



FISHER JONES GREENWOOD
SOLICITORS



PLANNING STATEMENT

On behalf of: Issam Limited
Property: Edith Road, Clacton on Sea, Essex CO15 1JU



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1. Introduction

- 1.1. This application seeks a change of use and extension to the existing properties located at 4 – 8 Edith Road, Clacton.
- 1.2. These properties currently comprise a mix of uses (HMO, flats) that is discussed in more detail within this planning statement.

2. Application proposal

- 2.1. The application seeks planning permission for the small extension of and creation of 34 self-contained supported living studio apartments for a specialist housing need.

3. Background information

- 3.1. The need is to be provided by a charitable organization (Circle Housing the operator) providing homes through tenancy and support agreements for vulnerable/homeless people. Each apartment comprises a single person unit where prospective tenants are referred to the operator by the Council.
- 3.2. The prospective tenants suitability for occupation of the premises is considered and where tenants have additional restrictions incorporated into their tenancy and support agreements, preventing amongst other requirements, the use of illegal substances on the premises and where, as part of their occupancy, they must take part in supported living tuition/support with one to one support learning often on a daily basis, but at least once a week. The benefits of this one to one support is given with the aim of developing an independent life style for tenants as they progress towards independent living accommodation elsewhere.
- 3.3. A house manager would be present on site on a daily basis, managing tenants, enforcing house rules and rules of the support agreements that the tenants have signed up to. Work is also carried out with the local authority and other agencies.
- 3.4. The operators are experienced in running this type of operation and have robust policies in place to ensure a smooth delivery of their operation.
- 3.5. CCTV is proposed, as utilised with other similar premises managed by the operator, to ensure that if any anti-social behaviour/breaches of agreements occurs this can be dealt with at the earliest opportunity to avoid any problems occurring or repetition of behavioral issues.
- 3.6. Neighbours are provided with a 24 hour on call 7 day a week contact number so that any issues arising can be dealt with immediately.



- 3.7. The additional requirement for tenants to sign up to the support agreement, alongside the strict rules laid down by the provider ensures tight management of the units nipping any anti-social behaviour or noise issue in the bud at a very early stage.
- 3.8. Circle Housing operate this strict regime with the ability to require tenants to leave if they do not abide by their support agreement and house rules having first been given warnings that are documented and where in partnership with the Council legal action may occasionally need to be taken to remove the tenant from the premises.
- 3.9. The primary function of the operator is to work with the local authority to meet housing need for vulnerable and homeless people. Tendring District Council have requested that Circle Housing provide accommodation to meet the growing need for homeless person accommodation in their administrative area.
- 3.10. Currently the application properties are in private ownership offering accommodation as HMO/self-contained flats and where there have been problems with the nature of the occupation.
- 3.11. The Council have previously served enforcement notices in respect of some of the properties and this is discussed further in site history.
- 3.12. The application proposal will result in a substantial improvement in the quality of the accommodation offered with a well-managed and controlled occupancy that will be beneficial to all, including the neighbours.

4. Site history

- 4.1. The application buildings have been the subject of enforcement investigation and enforcement notice appeals. The properties have been used as HMO and guest house for 8 Edith Road. With numbers 4 and 6 being the subject of the enforcement notice appeal.
- 4.2. This application provides the opportunity to provide a controlled, by planning conditions, tenancy and support agreement essential accommodation for the specialist need of vulnerable/homeless persons with supported living self-contained small apartments.
- 4.3. The rigor applied in the various controls overrides the previous issues arising from those uses. The application proposal as stated is for supported living self-contained apartments.
- 4.4. This application proposal represents a new chapter in the planning use/history of the site and has multiple benefits including the ability for strictly controlled planning conditions.



5. Relevant planning policies

5.1. The National Planning Policy Framework (the Framework)

National Planning Practice Guidance

Adopted Local Plan

QL1 Spatial Strategy

QL2 Promoting transport choice

QL6 Urban regeneration areas

QL9 Design of new development

QL10 Designing new development to meet functional needs

QL11 Environmental impact and compatibility of uses

HG3 Residential development within defined settlements

HG3A Mixed communities

HG9 Private amenity space

HG10 Conversion to flats and bedsits

COM6 Recreational open space

COM1 Access for all

COM2 Community safety

COM5 Residential institutions

TR3A Provision for walking

TR5 Provision for cycling

TR7 Vehicular parking and new development

Adopted Section 1 of the Local Plan

SP1 Presumption in favour of sustainable development

SP2 Recreational disturbance avoidance and mitigation strategy (RAMS)

