

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	23.06.2021
Planning Development Manager authorisation:	SCE	29.06.2021
Admin checks / despatch completed	ER	30/06/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	30/06/2021

Application: 21/00928/HHPNOT **Town / Parish:** Brightlingsea Town Council

Applicant: Mr and Mrs Logan

Address: 41 Regent Road Brightlingsea Colchester

Development: Proposed single storey rear extension. (Height: 4 Metres, Depth: 5.3 Metres)

1. Town / Parish Council

Brightlingsea Town Council No comment

2. Consultation Responses

Not Applicable.

3. Planning History

83/00258/FUL	36 '6" Pole mast	Approved	04.05.1983
13/60289/HOUEN Q	Demolition of asbestos garage on steel frame and erection of pressed concrete garage in its place.		19.08.2013
21/00928/HHPNO T	Proposed single storey rear extension. (Height: 4 Metres, Depth: 5.3 Metres)	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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

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 single storey rear extension. (Height 4 metres, Depth 5.3 metres) at 41 Regent Road Brightlingsea Colchester CO7 0NN.

No objections have been received.

The proposed 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 / Reasons for Refusal

1 Drawing Number P01

8. Informatives

Not Applicable

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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