



AGENT: Mr Steve Harbrow
130 Flatford Drive
Clacton On Sea
Essex
CO16 8BU

APPLICANT: Mr Paul Newman
234 St Johns Road
Clacton On Sea
Essex
CO16 8DE

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: 24/00576/LUPROP

DATE REGISTERED: 17th May 2024

Tendring District Council hereby REFUSE the application for a Certificate of Lawful Proposed Use/Development in respect of the use/development described in the First Schedule in respect of the land specified in the Second Schedule for the following reasons:

- 1 The proposal comprises a large annex containing two bedrooms, a lounge, bathroom and kitchen. The scale of self-contained accommodation proposed is considered akin to a separate dwelling and would not be incidental to the existing dwelling contrary to Class E (a) of Part 1 of Schedule 2 of the General Permitted Development Order. The application for a certificate of Lawfulness of Proposed use/development is therefore refused.
- 2 The proposed building exceeds the height of 2.5 metres and is within 2 metres of the boundary, contrary to Class E (e) (ii) of Part 1 of Schedule 2 of the General Permitted Development Order. The application for a certificate of Lawfulness of Proposed use/development is therefore refused.
- 3 The eaves of the proposed building exceed 2.5 metres in height, contrary to Class E (f) of Part 1 of Schedule 2 of the General Permitted Development Order. The application for a certificate of Lawfulness of Proposed use/development is therefore refused.

DATED: 11th July 2024

SIGNED:

John Pateman-Gee
Head of Planning and Building Control

FIRST SCHEDULE

Application for Lawful Development Certificate for Proposed Use or Development to construct a garden room to rear garden.

SECOND SCHEDULE

234 St Johns Road Clacton On Sea Essex CO16 8DE

INFORMATIVES:

Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reasons 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):

Existing and Proposed Block Plans - Rec'd 09.05.2024
Proposed Floor Plan and Front Elevation - Rec'd 09.05.2024
Proposed Roof Plan and Elevations - Rec'd 09.05.2024
Site Plan - Rec'd 17.05.2024

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.**