



GREAT CHESTERFORD PARISH COUNCIL

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Mr Roger Harborough
Director of Development
Uttlesford District Council
Council Offices
London Road
Saffron Walden Essex
CB11 4ER

Please reply to:
Professor Peter Fentem
Chairman,
Great Chesterford Parish Council
Charlwood House
Carmen Street
Great Chesterford
ESSEX CB10 1NR

5th February 2010

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Dear Mr Harborough

Issues arising during consideration of UTT/1250/09/FUL

The Parish Council is very disappointed by the way this application was investigated and reported, and dismayed at the decision reached by your Department.

The Council does not wish to debate the application itself but does want me to highlight some of the issues which demand wider consideration.

It appears that "neighbours" wishing to raise objections to a planning application cannot assume that their objections will be treated as fairly as they might expect. The criteria against which the application will be judged are not as transparent as they need to be. This makes it imperative for them to consult their District Councillor, and /or the Parish Council. Indeed they are wise to attend the Parish Council when the application is considered. They need to meet their District Councillor since only the District Councillor can ensure that an application is considered by the Development Control Committee. The "neighbours" cannot rely on being able to meet the Council's case officer when the objection is assessed.

"Neighbours" cannot expect to gain easy access to the criteria against which their objection will be judged. For example when *loss of amenity - right to light* is disputed the local guidelines are generally unhelpful and further research is required to reveal that the criteria used by other councils which are variable. National guidelines are disregarded.

Chairman: Peter Fentem

2.11 *Skylight indicator 1: ‘25 degree’ line* This indicator governs new development directly facing existing windows. If a new building or extension breaches a perpendicular line at an angle of 25 degrees above the horizontal taken from a point 2 metres above ground level on an existing house, it is likely that windows in the existing house will be overshadowed. The diagram below illustrates how this indicator works. Where there are no levels changes, the Essex Design Guide suggests that a separation distance of at least 10 metres is required to prevent overshadowing. Our research shows that the 25 degree line is referred to in only a minority of local planning authorities’ householder design guides.

The letter received by neighbours does not contain sufficient useful guidance or advice on some of the points above. Indeed the implication of the phrase “This application is one which would normally be decided by the Director of Development” is that the outcome has been pre-judged.

This Parish Council’s recent experience over providing comment on local applications is a cause for concern. Comment appears to be considered late in the process if at all and, just as in the case of comment from “neighbours”, the précis of these comments is too cryptic. It behoves a Parish Council to use the word “objection” when it is appropriate and mean it.

Indeed this Parish Council’s recent experience has raised concern about the extent to which the democratic rights of neighbours are too readily ignored.

Yours sincerely

Peter Fentem

Professor Peter Fentem

Chairman
Great Chesterford Parish Council

Copied to:

Councillor Julie Redfern, District Councillor
Councillor J F Cheetham, Chair, Development Control Committee