

PLANNING COMMITTEE

4 SEPTEMBER 2012

REPORT OF THE ACTING 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>
12/00031/REFUSE	12/00097/FUL	Erection of one 3 bedroom bungalow. - Land rear of 39 London Road, Little Clacton	Mr S Wilson
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00034/REFUSE	12/00412/FUL	Change of use of storage area into one bedroom flat. - Land at Peake Avenue, Kirby Cross, CO13 0SQ	Mr A Strutt - Ace Properties Ltd
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00035/REFUSE	12/00312/FUL	Erection of 6 dwellings (following demolition of 40 Gorse Lane). - 40 - 42 Gorse Lane, Clacton On Sea, CO15 4RN	Burfoot Construction Ltd
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00036/REFUSE	12/00431/FUL	Erection of detached two storey house. - Land Adj. 38 Old Road, Frinton On Sea, CO13 9BZ	Mr R Finch
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00037/REFUSE	12/00542/FUL	Erection of 11kW Gaia wind turbine on 18m high tower with 5m x 5m buried base. - Elm Todd, Little Clacton Road, Great Holland, CO13 0EX	Mr Miles Hill
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00038/REFUSE	12/00015/FUL	Erection of a two bedroom dwelling. - Land at Corner of Chapel Lane/Thorpe Road, Kirby Cross, CO13 0NF	Miss J McDowall

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>
12/00032/ENFORC	Without the benefit of a planning permission the material change of use of the first floor of a detached outbuilding from a use incidental to the main dwelling house to use as a single dwelling. - Windward House, First Avenue, Frinton On Sea, CO13 9HA	Mr R Wallace

<u>Appeal No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00033/ENFORC	Without the benefit of a planning permission the material change of use of the first floor of a detached outbuilding from a use incidental to the main dwelling house to use as a single dwelling. - Windward House, First Avenue, Frinton On Sea, CO13 9HA	Mrs P Wallace

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 Leanne Stopp by email appeals.planningservices@tendringdc.gov.uk or by phone 01255 686157.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00900/FUL	Church Meadow Bungalow, Hall Road, Great Bromley, CO7 7TR	Change of use from dwelling to pre-school premises and extension and alterations.	Allowed

Decision Committee **Officer Recommendation:** Approval

The Inspector considered that the main issues were:-

- The aims of sustainability,
- Highway safety,
- The future of the Village Hall; and,
- The setting of the Grade I listed Church at St George (the church).

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/01388/FUL	Jo Jo, 7 Connaught Avenue, Frinton On	Change of use of existing ice cream parlour (Class A1) to a	Dismissed

Sea, CO13 9PN drinking establishment (Class A4)

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

The Inspector considered that the main issues were:-

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

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 Leanne Stopp by email appeal.planningservices@tendringdc.gov.uk or by phone 01255 686157.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
12/00018/ENFORC (11/00300/CHGUS3)	Al-Fresco Restaurant, 32 - 34 Kingsway, Dovercourt, CO12 3AB	Without the benefit of planning permission the material change of use of the premises from a restaurant/takeaway and snooker club to a mixed use of a restaurant/takeaway, snooker club and nightclub.	Dismissed

The Inspector Dismissed the appeal and upholds the Enforcement Notice.

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 Leanne Stopp by email appeals.planningservices@tendringdc.gov.uk or by phone 01255 686157.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00386/TPO	9 Rosewood Park, Mistley, Manningtree, CO11 1UA	Quercus ilex - T1 - spur off base of T2 - fell. Quercus ilex - T2 - reduce height of tree by 8-10 ft. Quercus ilex - T3 - fell but leave a stump of 6-8 ft	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.
- Do the appeal trees present such a significant nuisance to the owners of 5 The Limes that this is sufficient to outweigh their amenity value and justify the works proposed?

The Inspector Dismissed the Appeal.

Background Papers

Planning Inspectorate Notification Letters.