

PLANNING COMMITTEE

29 APRIL 2014

QUARTERLY REPORT (JANUARY – MARCH 2014)

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>
14/00001/REFUSE	13/00479/FUL	Removal of existing Quay edge safety fence and replacement with reclaimed nineteenth century hand forged wrought iron railings. - Mistley Port, High Street, Mistley, CO11 1HB	TW Logistics
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00002/REFUSE	13/00786/FUL	Conversion & alteration of redundant building to form a single family dwelling house, erection of garage/garden store and change of use of land to garden. - Westward House, Mary Lane North, Great Bromley, CO7 7TZ	Mr John O'Hara
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00003/REFUSE	13/00855/FUL	Replacement fences and gates to one off-road car parking spaces. - 47 & 47A Upper Fourth Avenue, Frinton On Sea, CO13 9JS	Mr & Mrs James & Joan Tarrant
<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00004/REFUSE	13/01183/OUT	Outline planning application with all matters reserved for construction of 3 no. aspirational dwellings. - Land adjacent Cross Farm, Station Road, Thorrington, CO7 8HX	Mr Robert Long

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00005/REFUSE	13/01212/OUT	Proposed dwelling. - Land to rear of 2 to 4 St Osyth Road East, Little Clacton, CO16 9PH	Mr D F Watson

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00006/REFUSE	13/00146/FUL	Single storey detached house. - Land adjacent Homestead, Homestead Gardens, Clacton On Sea, CO15 4ER	Peter Bailey

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00007/REFUSE	13/00835/FUL	Demolition of existing single storey extension and replacement with 2 no. single storey extensions with rooms in roofs. Extension, internal & external alterations to existing residential annexe and erection of 3 bay cartlodge. - Moynes Farm, Wick Road, Great Bentley, CO7 8RA	Mr J Carr

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00008/REFUSE	13/00836/LBC	Demolition of existing single storey extension and replacement with 2 no. single storey extensions with rooms in their roofs. Extension, internal & external alterations to existing residential annexe. Erection of 3 bay cartlodge. - Moynes Farm, Wick Road, Great Bentley, CO7 8RA	Mr J Carr

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00009/REFUSE	13/00833/OUT	Outline application for 5 new dwellings. - Land adjoining Wivenhoe Road, Alresford, CO7 8AD	Bubanza Ltd

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00012/FHOUSE	13/01062/FUL	Replacement of roof (following removal of existing roof), and conversion of loft space to create three additional bedrooms and bathroom. - Sea Glimpse, Lee Wick Lane, St Osyth, CO16 8ES	Paul Nash

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00013/REFUSE	13/01035/FUL	Redevelopment to provide 14 later living retirement apartments with associated communal facilities, accesses, parking and landscaped grounds. - St Josephs Convent, 14 - 16 Raglan Road, Frinton On Sea, CO13 9HH	McCarthy and Stone Retirement Lifestyles Ltd

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00014/REFUSE	13/00928/OUT	Erection of three detached dwellings served by a new vehicular access (existing access to be closed).- Land North of Walton Road Kirby Le Soken	Mrs Coral Born

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00015/FHOUSE	14/00002/FUL	Erection of amateur radio mast and aerials and removal of existing mast to the rear of the property (same location). - 14 Carisbrooke Avenue, Clacton On Sea, CO15 4RZ	Mr P Young

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00016/REFUSE	13/01179/OUT	Outline planning application with all matters reserved for residential development. - Land at Elm Farm, Little Clacton Road, Clacton On Sea, CO16 8DZ	Mr T & Mrs A Wild

Background Papers

Planning Inspectorate Notification Letters.

TPO APPEALS RECEIVED

Notification has been received from the Planning Inspectorate that the following Tree Preservation Orders appeals have been lodged.

<u>Appeal No.</u>	<u>Application No.</u>	<u>Proposal</u>	<u>Appellant</u>
14/00010/REFUSE	13/01305/TPO	T1 - Silver Birch - clear fell - replant - dwarf crab tree or similar fruit tree more suitable to residential garden. - 7 Parrington Way, Lawford, CO11 2LZ	Mr Brian Mead

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>
14/00011/ENFORC	Removal of an internal chimneybreast, fireplace and part of a bressemer without Listed Building Consent - Crabtree Farm, Colchester Road, Great Bentley, CO7 8RT	Mr R. Macdonald and Mr M.D. Macdonald

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>
13/00365/FUL	152 Coppins Road, Clacton On Sea, CO15 3LA	Change of use to four one bedroom apartments.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposed development on the safety of users of the highway.
- Whether the development would provide satisfactory living conditions for the occupiers of the proposed apartments with regard to washing facilities.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00897/FUL	Starena Lodge, Clacton Road, Weeley, CO16 9DH	Proposed 20 pitch static holiday caravan park with peripheral and supplemental landscape planting.	Allowed

