

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DM	01.02.21
Planning Development Manager authorisation:	TC	03/02/2021
Admin checks / despatch completed	ER	03/02/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	03.02.2021

Application: 19/00167/OUT **Town / Parish:** Clacton Non Parished

Applicant: Mr G Duffy

Address: 88-92 Oxford Road Clacton On Sea Essex

Development: Proposed residential development of 10 flats and 3 commercial units.

1. Town / Parish Council

2. Consultation Responses

Anglian Water Services
Ltd
11.02.2020

Please be advised that no further drainage documents have been uploaded so we therefore have no further comments to add from our previous response PLN-0052050 dated 11/03/2019. If you have any further drainage documents then we do wish to be re-consulted.

Housing Services
25.02.2020

Thank you for the clarification below.

As the scheme is classed as a major development in the NPPF, there is a requirement for affordable housing to be delivered on site. The Council's emerging Local Plan requires that 30% of the homes on an eligible site should be delivered as affordable housing. Therefore, this would equate to 3 flats in total.

Although the requirement to deliver on-site affordable housing has been triggered, I very much doubt that another provider would want to purchase 3 homes in a block of 10 where the provider would not own the freehold. The Council, too, would not want to take on the units without owning the freehold.

In light of this, I would recommend that a financial contribution be made as opposed to on-site provision. If the Council was seeking affordable housing on site, we would seek 2 x 2BF and 1 x 1BF.

ECC SuDS Consultee
12.02.2020

Thank you for your email which provides Essex County Council (ECC) with the opportunity to assess and advise on the proposed surface water drainage strategy for the aforementioned planning application.

As the Lead Local Flood Authority (LLFA) this ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the documents which accompanied the planning application, we would recommend the issuing of a holding objection on the basis of the following:

- There has been no new relevant information provided. Please provide information as required within the Outline Design Checklist on Essex County Council's website: <https://flood.essex.gov.uk/new-development-advice/how-to-design-suds-inessex/outline-drainage-design-checklist/>

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Waste Management
13.02.2020

Bin store areas to be of suitable size to accommodate wheeled bins for refuse and recycling on a fortnightly basis. Access are to be constructed to a suitable standard to withstand weight of refuse collection vehicle and provide area to manoeuvre.

UU Open Spaces
12.04.2019

Response from Public Realm
Open Space & Play

Application Details

Application No: 19/00167/OUT

Site Address: 88-92 Oxford Road Clacton On Sea, Essex. CO15
£TH

Description of Development: Proposed residential development of 28 flats and 4 commercial units.

Current Position

There is currently a deficit of 41.08 hectares of play in the Clacton/Holland area. However, there is adequate formal open space to cope with some additional development.

Any further development in Clacton will increase the current play deficit further. To prevent this deficit from growing it would be necessary to provide additional play equipment in the area. The nearest play area to the development is located at Vista Road and is located just over the foot bridge.

Recommendation

A contribution towards play is both justified and relevant to this planning application. A need has been identified to increase the size of the play area at Vista Road to cope any additional development.

Therefore any contribution would be used to increase the size of the play area at Vista Road, Clacton

ECC Highways Dept
03.04.2019

The Highway Authority raises an objection to the above application for the following reasons:

The Highway Authority will protect the principle use of the highway as a right of free and safe passage of all highway users.

Although the site is close to the local railway station and is close to some existing bus stops, the overall parking provision for the density of the application is considered to be inadequate for the application as proposed.

The proposal if permitted would set a precedent for future similar developments which would likely lead to inappropriate parking detrimental to the general safety of all highway users and undermine the principle of seeking to discourage on-street parking in the locality.

The proposal is therefore contrary to policy DM1 and DM8 contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Notes

1. The proposal shows eight spaces off-street for the new two bedroomed flats only where the Parking Standards Design and Good Practice September 2009 recommend two spaces while no parking has been indicated for the one bedroomed flats. This would lead to increased kerbside parking stress as well as the consequent detrimental impact on highway safety.

2. Off road parking spaces when constrained by structures should be 3.4 metres x 5 metres to enable circulation around the vehicle and for the doors to open fully.

3. The Highway Authority raises concerns over the constrained parking spaces they appear to fail to be provided sufficient manoeuvring or circulatory space for pedestrians accessing the car, the restricted width of the car space is also likely to impede manoeuvring from the space into the access area and turning to leave and join the highway.

