

PLANNING COMMITTEE

16 JULY 2013

QUARTERLY REPORT (APRIL – JUNE 2013)

REPORT OF THE HEAD OF PLANNING

A.1 PLANNING APPEALS AND APPEALS 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>
13/00018/REFUSE	11/01172/OUT	Construction of thirty houses with associated parking, access and landscaping works. - Land rear of Edward Street and Una Road, Parkeston, CO12 4PS	Martin Simon Properties Ltd

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00019/REFUSE	12/00692/FUL	Change of use and proposed extension of existing residential gypsy site to create 8 no. residential gypsy pitches including the retention of 3 no. existing pitches and the provision of an additional 5 no. pitches with utility/day-room buildings and hardstanding ancillary to that use. - Land at Gutteridge Hall Lane, Weeley, CO16 9AS	Mr Tom Doran

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00020/REFUSE	12/00935/FUL	Variation of 1 no. pitch layout permitted under application ref: 08/00960/FUL granted at appeal ref: APP/P1560/A/08/2090227 to include the change of use of a stable building to a utility/day room. - Land at Gutteridge Hall Lane, Weeley, CO16 9AS	Mr Tom Doran

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00021/REFUSE	13/00193/FUL	Extensions and alterations to the care home and change of use of 4 Amerells Road to C2 use (resubmission). - 172 - 174 The Street & 4 Amerells Road, Little Clacton,	Black Swan International Ltd – Mr Brett Burton

CO16 9LX

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00022/REFUSE	12/00954/FUL	Use of land for additional car boot sales. - Land South West of Horsley Cross, Clacton Road, Tendring, CO11 2NP	R. Fairley Ltd

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00023/REFUSE	12/00109/FUL	Conversion of the former nuclear bunker into 3 dwellings and erection of 28 dwellings in the grounds.- Crown Building Former Secret Bunker Shrubland Road Mistley CO11 1HS	Reliant Building Contractors Ltd - Mr M Shibl

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00024/REFUSE	12/00110/LBC	Conversion of the former nuclear bunker into 3 dwellings.. - Crown Building Former Secret Bunker Shrubland Road Mistley CO11 1HS	Reliant Building Contractors Ltd - Mr M Shibl

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00025/REFUSE	12/01186/FUL	Erection of three dwellings. - Drinks Cabin, 147 St Osyth Road, Clacton On Sea, CO15 3HA	Mr John Strutt

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>
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Background Papers

Planning Inspectorate Notification Letters.

PLANNING APPEAL DECISIONS – WITHDRAWN

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
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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>
12/01274/FUL	53 Deanhill Avenue, Clacton On Sea, CO15 5BE	Retention of boundary fence.	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>
12/00243/OUT	Land to The East of 10 The Sheltons, Kirby Cross, CO13 0LX	Outline application for housing development comprising of 15 no. mixed market and affordable housing.	Dismissed

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

The Inspector considered that the main issues were:-

- Whether there are sufficient material considerations to justify the proposed development having particular regard to:
 - the character and appearance of the area;
 - living conditions of existing and future residents;
 - the existing hedgerow on the eastern boundary to the site;
 - car parking;
 - highway safety; and
 - the provision for affordable housing and public open space.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00931/FUL	Land to The East of 10 The Sheltons, Kirby Cross, CO13 0LX	New detached 5 bedroom dwelling.	Dismissed

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

The Inspector considered that the main issues were:-

- Whether there are sufficient material considerations to justify the proposed development having particular regard to the effect it would have on the character and appearance of the surrounding area.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00983/FUL	32 Kingsway, Dovercourt, Harwich, CO12 3AB	Change of use from restaurant (Use Class A3) to nightclub (Sui Generis) (Retention of).	Dismissed

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

The Inspector considered that the main issues were:-

- The effect the change of use has on the living conditions of neighbouring residents.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/01076/FUL	152 Coppins Road, Clacton On Sea, CO15 3LA	Change of use to four flats.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the development on the living conditions of occupiers of neighbouring residential properties, with particular reference to noise and disturbance;
- the effect of the parking provision on highway safety in the surrounding roads;
- the effect of the proposal on the provision of open space requirements in the District.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00597/FUL	Holland House, Skelmersdale Road, Clacton On Sea, CO15 6BD	Erection of one two bedroomed flat and a cycle / maintenance store.	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 surrounding streetscene;
- The effect of the proposal on the provision of open space requirements in the District; and,
- The effect of the proposed parking provision on highway safety in the surrounding roads.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00893/FUL	1 & 2 The Pavilion, Spring Valley Lane, Ardleigh, CO7 7SD	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.	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 surrounding countryside.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00397/FUL	824 St Johns Road Clacton On Sea	Sale of vehicles from front of property.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effect of the development on highway safety at St Johns Road.
- The effect of the development on the character and appearance of the surrounding area.
- The effect of the development on the living conditions of occupiers of neighbouring dwellings, with particular reference to visual impact

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/01020/OUT	Land off Edward Road, Thorpe Le Soken, CO16 0HJ	Detached dwelling and associated parking improvements.	Dismissed
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 Thorpe le Soken Station and Maltings Conservation Area.
- The effect on biodiversity.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00862/FUL	New Hall Lodge Park, Low Road, Dovercourt, CO12 3TS	Variation of Condition 3 of 10/01397/FUL to allow the use of land for all year round holiday and leisure use.	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the proposed variation of the condition would lead to the holiday lodges 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>
12/01427/FUL	24 Cliff Road, Holland On Sea, CO15 5QQ	Demolition of existing dwelling and to erect a pair of semi-detached bungalows.	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effect of on the character and appearance of the street scene and on highway safety along cliff road.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00321/FUL	Strangers Home, The Street, Bradfield, Manningtree, CO11 2US	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 between 15th January and 1st March (Replacement of existing consent TEN/922/76).	Allowed

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

The Inspector considered that the main issues were:-

- The effect on highway safety along Station Road.

The Inspector Allowed the Appeal.

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

The Inspector considered that the main issues were:-

- The effect

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
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Decision Delegated **Officer Recommendation:** N/A

The Inspector considered that the main issues were:-

- The effect

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

Background Papers

Planning Inspectorate Notification Letters.

ENFORCEMENT APPEAL DECISIONS – WITHDRAWN

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00002/ENFORC (11/00288/CHGUS3)	The Annexe, Shaftesbury House, Clacton Road, Elmstead, CO7 7DB	Without planning permission, the change of use of 'The Annexe' building to a dwelling house.	Withdrawn

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00003/ENFORC (11/00288/CHGUS3)	The Annexe, Shaftesbury House, Clacton Road, Elmstead, CO7 7DB	Without planning permission, the change of use of 'The Annexe' building to a dwelling house.	Withdrawn

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00004/ENFORC (11/00288/CHGUS3)	The Pool House, Shaftesbury House, Clacton Road, Elmstead, CO7 7DB	Without planning permission, the change of use of the pool house building to a dwelling house.	Withdrawn

Background Papers

Planning Inspectorate Withdrawal Notification Letters.

PLANNING APPEAL DECISIONS – WITHDRAWN

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00009/FHOUSE (12/01169/FUL)	242 Fronks Road Dovercourt, CO12 4JB	Proposed two storey side extension to form living room, two bedrooms and en-suite.	Withdrawn

Background Papers

Planning Inspectorate Withdrawal Notification Letters.