

DEVELOPMENT CONTROL COMMITTEE – 4 APRIL 2007
APPEAL DECISIONS

APPEAL BY	LOCATION	APPLICATION NO	DESCRIPTION	APPEAL DECISION & DATE	DATE OF ORIGINAL DECISION	SUMMARY OF DECISION
Mr James Gemmill	Bridge Cottage Site Elms Farm Stansted	UTT/0068/06/CL	Appeal against refusal to grant planning permission for certificate of lawful use or development (LDC) is sought is confirmation of the implementation of UTT/907/90 and UTT/908/90/LB being planning and listed building consents for some 1049.53 m2 of offices	ALLOWED 5-MARCH-07	14 Mar 2006	This case turned on a legal interpretation of whether two planning conditions had been complied with and if not whether that failure meant that the permission had not been lawfully implemented. The Inspector concluded that enough information had been provided to show that on the balance of probability the works had been lawfully commenced before the expiry of the permission and consequently the permission remained live.
Mr B Jones	Pond Cross House High Street Newport	UTT/0767/06/FUL	Appeal against refusal to grant planning permission for change of use from residential to B1	ALLOWED 13-FEB-07	30 Jun 2006	The Inspector stated that the two issues were the provision of parking in the conservation area and possible inconvenience to other road users. Regarding the first issue he concluded that parking could be provided without harm to the conservation area. On the second issue he did not consider that unacceptable inconvenience would be created.

APPEAL A Mr & Mrs Rice	Forest Stables Leepers Lane Great Hallingbury	UTT/0474/06/FUL	Appeal against refusal to grant planning permission for proposed loft conversion including raising eaves/roof & changing the pitch of the roof, & new front porch	DISMISSED 6-MARCH-07	11 May 2006	The Inspector concluded that the resultant dwelling would be out of scale and character with the existing dwelling and have a harmful effect on the character of the countryside.
APPEAL B Mr & Mrs Rice	Forest Stables Leepers Lane Great Hallingbury	UTT/0476/06/FUL	Appeal against refusal to grant planning permission for stable conversion to provide 1 bedroom unit	DISMISSED 6-MARCH-07	19 May 2006	The Inspector concluded that the proposal would result in the loss of occupied stables; the proposal would fail to respect the character of the original building; there was no evidence of need for a second dwelling on the site and the proposal would have a strong adverse effect on the character of the open countryside

Mussards	14 Lower Street, Stansted	UTT/0352/06/FUL	Change of use from A1 to A3 use to provide cooked pizzas for consumption on or off the premises. Adjust existing opening hours and extend to open between 17.00 to 22.00 hours Mon-Thurs 17.00 to 23.00 hours Fri & Sat to open Sunday 12.00 noon to 16.00 hours	DISMISSED 19-MARCH-07	6 JUNE 2006	The Inspector concluded that extra late night activity would be harmful to the amenities of residents and as no details of extraction equipment had been submitted it was not possible to conclude that the proposal would protect the character of the conservation area or the living conditions of neighbours.
Pelham Structures Ltd	Greenways, Langley Upper Green	UTT/0055/06/FUL	Proposed single storey garage to side.	ALLOWED 19-MARCH-07	28 APRIL 2006	The Inspector concluded that the proposal would not be harmful in the street scene or to the neighbour and would not unacceptably affect existing vegetation.