SP3 Spatial strategy for North Essex

SP4 Meeting housing needs

SP7 Place shaping principles

Emerging Section 2 of Local Plan

SPL1 Managing growth

SPL2 Settlement development boundaries

SPL3 Sustainable design

HP1 Improved health and wellbeing

LP1 Housing supply

LP2 Housing choice

LP3 Housing density and standards

LP10 Care and independent assisted living

LP11 HMO and bedsits

6. Planning considerations

- 6.1. It is noted that during the time of drafting this planning statement the Council have adopted Section 1 of their Local Plan.



- 6.2. The policies contained within Section 1 are now clearly a material planning consideration that must now be given full weight, albeit that they primarily relate to the strategic development/garden village development.
- 6.3. The policies considered to be relevant to this application are listed within the previous section of this statement.
- 6.4. The same applicants have submitted a pre-application enquiry for a similar use within Tendring and had hoped to have received the response to this ahead of the submission of this application.
- 6.5. The response from the Council has not been forthcoming, despite it being submitted several weeks ago.
- 6.6. This application relies on funding availability and purchase of the site, where the planning application determination period and the period for any potential judicial review must be factored into the time line so this charitable organization can purchase with the benefit of certainty and not waste funding.
- 6.7. It is therefore necessary that the application is submitted without further delay and where it is requested that all endeavours are made by the Council to determine the application within the statutory 8 week time period for determination. Any delays could result in the loss of the funding and the loss to the Council of the specialist housing to meet the requirements of the Council's housing obligations.
- 6.8. Section 1 of the Local Plan covers strategic issues which advocates the presumption in favour of sustainable development, the spatial context, meeting the need for new homes and creating quality places.
- 6.9. The application site is located in a highly sustainable location within the settlement boundary with ease of access to all main facilities and is therefore considered to be compliant with policy SP1.
- 6.10. The application proposal it is considered will improve the economic, social and environmental conditions in the area.
- 6.11. It is unclear whether the nature of supported living accommodation would require RAMS contributions as provided for in policy SP2. Clearly as supportive living provided by a charitable organization a requirement for contributions for all 34 units would be problematical for the charity.
- 6.12. The development as proposed is in accordance with policy SP3 in so far as it represents specialist housing growth within an existing settlement whilst maintaining the character and appearance of the area, avoiding coalescence of settlements and conserving the setting.
- 6.13. It is recognized that Section 1 of the adopted Local Plan relates to strategic issues and where section 2 of the emerging plan will consider the Tendring settlement areas.



- 6.14. Policy SP4 is considered to have relevance because the application proposal meets a specific specialist housing need and this is supported within the Framework paragraphs 61 and 64.
- 6.15. Policy SP7 requires high standards of design through the provision of *inter alia* well connected places whilst responsive to local character and the environs.
- 6.16. It is considered that the application proposal achieves this. The proposed extension comprises a small addition that is reflective of the character and appearance of the area.
- 6.17. Emerging Policy LP11, that can at this stage, only be afforded limited weight, considers HMO and bedsits and has a clear aim to reduce the number of such uses within a defined area calculated by 100 metre radius from the application proposal, amongst other considerations.
- 6.18. It is important to note that this policy is not considered to be relevant to this proposal because the application provides for assisted/supported living self-contained studio apartments with no internal communal areas such as lounge/kitchen. Each apartment has its own washing and toilet facilities, its own kitchen and living room/bedroom.
- 6.19. The existing use of part of the application site as an HMO in part, and flats in part. This application removes the HMO element. It is noted that the support text for emerging policy LP11 discusses bedsits as being characterised by a single room containing living accommodation "...but often basic cooking and washing facilities (such as a cooker, microwave oven and sink) but sometimes bathroom and toilet facilities are shared by a number of bedsit occupiers".
- 6.20. It is also noted that the Council are concerned in respect of the impact of increasing HMOs and bedsits *inter alia* the pressure this can place on public services.
- 6.21. As already discussed the 34 studio apartment units are completely self-contained and in that respect are no different to a supported living arrangement within a care home, or flats privately rented or owned.
- 6.22. Each tenant will have the responsibility for cleaning and managing their own unit.
- 6.23. The day time support agreement directly enforces management of the tenants aiding them to move forwards from supportive living to totally independent living.
- 6.24. The help and assistance they are provided ensures that tenants are equipped to move to independent living elsewhere. The apartments are not for use by those who are capable of independent living.
- 6.25. The primary referrer to the site operator will be Tendring District Council. They in association with the operator will assess the potential needs and



suitability of prospective tenants before they are offered a tenancy agreement.

