

PLANNING COMMITTEE

18 OCTOBER 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>
11/00054/REFUSE	10/01354/FUL	Erection of farm house with guest house accommodation - Jacques Hall Farm, Harwich Road, Bradfield, CO11 2XW	Mr B.L. & J.E. Mitchell

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00055/REFUSE	11/00342/FUL	Erection of detached two storey dwelling and ancillary detached garage and construction of new vehicular access – 24 Mayes Lane, Ramsey, CO12 5EJ	Mr N Neal

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00056/REFUSE	11/00606/ADV	Retention of 2 x 48 sheet 6.1m x 3.05m hoardings - Lidl Supermarket St Osyth Road, Clacton On Sea, CO15 3BN	Lidl (UK) Gmbh - Mr B Goodson

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00057/NONDET	11/00571/FUL	Redevelopment of site with the erection of 32 retirement housing apartments with vehicular access from Carnarvon Road, associated parking area and landscaping – 8 -12 Carnarvon Road, Clacton on Sea, CO15 6PH	McCarthy & Stone Retirement Lifestyles Ltd

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>
11/00337/FUL	5 Willow Avenue, Kirby Cross, Frinton on Sea, CO13 0PR	Rear extension and 2 side facing dormer windows.	Allowed

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

The Inspector considered that the main issue was:-

- The effect of the proposal on the character and appearance of the host property and surrounding area.

The Inspector allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/01426/FUL	Land Adj. Malting Lodge, Malting Lane, Kirby le Soken	Erection of detached two bedroom bungalow	Dismissed

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

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/01259/FUL	Tile Barn, Tile Barn Lane, Lawford	Conversion of barn to provide a one bed live-work unit for a forestry/agricultural contactor	Dismissed

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

The Inspector considered that the main issue was:-

- Whether there are material considerations of sufficient weight to justify aside that established planning policy.

The Inspector Dismissed the Appeal.

Background Papers

Planning Inspectorate Notification 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>
11/00009/ENFORC	Land 6 Station Road, Manningtree	Without planning permission installation of a galvanised steel extractor flue to the rear elevation of the building	Dismissed

The Inspector Dismissed the appeal and upholds the Enforcement Notice.

Background Papers

Planning Inspectorate Notification Letters.

APPEAL COSTS DECISIONS

In April 2009 the Government issued new guidance increasing the number of decisions where a costs award is payable. In a recent case, the Planning Inspectorate dismissed an appeal against the service of an enforcement notice on an extractor flue but awarded partial costs against the Council as the evidence submitted to support the fourth reason for issuing the notice, on the grounds of odours and smells, was not considered substantive enough given a statutory nuisance had not been proven and an abatement notice issued.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>
11/00009/ENFORC	Land at 6 Station Road, Manningtree	Without planning permission the installation of a galvanised steel extractor flue to the rear elevation of the building