

soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities ‘Garden Communities’ proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector’s advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 (including Site Description and Proposal)

Overview

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 a single storey flat roofed rear extension 2.3 metres deep and 2.5 metres high at 28 Birch Avenue Dovercourt Harwich Essex CO12 4DR.

History

This proposal was submitted previously as a pre-application under reference 20/30069/PREAPP where it was advised that full planning permission was not necessary for the proposal but a Householder prior notification application will be required as the proposal was caught by Part (f) of the above mentioned Order;

“(f) **subject to paragraph (g)**, the enlarged part of the dwellinghouse would have a single storey and—

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
- (ii) exceed 4 metres in height;”

But allowed by part (g);

“(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- (ii) exceed 4 metres in height;”

Representations

No letters of objection have been received for this proposal.

Conclusion

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 Is Given

7. Conditions / Reasons for Refusal

- 1 Site Location Plan showing the proposed extension, scanned 28 July 2020.

8. Informatives

Not Applicable

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