

PLANNING COMMITTEE

8 FEBRUARY 2012

REPORT OF THE TEMPORARY HEAD OF PLANNING

A.1 PLANNING APPEALS AND APPEAL 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>
11/00075/REFUSE	11/00510/FUL	Erection of 4 Bed Detached Dwelling – Blacktiles, 38 Point Clear Road, St Osyth, CO16 8EP	Mrs F R Watkins
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
11/00076/REFUSE	11/00900/FUL	Change of use from dwelling to pre-school premises and extension and alterations – Church Meadow Bungalow, Hall Road, Gt Bromley, CO7 7TR	Little Dragons Pre-School
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00001/REFUSE	11/00543/FUL	Extension and alterations to existing public house with dwelling above in connection with conversion to two no. dwellings, and erection of two no. two storey dwellings with associated parking facilities and construction of vehicular access – The Wagon, New Road, Mistley, CO11 2AP	BB Builders PTY Ltd
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00002/REFUSE	11/01168/FUL	Change of Use to a Class A2 Financial Use – 11-13 West Avenue, Clacton, CO15 1QS	Cube Development
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00003/REFUSE	11/01056/FUL	New dwelling. Land Between Barn Cottages and Walcot, Harwich Road, Little Oakley	Mr D Barker
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>

12/00004/REFUSE	11/01265/FUL	Erection of detached 2 bedroom dwelling – Forge Cottage, 5 Valley Road, Clacton on Sea, CO15 4AR	Mr G Jordan
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00005/FHOUSE	11/01064/FUL	Retention and reduction of store - 11 Seawick Road, St Osyth, CO16 8SJ	S Walters
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00006/REFUSE	11/01389/FUL	Demolition of commercial unit and flat and formation of three dwellings - 147 St Osyth Road, Clacton On Sea, CO15 3HA	Clacton Décor 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 Cheryl Dyer by email appeals.planningservices@tendringdc.gov.uk or by phone 01255 686178.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/01450/FUL	729 - 731 Main Road, Harwich, CO12 4LZ	Two storey and first floor front, side and rear extensions to provide one flat at first floor, enlarged shop at ground floor, and one flat at the rear at first floor.	Dismissed

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

The Inspector considered that the principal issues were:-

- The impact upon the character and appearance of the locality.
- The impact upon highway safety.
- Whether satisfactory living conditions would be provided for prospective occupiers.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/000342/FUL	24 Mayes Lane, Ramsey, Harwich, CO12 5EJ	Erection of detached two storey dwelling and ancillary detached garage and construction of new vehicular access.	Allowed

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

The Inspector considered that the principal issues were:-

- The effect of the proposal upon the character and appearance to Mayes Lane.
- The effect of the proposal upon highway safety in Mayes Lane.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00270/FUL	The Paddock, Kirby Road, Great Holland, CO13 0HZ	Proposed new house and garages.	Dismissed

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

The Inspector considered that the main issues were:-

- Whether the location of the proposed house would comply with the development plan, and if not, whether the existence of a shortfall in the supply of housing land in the District and compliance of the proposal with Planning Policy Statement 3: 'Housing' (PPS3) would outweigh such non compliance; and
- The effect of the proposal on the character and appearance of the area, and,
- Whether the appeal site is in a sustainable location for development in relation to the accessibility of facilities and services, and reducing the need to travel.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/01354/FUL	Jacques Hall Farm, Harwich Road, Bradfield, CO11 2XW	Erection of farm house with guest house accommodation.	Dismissed

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

The Inspector considered that the main issue was:-

- Whether there is an agricultural need for the dwelling sufficient to overcome the policy presumption against new housing in the countryside.
- 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>
11/00544/FUL	40 Queens Road, Frinton, CO13 9BL	Erection of 7 no apartments (following the demolition of the existing building).	Allowed

Decision Committee **Officer Recommendation:** Approval

The Inspector considered that the main issues were:-

- The character and appearance of the area;
- The living conditions of the occupiers of No 38, in relation to light and outlook;
- Highway safety.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00786/FUL	The Bower, Clacton Road, Elmstead	Erection of a timber framed shed	Dismissed

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

The Inspector considered that the main issue was:-

- The effect of proposal on the proposal 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>
11/00775/FUL	Heathdene, Clacton Road, Weeley Heath, CO16 9ED	Extensions and Alterations	Allowed

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

The Inspector considered that the main issues were:-

- The effect on the character and appearance of the area;
- The living conditions of the occupiers of Portland, in relation to light and outlook;

The Inspector Allowed the Appeal.

Background Papers

Planning Inspectorate Notification 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 Cheryl Dyer by email appeals.planningservices@tendingdc.gov.uk or by phone 01255 686178.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/01002/TPO	42 Preston Road, Holland on Sea, CO15 5JX	Proposed felling	Dismissed

Decision

Delegated

Officer Recommendation: 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 appeal tree present such a significant nuisance to the owners of 42 Preston Road that this is sufficient to outweigh its amenity value and justify the works proposed;
- Is damage reported to walls and fencing at 42 Preston Road sufficient to justify the works proposed.

The Inspector Dismissed the Appeal.

Background Papers

Planning Inspectorate Notification Letters.