

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	29.09.2021
Planning Development Manager authorisation:	JJ	30/09/2021
Admin checks / despatch completed	DB	30.09.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	30.09.2021

Application: 21/00998/HHPNOT **Town / Parish:** Clacton Non Parished

Applicant: Mr M Edwards

Address: 5 Vermont Close Clacton On Sea Essex

Development: Erection of single storey rear conservatory (Width: 5.7m, Height: 2.4m, Depth: 3.3m)

1. Town / Parish Council

Clacton Non-Parished No Comments Required

2. Consultation Responses

Not Applicable.

3. Planning History

97/00441/FUL Proposed garage addition and pavement crossing Approved 19.05.1997

21/00998/HHPNO
T Erection of single storey rear conservatory (Height: 2.4m, Depth: 3.3m) Current

4. Relevant Policies / Government Guidance

Not Applicable.

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more

strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

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 conservatory. The conservatory will measure 5.7m wide, by 2.4 metres high by 3.3 metres deep at 5 Vermont Close Clacton on Sea Essex.

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 Proposed Elevations received 28 May 2021

Information provided in Application Form, received 28 May 2021

8. Informatives

Not Applicable