

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	01/03/2019
Planning Development Manager authorisation:	SCE	04.03.19
Admin checks / despatch completed	RW	5/3/19

ER

Application: 18/02097/LBC **Town / Parish:** Mistley Parish Council

Applicant: Ms Toppin

Address: 5 High Street Mistley Manningtree

Development: Proposed new windows.

1. Town / Parish Council

Mistley Parish Council have no comments to make.

2. Consultation Responses

N/A

3. Planning History

11/00835/LBC	Internal and external alterations to dwelling including new enlarged window and replacement roof at ground floor rear, and roof light and flue to rear. Alterations to garage including new higher roof with roof lights.	Approved	06.12.2011
11/00875/FUL	Works to existing garage including re-roofing, change to external cladding, changing of garage doors and the insertion of 2 no. rooflights.	Approved	06.12.2011
12/00450/FUL	Works to existing garage including re-roofing, changes to external cladding, changing of garage doors and insertion of 2 no. rooflights (retrospective application).	Approved	28.09.2012
12/00549/LBC	Works to existing garage including re-roofing, changes to external cladding, changing of garage doors and insertion of 2 no. rooflights (retrospective application).	Approved	28.09.2012
14/01747/TCA	Cherry - thin 3 no leading branch & remove 12ft in height.	Approved	16.12.2014

18/01627/LBC	Enlarge kitchen window to match existing ground floor front window.	Approved
18/02097/LBC	Proposed new windows.	Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN22 Extensions or Alterations to a Listed Building

EN23 Development Within the Proximity of a Listed Building

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

PPL9 Listed Buildings

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.