

# Planning Services

## COMMITTEE REPORT

### **APPEAL UPDATE (EASINGTON AREA OFFICE)**

#### **1. DECISIONS RECEIVED:**

##### **Appeal by Mr G Crammen**

**Site at Weems Farm, Mickle Hill Road, Hesleden, TS27 4PY**

**Planning Reference PL/5/2010/0359**

An appeal was lodged against the Council's refusal of planning permission for the retrospective increase in height of an extension at the site.

The inspectorate dismissed the appeal and agreed with the Council's recommendation.

The Inspectorate considered that the development by virtue of its excessive size, scale, height and massing constituted an incongruous and prominent feature that was not in keeping with the scale and character of the existing dwelling. It was also considered that the development adversely impacted upon the character and appearance of the surroundings and the countryside.

The matter is currently being discussed with the applicant in relation to enforcement action and members will be advised of the outcome in due course.

#### **Recommendation:**

That the report be noted.

##### **Appeal by Mr K Singh**

**Site at 104 Edenhill Road, Peterlee, SR8 5DE**

**Planning Reference PL/5/2010/0409**

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

The Inspectorate allowed the appeal and permission was granted subject to conditions relating to timing of works, compliance with approved plans, hours of operation, means of extraction and ventilation and refuse collection.

The Inspectorate considered that the development was acceptable and that the proposed change of use would not cause any significant harm to living conditions of the occupiers of nearby dwellings in terms of odours, noise or disturbance, and would not conflict with saved policies. Moreover, given the existing mixed use of the parade including A5 uses and flats, and the appellant's un-refuted argument that the premises have been vacant for some time, it was considered sufficient to warrant a departure from local plan policy.

#### **Recommendation:**

That the report be noted.

**Appeal by Sea and Land Power and Energy Ltd  
Site at Land to the North West of Hawthorn Village, and south of Murton and Cold  
Hesledon, Hawthorn  
Planning Reference- PL/5/2009/0357**

An appeal was lodged against the Council's refusal of planning permission for the erection of two wind turbines and associated infrastructure.

The appeal was dismissed and the Council's decision upheld.

The Inspectorate noted that the proposal would contribute energy from a renewable source without any significant harm to the character or appearance of the landscape. There would be no significant impact on heritage assets in the vicinity or protected species. Subject to conditions, there need be no unacceptable impact on the living conditions of local residents through noise and disturbance, or shadow flicker. Similarly, there would be no significant impact upon highway safety or any of the other factors raised. On the other hand however the visual impact of the proposal would have a significant detrimental effect on the living conditions of residents of Hillcrest, Plum Tree Lodge and the East Moor Estate.

Due to this adverse impact upon the visual amenity of these properties the appeal was dismissed.

**Recommendation:**

That the report be noted.