



TENDRING DISTRICT COUNCIL
Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

AGENT: Mr Stuart Hancock - Hancock
 Architecture Ltd
 First Floor Offices
 Unit 47
 The Shipyard Estate
 Brightlingsea
 Essex
 CO7 0AR

APPLICANT: Mr Richard Dukes
 40 Eastern Road
 Brightlingsea
 Colchester
 Essex
 CO7 0HU

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991)

APPLICATION NO: 19/00652/LUPROP

DATE REGISTERED: 30th May 2019

Tendring District Council hereby REFUSE the application for a Certificate of Lawful Proposed Use in respect of the use described in the First Schedule in respect of the land specified in the Second Schedule for the following reason(s):

- 1 The application seeks confirmation that a front porch and front bay window are lawful. The floor area of the porch (measured externally) would be 3.63m², so exceeds the limits of Schedule 2, Part 1 Class D.1 (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015. The front bay window would extend beyond a wall which fronts a highway and forms the principal elevation of the original dwellinghouse, so exceeds the limits of Schedule 2, Part 1 Class AD.1 (e) of the Town and Country Planning (General Permitted Development) (England) Order 2015. The proposed development therefore does not constitute permitted development.

DATED: 25th July 2019

SIGNED:

Catherine Bicknell

 Catherine Bicknell
 Head of Planning

FIRST SCHEDULE

Proposed porch and bay window.

SECOND SCHEDULE

40 Eastern Road Brightlingsea Colchester Essex

Notes

- Your attention is drawn to the fact that if you are aggrieved by this determination you have a right of appeal against it to the Planning Inspectorate under Section 195 of the Town and Country Planning Act 1990. Notice of the appeal should be made on a **Lawful Use or Development Appeal Form** which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant has the right of appeal.**