

# Tendring

## District Council



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Please ask for Naomi Hart  
Tel: (01255) 686137  
Email: [nhart@tendringdc.gov.uk](mailto:nhart@tendringdc.gov.uk)

Our Ref: 19/00438/COUNOT

09 May 2019

Dear Sir/Madam

### TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2016

APPLICATION NO: 19/00438/COUNOT  
PROPOSAL: Proposed daycare nursery.  
LOCATION: 268 High Street, Harwich

Thank you for your notification on the above matter which was received on 14<sup>th</sup> March 2019 and made valid on 14<sup>th</sup> March 2019 and was allocated the reference **19/00438/COUNOT**.

I can now advise you that this proposal **requires prior approval** of the Local Planning Authority.

Determination by the Local Planning Authority that the prior approval of the authority is **required** as it fails to meet the conditions set out in Schedule 2, Part 3, Class T of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Tendring District Council hereby refuse prior approval for the development proposed in the above-mentioned application for the following reasons:

1. Paragraph 180 of the National Planning Policy Framework states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

In the absence of any noise assessment to support the proposal it has not been adequately demonstrated that the proposal would not adversely impact upon the residential amenity of local residents. It therefore fails to comply with the above

Chief Executive  
Ian Davidson

[www.tendringdc.gov.uk](http://www.tendringdc.gov.uk)  
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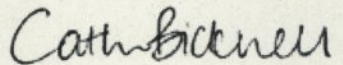
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mentioned policies, which seeks to ensure that the development would not have a materially damaging impact on the amenities of the occupiers of neighbouring properties.

If you require any clarification on this matter or further information, please contact the case officer Naomi Hart on 01255 686137.

Yours faithfully

A handwritten signature in cursive script, reading "Cath Bicknell".

Catherine Bicknell  
Head of Planning