



TENDRING DISTRICT COUNCIL

Planning Services

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

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|---------------|--|-------------------|--|
| AGENT: | Keith Rush - PJB Architectural Design Ltd 6 Nags Corner Wiston Road Nayland Colchester CO6 4LT | APPLICANT: | Mr and Mrs Teare 24 Hawkins Road Alresford Colchester Essex CO7 8ED |
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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: 20/00386/LUPROP **DATE REGISTERED:** 1st April 2020

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 Permitted development rights for householders Technical Guidance states, with regard to Class E buildings, that "A purpose incidental to a house would not, however, cover normal residential uses, such as separate self-contained accommodation or the use of an outbuilding for primary living accommodation such as a bedroom, bathroom, or kitchen."

A layout plan submitted with the application indicates that the building would have a bedroom with en-suite facilities, a kitchenette and a lounge. The building would have, as a matter of fact, all that is necessary to provide self-contained living accommodation. The proposed building does not therefore satisfy the Technical Guidance.

Accordingly, the proposal fails to comply with Schedule 2, Part 1, Class E, paragraph E.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as it has not been adequately demonstrated that the development has a purpose incidental to the enjoyment of the dwellinghouse.

DATED: 27th May 2020

SIGNED:

Graham Nourse
Acting Assistant Director
Planning Service

FIRST SCHEDULE

Proposed annex for family members, self contained unit ancillary to the house, single storey, not exceeding 2.5 m in height.

SECOND SCHEDULE

24 Hawkins Road Alresford 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.**