

## Planning Services

**COMMITTEE REPORT****APPEAL UPDATE (EASINGTON AREA OFFICE)****1. APPEALS RECEIVED:**

**Appeals by Mr Michael Wilson  
Site at 2 Bath Terrace, Seaham, SR7 7EZ  
Planning Reference- PL/5/2010/0261 and PL/5/2010/0260**

Appeals have been lodged against the Council's refusal of planning permission and Listed Building Consent for retrospective erection of decking on top of the existing garage at the site.

The development was refused as it was considered to be unacceptable given its size, design and location and was also considered to be detrimental to the character and appearance of the Conservation Area and Listed Building as well as adversely affecting residential amenities.

The appeals are to be dealt with by means of written representations, and members will be informed of the outcome in due course.

**Recommendation:**

That the report be noted.

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**Appeal by Mr Kulwinder Singh  
Site at 104 Edenhill Road, (former Mayan Tan Tanning Salon), Peterlee, SR8 5DE  
Planning Reference PL/5/2010/0409**

An appeal has been lodged against the Council's refusal of planning permission for the change of use from retail (A1 Use Class) to a Hot Food Takeaway (A5 Use Class).

The proposal was refused as the property is located outside of any designated shopping centre and would adversely impact upon the amenity of adjacent and surrounding residential occupiers through the creation of odours, noise and disturbance, particularly during evening hours, and was also considered to be contrary to Local Plan Policy.

The appeal is to be dealt with by means of written representations, and members will be informed of the outcome in due course.

**Recommendation:**

That the report be noted.

## **2. APPEAL DECISIONS:**

**Appeal by Mr T Dulay  
Site at 6 West Grove, Seaham, Co. Durham, SR7 8EL  
Planning Reference- PL/5/2010/0140**

An appeal was been lodged against the Council's refusal of planning permission for a change of use from A1 Use Class (Retail) to A5 Use Class (Hot Food Takeaway). The application was refused on the grounds of adverse impact upon residential amenity to neighbouring properties and was also considered to be contrary to Local Plan Policy.

The appeal was dismissed and the Inspectorate agreed with the Council's decision that the proposed change of use would be harmful to the living conditions of the occupiers of a nearby dwelling. It was noted that even with the modern extraction system proposed there would be leakage of fumes from the doors and windows of the appeal site, which would harm the living conditions of nearby residential properties.

**Recommendation:**

That the report be noted.

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