





HG10 Conversion to Flats and Bedsits

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing



development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Site Description

The application relates to 109 Coopers Lane, Clacton on Sea a semi-detached dwelling located on the corner of Coopers Lane and Ash Close within the settlement development boundary for the area. The area is characterised by residential development of a similar design and appearance as the application property. The property has been extended to the rear and side at single storey height. To the rear of the site is a detached double garage with 2 parking spaces in front accessed via Ash Close.

### Description of Proposal

The application seeks full planning permission for the conversion of the dwelling into 2 self-contained flats with some minor alterations to the fence lines, sub-division of the site and internal arrangements. The application is partly retrospective as the existing plans show that the internal accommodation is very similar to the proposed.

### Assessment

The main considerations are;

- Principle of Development;
- Design and Impact;
- Residential Amenities;
- Parking Provision;
- Representations.

### Principle of Development

The site is located within the Clacton on Sea Settlement Development Boundary as defined within both the adopted and emerging Tendring District Local Plans.

The principle of residential development in these defined areas is accepted subject to consideration of other detailed matters as set out below.

### Design and Impact

The overall appearance of the dwelling will not be materially altered as a result of the conversion. The minor alterations to the fence line and how the site is divided will not be prominent. The conversion of the dwelling into 2 flats is not considered excessive or overdevelopment of the site. The parking and amenity space provisions are both acceptable. Overall the conversion will not result in any harm to visual amenity or to the character of the area.

### Residential Amenities

Again, as addressed above, the conversion to 2 flats is not considered excessive and will have a neutral impact upon residential amenities resulting in no significant change in terms of comings and goings, number of occupants and noise and disturbance. The internal arrangement of the upper floor flat is the same as if it were a dwelling with only a bedroom and bathroom window at first floor level ensuring no change in terms of overlooking or privacy levels to neighbouring properties.

The entrances to both flats are to the side away from the adjoining neighbour. Private garden areas are provided for both flats both being private and of an acceptable and useable size for 1 bedroom dwellings that accord with the aims of saved Policy HG9 of the adopted Tendring District Local Plan.



For these reasons, there will be no material harm to residential amenities as a result of the development.

#### Parking Provision

The Essex County Council adopted Parking Standards 2009 require 2 parking spaces for a 2 or more bedroom dwelling and 1 parking space for a 1 bedroom dwelling. The spaces for required for the dwelling and for the conversion is therefore the same, being 2 spaces. There is a double garage to the rear of the site but this only has one vehicular access door and therefore the garage could not be solely used for parking. However, there is a hard surfaced area to the front of the garage which does provide 2 parking spaces in accordance with the standards.

The proposal is therefore considered acceptable in terms of parking provision.

#### Representations

The site is located within the non-parished area of Clacton on Sea.

No individual letters of representation have been received.

#### Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

### **6. Recommendation**

Approval - Full

### **7. Conditions / Reasons for Refusal**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 01 Revision A.

Reason - For the avoidance of doubt and in the interests of proper planning.

### **8. Informatives**

#### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.