

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	30/10/2018
Planning Development Manager authorisation:	AN	30/10/18
Admin checks / despatch completed	SB	05/11/18

Application: 18/01507/FUL **Town / Parish:** Clacton Non Parished

Applicant: Nash and Sharpe

Address: 2 Edith Road Clacton On Sea Essex

Development: Extension to provide lobby and landings.

1. Town / Parish Council

Clacton – No Town
Council

2. Consultation Responses

Building Control and Access Officer Awaiting the submission for building regulation approval.

3. Planning History

04/00044/FUL	Convert garage and outbuilding to bedroom and new flat roof (for the use of the owners only)	Approved	04.03.2004
10/00671/FUL	For the replacement of rotten wooden windows (single glazed) with high efficiency UPVC windows (double glazed K glass).	Approved	16.08.2010
17/01600/OUT	Conversion to provide 15 bedsits/flats, including 4 bedsits/flats already established.	Refused DISMISSED ON APPEAL	21.12.2017
18/00531/OUT	Outline planning application for the conversion to provide 15 bedsits/flats including the 4 bedsits/flats already established.	Refused	02.08.2018
18/01507/FUL	Extension to provide lobby and landings.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN17 Conservation Areas

ER16 Tourism and Leisure Uses

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

SPL3 Sustainable Design

PP9 Hotels and Guesthouses

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 relates to a premises which is a former private house/guest house, with accommodation on 3 storeys, in a street of similar properties near the seafront in Clacton-on-Sea. It is semi-detached and attached to No. 4. It has been extended into the roof space, to the side and at the rear. It was previously known as the Marine View Guest House. The present owners acquired the property in 2013 and have been operating it as a House in Multiple Occupation (HMO) since that time. An enforcement notice was served in May 2016 relating to the 'unauthorised material change of the property to a mixed use of a House in Multiple Occupation (Class C4 of the Town And Country Planning (Use Classes) Order 1987 as amended) together with associated rooms and units used as self-contained flats.' The enforcement was subsequently upheld (subject to slight variations to the wording) on appeal in March 2017.

The inspector concluded within her decision that four self-contained flats in units 13, 16, 17 and 18 were present by 2008 at the latest and are now separate planning units that are immune from enforcement action. These are all located on the ground floor. The rest of the building has a lawful use as a guest house.

The site sits directly to the north of the Clacton-on-Sea Conservation Area.

Proposal

This application proposes the construction of a three-storey side extension to accommodate a lobby, landings and staircase to provide internal access to the guest house rooms. The flats at ground floor are to be accessed via the existing front entrance.

The extension would measure 2.4m x 1.3m and 7.5m in height. The current external staircase to the rear is to be removed.

Appraisal

Design/Impact

The three-storey stairwell proposed to the side is of limited width and set back from the front of the building thereby reducing its prominence within the street scene. The staircase is required to provide internal access to the upper floors of the building bypassing the flats on the ground floor. Internal works are currently on-going to create larger rooms. These alterations do not require planning permission.

The property is located adjacent to the Clacton-on-Sea Conservation Area, but due to the inconspicuous siting of the extension it would not harm views in and out of the conservation area.

Overall the extension represents a minor addition to the building and, through the removal of the rear external staircase, significantly improves the access to the guest house use.

Residential Amenity

The extension would not adversely impact upon local residents due to its siting to the side of the building adjacent to the blank elevation of a property to the south. The windows to the rear would look out over a parking area associated with the flats to the south and would be less intrusive than the external staircase.

Other Considerations

Building Control has confirmed that they are awaiting the Building Regulations submissions for the changes. No further letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 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 external materials used in the construction of the extension shall match those used on the existing building, as stated on the submitted application form.

Reason - In the interests of visual amenity.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 1, Drawing no. 2, Drawing no. 3, Drawing no. 4 and Drawing no. 5.

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.

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