

Appeals Report

Appeal Decisions received between 16/05/2024 and 31/08/2024

PLANNING APPEALS

Total Appeal Decisions Received	17	
Dismissed	10	59%
Allowed	7	41%
Split	0	0%

Written Reps

Barn North Of Bury Farm Bury Road Pleshey Chelmsford

Reference	22/01686/FUL
Proposal	Demolition of agricultural barn and construction of one dwelling. Change of use of agricultural land to residential. Associated works including construction of entrance gates, shed and solar PV array.
Appeal Decision	Appeal Dismissed - 01/07/2024
Key Themes	
Agreed with CCC on	
Disagreed with CCC on	
Costs Decision	Appellant's application for costs: Costs refused

Land North East Of 1 Slampseys Cottages London Road Braintree Essex

Reference	23/00559/FUL
Proposal	Proposed New Dwelling. Closure of existing access and formation of new access, with 4 car spaces and shared turning area.
Appeal Decision	Appeal Dismissed - 19/06/2024
Key Themes	Effect of the proposed development on the intrinsic character and beauty of the countryside Whether the site represents sustainable development in respect of its location and access to services and facilities
Agreed with CCC on	Effect of the proposed development on the intrinsic character and beauty of the countryside
Disagreed with CCC on	Whether the site represents sustainable development in respect of its location and access to services and facilities
Costs Decision	None

Land South East Of Four Oaks Ivy Barn Lane Margaretting Ingatestone Essex

Reference	23/00234/FUL
Proposal	Change of Use of land to equestrian use including construction of stable block with 3 stables and feed / tack store. Formation of new access, with gate and driveway. Installation of fencing.
Appeal Decision	Appeal Allowed - 20/05/2024

Key Themes	Inappropriate developmentImpact on the openness of the Green BeltImpact to character
Agreed with CCC on	None
Disagreed with CCC on	Inappropriate developmentImpact on the openness of the Green BeltImpact to character
Costs Decision	None

Seabrights Cottage 192 Galleywood Road Great Baddow Chelmsford Essex CM2 8NB

Reference	22/01493/OUT
Proposal	Outline application for the demolition of an existing double garage, glasshouse and associated hardstanding. Construction of a new dwelling. Access being sought, all other matters (Appearance, Landscaping, Layout, Scale) reserved.
Appeal Decision	Appeal Dismissed - 02/07/2024
Key Themes	Whether the proposal would be inappropriate development in the Green Belt If the development is inappropriate development whether any harm to the Green Belt is outweighed by very special circumstancesThe effect of the proposal on highway safety
Agreed with CCC on	Inappropriate development in the Green Belt No very special circumstances Harmful impact on highway safety
Disagreed with CCC on	N/A
Costs Decision	None

Runwell Hall Farm Hoe Lane Rettendon Chelmsford Essex CM3 8DQ

Reference	22/02187/FUL
Proposal	Erection of agricultural machinery storage building and farm/estate office building with associated parking and landscaping
Appeal Decision	Appeal Dismissed - 09/08/2024
Key Themes	
Agreed with CCC on	Inappropriate development in the Green belt
Disagreed with CCC on	Impact on character of countryside
Costs Decision	None
Key Themes	
Agreed with CCC on	AG storage element of the proposal acceptable
Disagreed with CCC on	Impact on character of countryside
Costs Decision	None
Key Themes	
Agreed with CCC on	LArge scale and footprint would harm openness due to visual and spatial impact
Disagreed with CCC on	Impact on character of countryside
Costs Decision	None

Howden Joinery Ltd Unit 4 Block 3 Farrow Road Chelmsford Essex CM1 3TH

Reference	23/00863/FUL
Proposal	Proposed extension to existing car parking area to front and east side of the building. Proposed extension to security fencing to front, side and rear.
Appeal Decision	Appeal Allowed - 30/07/2024

