

DEVELOPMENT CONTROL COMMITTEE

25 JANUARY 2011

REPORT OF THE INTERIM HEAD OF PLANNING

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>
1000099/REFUSE	10/01199/FUL	Erection of one four bed detached house with double garage – Land off Eastern Road, Brightlingsea	Mr & Mrs Elsey

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
10/00100/FHOUSE	10/00989/FUL	Two storey extension – 70 Hungerdown Lane, Lawford	Mr Daniel Harty

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>
11/00001/ENFORC	Without the benefit of planning permission the erection of a steel framed and corrugated roof building and the laying of a hardcore base – Land at Bottles Hall, Clacton Road, Elmstead	Mr Ben Whiting

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 or by phone 01255 686128.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00549/FUL	36 Third Avenue, Frinton on Sea	Proposed retention of fence	Dismissed

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

The Inspector considered that the main issues were:-

- Whether the proposed will cause harm to the appearance of the Conservation Area.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00980/FUL	Sans Souci, Harwich Road, Gt Oakley	Proposed extension and alterations	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Is the effect of the proposed development on the character and appearance of the area.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
08/01564/FUL	12 Croft Road, Clacton	Demolition of existing bungalow and replacement with 3 no. three bedroom two-storey dwellings – The Discharge of conditions 4 & 6 – 12 Croft Road, Clacton	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issue was:-

- The effect of the proposed materials and landscaping on the character and appearance of the area.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00534/DETAIL	77 Kings Parade, Holland on Sea	Demolition of the property and the erection of 6 flats	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effects of the submitted details on the character and appearance of the and area; and
- The effects of the submitted details on the living conditions of future occupants in terms of outlook, daylight, privacy, noise and disturbance and provision of amenity space.

The Inspector Dismissed the Appeal.

Background Papers

Planning Inspectorate Decision Letters.

APPEAL COSTS DECISIONS

On April 2009 the Government issued new guidance increasing the number of decisions where a costs award is payable for unreasonable behaviour. Since April 2009 a more rigorous approach has been taken and costs have been sought in cases where an appellant has appeared unreasonable. In three recent cases the Council has been awarded full costs on appeal. There are no specific sums yet agreed, as we have to claim these from the appellant and the final settlement may not be what is claimed.

The three costs awards are:-

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>
09/01332/OUT	219 Main Road, Harwich	Erection of detached dwelling and construction of new vehicular access. Erection of detached garage ancillary to 219 Main Road.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>
10/00266/FUL	65 Lake Walk, Clacton	New Dwelling

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>
08/01564/FUL	12 Croft Road, Clacton	Demolition of existing bungalow and replacement with 3 no. three bedroom two-storey dwellings – The Discharge of conditions 4 & 6