Decision Committee **Officer Recommendation:** Approval

The Inspector considered that the main issues were:-

- Whether the proposed development accords with national and local policies concerning the provision of holiday accommodation;
- The effect of the proposed development on the character and the appearance of the area;
- The effect of the proposed development on highway safety in the vicinity of the site;

- The effect of the proposed development on living conditions of nearby residents and on the amenity of the nearby school and other community facilities, with particular regard to noise and disturbance arising from traffic movements;
- Whether the proposed development would accord with policies in the development plan and Government advice concerning sustainable forms of development;
- Whether satisfactory provision can be made for the disposal of surface water;
- Whether access to the site would be made available to all potential visitors and uses; and,
- Whether the tourism benefits arising from the proposal would be sufficient to outweigh any identified harm.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/01172/OUT	Land rear of Edward Street and Una Road, Parkeston, CO12 4PS	Construction of thirty houses with associated parking, access and landscaping works.	Allowed
Decision	Committee	Officer Recommendation:	Approve

The Inspector considered that the main issues were:-

- Whether the development would be safe in the event of a major accident at Carless Refinery; and,
- The effect of the development on highway safety.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/01139/FUL	Land rear of 32 Albert Road, Brightlingsea, Colchester, CO7 0NB	Erection of a two bedroom bungalow.	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 surrounding area.
- The effect of the proposed development on the living conditions of neighbouring occupiers with particular reference to privacy, outlook and any disturbance from use of the proposed access.
- The adequacy of the proposed vehicular access and the effect of its use on the safety of pedestrian traffic along Albert Road (raised by the local Highway Authority)
- Whether the proposal makes adequate provision for public open space to meet the additional needs arising from the development.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00692/FUL	Land at Gutteridge Hall	Change of use and proposed	Allowed

Lane, Weeley, CO16
9AS 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.

Decision Delegated **Officer Recommendation:** Refusal

The Inspector considered that the main issues were:-

- The effects of the proposed development on the character and appearance of the area.
- The effects on neighbouring residents.
- The effects on highway safety.
- The adequacy of the proposed arrangements for foul and surface water drainage, sewage treatment, and the effects on flood risk.
- And whether the development would help to meet a general need for gypsy and traveller sites in the area.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/00935/FUL	Land at Gutteridge Hall Lane, Weeley, CO16 9AS	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.	Allowed

Decision Committee **Officer Recommendation:** Approve

The Inspector considered that the main issues were:-

- The effects of the proposed change of use and alterations on the character and appearance of the area.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00721/FUL	Stows Hill, 66 The Street, Kirby Le Soken, CO13 0EF	Single storey side extension and rear conservatory.	Allowed

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

The Inspector considered that the main issues were:-

- Whether the proposed development would preserve or enhance the character or appearance of the Kirby le Soken conservation area.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00704/FUL	Barn adjacent to Transport Depot, Old Ipswich Road, Ardleigh, CO7 7RE	Temporary change of use from agricultural barn to salt storage for winter 2013/2014.	Allowed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- The effect of the proposed development on the agricultural use of the building.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
11/00968/FUL	Strutts Farm, Parsons Hill, Great Bromley, CO7 7JF	Use of building for one unit of tourist accommodation and alterations to roof (removal of six existing dormers) including installation of roof lights.	Closed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector has Closed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00697/OUT	Land Adj Sangro, Colchester Road, Ardleigh, CO7 7PQ	Erection of 2 No dwellings and garages.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the proposed development would be acceptable in its countryside location having regard to the character and appearance of the area and to development plan policies and national planning policy relating to new housing development in the countryside.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00863/FUL	4 Second Avenue, Walton On The Naze, CO14 8JS	Front extension.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the proposed extension on the street scene, with particular reference to its siting, design, massing, and materials.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/01197/FUL	Land adjoining 31 Seaview Road, Brightlingsea, CO7 0QQ	Construction of a new dwelling with associated car port (following demolition of existing outbuildings).	Dismissed

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

The Inspector considered that the main issues were:-

- Whether the proposal would be prejudicial to highway safety with reference to the suitability of the access drive to service the proposed dwelling.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00855/FUL	47 & 47A Upper Fourth Avenue, Frinton On Sea, CO13 9JS	Replacement fences and gates to one off-road car parking spaces.	Allowed

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

The Inspector considered that the main issues were:-

- The effect of the proposed fencing and gates on the character and appearance of the area including 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>
13/00729/OUT	Land to West of Junction of Homing Road And Thorrington Road, Little Clacton, CO16 9ER	Proposed residential development.	Dismissed

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

The Inspector considered that the main issues were:-

- Whether the appeal proposal should make a contribution to the provision of open space facilities in the area.