4. As far as can be determined from submitted plans there does not appear to be sufficient space within the site to enable vehicles living or visiting the site to turn and approach the highway in a forward gear. The applicant should ensure that vehicles can enter and leave the highway in a forward gear. As per the Essex Parking Standards (Parking Standards: Design and Good Practice, Sept 2009) 6 metres should be provided behind each parking space to allow for manoeuvring, it appears this under 6 metres, going by the ground floor plan provided.

5. As far as can be determined from the submitted plans the proposal fails to provide sufficient off street parking spaces with dimensions in accord with current Parking Standards which is likely to lead to vehicles being left parked in the access route or adjacent highway already heavily used by the existing commercial units causing conditions of danger, obstruction or congestion contrary to highway safety and Policy DM 1 and 8.

The Highway Authority may consider a revised application which addresses the issues raised below:

Subject to the proposal conforming to policy DM1 and DM8 contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

Waste Management
13.02.2019

All residential bin store areas to be of adequate size in relation to number of properties to accommodate wheeled bins for both residual waste and segregated recycling of paper/cardboard and plastic bottles, tins and cans, all collected on a fortnightly basis.

Environmental Protection
26.02.2019

In order to minimise potential nuisance to nearby existing residents caused by construction works, Pollution and Environmental Control ask that the following is conditioned;
Prior to the commencement of any construction works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Pollution and Environmental Control.

' Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible.
- 2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will as a minimum requirement, be compliant with the standards laid out in British Standard 5228:2014.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).

- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

' Emission Control

- 1) All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
- 2) No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- 3) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

3. **Planning History**

92/00821/FUL	(Land at 92 Oxford Road, Clacton-on-Sea) Change of use to MOT Testing Centre, Car Servicing, Workshop and Car Showroom	Approved	03.09.1992
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4. **Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019
 National Planning Practice Guidance
 Tendring District Local Plan 2007
 QL1 Spatial Strategy
 QL9 Design of New Development
 QL10 Designing New Development to Meet Functional Needs
 QL11 Environmental Impacts and Compatibility of Uses
 ER2 Principal Business and Employment Areas
 ER3 Protection of Employment Land
 ER4 Non-Employment Uses in Employment Areas
 HG1 Housing Provision
 HG9 Private Amenity Space
 LP1 Housing Supply
 TR7 Vehicle Parking at New Development
 ER31 Town Centre Hierarchy and Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
 SP1 Presumption in Favour of Sustainable Development
 SPL1 Managing Growth
 SPL2 Settlement Development Boundaries
 SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities
LP5 Affordable Housing
Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice
Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) 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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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 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.

With the adoption of the modified Section 1 of the emerging Local Plan, the Councils 'objectively assessed housing need' of 550 dwellings per annum has been found 'sound' and there is no housing shortfall. The Council is able to report a significant surplus of housing land supply over the 5 year requirement, in the order of 6.5 years.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

Oxford Road is located in a *Principal Business and Industrial Area* as listed amongst other similar employment sites in the 2007 Local Plan. It comprises a 640sqm B Class employment use plot of ca. 641sqm area. To the rear (east) it backs onto a rail line while to the front (west) it addresses Oxford Road. Across the Highway to the other side is a mature residential area made up of semi-detached dwellings to ca. 50m to the north of which is a builders merchants yard. The site is understood to be a going concern and is bounded by a unit in the applicant's ownership to the south. To the north there is a similar unit with similar Europit branding and livery to the façade. The business, a tyre sales, auto parts and accessories, MOT centre and tyre fitting operation uses the subject plot for storage. It employs 11 people and also operates from the aforementioned unit to the south where MOT testing and tyre fitting operations take place.

The location is not in a conservation area nor does it affect the setting of a listed structure. The Environment Agency designates it Flood Zone 1 (low probability).

Proposal

Proposed residential development of 10 flats and 3 commercial units at ground floor level.

Appraisal

Oxford Road is designated in the Local Plan 2007 for employment purposes under the classification *Principal Business and Industrial Areas* where Policy ER2 requires proposals for employment development be focused. Policy ER3 seeks to retain these sites in order to assist with economic regeneration objectives and to maintain a balance between the location of jobs and homes within different parts of the District. Policy PP6 of the emerging plan reflects similar considerations in the emerging Plan. *Policy ER4 - Non employment Use in Employment Areas* does not specifically provide for residential uses however it does require that all applications must account for acceptability in terms of availability of employment land, highways access, car parking and that no suitable alternative locations are available

The Plan does also recognise that proposals for re-using or redeveloping employment sites and premises can come forward for determination and subject to policy compliance can be acceptable subject to their merits. With respect to Oxford Road TDC found the principle of mixed use development at a former wholly employment site (Travis Perkins Yard No. 38 Oxford Road) 18/007732/FUL) acceptable in principle subject to a marketing exercise in compliance with the requirements of *Policy ER3 Protection of Employment Land*. At 62 - 64 Oxford Road 09/01072/FUL 4 no. commercial units and 12 no. apartments was approved and since developed in a similar vein.

