

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	18/02/2019
Planning Development Manager authorisation:	SCE	18.02.19
Admin checks / despatch completed	SB	18/02/19.

*ER*

**Application:** 19/00053/DEMCON **Town / Parish:** Clacton Non Parished

**Applicant:** Miss Jennie Wilkinson

**Address:** 33 Carnarvon Road Clacton On Sea Essex

**Development:** Proposed demolition of Westleigh House, garage and public conveniences.

**1. Town / Parish Council**

N/A

**2. Consultation Responses**

N/A

**3. Planning History**

93/00804/FUL	Construction of ramp and dropped kerbs to provide new wheelchair access	Approved	02.09.1993
93/01259/FUL	Erection of 90cm satellite antenna (Personnel Sub-Committee)	Approved	14.12.1993
03/00442/FUL	To provide handrail to existing ramp and steps	Approved	24.04.2003
13/01389/DEMCO N	Proposed demolition of Westleigh House.	Determination	03.02.2014
19/00053/DEMCO N	Proposed demolition of Westleigh House, garage and public conveniences.	Current	

**4. Relevant Policies / Government Guidance**

N/A

**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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

-The application site is 33 Carnarvon Road, Clacton on Sea. This application gives notification for the demolition of Westleigh House, garage and public conveniences.

-As the buildings are not listed and do not lie within a conservation area planning permission is not required.

-The purpose of applications for Prior Notification of Proposed Demolition is to give local planning authorities the opportunity to regulate the details of demolition order to minimise the impact of that activity on local amenity.

- Given the close proximity of neighbouring dwellings and the Nursing Home it is considered that there is potential for an impact depending on working hours. It is suggested that demolition activities should be restricted to:

7am to 7pm Monday to Friday

8am to 1pm on Saturday

No Sunday or Bank Holiday working.

However, if a nuisance occurs this would be an Environmental Health matter.

- In this context, it is considered that the proposed demolition is of inadequate consequence to require the application to be called in subject to guidance as detailed in the decision letter.

**6. Recommendation**

Determination prior approval not reqred

**7. Conditions / Reasons for Refusal**

N/A

**8. Informatives**

N/A

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