

PLANNING COMMITTEE

7 JANUARY 2013

QUARTERLY REPORT (OCTOBER – DECEMBER 2013)

REPORT OF THE HEAD OF PLANNING

A.1 PLANNING APPEALS AND 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>
13/00046/FHOUSE	13/00639/FUL	Proposed two storey front extension. - 7 Maple Drive, Kirby Cross, Frinton On Sea, CO13 0QY	Mr B Ince
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00047/REFUSE	13/00478/FUL	Proposed new accesses from Thoroughgood Road and Marine Parade East together with new parking areas for flats 1 and 2. - 71 Marine Parade East, Clacton On Sea, CO15 6JG	Mr C Mack
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00048/FHOUSE	13/00782/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>
13/00049/FHOUSE	13/00721/FUL	Single storey side extension and rear conservatory. - Stows Hill, 66 The Street, Kirby Le Soken, Frinton On Sea, CO13 0EF	Mr & Mrs A Semmens
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00051/REFUSE	12/01197/FUL	Construction of a new dwelling with associated car port (following demolition of existing outbuildings). - Land adjoining 31 Seaview Road, Brightlingsea, CO7 0QQ	Mr & Mrs Young

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00052/REFUSE	12/01356/FUL	Variation of condition 2 of planning permission 10/00563/FUL to allow the use of the marquee from 6 functions to 12 functions per year (including weddings) between April and October. - Springfield, Golden Lane, Thorpe Le Soken, CO16 0LD	Mr Peter Harrison

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00053/FHOUSE	13/00755/DETAIL L	Removal of condition 4 of planning permission 09/00449/DETAIL (allowed on appeal) to not install vehicular turntable. - Abbey View, Church Road, Thorrington, CO7 8HH	Mr Danny Sloggett

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00054/REFUSE	13/00616/FUL	Proposed dwelling. - Land adjacent 66 Craigfield Avenue, Clacton On Sea, CO15 4HR	SB Developments Ltd

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00055/FHOUSE	13/00914/FUL	Renewed existing brick walls to either side of drive with pillars on top and railings in between. Put on iron gates to front. - The Kirby Tavern House, 2A Station Road, Kirby Cross, CO13 0LU	Mrs Adele Maxwell-Glass

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00056/FHOUSE	13/00662/FUL	Conservatory extension and garage door to covered area. - 12 Third Avenue, Walton On The Naze, CO14 8JU	Miss C Wiggins

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00057/REFUSE	13/00070/FUL	Demolition of existing dwelling and erection of replacement building to provide 5 residential units, creation of new vehicular access and parking area, and erection of single garage buildings. - Westpoint, 2 The Esplanade, Frinton On Sea, CO13 9EL	Mr John Carroll

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00058/REFUSE	13/00071/CON	Demolition of existing dwelling (to enable residential development of 5 x 3- bedroom apartments). – Westpoint, 2 The Esplanade, Frinton On Sea, CO13 9EL	Mr John Carroll

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00059/NONDET	13/00491/FUL	Construction of 2 x 2 bed bungalows. - Land adjacent to 122 Leas Road, Clacton On Sea	Vanessa Securities Ltd

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00060/FHOUSE	13/00606/FUL	Two storey / first floor & single storey rear extension for private use. - Lynden Cottage, The Street, Bradfield, CO11 2US	Mr James Brown

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00061/REFUSE	13/00098/FUL	Retaining existing mobile home; touring caravan and utilities unit as a permanent planning permission. – The Willows, Clacton Road, Elmstead, CO7 7DB	Mr Tom Brown

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00062/REFUSE	13/00956/OUT	Outline planning permission for 7 aspirational type dwellings. - West Country House, Cherry Tree Avenue, Clacton On Sea, CO15 1AR	Mr Peter Le Grys

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
13/00063/REFUSE	13/00591/FUL	Completion of outbuilding pursuant to planning permission 06/01957/FUL and change of use of outbuilding to a dwelling. - 110 St Osyth Road West, Little Clacton, Clacton On Sea, CO16 9NY	Mr D Gowans

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>
13/00050/ENFORC	Without the benefit of planning permission the erection of a double garage situated on land forward of a wall forming the principal elevation of the original dwellinghouse and the erection of fencing over 1 metre in height adjacent to the public highway. - 2 Aragon Close, Jaywick, CO15 2NQ	Lisa Shore

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>
13/00193/FUL	172 - 174 The Street & 4 Amerells Road, Little Clacton, CO16 9LX	Extensions and alterations to the care home and change of use of 4 Amerells Road to C2 use (resubmission).	Dismissed

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

The Inspector considered that the main issues were:-

- 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>
12/01186/FUL	Drinks Cabin, 147 St Osyth Road, Clacton On Sea, CO15 3HA	Erection of three dwellings.	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 the occupiers of 2 Coopers Lane with particular regard to outlook.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00954/FUL	Land South West of Horsley Cross, Clacton Road, Tendring, CO11 2NP	Use of land for additional car boot sales.	Allowed

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

The Inspector considered that the main issues were:-

- The effect of the proposal on highway safety and convenience on Clacton Road.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/01279/FUL	Walnut House, Lodge Lane, Tendring, Clacton On Sea, CO16 0BS	Change of use of existing residential property to form a small residential care home	Dismissed

