

PLANNING COMMITTEE

6 MARCH 2012

REPORT OF THE TEMPORARY HEAD OF PLANNING

A.1 PLANNING APPEALS, APPEAL DECISIONS AND ENFORCEMENT 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>
12/00007/REFUSE	11/01083/FUL	Part demolition of existing cart lodge and erection of a new single storey building to provide a 2 bedroom annexe and conversion of an existing building abutting the cart lodge to form an ancillary farm office. – Blue Gates Farmhouse, Blue Gates Farm, Colchester Main Road, Alresford, CO7 8DE	Mr M Leyland

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00008/FHOUSE	11/01362/FUL	Construction of raised timber decking to rear, installation of patio doors and erection of 2m high timber screen - 329 Walton Road, Walton On The Naze, CO14 8LR	Mr James Letts

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00010/REFUSE	11/01173/FUL	To demolish existing pair of 2 bed semi detached single storey dwellings and erect a pair of new 2 bed attached single storey dwellings. - 1 & 2 The Pavilion, Woodland Lodge, Spring Valley Lane, Ardleigh, CO7 7SD	Mr R and Mrs J Wyncoll

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00011/REFUSE	11/00657/FUL	Demolition of existing glass-house and erection of mobile home with associated landscaping, parking and drainage works for residential use in association with authorised commercial livery use – Birchwood Nursery, Harts Lane, Ardleigh, CO7 7QH.	Ms Holly Farrer

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00012/REFUSE	11/01388/FUL	Change of use of existing ice cream parlour (Class A1) to a drinking establishment (Class A4) - 7 Connaught Avenue, Frinton On Sea, CO13 9PN	Mr P McCudden

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>
10/01432/FUL	New Hall, Low Road, Harwich, CO12 3TS	Building 4 no. detached houses and 2 detached garages to front of New Hall, Low Road Harwich.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposed development on the area's character and appearance.
- The management of surface water from the site, particularly in relation to the adjacent highway and the interests of highway safety.
- Whether financial contributions towards public open space and recreation facilities are justified, and if so, whether the proposal would make an appropriate contribution.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00423/FUL	The Paddocks, Heath Road, Tendring	Erection of multipurpose hay barn used for storage of hay bales, horse and animal feed and the housing of lambing pens. And an ancillary store for tractor and other land maintenance equipment.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposal on the character and appearance of the area.
- Whether a need for the proposed building has been satisfactorily demonstrated.

The Inspector dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
10/01086/FUL	Comarques Farm Bungalow, Colchester Road, Thorpe le Soken, CO16 0LA	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'.	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the disputed condition complies with the tests set out in Circular 11/95
- Whether there is any justification for its replacement with the standard agricultural occupancy condition included in the Circular, bearing in mind the objectives of Policy HG19 of the Tendring District Local Plan 2007 to protect the countryside.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00606/ADV	Lidl, St Osyth Road, Clacton on Sea, CO15 3BN	Retention of 2 x 48 sheet 6.1m x 3.05m hoardings.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issue was:-

- The effect 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>
11/00935/FUL	Stephenson Place, Stephenson Road, Clacton on sea	Change of use from warehouse to children's activity centre.	Allowed
Decision	Committee	Officer Recommendation:	Approval

The Inspector considered that the main issues were:-

- The effect on the vitality and viability of the town centre.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00901/FUL	Land Adj.acent to Sacketts Grove, Jaywick Lane, Clacton on Sea	Erection of four bungalows.	Allowed

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

The Inspector considered that the main issue was:-

- The effect on the character and appearance of the countryside.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00889/FUL	Land adjacent 62 Valley Road, Clacton on Sea	Erection of one 3 bed detached dwelling.	Allowed

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

The Inspector considered that the main issue was:-

- The effect on the character and appearance of the street scene.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00574/LUEX	Mitchells Farm Shop School Road Elmstead	Lawful use of site without complying with Condition 14 imposed upon planning permission 00/01062/FUL relating to storage and sale of produce outside the farm shop.	Dismissed

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

The Inspector considered that the main issue was:-

- Whether the Council's decision to refuse to issue an LDC was well-founded.

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 Cheryl Dyer by email appeal.planningservices@tendringdc.gov.uk or by phone 01255 686178.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
11/00040/ENFORC (10/00650/CHGUS2)	52 Harwich Road, Lawford, CO11 2LS	Without the benefit of planning permission: 1. The material change of use of the land (hatched blue) to a mixed use of a residential dwelling and the keeping of dogs. 2. The material change of use of land (hatched green) to the keeping of dogs.	Dismissed

The Inspector dismisses the appeal and upholds the Enforcement Notice subject to the correction to the plan attached to the appeal decision and compliance time limit.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
11/00036/ENFORC (06/00372/CHGUS3)	13 Seawick Road, St Osyth, CO16 8SJ	Without the planning permission, the change of use of land to use for the stationing of a caravan used for residential purposes.	Dismissed

The Inspector dismisses the appeal and upholds the Enforcement Notice subject to variation of the compliance period, and planning permission is refused on the deemed planning application.

Background Papers

Planning Inspectorate Notification Letters.