

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	04/03/2019
Planning Development Manager authorisation:	SCE	04.03.19
Admin checks / despatch completed	SB	04/03/19.

Application: 19/00029/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr Russell John Phillips

Address: 2 Ramsey Hall Cottages Tinker Street Ramsey

Development: Change of use from bed and breakfast to residential dwelling.

1. Town / Parish Council

Ramsey & Parkeston Parish Council No comments received

2. Consultation Responses

ECC Highways Dept The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal retains adequate off street parking, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority.

UU Open Spaces Description of Development: Change of use from bed and breakfast to residential dwelling

Current Position

There is currently a deficit of -2.70 hectares of equipped play in Ramsey and Parkeston and -0.93 hectares of formal open space.

There are two play areas in Ramsey and one in Parkeston, the nearest one to the development site is at Ramsey Memorial Trust, Ramsey.

Recommendation

It is not felt that this application will have any impact on the existing facilities.

Therefore no contribution is required on this occasion.

3. Planning History

06/01919/FUL	Garage	Approved	30.10.2007
09/00821/FUL	Change of use from residential to commercial use as a bed and breakfast.	Approved	13.10.2009
14/01179/FUL	Part two-storey, part single-storey side and rear flat roof extensions to be used in connection with the B&B use.	Approved	11.02.2015
15/00295/DISCON	Discharge of condition 03 (car park layout) of planning permission 14/01179/FUL.	Approved	30.04.2015
19/00029/FUL	Change of use from bed and breakfast to residential dwelling.	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

ER3 Protection of Employment Land

ER24 Protection of Hotels and Guest Houses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

COM6 Provision of Recreational Open Space for New Residential Development

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

SPL1 Managing Growth

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

PP8 Tourism

PP9 Hotels and Guesthouses

CP1 Sustainable Transport and Accessibility

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 2 Ramsey Hall Cottages, Tinker Street, one of a pair of cottages located to the south of the A120. The cottages are set back from the highway by over 15 metres with the side and rear boundaries enclosed with sporadic hedging and trees with open countryside beyond. The adjoining neighbour has been largely extended to the side and rear. The application site was subject to a 'Change of use from residential to commercial use as a bed and breakfast' approved under planning reference 09/00821/FUL on 13th October 2009. An extension to the property was approved in 2014 but never constructed.

Description of Proposal

This application proposes the change of use of the property from mixed residential/bed and breakfast to fully residential. No external changes to the building are proposed.

Supporting information confirms that the B&B use was closed in Oct 2017 due to reduced demand over time.

Appraisal

Loss of B&B

Saved Policy ER24 states that proposals for the change of use of existing hotels and guest houses in the centres of coastal resorts will not be permitted unless it can be proven that the current land use is no longer viable.

Given that the property is situated on the A120 a significant distance from any coastal resorts the requirements of this policy are not relevant. It must also be noted that the B&B, when open, was run by the applicants and no workers were employed.

Consequently, given the detached nature of the property away from the District's coastal resorts and the fact that no employees were taken on to assist in the running of the B&B, its change of use back to a single residential property would not adversely impact upon tourism within the District or result in the loss of a significant employment generating use. The principle of changing the property back to a dwelling is therefore acceptable.

Residential Amenities

The change of use of the property to a single 4 bedroom dwelling from a commercial B&B use would reduce the number of movements to and from the property thereby improving the neighbouring resident's level of amenity.

Highways

Essex Council Highways have no objections to the proposal. Ample space for parking is in place to the front of the dwelling.

Public Open Space

The Council's Open Spaces Team has confirmed that this application will have any impact on the existing facilities. Therefore no contribution is required on this occasion.

Habitat Regulations

A Habitat Regulations Assessment has been undertaken which concludes that the change of use does not create any additional residential units given that the existing use for a bed & breakfast already incorporates a dwelling use. Consequently, this application to revert the property back to solely a residential unit without any commercial use is likely to bring about a reduced impact in terms of disturbance to European Designated Sites.

Other Considerations

Ramsey & Parkeston Parish Council has not commented upon the application. 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 development hereby permitted shall be carried out in accordance with the following approved plans: Ground Floor Plan, 1st Floor Plan and 2nd Floor Plan

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