



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

APPLICANT: Mr Andy Gunfield
 12 Oysters Reach
 Brightlingsea
 Colchester
 Essex
 CO7 0HY

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: 23/01606/LUPROP

DATE REGISTERED: 22nd November 2023

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 proposal comprises the enlargement, improvement or other alteration of a dwellinghouse which would fall to be considered under Class A of Part 1 of Schedule 2 of the General Permitted Development Order. However, a planning condition (Condition 8 of planning permission reference 00/00281/FUL) is in place which confirms these provisions do not apply to this dwelling as the condition removes the relevant permitted development rights. The application for a certificate of Lawfulness of Proposed Use or development is therefore refused.

DATED: 17th January 2024

SIGNED:

John Pateman-Gee
 Head of Planning and Building Control

FIRST SCHEDULE

Certificate of Lawful Development for demolition of existing conservatory, removal of main building french doors and windows. Construction of new single storey rear extension with mono-pitched roof include 2 No. skylights. Construction of matching brick windows and doors.

SECOND SCHEDULE

12 Oysters Reach Brightlingsea Colchester Essex

INFORMATIVES:

Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

0/A000/LP/001
 0/A100/PR/001
 0/A100/PR/002
 0/A100/PR/003
 0/A200/PR/001
 0/A200/PR/002

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.**