

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	11/05/2021
Planning Development Manager authorisation:	JJ	12/05/2021
Admin checks / despatch completed	ER	12/05/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	12.05.2021

Application: 21/00359/LUPROP **Town / Parish:** Frinton & Walton Town Council
Applicant: Mr Stephen Sibley - Highcroft Planning
Address: Land adjacent 24 Mill Lane Walton On The Naze
Development: Partial use of site for Boat Storage

1. Town / Parish Council

Mr FRINTON & WALTON NOTED
TOWN COUNCIL
04.04.2021

2. Consultation Responses

n/a

3. Planning History

18/00179/FUL New four bedroom dwelling. Refused 19.06.2018

21/00359/LUPRO Partial use of site for Boat Storage Current
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4. Relevant Policies / Government Guidance

The Town and Country Planning Act 1990
The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

5. Officer Appraisal (including Site Description and Proposal)

The application seeks confirmation that to use part of the site for boat storage would be lawful.

The land to which this proposal relates was part of the Martello Caravan site and is now a vacant piece of land located between two residential dwellings. The application form suggests that the application site has an existing use of Sui Generis offering an historic decision notice as evidence for works to the Martello Tower which appears unrelated to the application site. In addition, there is no red line visible around the application site for the plans accompanying the historic decision notice. Further to this, presumably the application site ceased to be a part of the Martello Caravan

site when the retail and residential development started on the land known as the Martello Caravan site as it did form part of these planning applications.

It is therefore recommended that a Lawful Use Certificate is not granted.

One letter of representation has been received which raises concerns about the lack of factual, sufficient or precise information submitted as part of the application.

It is suggested that a planning application is required for the change of use of the land for use as boat storage in which detailed information can be provided.

6. **Recommendation**

Lawful Use Refused

7. **Reasons for Refusal**

- 1 The application site is a vacant plot, once part of the Martello Caravan site which has now been developed under separate planning applications. Insufficient information has been provided to describe the proposed use in order to establish the proposed use class. It is not clear from the submitted information provided the existing class use of the application site. Having regard to the The Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), a planning application would be required for a change of use of a clearly defined application site for boat storage, and the Certificate of Lawfulness application is refused on this basis.

8. **Informatives**

n/a

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