- 6.26. Tendring District Council has a high homelessness community where the application proposal not only plays a vital part in reducing the number of people living on the street, but also provides education/development to allow re-integration into society through a supported education function.
- 6.27. This support agreement, operated on a one to one basis, through the on-site office within the application site provides for support and education regarding personal and financial matters, as well as welfare matters to ensure tenants are equipped to progress to independent living.
- 6.28. The support agreement as already stated, places tenants under strict controls to ensure that their occupation is positive and does not create any issues of anti-social behaviour, noise disturbance, use of illegal substances.
- 6.29. In consideration of the adopted Local Plan, which at this stage carries the greater weight in conjunction with the Framework. Adopted policy HG10 provides for conversions to flats and bedsits. The former is considered to apply to the application proposal – creation of 34 individual supported living studio apartments/flats.
- 6.30. The application site is located close to the main centre of Clacton within easy walking distance to all main facilities with a choice of transport opportunities available for travel beyond the immediate area.
- 6.31. Each of the buildings as originally constructed exceed the 110 square metres. Recognising the existing use of the buildings comprising the application site and the nature of the proposed use it is considered that the use will not harm the character and appearance of the buildings – it will result in positive improvement.
- 6.32. The amenities of the local residents will be afforded improved residential amenity as a result of the strict regime used by the operators. Any anti-social behavior arising will be immediately and positively nipped in the bud and not tolerated. Local residents will be provided with the 24 hour 7 days a week on call number in case any matters do arise. However, the support agreements, including the one to one support should negate any anti-social behaviour/use of illegal substances occurring.
- 6.33. The nature of the occupiers, as part of assisted/supported living, would mean that occupiers would not have access to a car.
- 6.34. A full range of facilities are located only a short walk away from the application site, where transport to travel beyond exists. Occupiers would be able to walk and cycle, with other transport choices available after a short walk away from the application site.
- 6.35. The application site makes provision for secured covered cycle spaces.



- 6.36. The Framework in paragraph 64 advocates the provision of specialist accommodation and whilst not specifically citing supported living the application proposal does meet the criteria of paragraph 64b) in providing specialist accommodation for a group of people with specific needs.
- 6.37. Furthermore, Appendix 2 of the Framework defines affordable housing "...for those who needs are not met by the market".
- 6.38. Whilst it must be acknowledged that the operator Circle Housing are not a registered provider in the normal sense, they are a specialist charitable provider supporting the homeless where there is an acknowledged need for homes.
- 6.39. The studio apartments do have the benefit of the limited gardens associated with the site, although due to the central location access to areas of public amenity space is highly achievable through a short walk of 2 or 3 minutes.
- 6.40. It is therefore considered that the application proposal represents positive gain through the loss of the poorly managed existing housing units and where by contrast the proposed units will be well managed with a clear aim to ensure that through a supported living arrangement and tenancy vetting of proposed occupiers should allow successful reintegration within society.
- 6.41. The application is within a highly sustainable location with ease of access via walking, cycling, bus travel and to a full range of facilities with most facilities only a short walk away from the application site.
- 6.42. The application proposal meets the specific and much needed housing need through placement of vulnerable/homeless people in well managed supported living accommodation.
- 6.43. In terms of the proposed extension to facilitate the application proposal the design and form of the extension comprises a small scale extension that is commensurate with the existing dwellings and is supportive of the character and appearance of the area. The proposed materials would match the existing buildings.
- 6.44. The application proposal represents a significant investment in to the area with economic gain during the construction period and beyond, environmental gain through the vastly improved appearance and the social gain would comprise supported living meeting a housing need and improved amenity for nearby neighbours.

7. Conclusion

- 7.1. It is considered that the nature of the proposed use, whilst recognising the current use of the application site, addresses many issues and brings forward a well-managed form of supported living accommodation to the benefit of the District and the local residents.



- 7.2. Circle Housing, the operators, successfully operates similar models in many areas and are therefore highly experienced and motivated to tackle the needs of vulnerable/homeless people and to ensure successful problem free integration within the community.
- 7.3. It is considered that the application proposal can positively tackle the District's housing need through the provision of 34 supported self-contained studio apartments.

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