

PLANNING COMMITTEE

23 APRIL 2013

QUARTERLY REPORT (JANAURY – MARCH 2013)

REPORT OF THE 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>
12/00054/REFUSE	12/00862/FUL	Variation of Condition 3 of 10/01397/FUL to allow the use of land for all year round holiday and leisure use. - New Hall Lodge Park, Low Road, Dovercourt, Harwich, CO12 3TS	Mr Timothy Hay
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00055/REFUSE	12/00983/FUL	Change of use from restaurant (Use Class A3) to nightclub (Sui Generis) (Retention of). - 32 Kingsway, Dovercourt, Harwich, CO12 3AB	G C Management
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
12/00056/REFUSE	12/00397/FUL	Sale of vehicles from front of property. - 824 St Johns Road, Clacton On Sea, CO16 8BS	Mr J Wallace
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00001/REFUSE	12/00597/FUL	Erection of one two bedroomed flat and a cycle / maintenance store.- Holland House Skelmersdale Road Clacton On Sea CO15 6BD	Holland House Developments Ltd
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00005REFUSE	12/00321/FUL	Continued use of the land to the rear of Strangers Home for the existing 67 touring pitches (caravans or tents) between 1st March and 15th January of the following year. Limit of 50 caravans at any one time (increased from 25) together with the retention of the modified site access and use of part of the land for caravan storage	Starglade - Mr A Forward

between 15th January and 1st March
(Replacement of existing consent
TEN/922/76). – Stranger Home, The
Street, Bradfield, Manningtree,
12/00321/FUL

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00006/REFUSE	12/00243/OUT	Outline application for housing development comprising of 15 no. mixed market and affordable housing. - Land to The East of 10 The Sheltons, Kirby Cross, CO13 0LX	Hazelwood UK Limited
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00007/NONDET	12/00931/FUL	New detached 5 bedroom dwelling. - Land at 10 The Sheltons, Frinton On Sea ,CO13 0LX	Mr T Hill
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00008/FHOUSE	12/01204/FUL	Proposed rear balcony. - 2 Eastcliffe, Green Lane, Walton On The Naze, CO14 8HA	Mr B Edwards
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00009/FHOUSE	12/01169/FUL	Proposed two storey side extension to form living room, two bedrooms and en-suite. - 242 Fronks Road, Dovercourt, CO12 4JB	Mr & Mrs Welham
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00010/REFUSE	12/00893/FUL	To demolish existing pair of 2 bed semi detached single storey dwellings and erect a pair of new 2 bed semi detached single storey dwellings. - 1 & 2 The Pavilion, Spring Valley Lane, Ardleigh, CO7 7SD	Roger & Jean Wyncoll
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00011/REFUSE	12/01076/FUL	Change of use to four flats. - 152 Coppins Road, Clacton On Sea, CO15 3LA	Mr Alan Turner
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00012/REFUSE	11/00853/FUL	Erection of two storey dwelling (following demolition of fire damaged former shop and dwelling). - Post Office, Clacton Road, Elmstead, CO7	Mrs Ellen Curtis

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00013/REFUSE	11/00854/FUL	Demolition of fire damaged former shop and dwelling. - Post Office, Clacton Road, Elmstead, CO7 7AB	Mrs Ellen Curtis

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00014/REFUSE	12/01307/LUPR OP	Proposed installation of replacement UPVC windows and doors. - White Ladies, 32 Ashlyns Road, Frinton On Sea, CO13 9EU	Mr & Mrs M Dooley

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00015/NONDET	12/01020/OUT	Detached dwelling and associated parking improvements. - Land off Edward Road, Thorpe Le Soken, CO16 0HJ	Mr A Fuller

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00016/FHOUSE	12/01274/FUL	Retention of boundary fence. - 53 Deanhill Avenue, Clacton On Sea, CO15 5BE	Joan Carol Hemstead

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00017/REFUSE	12/01427/FUL	Demolition of existing dwelling and to erect a pair of semi-detached bungalows. - 24 Cliff Road, Holland On Sea, CO15 5QQ	Mr W Wright

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>
13/00002/ENFORC	Without planning permission, the change of use of 'The Annexe' building to a dwelling house. – The Annexe, Shaftesbury House, Clacton Road, Elmstead, CO7 7DB	Mr Kewl Dulai

<u>Appeal No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00003/ENFORC	Without planning permission, the change of use of 'The	Mrs Chandanjit

Annexe' building to a dwelling house. – The Annexe,
Shaftesbury House, Clacton Road, Elmstead, CO7 7DB

Dulai

<u>Appeal No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00004/ENFORC	Without planning permission, the change of use of the pool house building to a dwelling house. – The Pool House, Shaftesbury House, Clacton Road, Elmstead, CO7 7DB	Mr Harjit Dulai

Background Papers

Planning Inspectorate Notification Letters.

PLANNING APPEAL DECISIONS – WITHDRAWN

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00024/FHOUSE (11/01244/FUL)	3 Lane Cottage, The Green, Mistley, CO11 1EX	Erection of front, side and rear extensions to existing building (Retention of existing wrap around extensions and alterations to existing roof).	Withdrawn