The Inspector Dismissed the Appeal

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/01321/FUL	The Lions Den, Little Clacton Road, Great Holland, CO13 0ET	Change of use of the public house into a residential dwelling, conversion of single storey rear extension into an annexe and to construct two detached bungalows.	Allowed

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 Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/01136/FUL	42 Bemerton Gardens, Kirby Cross, Frinton On Sea, CO13 0QF	Retention of a reduced height timber log store.	Allowed

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

The Inspector considered that the main issues were:-

- The effect of the proposal on the street scene.

The Inspector Allowed the Appeal

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
12/01372/FUL	Brook Farm, Bromley Road, Elmstead, CO7 7BX	Proposed agricultural store.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the proposed agricultural store is reasonably necessary for agriculture.
- The effect of the proposal on the character and appearance of the landscape.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00715/FUL	Land to The North East Shop Road, Little Bromley, CO11 2PX	New dwelling house and garage.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the appeal proposal would be appropriate to its location, having regard to the character and appearance of the area and to local and national policy relating to new housing.
- Whether the appeal proposal should make a contribution to the provision of open space facilities in the area.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00956/OUT	West Country House, Cherry Tree Avenue, Clacton On Sea, CO15 1AR	Outline planning permission for 7 aspirational type dwellings.	Dismissed
Decision	Delegated	Officer Recommendation:	N/A

The Inspector considered that the main issues were:-

- Whether the proposal complies with the development plan policies in relation to location and housing land supply.
- The effect of the proposals 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>
13/00598/OUT	West Country House, Cherry Tree Avenue, Clacton On Sea, CO15 1AR	Outline planning application for eight dwellings.	Dismissed

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

The Inspector considered that the main issues were:-

- Whether the proposal complies with the development plan policies in relation to location and housing land supply.
- The effect of the proposals 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>
13/00456/ADV	Harwich and Parkeston Football Club, Main Road, Harwich, CO12 4AA	2 x 48 sheet advertisement displays.	Dismissed

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

The Inspector considered that the main issues were:-

- The effect of the advertisement displays on the character and appearance of the area with regard to visual amenity.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00165/FUL	94 Pier Avenue, Clacton On Sea, CO15 1NJ	Change of use of premises from A1 use into a Cultural and Educational Community Centre D1 use.	Allowed

Decision Committee **Officer Recommendation:** Approve

The Inspector considered that the main issues were:-

- The effect on the vitality and vibrancy of Clacton Town Centre
- The effect on the living conditions of the local residents from noise and disturbance.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00616/FUL	Land adjacent 66	Proposed dwelling.	Allowed

Craigfield Avenue,
Clacton On Sea, CO15
4HR

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 66 Craigfield Avenue with regard to outlook.
- The effect of the proposed development on the character and appearance of the area.
- Whether the proposal would provide satisfactory external amenity space for future occupiers.

The Inspector Allowed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00478/FUL	71 Marine Parade East, Clacton On Sea, CO15 6JG	Proposed new accesses from Thoroughgood Road and Marine Parade East together with new parking areas for flats 1 and 2.	Split (see below for details)

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

The Inspector considered that the main issues were:-

- Whether the development preserves or enhances the character or appearance of the Clacton Seafront Conservation Area.
- The effect of the appeal proposal on the setting of the adjacent grade II listed building, The Grand Hotel.

The Inspector Dismissed the Appeal insofar as it relates to the proposed new access from Marine Parade East together with new parking area for flat 1. The Inspector Allowed the appeal insofar as it relates to the proposed new access from Thoroughgood Road together with new parking area for flat 2.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/00591/FUL	110 St Osyth Road West, Little Clacton CO16 9NY	Completion of outbuilding pursuant to planning permission 06/01957/FUL and change of use of outbuilding to a dwelling.	Dismissed

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

The Inspector considered that the main issues were:-

- Whether the proposal would enhance or maintain the vitality of the rural community;
- 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>
12/01171/FUL	Land rear of 33 Thorpe Road, Kirby Cross, Frinton On Sea, CO13 0LT	One bungalow.	Dismissed

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

The Inspector considered that the main issues were:-

- Whether future occupiers of the proposal would have acceptable living conditions, with particular regard to outlook, natural light and noise disturbance.
- 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>
13/00544/FUL	Land adjacent 21 Colchester Main Road, Alresford, CO7 8DD	Proposed dwelling house and construction of 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 area, having regard to Councils settlement policies.
- 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>
12/01356/FUL	Springfield, Golden Lane, Thorpe Le Soken, CO16 0LD	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.	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 occupiers of nearby residential properties, with particular regard to noise disturbance.