In this instance the absence of sufficient information to enable such a determination is noted where no evidence of a marketing exercise has been presented. Regardless, the proposal aims to reduce the employment area available at the site from 641sqm to ca. 600sqm over three new units which is undesirable at a designated employment site. Officers note however that it is understood that the site is a storage area presently and is not intrinsic to maintaining employment at the neighbouring units within the applicant's control and within the business. As such, the proposal would represent a minor loss of employment land but would create three new employment units so can therefore be considered a more efficient use of the slightly reduced commercial area. The three new units when occupied would provide for employment in their own right so officers consider the principle of residential development established subject to the retention of the employment components of the scheme at ground level and further assessment of its planning merits.

Therefore the proposed mixed residential/commercial use is considered to be acceptable as it reflects the emerging character of recent developments on the eastern side of Oxford Road. It must also be noted that the commercial designation for the eastern side of Oxford Road is removed in the emerging local plan.

Visual Impact/Design

No elevation drawings have been provided however this outline application where details of design can be reserved indicates plan drawings for ground, first and second floors with a setback from the Highway similar to existing to allow for parking and access on private land. The character of the immediate surrounding area is single storey galvanised type industrial/commercial units with as

previously indicated mature, two storey residential across the Highway on the western side. Noting this context and the two storey residential development across the road officers consider that a lack of information at this stage precludes the Council from making an assessment. As such design is not included in the reasons for refusal but any forthcoming application should include drawings that depict the streetscene as it is questionable whether a structure of three storey scale would be acceptable in this context.

Highways, Access and Parking

Although the site is close to the local railway station and is close to some existing bus stops, the overall parking provision for the density of the application is considered to be inadequate for the application as proposed.

The proposal if permitted would set a precedent for future similar developments which would likely lead to inappropriate parking detrimental to the general safety of all highway users and undermine the principle of seeking to discourage on-street parking in the locality.

Specifically, the number of spaces provided for the residential component would be sub-standard, circulatory spaces for vehicles would be insufficient, the size of individual parking units would not meet standards, it has not been demonstrated that vehicles can access and egress the site in a forward gear and it is likely that the development as proposed would result in an increase in parking pressure onto the public Highway contrary to adopted policies.

Amenity

As no scale bar has been provided and no point of reference from which one could infer the scale on the drawings is apparent it has not been possible to establish with any confidence the dimensions of the proposed units as assessed against the Technical Housing Standards (DCLG). Regardless of this the layout would be dual aspect facing onto the Highway while balconies (of indeterminate scale) face to the rear over a parking area and is acceptable. HG9 requires 25sqm for amenity spaces for flat units. Amenity spaces are provided at ground floor level to the rear north and south corners adjacent to parking however it is questionable how much if any use apartment occupants would derive from these areas particularly in the presence of the ongoing business activity that would be going on adjacent.

Environmental Health

No objections are maintained as long as a plan controlling noise and emissions is secured by way of condition and approved in writing by the Pollution and Environmental Control section.

RAMS

Under the Habitats Directive a development which is likely to have an effect or an adverse effect (alone or in combination) on a European Designated site must provide mitigation or otherwise must satisfy the tests demonstrating 'no alternatives' and 'reasons of overriding public interest.' There is no precedent for a residential development meeting those tests which means that all residential development must provide mitigation. This residential development lies with the Zone of Influence of the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The residents of new housing are therefore considered likely to regularly visit relevant designated sites for recreation. In order to avoid a likely significant effect in terms of increased recreational disturbance to coastal European designated sites in particular the Hamford Water RAMSAR and SPA site mitigation measures will need to be in place prior to occupation. A proportionate financial contribution has not been secured in accordance with RAMS requirements. As submitted there is no certainty that the development would not adversely affect the integrity of Habitats sites. The proposal is therefore considered to be contrary to Policies EN6 and EN11a of the TDLP 2007, Policy PPL4 of the DTLP 2013-33 and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

Open Space

Paragraph 54 of the National Planning Policy Framework (2019) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 56 of the NPPF states planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly relate to the development and fairly and reasonably relate in scale and kind to the development.

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built".