Key Themes	- impact on the character of the area
Agreed with CCC on	- the area suffers from kerb parking
Disagreed with CCC on	- the loss of some of the grass verge would be within a context of a strong industrial character to the immediate area- the proposed fencing would be lightweight in form and largely transparent- the developemnt would potentially alleviate some of the pressure within the immediate area and help in a small way to reduce the cluttered appearance of the junction, whilst assisting the functioning of the business on site
Costs Decision	None

Site At 48 Skinners Lane Galleywood Chelmsford Essex

Reference	23/01113/FUL
Proposal	Demolition of the existing dwelling and erection of 2 semi-detached dwellings.
Appeal Decision	Appeal Dismissed - 03/07/2024
Key Themes	Living conditionsCharacter and appearance
Agreed with CCC on	The proposal would appear as a prominent and oppressive feature when viewed from this window, which serves a habitable room where occupiers are likely to spend time. Whilst the room has a small floor area and represents a limited proportion of the house it would not alter assessment of the effects of the proposal. the height and massing of the proposal which would unacceptably dominate the outlook from the kitchen window and reduce the amount of light reaching it. Contrary to Policy DM29.
Disagreed with CCC on	Other properties of similar height to that proposed, and read in the context with those. The changes in levels along Skinners Lane means that building height is not a defining or unifying feature in the appearance of the area. The proposed dwellings would therefore not appear as unduly prominent or incongruous. In accordance with Policy DM23.
Costs Decision	None

Land Between Peartree Cottage And Daffodil Cottage North East Of Pondsides Nursery Braintree Road Little Waltham Chelmsford

Reference	23/00525/FUL
Proposal	Demolition of existing storage buildings and construction of replacement 3-bedroom chalet bungalow and single cart lodge. To include a new access from the A131 via existing gateway.
Appeal Decision	Appeal Dismissed - 18/06/2024
Key Themes	Unsuitable/unustainable location for new dwelling Impact to intrinsic character Impact to highway safety
Agreed with CCC on	Unsuitable/unustainable location for new dwelling Impact to intrinsic character Impact to highway safety
Disagreed with CCC on	Nothing
Costs Decision	None

Field North Of Mill Hill Farmhouse East Hanningfield Road Sandon Chelmsford Essex

Reference	23/00918/CUPAQ
Proposal	Determination as to whether the prior approval of the local planning authority is required for the proposed change of use from one redundant agricultural building to two larger dwellinghouses.
Appeal Decision	Appeal Dismissed - 01/08/2024

Key Themes	Whether development is permitted development
Agreed with CCC on	the development is not permitted development as not solely ag use
Disagreed with CCC on	nothing
Costs Decision	None

Runwell Hall Farm Hoe Lane Rettendon Chelmsford Essex CM3 8DQ

Reference	23/01803/FUL
Proposal	Erection of farm office building
Appeal Decision	Appeal Dismissed - 09/08/2024
Key Themes	
Agreed with CCC on	No very special circumstances
Disagreed with CCC on	
Costs Decision	None
Key Themes	
Agreed with CCC on	large volumn and footprint would result in significant visual and spatial harm
Disagreed with CCC on	
Costs Decision	None
Key Themes	
Agreed with CCC on	Inappropriate development in the Green belt
Disagreed with CCC on	
Costs Decision	None

Communication Hub Adjacent 81-82 High Street Chelmsford

Reference	23/01801/FUL
Proposal	The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement
Appeal Decision	Appeal Allowed - 18/06/2024
Key Themes	Clutter, harm to listed buildings and conservation area, hazard to pedestrians, encoraching on space for market traders
Agreed with CCC on	
Disagreed with CCC on	Mixed character area, not out of place, would not add to clutter
Costs Decision	None

Communication Hub Adjacent 81-82 High Street Chelmsford

Reference	23/01802/ADV
Proposal	Installation of 1 internally illuminated digital lcd display screen.
Appeal Decision	Appeal Allowed - 18/06/2024
Key Themes	
Agreed with CCC on	
Disagreed with CCC on	
Costs Decision	None

