

## DEVELOPMENT CONTROL COMMITTEE

6 JANUARY 2011

### REPORT OF THE ASSISTANT CHIEF EXECUTIVE

#### A.1 PLANNING APPEALS AND DECISIONS

##### PLANNING APPEALS RECEIVED

Notification has been received from the Planning Inspectorate that the following appeals have been lodged.

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
10/00095/REFUSE	10/00836/LUPR OP	Erection of detached garage building without complying with Condition 3 imposed upon planning permission 10/00321/FUL – 21 Second Avenue, Frinton	Mr & Mrs W Robinson
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
10/00098/FHOUSE	10/00882/FUL	Retention of new front roof - 82 Meadow Way, Jaywick	Mr Roy Burgoione

##### Background Papers

Planning Inspectorate Notification Letters.

##### ENFORCEMENT APPEALS RECEIVED

Notification has been received from the Planning Inspectorate that the following enforcement appeals have been lodged.

<u>Appeal No.</u>	<u>Proposal</u>	<u>Appellant</u>
10/00096/ENFORC	Without planning permission – 1) The erection, construction, maintenance, improvement or alteration of steel boundary palisade fencing as a means of enclosure, in excess of 1 metre in height above ground level (“the Boundary Fence”) adjacent to a highway used by vehicular traffic. 2) The installation of pole mounted close circuit television cameras other than on a building. 3) The carrying out of operational development involving the construction of an area of hardstanding for the storage and display of motor vehicles. 4) The erection of a workshop building - Land at Former Little Chef, Colchester Road, Great Bentley	Mrs Vera Palmer

<u>Appeal No.</u>	<u>Proposal</u>	<u>Appellant</u>
10/00097/ENFORC	Without planning permission, the change of use of land from A3 restaurant to:- 1) The use of land for the storage and display for sale or hire of motor vehicles; and, 2) The use of land for the sale and hire of vehicles. – Land at Former Little Chef, Colchester Road, Great Bentley	Mrs Vera Palmer

Background Papers

Planning Inspectorate Notification Letters.

**PLANNING APPEAL DECISIONS**

Notification has been received from the Planning Inspectorate that the following appeals have been decided. If you wish to see the decision in full then please contact Wendy Townsend by email [wtownsend@tendringdc.gov.uk](mailto:wtownsend@tendringdc.gov.uk) or by phone 01255 686128.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00472/FUL	Hertford House, 11 Park Way, Clacton	Demolition of existing building and erection of four bungalows	Dismissed
<b>Decision</b>	Delegated	<b>Officer Recommendation:</b>	N/A

The Inspector considered that the main issues were:-

- Whether the overall design and site layout of the development would achieve a sufficiently high quality of design to accord with the policies of the Tendring District Local Plan 2007.
- Whether the development would satisfactory living conditions for the occupants of the dwellings on plots 3 and 4 by reason of the outlook from some of the habitable room windows and the amount of private amenity space to plot 3.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
09/00861/FUL	17 The Esplanade, Frinton on Sea	Erection of 4 Apartments (following demolition of 17 The Esplanade) and ancillary works including bin/cycle store and alterations to existing vehicular access	Dismissed
09/00862/CON	17 The Esplanade, Frinton on Sea	The demolition proposed two-storey dwelling (17 The Esplanade)	Dismissed
<b>Decision</b>	Delegated	<b>Officer Recommendation:</b>	N/A

The Inspector considered that the main issues were:-

- The contribution 17 The Esplanade makes to the Conservation Area.
- The merits of the proposed replacement building.

The Inspector Dismissed the Appeals.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00469/FUL	Dundas Place, Colchester Road, Ardleigh	Proposed installation of 2 No Solar Panels to the South facing roof of the existing residential dwelling	Dismissed
10/00470/LBC	Dundas Place, Colchester Road, Ardleigh	Proposed installation of 2 No Solar Panels to the South facing roof of the existing residential dwelling	Dismissed

**Decision** Delegated **Officer Recommendation:** N/A

The Inspector considered that the main issue was:-

- Whether the proposed solar panels would preserve the special architectural or historic interest of the Listed Building, taking into account the need to reduce carbon emissions and secure sustainable development.

The Inspector Dismissed the Appeals.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00407/FUL	32 Hayes Road, Clacton	Proposed new fire escape stairs to the first floor maisonette	Dismissed

**Decision** Delegated **Officer Recommendation:** N/A

The Inspector considered that the main issue was:-

- The effect of the proposal on the amenities of adjoining occupiers by reason of loss of privacy.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00255/FUL	Brightlingsea Motel, 1 High Street, Brightlingsea	Proposed retention of shed/cycle store and replacement windows, new entrance door and retention of minor amendment to extent of breakfast room with revised roof over incorporating the first floor balcony.	Dismissed

**Decision** Delegated **Officer Recommendation:** N/A

The Inspector considered that the main issues were:-

- The impact the provision of the balcony and roof, as well as the side door, have on the character and appearance of the site and its surroundings, taking account in particular of the location within the Brightlingsea Conservation Area..

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00253/FUL	Pond House, The Green, Great Bentley	Proposed ground floor extension to form garden room	Dismissed
10/00254/LBC	Pond House, The Green, Great Bentley	Proposed ground floor extension to form garden room	Dismissed
<b>Decision</b>	Delegated	<b>Officer Recommendation:</b>	N/A

The Inspector considered that the main issue was:-

- Whether the proposed garden room would preserve the architectural and historic interest of the Listed Building.

The Inspector Dismissed the Appeal.

#### Background Papers

Planning Inspectorate Decision Letters.

### **ENFORCEMENT APPEAL DECISIONS**

Notification has been received from the Planning Inspectorate that the following appeals have been decided. If you wish to see the decision in full then please contact Wendy Townsend by email [wtownsend@tendringdc.gov.uk](mailto:wtownsend@tendringdc.gov.uk) or by phone 01255 686128.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
10/00020/ENFORC	57 Coppins Road, Clacton	Without planning permission the carrying out of operational development resulting in the conversion of an existing commercial / residential property and the erection of an extension, to provide eight residential units with associated parking and amenity space	Ground E allowed and Notice is Quashed

The enforcement appeal is allowed on Ground E and the Notice is quashed.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
10/00019/ENFORC	Brightlingsea Motel, 1 High Street, Brightlingsea	Without the benefit of Planning permission the carrying out of building operations materially affecting the external appearance of the building within a Conservation Area by 1). The provision of a balcony, the construction of mono pitched roof sections and the replacement of a vertical sliding sash window with a door in the north elevation of the building at first floor level above the "breakfast room". 2). The insertion of a part glazed door within the east elevation wall of the breakfast room	Dismissed

The Inspector dismisses the appeal and upholds the Enforcement Notice.

Background Papers

Planning Inspectorate Decision Letters.

**PLANNING APPEAL DECISIONS – WITHDRAWN**

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00804/ADV	Royal Mail, Alresford Delivery Office & Post Office, 55 Station Road, Alresford	Installation of new store fascia for 53 and 55 Station Road and 3 A1 external poster frames to advertise store promotions.	Withdrawn

Background Papers

Planning Inspectorate Withdrawal Notification Letters.