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

The Inspector considered that the main issues were:-

- Whether the proposal would amount to sustainable development.
- The effect on highway safety
- Adequacy of provision for parking and traffic movements.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00461/LUPROP	Walnut House, Lodge Lane, Tendring, Clacton On Sea, CO16 0BS	Communal use of dwellinghouse by six persons within Use Class C3(b).	Dismissed

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

The Inspector considered that the main issues were:-

- The Councils decision not to issue an LDC was well founded.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00122/FUL	Lamb Farm, Colchester Road, St Osyth, CO16 8HS	Conversion of barns into 2 No. dwellings.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposal on the special architectural and historic interest of the barn.
- The effect on the character and appearance of the surrounding area and on the setting of Lamb Farm.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00123/LBC	Lamb Farm, Colchester Road, St Osyth, CO16 8HS	Conversion of curtilage listed barns into two dwellings.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposal on the special architectural and historic interest of the barn.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00576/FUL	Dove Cottage, 78 Oakley Road, Dovercourt, Harwich CO12 4QU	Proposed alterations and additions to cottage and vehicular access.	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 existing dwelling and the surrounding area and highway safety.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00109/FUL	Crown Building Former Secret Bunker, Shrubland Road, Mistley, CO11 1HS	Conversion of the former nuclear bunker into 3 dwellings and erection of 28 dwellings in the grounds.	Allowed

Decision Committee **Officer Recommendation:** Approval

The Inspector considered that the main issues were:-

- Whether the proposal would preserve the listed building, its setting or features of special architectural and historic interest which it possesses.
- The effect it would have on the character and appearance of the conservation area.
- Whether the proposal would lead to unsatisfactory highway conditions, due to the amount of additional traffic using a shared surface access road.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00110/LBC	Crown Building Former Secret Bunker, Shrubland Road, Mistley, CO11 1HS	Conversion of the former nuclear bunker into 3 dwellings.	Allowed
Decision	Committee	Officer Recommendation:	Approval

The Inspector considered that the main issues were:-

- Whether the conversion works would preserve the building or features of special architectural and historic interest which it possesses, and the effect on the character and appearance of the Manningtree and Mistley Conservation Area.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00639/FUL	7 Maple Drive, Kirby Cross, Frinton On Sea, CO13 0QY	Proposed two storey front extension.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

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

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00782/FUL	242 Fronks Road, Dovercourt, Harwich, CO12 4JB	Proposed two storey side extension to form living room, two bedrooms and en-suite.	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effect of the proposed development on the living conditions of the occupiers of No 2A Newton Road with regard to outlook.

The Inspector Allowed the Appeal.

<u>Application No</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00239/OUT	Botany Farm, Botany Lane, Weeley, Clacton On Sea, CO16 9EG	Erection of dwelling for farm livery worker.	Allowed

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 in the light of national and development plan policies restricting new development in the countryside, having particular regard to whether there is an essential need for a new dwelling to enable a rural worker to live at or near their place of work.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00755/DETAIL	Abbey View, Church Road, Thorrington, CO7 8HH	Removal of condition 4 of planning permission 09/00449/DETAIL (allowed on appeal) to not install vehicular turntable.	Allowed

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

The Inspector considered that the main issues were:-

- Whether the condition in dispute is reasonable and necessary in the interests of highway safety.

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>
12/00271/CHGUS3 (12/00048/ENFORC)	St Johns Nursery Clacton Ltd, Earls Hall Drive, Clacton On Sea, CO16 8BP	Without the benefit of planning permission the change of use of land from wholesale horticultural production, to a mixed use of wholesale horticultural production and general retail use.	Resolved

No further action to be taken with this appeal as the Local Planning Authority have withdrawn the Enforcement Notice.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
11/00283/CHGUS3 (12/00047/ENFORC)	Hawk Fruit Farm, Hawk Lane, Weeley, CO16 9AF	Without the benefit of planning permission the change of use of a Farm building to a retail shop.	Dismissed (subject to modification of notice)

The Notice is modified by deletion of requirement 2. Subject to this modification the Inspector Dismissed the Appeal and the Enforcement Notice is upheld.

<u>Incident Number</u>	<u>Address</u>	<u>Alleged Unauthorised Development</u>	<u>Decision</u>
12/00241/BLDOP3 (12/00049/ENFORC & 12/00050/ENFORC)	2 Eastcliffe, Green Lane, Walton On The Naze, CO14 8HA	Without the benefit of planning permission the erection of an enclosed balcony area at first floor level, through the installation of a solid roof and Astroturf flooring and balustrading and glass panels to the edge of the roof, above the existing sun lounge on the rear elevation of the dwelling.	Resolved

The appeals no longer fall to be considered, the Enforcement Notice has been withdrawn.

Background Papers

Planning Inspectorate Notification Letters.

PLANNING APPEAL DECISIONS – WITHDRAWN

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00059/NONDET (13/00491/FUL)	Land adjacent to 122 Leas Road, Clacton On Sea, CO15 1DU	Construction of 2 x 2 bed bungalows.	Withdrawn

Background Papers

Planning Inspectorate Withdrawal Notification Letters.