



TENDRING DISTRICT COUNCIL

Planning Services

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

APPLICANT: Fran Roddy-Watts - The
Renewable Design Company
Limited
14 Rodney Road
Cheltenham
GL50 1JJ

AGENT:

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) SECTION 192

APPLICATION NO: 20/00502/LUEX

DATE REGISTERED: 19th May 2020

The Tendring District Council certify that on 19th May 2020 the use described in the First Schedule in respect of the land specified in the Second Schedule and edged RED on the plan attached to this certificate, would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1 The evidence submitted with the application is sufficiently clear to demonstrate to the satisfaction of the local planning authority that the air source heat pump is an element of the building at which it is set which when it was installed did not, in itself, constitute development as defined by Section 55 of the Town and Country Planning Act 1990. Accordingly, no planning application was required for the air source heat pump in this instance and the retention of the air source heat pump as described in the application is lawful.

DATED: 21st July 2020

SIGNED:

Graham Nourse
Acting Assistant Director
Planning Service

FIRST SCHEDULE

The Renewable Design Company are completing the Renewable Heat Incentive application for this development on behalf of McCarthy and Stone. The development has one air source heat pump at roof level that provides heating to the site that otherwise would have been served by gas boilers.

SECOND SCHEDULE

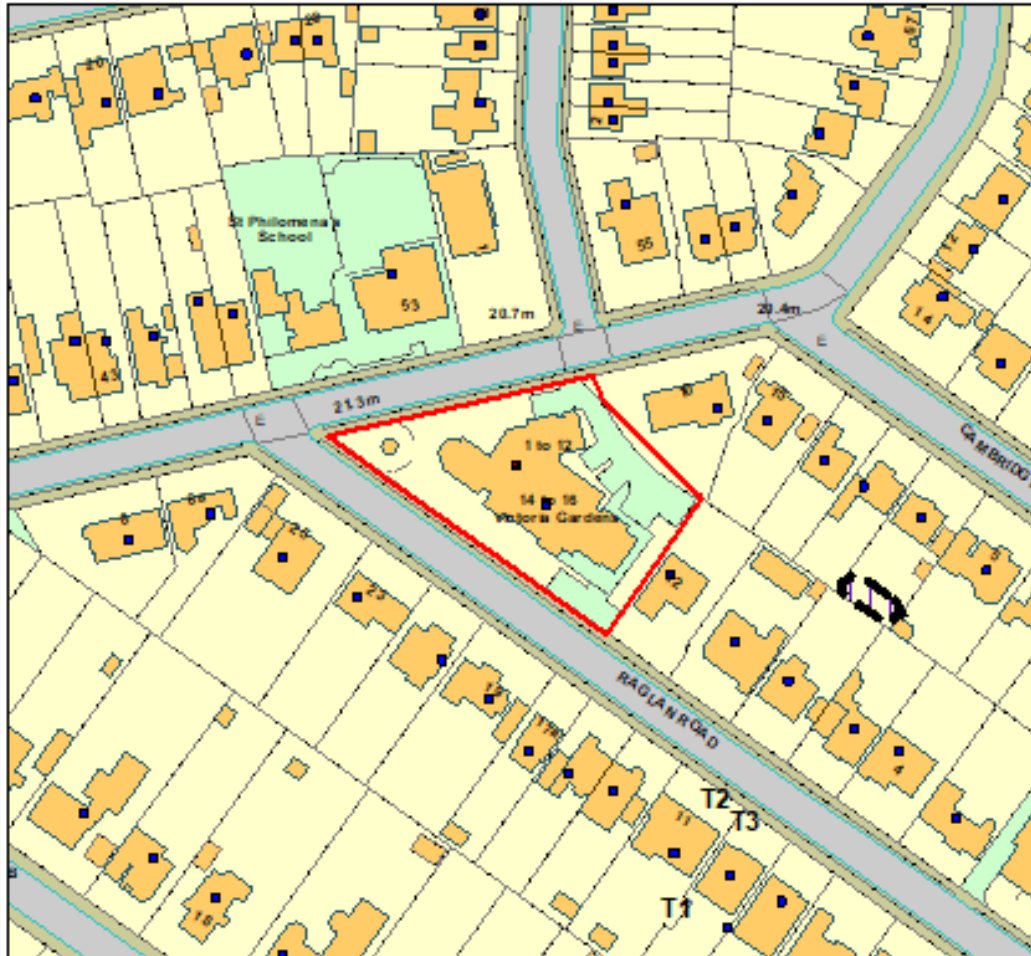
Victoria Gardens Hadleigh Road Frinton On Sea Essex

Notes

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus was not liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso on Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

20/00502/LUEX

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Scale: 1:1,250

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Organisation	Tendring District Council
Department	Planning Department
Comments	
Date	21/07/2020
MSA Number	100018684