

Tendring
District Council



Town Hall
Station Road
Clacton on Sea
Essex CO15 1SE

AGENT: Mr Bart Farmer - Sedgwick
International
First Floor
Forum 5
Solent Business Park
Whiteley
Fareham
HANTS
PO15 7PA

APPLICANT: Mrs Barbara Cook
9 Tanfield Drive
Billerica
Essex
CM12 9EB

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: 24/01044/LUPROP

DATE REGISTERED: 12th August 2024

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):

The Town and County Planning Act states that proposals which include "re building" elements would constitute as development. The proposal will result in the rebuild of the existing annexe going beyond repairs established by the meaning of development and therefore requiring planning permission.

The existing house is located within the Harwich Conservation Area and the proposal includes the cladding of the exterior of the building with timber boarding. As such it fails to meet criterion A.2 (a) for Permitted Development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposal goes beyond the scope of "like for like" repair works and therefore Listed Building Consent will also be required.

DATED: 4th October 2024

SIGNED:

John Pateman-Gee
Head of Planning and Building Control

FIRST SCHEDULE

Application for Lawful Development Certificate for Proposed Use or Development for repairs to the first floor of the rear annex following a fire.

SECOND SCHEDULE

27 Kings Quay Street Harwich Essex CO12 3ES

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):

SITE PLAN - REC'D 12/08/24

44790IPLS-02

44790IPLS-03

CG23/061/100 P1

CG23/061/101 P1

BAKERS OF DANBURY ANNEX QUOTE - REC 12/08/2024

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.**