The Inspector Dismissed the Appeal.

<u>Application No.</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision</u>
13/01062/FUL	Sea Glimpse, Lee Wick Lane, St Osyth, Clacton On Sea, CO16 8ES	Replacement of roof (following removal of existing roof), and conversion of loft space to create three additional bedrooms and bathroom.	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 surrounding area.

The Inspector Dismissed the Appeal.

Background Papers

Planning Inspectorate Notification Letters.



Appeals Quarterly Report

From 01/01/2014 To 31/03/2014

No. of Appeals Received 16

No. of Appeal Decisions Received: 29

Officer Delegated Decisions

<u>Decision:</u>		<u>% of Total Delegated Decisions</u>
SPLIT	1	4.00%
DISMIS	16	64.00%
CLOSED	1	4.00%
ALLOW	7	28.00%

Planning Committee Decisions

<u>Decision</u>		<u>% of Total Committee Decisions</u>
ALLOW	4	100.00%

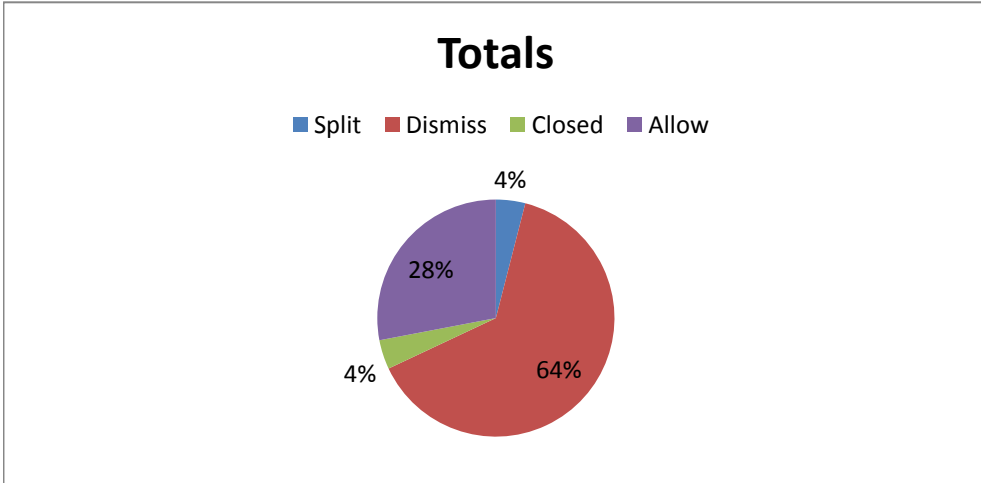
Overtured Planning Decisions

<u>Decision</u>		<u>% of Total Overtured Decisions</u>
ALLOW	4	100.00%

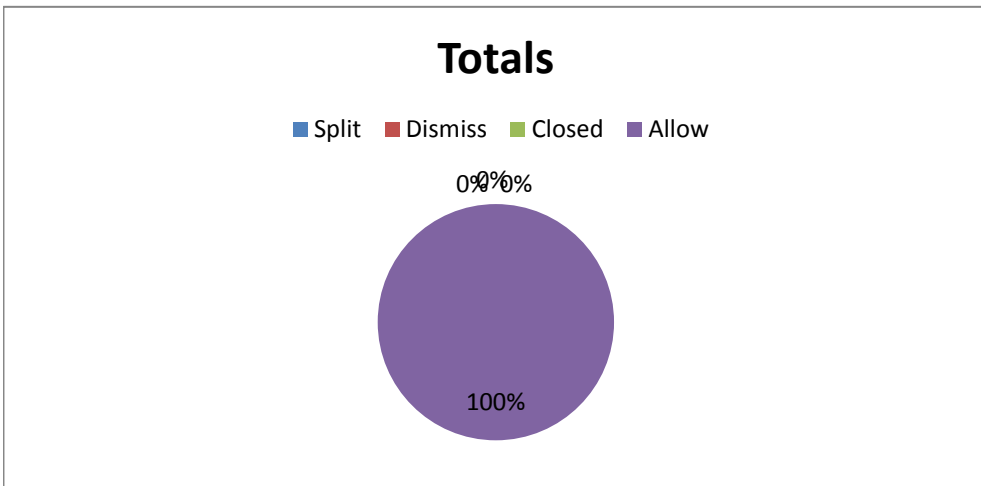
Costs Awarded

Number of Cases Where costs were Awarded to the Appellant: 6

Delegated Decisions - Appeal Outcomes



Committee Decisions - Appeal Outcomes



Decisions Overturned at Planning Committee - Appeal Outcomes