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>
12/00859/FUL	Culver Cottage, Colchester Road, Thorpe Le Soken, CO16 0LA	Creation of in and out access and dropped kerb.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposal on highway safety.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/01148/FUL	Land adjacent 2 Harrow Road Clacton On Sea, CO15 3PU	1 bedroom house.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposed new dwelling on the living conditions of existing neighbouring occupiers and on the future occupiers of the dwelling, with particular regard to amenity space.
- The effect on parking and highway safety.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00542/FUL	Elm Todd, Little Clacton Road, Great Holland CO13 0EX	Erection of 11kW Gaia wind turbine on 18m high tower with 5m x 5m buried base.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effects of the proposal on the rural character and appearance of the area and on the living conditions of nearby residents, with particular regard to noise.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00067/FUL	20B Harold Road, Frinton On Sea, CO13 9BE	Proposed second floor/roof level accommodation as extension to first floor flat.	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.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00431/FUL	Land Adj. 38 Old Road, Frinton On Sea, CO13 9BZ	Erection of detached two storey house.	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the proposal would preserve or enhance the character or appearance of the Frinton and Walton Conservation Area.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00312/FUL	40 - 42 Gorse Lane, Clacton On Sea, CO15 4RN	Erection of 6 dwellings (following demolition of 40 Gorse Lane).	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.
- The effect on the living conditions of future occupants of the dwellings, with particular regard to noise and disturbance and amenity space provision.
- Whether the proposal would compromise economic development through the loss of allocated land or future restrictions on development for the industrial estate.
- The effect on protected trees.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/01191/FUL	Beach Hut 648, Front Row, High Wall Promenade, Frinton On Sea, CO13 9JB	Construction of balustrade and steps.	Dismissed

Decision Committee **Officer Recommendation:** Approval

The Inspector considered that the main issues were:-

- The effect the proposed development would have on the character and appearance of the surrounding area and the Frinton and Walton Conservation Area.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00690/FUL	Old School House, School Road, Tendring, CO16 0BP	1.6m high oak close boarded boundary fence (existing fence to be reduced from 2.05m to 1.6m)	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.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00097/FUL	Land rear of 39 London	Erection of one 3 bedroom	Dismissed

Road, Little Clacton, bungalow.
CO16 9RN

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

The Inspector considered that the main issues were:-

- The effect the proposed development would have on the character of the surrounding area.
- The effect the proposed development would have on the living conditions of the occupants of the two houses directly west of the appeal site.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00412/FUL	Land at Peake Avenue, Kirby Cross, Frinton on Sea, CO13 0SQ	Change of use of storage area into one bedroom flat.	Allowed

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

The Inspector considered that the main issues were:-

- Whether the proposed development would make adequate provision for off-street parking.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00326/FUL	1 Waltham Way, Frinton On Sea, CO13 9JE	Erection of two detached dwellings.	Dismissed

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

The Inspector considered that the main issues were:-

- The character and appearance of the area, including the effect on the settings of the adjoining Round House, a listed building, and the adjoining Frinton and Walton Conservation Area.
- The living conditions of future occupiers, with particular reference to the provision of private amenity space.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00015/FUL	Land at Corner of Chapel Lane/Thorpe Road, Kirby Cross, CO13 0NF	Erection of a two bedroom dwelling.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect the proposed development would have on the character and appearance of its surroundings.
- Whether adequate private outdoor amenity space would be provided.
- Whether there would be adequate off-street parking and vehicular access arrangements.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00498/FUL	Viking Cottage and Four Oaks, Green Lane, Walton On The Naze, CO14 8HA	Erection of 8 dwellings.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effect the proposed development would have on the character and appearance of the area; and
- The living conditions of adjoining neighbours; and
- Whether appropriate provision would be made for private amenity space; and
- Whether appropriate provision would be made for off street parking.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00457/FUL	Highfield Holiday Park London Road, Clacton On Sea, CO16 9QY	Change of use of land to operate Holiday Park for year round holiday use (Variation to permissions 04/01359/FUL and 04/01907/FUL).	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the construction standards of the caravans should preclude their occupation between 14 January and 1 March in any one year; and
- Whether the proposed development would lead to the caravans being occupied as full-time residential accommodation.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/01204/FUL	2 Eastcliffe, Green Lane, Walton On The Naze, CO14 8HA	Proposed rear balcony.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposal on the living conditions of neighbouring occupiers with particular regard to privacy.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
08/01485/FUL (Discharge of Condition 3)	Parkeston House, Adelaide Street, Parkeston, CO12 4PJ	Change of use of vacant 1st and 2nd floor offices to 10 (2 bedrooms) residential flats, and external alterations, as amended by drawing no. 0804/02/Rev C received on 27th January 2009.	Dismissed

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

Discharge of Condition 3 details: Details of the parking provision for 12 cars, together with 10 secure and undercover cycle storage spaces and provision for an enclosure of refuse bins.

The Inspector considered that the main issues were:-

- The effect of the proposal on highway safety and the free flow of traffic in the area.

The Inspector Dismissed the Appeal and approval of the details required by condition is refused.

Background Papers

Planning Inspectorate Notification Letters.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00950/FUL	Rear of 1 Fernlea Road Harwich, CO12 3BP	Replace dilapidated timber garages and storage buildings with new brick built garage.	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.
- The effect on the living conditions of nearby occupiers with particular regard to outlook.

The Inspector Dismissed 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 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>
12/00448/TPO	89 Walton Road, Clacton On Sea, CO15 6EB	Pine trees at front of property - remove branches overhanging path and driveway.	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effect on the character and appearance of the surrounding area if the works to the 2 pine trees were to be carried out;
- Whether the reasons given for the works justify that course of action.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00834/TPO	73 Fourth Avenue, Frinton On Sea, CO13 9DY	Refusal of consent to fell 2 trees	Allowed
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 proposal conform to good arboricultural practice, including the requirement to maintain viable tree cover in the area?

The Inspector Allowed 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>
12/00032/ENFORC & 12/00033/ENFORC	Windward House, First Avenue, Frinton On Sea	Without the benefit of a planning permission the material change of use of the	Dismissed

(11/00127/CHGUS3)

first floor of a detached outbuilding from a use incidental to the main dwelling house to use as a single dwelling.

The Inspector Dismissed the appeal and the Enforcement Notice is corrected and upheld.

Background Papers

Planning Inspectorate Notification Letters.