

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	22.12.2021
Planning Development Manager authorisation:	SCE	22.12.2021
Admin checks / despatch completed	ER	05/01/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	05.01.2022

**Application:** 21/01859/HHPNOT                      **Town / Parish:** Harwich Town Council

**Applicant:** Mr and Mrs A Willis

**Address:** 14 Kings Road Dovercourt Harwich

**Development:** Proposed rear single storey extension.

### 1. Town / Parish Council

No comments received.

### 2. Consultation Responses

N/A

### 3. Planning History

21/01859/HHPNO T	Proposed rear single storey extension.	Current
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### 4. Relevant Policies / Government Guidance

N/A

#### 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 26<sup>th</sup> 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. On 24<sup>th</sup> November 2021, the Council received the Planning Inspectors' final report on the legal compliance and soundness of Section 2 of the emerging Local Plan. The report has confirmed, that with the inclusion of a number of 'Main Modifications' (which have already been the subject of formal public consultation), the Plan is legally compliant and sound and can now proceed to adoption. The report is due to be considered by the Planning Policy and Local Plan Committee on 11<sup>th</sup> January 2022 which is likely to recommend adoption of the Section 2 Local Plan to Full Council on 25<sup>th</sup> January 2022. On adoption, the new Section 2 Local Plan will join the new Section 1 Local Plan to form the 'development plan' for Tendring and the old 2007 Local Plan will be superseded in full.

Now that the Inspectors' final report is received, the Section 2 Local Plan has virtually reached the final stage of preparation, all objections have been resolved and the Inspector has confirmed that the Plan is sound and therefore in conformity with the Framework. For these reasons, Officers now advise that the emerging Plan should now carry 'almost full weight' in decision making.

Until the new Local Plan is adopted in January 2022, the 2007 adopted Local Plan, legally, will still form part of the 'development plan' and there will still be a requirement to refer to the 2007 Local Plan in decision making. However, the level of weight to be afforded to the policies in the 2007 Plan is reduced to very limited weight given that a more up to date Plan has progressed to such an advanced stage of the plan making process.

#### **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: 3.1 Metres, Depth 4.3 Metres) at 14 Kings Road Dovercourt, Harwich, Essex, CO12 4DS.

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 Drawing No- 55/SRB/21/1

#### **8. Informatives**

N/A