

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	30/5/19
Planning Development Manager authorisation:	AN	30/5/19
Admin checks / despatch completed	KME SB	31/05/19 31/05/19

Application: 19/00671/HHPNOT **Town / Parish:** Elmstead Market Parish Council

Applicant: Daniel O'Sullivan

Address: 38 Winterbourne Gardens Elmstead Market Essex

Development: Proposed single storey extension height 3 metres x depth 6 metres.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

91/01285/FUL	General purpose agricultural building.	Approved	04.02.1992
14/30411/PREAPP	Proposal for 20 no. dwellings and public open space.	Refused	19.12.2014
15/00675/OUT	Residential development of up to 32 dwellings (incorporating 25% affordable housing) with associated open space and infrastructure.	Refused	05.08.2015
16/01994/DETAIL	Residential development of up to 32 dwellings (incorporating 25% affordable housing) with associated open space and infrastructure.	Approved	10.03.2017
17/00135/DISCON	Discharge of Conditions 6 (Materials), 7 (Boundary Treatment), 8 (Waste Collection), 9 (Lighting), 13 (Energy Measures), 14 (CMS), 16 (Ecological Mitigation Scheme), 17 (Landscaping Management Plan), and 19 (Local Recruitment Strategy) of Planning Permission 15/00675/OUT.	Approved	27.03.2017
17/00463/DISCON	Discharge of condition 12 (surface water drainage) of the planning permission 15/00675/OUT approved under appeal reference APP/P1560/W15/3136692.	Approved	01.12.2017
19/00671/HHPNO T	Proposed single storey extension height 3 metres x depth 6 metres.	Current	

4. Relevant Policies / Government Guidance

n/a

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

5. Officer Appraisal

A prior notification has been received by Tendring District Council in relation to the Town and Country planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A for the erection of a single storey rear extension, 6 metres in depth with a maximum height of 3 metres.

No objections have been received.

The single storey rear extension is consistent with the provisions of the above mentioned Order and is classed as permitted development, subject to the conditions set out in Class A3 and A4.

6. Recommendation

HHPN - Prior Approval Not Required

7. Conditions

- 1 HM Land Registry plan 1:1250 with the proposal hatched in black.

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