6 Hatch Green Little Hallingbury	15/00006/REF	Proposed demolition of side extension and replacement extension forming a separate dwelling	Dismissed 04.06.2015	<p>The Inspector concluded that, whilst the proposal would not result in an adverse impact upon the living conditions of adjoining occupiers, because of the lack of adequate garden and amenity space there would be a detrimental impact upon the occupiers of the proposed property</p> <p>The Inspector also considered that the proposal would be incompatible with the character and appearance of this part of the village.</p>	Delegated Refusal
Agricultural Building At Tilsbrook Duck End Stebbing	15/00007/REF	Prior notification of proposed change of use of agricultural building to dwelling	Dismissed 05.06.2015	<p>The Inspector concluded that the subject building was not used for agricultural purposes but for a purposes incidental to the dwellinghouse. Therefore the building is not afforded the permitted development rights from this part of the GPDO.</p>	Delegated Refusal