There is currently a deficit of equipped play/formal open space in Tendring. The nearest play space to the development site is located at Vista road recreation Ground just a short distance over the railway bridge and is classified as a Local Equipped Area for Play. Any further development in Clacton will increase the current play deficit further. It would be necessary to provide additional play equipment in the area. Due to the close proximity of the play area to this development a contribution towards play is justified and relevant to the planning application. The contribution would be used towards providing new equipment at the play area in Heath Road.

No such contribution has been included within this application nor has any justification for the lack of a contribution and therefore this scheme does not comply with Policy COM6.

Affordable Housing

The Council's emerging Local Plan requires that 30% of the homes on an eligible site should be delivered as affordable housing equating to 3 flats in total at this site for a plot of 10 units or more in line with the requirements of the NPPF. In this instance the Housing Officer suggests that a financial contribution secured by way of a s.106 agreement is a more practicable method of delivering sustainable affordable housing in the District. A completed s.106 obligation to secure this affordable housing has not been provided prior to the application determination date therefore this has been included in the reasons for refusal.

SUDS

The lead local flood authority have reviewed the application and maintain a holding objection based on lack of sufficient information to enable them to make an informed decision in relation to urban drainage. The applicant was made aware of this objection however no information has been offered to offset the objection.

Representations

A site notice was erected and neighbours notified in accordance with regulations. The proposal was called in by Cllr Stephenson for reasons of Highway impact and layout/density issues.

Recommendation

Refuse.

6. Conditions / Reasons for Refusal

1. Parking and Access - The proposal if permitted would set a precedent for future similar developments which would likely lead to inappropriate parking detrimental to the general safety of all highway users and undermine the principle of seeking to discourage on-street parking in the locality.

Specifically, the number of spaces provided for the residential component would be sub-standard, circulatory spaces for vehicles would be insufficient, the size of individual parking units would not meet standards, it has not been demonstrated that vehicles can access and egress the site in a forward gear and it is likely that the development as proposed would result in an increase in parking pressure onto the public Highway contrary to adopted policies including TR7 Vehicle Parking at New Development.

2. Residential Amenity - QL9 and QL10 of the Tendring District Plan 2007 and HG9 of the emerging Local Plan require that occupants of new development enjoy a minimum standard of residential amenity. It has not been demonstrated to the satisfaction of the Council that the proposal will provide adequate gross internal area in accordance with the DCLG's Technical Housing Standards. Furthermore, it has not been demonstrated that the proposal will provide adequate and usable amenity space in accordance with policy requirements.

3. Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation. This residential development lies within the Zone of Influence of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). The residents of new housing are therefore considered likely to regularly visit relevant designated sites for recreation. In order to avoid a likely significant effect in terms of increased recreational disturbance to coastal European designated sites (Habitats sites) in particular the Hamford Water Ramsar and SPA site, mitigation measures will need to be in place prior to occupation. A proportionate financial contribution has not been secured in accordance with the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) requirements. As submitted, there is no certainty that the development would not adversely affect the integrity of Habitats sites. The proposal is therefore considered to be contrary to Policies EN6 and EN11a of the Saved Tendring District Local Plan 2007, Policy PPL4 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.
4. Open Space - Paragraph 54 of the National Planning Policy Framework (2019) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 56 of the NPPF states planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly relate to the development and fairly and reasonably relate in scale and kind to the development.

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built".

There is currently a deficit of equipped play/formal open space in Tendring. The nearest play space to the development site is located at Vista road recreation Ground just a short distance over the railway bridge and is classified as a Local Equipped Area for Play.

Any further development in Clacton will increase the current play deficit further. It would be necessary to provide additional play equipment in the area. Due to the close proximity of the play area to this development a contribution towards play is justified and relevant to the planning application. No such contribution has been included within this application nor has any justification for the lack of a contribution and therefore this scheme does not comply with Policy COM6.

5. Affordable Housing - The Council's emerging Local Plan requires that 30% of the homes on an eligible site should be delivered as affordable housing equating to 3 flats in total at this site for a plot of 10 units or more in line with the requirements of the NPPF and emerging Policy LP5 Affordable Housing. In this instance the Housing Officer suggests that a financial contribution secured by way of a s.106 agreement is a more practicable method of delivering sustainable affordable housing in the District. A completed s.106 obligation to secure this affordable housing has not been provided prior to the application determination date therefore this has been included in the reasons for refusal.

7. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward in part due to the failure of the applicant to make provide further

information in a reasonable and timely fashion. As such this decision should be considered as informative to the issues at the site in any future planning application.

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