

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	21/12/2018
Planning Development Manager authorisation:	AN	3/1/19
Admin checks / despatch completed	ER	03/1/19

Application: 18/01628/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Paul Cook

Address: 109 Frinton Road Holland On Sea Clacton On Sea

Development: Change of use from doctors surgery (class D1) to residential (class C3), and extension to form granny annex.

1. Town / Parish Council

Clacton non-parished.

2. Consultation Responses

UU Open Spaces

Response from Public Experience
Open Space & Play

Application Details

Application No: 18/01628/FUL

Site Address: 109 Frinton Road Holland on Sea Clacton on Sea

Description of Development: Change of use from a doctors surgery (class D1) to residential (class C3), and extension to form granny annex

Current Position

There is currently a deficit of 41.08 hectares of play in the Clacton/Holland area. This is broken down as follows:

Recommendation

Although there is a deficit of play space in Clacton/Holland, it is not felt that this development would impact the current deficit as this is a conversion

No contribution is requested on this occasion.

ECC Highways Dept

The documents accompanying the planning application have been duly considered. Given the scale of the proposed development and the area to be available for parking within the site, which complies with Tendring District Council's adopted parking standards, the proposal is acceptable to the Highway Authority.

NHS East Essex CCG

Thank you for sending over the above-mentioned planning application. I would like to confirm that NEE CCG do not wish to respond in this respect as there is no impact on healthcare as a result in the area.

3. Planning History

None.

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

HG3 Residential Development Within Defined Settlements

HG9 Private Amenity Space

COM3 Protection of Existing Local Services and Facilities

COM6 Provision of Recreational Open Space for New Residential Development

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

HP2 Community Facilities

HP5 Open Space, Sports & Recreation Facilities

CP1 Sustainable Transport and Accessibility

LP4 Housing Layout

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 Frinton Road, Holland on Sea a large detached dwelling on the corner of Stratford Road and Holland Road. To the side of the property is an existing single storey addition with its own separate entrance with a parking area and garage to the east. This side element, together with some rooms in the main house was formally a doctor's surgery facility.

The property fronts Holland Road with low level fencing and high dense hedging enclosing the front and side garden areas.

The area is characterised by residential dwellings with a small parade of shops directly to the east.

Description of Proposal

The application seeks full planning permission for the change of use of the doctor's surgery (class D1) to residential (class C3) together with some alterations and additions to facilitate the creation of ancillary annex accommodation.

The alterations include internal layout changes, the conversion and extension of the existing garage and the erection of a new pitched roof over the annexe area.

Assessment

The main considerations in this instance are;

- Principle of Residential Development;
- Loss of Community Facility;
- Residential Amenities;
- Parking Provision;
- Financial Contributions; and,
- Representations.

Principle of Residential Development

The site is located within the Clacton on Sea Settlement Development Boundary where the principle of residential development is accepted in accordance with saved Policy HG3 of the adopted Tendring District Local Plan 2007 and Policy SPL2 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The change of use to residential is therefore acceptable in principle subject to the detailed considerations below.

Loss of Community Facility

Saved Policy COM3 of the adopted Tendring District Local Plan 2007 states that in order to ensure that basic community facilities are local services are retained redevelopment that would result in their loss will not be permitted unless there is adequate provision of similar facilities within reasonable walking distance. These sentiments are carried forward within emerging Policy HP2 of the Draft Local Plan 2017.

In this instance, the doctor's surgery is no longer in use. The new surgery facility is now Frinton Road Medical Centre located to the south west of the site only 150 metres away.

There are improved facilities within close walking distance and the conversion of the premises will not result in a detrimental impact to the community facilities offered within the area.

The NHS raise no objection to the development as there is no impact on healthcare as a result.

Design and Visual Impact

The internal and external alterations are all relatively minor in nature and will not appear prominent or harmful within the street scene. The scale, appearance and finish will appear in keeping with the host dwelling and character of the area. Furthermore, the existing boundary hedging helps to screen and soft the appearance of the roof extension.

Residential Amenities

The proposed extensions and alterations to the existing side projection are located adjacent to number 1 Stratford Road.

The small addition to the garage and the new pitched roof are minor in nature and due the distance from the boundary, single storey scale and hipped roof arrangement will not be materially harmful to the amenities of the occupants of the adjacent property.

No other neighbours will be affected by the development.

Parking Provision

The development results in the loss of an integral garage. However, there is a area of hardstanding to the front of the garage large enough for 3 to 4 cars. Ample parking is retained for the resultant dwelling.

Essex County Council Highway Authority raise no objection.

Financial Contributions

The Council's Open Space Team have been consulted on the application as the application falls to be considered against Saved Policy COM6 of the adopted Tendring District Local Plan 2007 and emerging Policy HP5 of the Tending District Local Plan 2013-2033 and Beyond Publication Draft 2017.

In this instance, the development is not considered to result in a significant impact on the current deficit. Therefore no contribution is required on this occasion.

Representations

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

1 letter of support has been received from the adjacent neighbouring stating that they are happy with the proposal and the distance retained between buildings.

Conclusion

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

6. Recommendation

Approval - Full

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 development hereby permitted shall be carried out in accordance with the following approved plans: Drg. No. 801:04, Drg. No. 801:05 and Drg. No.801:06.

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

- 3 The new facing brickwork and roof tiles to be used in the development hereby approved shall match those on the host building in terms of material, colour and texture unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity.

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.

Annexe Informative

The annexe accommodation hereby approved shall only be used ancillary to the main dwelling known as 109 Frinton Road, Holland on Sea CO15 5UN.