

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	JR	29.03.2023
Planning Manager / Team Leader authorisation:	AN	30/03/23
Planning Technician final checks and despatch:	ER	30/03/2023

Application: 23/00156/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Neo Kokonas

Address: 144 Wellesley Road Clacton-on-Sea Essex

Development: Proposed conversion of 4no. individual properties back into 1no. individual dwelling as a family home.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

None

3. Planning History

None

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development
SP3 Spatial Strategy for North Essex
SP4 Meeting Housing Needs
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

CP1 Sustainable Transport and Accessibility
LP4 Housing Layout
SPL1 Managing Growth
SPL2 Settlement Development Boundaries
SPL3 Sustainable Design

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The application site is located on the eastern side of Wellesley Road and comprises of a mid-terrace residential dwelling with front and rear dormers, set over three floors. The property has been converted into 2 flats and 2 bedsits. The property is vacant with the exception of the ground floor flat which is occupied by the applicant/owner. There is parking to the frontage. The site is within the defined settlement development boundary of Clacton-on-Sea and within flood zone 1, which has a low risk of flooding. The surrounding area is residential in nature.

Proposal

The application seeks planning permission to convert the existing building which is formed of 2 self-contained flats and 2 bedsits with a shared bathroom, into a single dwellinghouse. No external works are proposed.

Assessment

Principle of Development

The site is located within a defined settlement development boundary and therefore there is no objection to the principle of development.

Appraisal

The site is of residential appearance, sited within a residential street and there are no external alterations proposed. The change of use from 4 units to one single dwelling house is not considered to have any impact on the residential amenities of the neighbouring properties and if anything will reduce the comings and goings from the property. The newly formed dwelling has four bedrooms and requires 2 parking spaces measuring 2.9m x 5.5m and the existing frontage is considered large enough to accommodate the 2 spaces required.

Whilst there is a loss of 2 flats and 2 bedsits, it is not considered to have a significant impact on the housing stock in the area and this type of accommodation is not encouraged within the District. The proposal would provide a much preferred single family dwellinghouse that would help the long-term health and prosperity of the District and the economy of our town centres and tourist areas.

Third Party Consultation Responses

No representations have been received following a public consultation which included a site notice posted at the site and neighbouring consultation letters sent out to the adjacent properties.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval – FULL

7. Conditions

1. COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2. APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing No: Site Location Plan – TQRQM22282124838256, dated 09/10/22

Drawing No: Block Plan - TQRQM22282125235002, dated 09/10/22

Side Elevation rec'd 31/01/23

Front and Rear Elevation rec'd 31/01/23

Proposed Ground Floor Plan – 4. Ground Floor NEW rec'd 31/01/23

Proposed First Floor Plan – 5. First Floor NEW rec'd 31/01/23

Proposed Top Floor Plan – Top Level NEW rec'd 31/01/23

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO