

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	21.12.2020
Planning Development Manager authorisation:	SCE	21.12.2020
Admin checks / despatch completed	CC	22.12.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	DB	22/12/2020

**Application:** 20/01639/HHPNOT **Town / Parish:** Clacton Non Parished

**Applicant:** Mr A Lea

**Address:** 298 Holland Road Clacton On Sea Essex

**Development:** Proposed rear conservatory, 3m height and 2.9m depth.

### **1. Town / Parish Council**

Clacton Non-Parished No Comments Required.

### **2. Consultation Responses**

Not Applicable

### **3. Planning History**

03/02092/TPO	Removal of Conifer tree (TPO 97/5)	Refused	12.12.2003
04/01889/FUL	Single storey front and rear extensions	Approved	29.10.2004
13/01149/TPO	Canadian Spruce - fell due to poor condition.To be replaced with a birch or similar.	Approved	05.11.2013
20/01639/HHPNO T	Proposed rear conservatory, 3m height and 2.9m depth.	Current	

### **4. Relevant Policies / Government Guidance**

Not Applicable

#### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and 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)**

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 rear conservatory, 3 metres in height 2.9 metres deep.

No objections have been received.

The proposed conservatory 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 / Reasons for Refusal**

- 1 Document showing the proposed site location plan with proposed extension outlined and information provided within the application form.

**8. Informatives**

N/A

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	<b>YES</b>	<b>NO</b>
---	------------	-----------

<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO