

PLANNING COMMITTEE

8 MARCH 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>
11/00002/REFUSE	10/00913/FUL	Proposed agricultural building to house herd of suckler cows – Bottles Hall, Clacton Road, Elmstead	Mr Ben Whiting

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00003/REFUSE	10/00986/FUL	Change of use of privately used equine land to use of land for running livery business – Birchwood Nursery, Harts Lane, Ardleigh	Miss H Farrer

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00005/REFUSE	10/00957/FUL	Erection of five bungalows - Land Adjacent to Sacketts Grove, Clacton	Smith Farms

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00006/REFUSE	10/01123/FUL	Retention of fences – 46, 48, 50, 53 Harpers Way, Clacton	Mrs Leslea Painter

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00007/REFUSE	10/01126/FUL	Retention of fence – 47 & 49 Harpers Way, Clacton	Mrs Sheila Phillips

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00008/FHOUSE	10/01083/FUL	Proposed garage – 1Magdalen Court, Coppins Road, Clacton	Clacton Decor

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>
11/00004/ENFORC	Without the benefit of planning permission the construction of a brickwork boundary wall with piers above 1 metre high adjacent to the highway – 66 Lymington Avenue, Clacton	Dr Kayhan Khamoushi

<u>Appeal No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00009/ENFORC	Without the benefit of a planning permission the installation of a galvanised steel extractor flue to the rear elevation of the building – 6 Station Road, Manningtree	Mrs A V Stock

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@tendingdc.gov.uk or by phone 01255 686128.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00773/FUL	Hertford House Hotel, 11 Park Way, Clacton	Demolition of existing building and erection of four bungalows	Allowed

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

The Inspector considered that the main issues were:-

- The effect on the appearance of the street scene and the character of the local area.
- Whether the detailed design of the scheme is of an acceptable standard; and
- Whether future occupiers of Plots 3 and 4 would have reasonable living conditions, with particular regard to immediate outlook and garden space.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00621/FUL	1 The Esplanade, Holland	Proposed replacement 2 storey dwelling	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposed development 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>
10/00576/FUL	1 Waltham Way, Frinton	Proposed demolition of existing bungalow and garage, and construction of 1 no two storey 3 bedroom detached house with attached garage, & 1 no two storey bedroom detached house with attached garage and basement leisure suite: new and retained access, landscaping, new boundary walls & fences.	Dismissed

Decision Committee **Officer Recommendation:** Approval

The Inspector considered that the main issues were:-

- The effect the proposal would have on the character and appearance of the area, including the adjacent Frinton and Walton Conservation Area, and on the setting of the Round House.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00882/FUL	82 Meadow Way, Jaywick	Retention of new front roof	Allowed

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

The Inspector considered that the main issue was:-

- The proposal's impact on the risk of flooding in the immediate area in terms of the property's exposure to risk and whether it would be likely to increase the risk of flooding elsewhere.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/00989/FUL	70 Hungerdown Lane, Lawford	Proposed Two storey extension	Allowed

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

The Inspector considered that the main issue was:-

- The effect the proposed development would have on the character and appearance of the surrounding area and the appeal property.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
09/01073/LUEX	9 Seawick Road, St Osyth	The use for which a certificate of lawful use or development is sought is not fully described in the application or in the appellant's Appeal Form. In the notification of Refusal of a certificate it is referred to as a Lawful Use Application for all year round occupancy	Dismissed

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

The Inspector considered that the main issue was:-

- Whether the decision to refuse the grant of a LDC was well founded.

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 or by phone 01255 686128.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
10/00068/ENFORC	19 Church Street, Harwich	Without the benefit of planning permission the installation of a galvanised metal extractor flue on the south west elevation of the building	Dismissed

The Inspector dismisses the appeal and upholds the Enforcement Notice.

Background Papers

Planning Inspectorate Decision Letters