

## PLANNING COMMITTEE

28 JUNE 2011

### REPORT OF THE TEMPORARY 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>
11/00025/REFUSE	10/01086/FUL	Removal of Condition 5 of ENE/TEN/249/59 which states 'The dwelling shall be occupied only in connection with the working of the applicant's farm' - Comarques Farm Bungalow, Colchester Road, Thorpe Le Soken	Mr & Mrs W R Neilson
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00027/REFUSE	10/01096/OUT	Outline planning application for 3 residential units – Land at Windmill Road, Bradfield	Mrs Judith Hooks
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00028/REFUSE	10/01426/OUT	Erection of detached two bedroom bungalow - Land adjacent Malting Lodge, Malting Lane, Kirby Le Soken	Mr & Mrs Newman
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00029/REFUSE	10/01432/FUL	Building 4 no. detached houses and 2 detached garages to front of New Hall, Low Road Harwich	Mr M Selt
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00030/REFUSE	10/0297/FUL	Erection of 3 bedroom single storey detached dwelling – Land rear of 32 Albert Road, Brightlingsea	Mr & Mrs L Cardy

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00031/FHOUSE	11/00181/FUL	Erection of garage - 1 Boulton Cottages, Frating Road, Great Bromley	Mr & Mrs C Morgan

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00032/FHOUSE	11/00074/FUL	Alterations & extensions to increase size of garage & study with bedroom, bathroom & dressing room above – Herons, Colchester Road, Gt Oakley	Mr I Woods

### 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>
10/00336/FUL	Former Little Chef, Colchester Road, Great Bentley	Change of use of land and premises from roadside restaurant A3 to use for hire and sale of motor vehicles, including operational development to extend forecourt hardstanding and boundary treatment.	Dismissed

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

The Inspector considered that the main issues were:-

- The character and appearance of the site and its surroundings;
- Achieving sustainable patterns of development; and,
- The local economy and employment.

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.

<b><u>Incident Number</u></b>	<b><u>Address</u></b>	<b><u>Alleged Unauthorised Development</u></b>	<b><u>Decision</u></b>
10/00096/ENFORC	Former Little Chef, Colchester Road, Great Bentley	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.	The appeal is allowed in part and planning permission granted for the workshop building, otherwise the appeal is dismissed.

The Inspector allows the appeal in part, and planning permission granted for the workshop building, otherwise the appeal is dismissed..

<b><u>Incident Number</u></b>	<b><u>Address</u></b>	<b><u>Alleged Unauthorised Development</u></b>	<b><u>Decision</u></b>
10/00097/ENFORC	Former Little Chef, Colchester Road, Great Bentley	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 motor vehicles.	Dismissed

The Inspector dismisses the appeal and upholds the Enforcement Notice.

### **Background Papers**

Planning Inspectorate Decision Letters.

## **TREE 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.

<b><u>Application No.</u></b>	<b><u>Address</u></b>	<b><u>Proposal</u></b>	<b><u>Decision</u></b>
10/01442/TPO	1 Slaters Close, Frinton on Sea	Complete removal of Oak tree - TPO 11/91	Dismissed
<b>Decision</b>	Delegated	<b>Officer Recommendation:</b>	N/A

The Inspector considered that the main issues were:-

- The effect of the proposal on the character and amenity of the area;
- Does the tree pose a current and identifiable threat to the owners of 1 Slaters Close?
- Does the appeal tree pose a threat to the built structure of the property or to neighbouring properties? And,
- Does the appeal tree present such a nuisance to the owners of 1 Slaters Close that this is sufficient to outweigh its amenity value to justify the works proposed?

### Background Papers

Planning Inspectorate Decision Letters.