



# TENDRING DISTRICT COUNCIL

## Planning

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

**AGENT:**

Mr Peter Le Grys - Stanfords  
The Livestock Market  
Wyncolls Road  
Colchester  
CO4 9HU

**APPLICANT:**

Mr P Newbould  
78 Kings Avenue  
Holland On Sea  
Clacton On Sea  
Essex  
CO15 5EP

**Process set out by condition A.4 of Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015**

**In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990 (as amended by section 4(1) of the Growth and Infrastructure Act 2013)**

**THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY** hereby confirms that **prior approval is required and refused** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the Local Planning Authority:

**Application number of proposed development:**

21/00555/COUNOT

**Address of the proposed development:**

78 Kings Avenue Holland On Sea Clacton On Sea Essex

**Description of proposed development:**

Proposed conversion of an office into two x1 bed dwelling units

**Reason for Refusal:**

1. The proposed conversion of the ground floor fails to comply with Schedule 2, Part 3, Class O, Condition O.2 (1) (e) as the bedroom of the forward-facing flat does not have adequate natural daylight as its only window would face on to a narrow alley-way with a circa 1.1m wide separation to a 6m-high building.
2. The proposed conversion of the ground floor fails to comply with Schedule 2, Part 3, paragraph W (Procedure for applications for prior approval under Part 3, paragraph 10 (b) have regard to paragraph 127 of the National Planning Policy Framework issued by the Department for Communities and Local Government in February 2019 - requiring that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

**DATED:** 20 May 2021

**SIGNED:**

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Graham Nourse  
Assistant Director  
Planning Service

It is important that you read and understand all of the following informatives.

**Informatives:**

This written notice indicates that the proposed development would not comply with condition A.4 of Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015. It is important to note that this written notice does not indicate whether or not the proposed development would comply with any of the other limitations or conditions of Schedule 2 Part 3 Class O.

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. Notice of the appeal should be made on the relevant form which is available from The Planning Inspectorate at Room 3/09, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.