Crows Farmhouse 189 Chignal Road Chelmsford CM1 2JE

Reference	23/01692/FUL
Proposal	Demolish existing garage and construct two storey side extension and oak canopy on a listed building. New gravel paving on front drive. Install new fence and gate at front. Move existing fence and hedge. Plant new trees
Appeal Decision	Appeal Dismissed - 12/07/2024
Key Themes	Harm to listed building
Agreed with CCC on	Harm to listed building not outweighed by public benefit
Disagreed with CCC on	
Costs Decision	None

Householder**43 Marconi Road Chelmsford Essex CM1 1LR**

Reference	23/01318/FUL
Proposal	Single storey rear extension with roof lights.
Appeal Decision	Appeal Dismissed - 26/06/2024
Key Themes	Pprivate amenity space, Neighbouring amenity
Agreed with CCC on	Loss of private amenity space
Disagreed with CCC on	Harm to neighbouring amenity
Costs Decision	None

1 Joseph Clibbon Drive Springfield Chelmsford Essex CM1 6AS

Reference	23/01718/FUL
Proposal	Installation of air conditioning units
Appeal Decision	Appeal Allowed - 20/08/2024
Key Themes	Impact on the character of the area
Agreed with CCC on	-
Disagreed with CCC on	the visual impact of the development on the character of the area would be short-lived and not so incongruous to justify a refusal
Costs Decision	None

25 Belfry Crescent Little Waltham Chelmsford Essex CM3 3GN

Reference	23/01430/FUL
Proposal	This is a retrospective application for block paving to create a second driveway.
Appeal Decision	Appeal Allowed - 05/06/2024
Key Themes	Loss of landscaping would create a less attractive element of the street scene.
Agreed with CCC on	
Disagreed with CCC on	Not out of keeping, not harmful to the area.
Costs Decision	None

9 Sunningdale Road Chelmsford Essex CM1 2NH

Reference	24/00164/FUL
Proposal	Demolition of existing garage. Construction of two storey side extension. New side access.
Appeal Decision	Appeal Allowed - 20/08/2024

Key Themes	Effect of the development on the character and appearance of the host dwelling and street scene
Agreed with CCC on	
Disagreed with CCC on	The harmful effect of the proposed development on the character and appearance of the host dwelling and street scene
Costs Decision	None

ENFORCEMENT APPEALS

Total Appeal Decisions Received	1	
Dismissed	1	100%
Allowed	0	0%
Split	0	0%

Written Reps

The Gallops Elm Lane Roxwell Chelmsford Essex CM1 4NJ

Reference	21/00454/ENFB
Proposal	Without planning permission, the construction of a car port, a building, and a hard surface
Appeal Decision	Appeal Dismissed - 01/07/2024
Grounds of Appeal	Harm to the Green Belt. Impact on setting of the listed building.
Agreed with CCC on	Inappropriate development that harms the openness of the Green Belt. Harmful to the setting on the Listed Building. Development not immune from enforcement action. The requirements of the notice do not exceed what is necessary. Time for compliance is reasonable.
Disagreed with CCC on	N/A
Costs Decision	None

TREES APPEALS

Total Appeal Decisions Received	1	
Dismissed	0	0%
Allowed	1	100%
Split	0	0%

Householder

11 Hay Green Danbury Chelmsford CM3 4NU

Reference	21/05253/TPO
Proposal	G1 - 3 Oak trees in no.11 and 1 oak tree in no.12 - Crown reduction by 2-3 metres in height and 2 metre spread reduction - reason- vulnerable to wind swirl - reduction in height to reduce swirl area, improve inner vitality and growth, minimise root expans
Appeal Decision	Appeal Allowed - 31/05/2024
Key Themes	the amenity value of the four oaks and the likely effect of the proposed tree works; and whether sufficient justification has been provided for the proposed works.
Agreed with CCC on	The oak trees form an attractive group feature contributing to amenity.
Disagreed with CCC on	Reducing the crown to the extent sought, would have a limited adverse effect on amenity group value. Amenity would return with regrowth. Due to nature of growth trees would experience significant wind loading and sufficient evidence has been put forward to justify the works proposed.
Costs Decision	None