

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	30/08/2018
Planning Development Manager authorisation:	SCE	31.08.18
Admin checks / despatch completed	<i>[Signature]</i>	31/08/18

**Application:** 18/00931/FUL **Town / Parish:** Clacton Non Parished  
**Applicant:** Nash & Sharpe  
**Address:** Marinor Court 41 Marine Parade East Clacton On Sea  
**Development:** Extensions to flats numbered 1, 3, 5, 7, 8, 10, 11, 15, 16, & 17.

### 1. Town / Parish Council

Clacton – No Town Council

### 2. Consultation Responses

Building Control and Access Officer No comments at this stage.

### 3. Planning History

97/00345/FUL	(Marinor Court, 41 Marine Parade East, Clacton on Sea) Extension to form domestic garage	Approved	25.04.1997
18/00931/FUL	Extensions to flats numbered 1, 3, 5, 7, 8, 10, 11, 15, 16, & 17.	Current	

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL10 Designing New Development to Meet Functional Needs

HG10 Conversion to Flats and Bedsits

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

## **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site is situated on the eastern side of Angelfield within the Clacton-on-Sea Conservation Area. The building currently accommodates 20 self-contained flats. To the front of the building is a parking forecourt and to the rear is an amenity area with pedestrian access to an access road located at the rear.

The accommodation is set over three floors and comprises of 20 no. one bedroom studio flats.

### **Proposal**

This application proposes the retention of the existing internal configuration involving small extensions to 10 of the flats numbered 1, 3, 5, 7, 8, 10, 11, 15, 16 and 17.

This application has been submitted as a result of an enforcement investigation where it was established that the internal configuration of the flats had recently been changed to make several of them larger. The enforcement investigation also confirmed that the flats are self-contained and that the building was not being occupied as a HMO. Further discussions with the Council's Enforcement Dept confirm that the use of the building for flatted development is historic.

Appraisal

Impact of Changes

The works to the flats are internal and therefore do not affect the external appearance of the building or the conservation area. The enlargements concern improved shower room provision and more spacious accesses. The areas expanded extend into surplus landing and corridor space and therefore do not result in smaller units.

The changes are considered to be entirely acceptable and result in larger more spacious self-contained studio flats presenting a better standard of living for the occupiers.

Other Considerations

The Council's Building Regulations Team has no comments to make upon the proposals. No further letters of representation have been received.

**6. Recommendation**

Approval

**7. Conditions**

1 No conditions.

**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.

<p><b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b></p>	<p>YES</p>	<p><b>NO</b></p>
<p><b>Are there any third parties to be informed of the decision? If so, please specify:</b></p>	<p>YES</p>	<p><b>NO</b></p>