



**AGENT:** Mr Keith O'Dell –  
KO Designs  
10 Carters Close  
Clacton-On-Sea  
Essex  
CO16 7AT

**APPLICANT:** Mr Jahangir Uddin  
155 Old Road  
Clacton On Sea  
Essex  
CO15 3AU

## TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 24/01210/FULHH      **DATE REGISTERED:** 15th August 2024

Proposed Development and Location of Land:

**Householder Planning Application - Construction of annexe to rear garden.  
155 Old Road Clacton On Sea Essex CO15 3AU**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

- 1 The proposed annexe, by virtue of its excessive size and close proximity to the boundaries would create a visually prominent addition, which would appear cramped within the plot and incongruous with the surrounding area, which is characterised by residential outbuildings of a modest size and scale.

Furthermore, the close proximity of the proposed annexe to the neighbouring properties will result in a visually dominant structure harmful to their outlook. The proposal is therefore considered to be overbearing and incongruous to the detriment of visual and residential amenity and the character of the surrounding area.

The proposed development therefore fails to accord with paragraphs 131 and 135 of the National Planning Policy Framework (2023), and Policies SP7 and SPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

**DATED:** 10<sup>th</sup> October 2024

**SIGNED:**

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John Pateman-Gee  
Head of Planning and Building Control

**IMPORTANT INFORMATION :-**

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

**National:**

National Planning Policy Framework December 2023 (NPPF)  
National Planning Practice Guidance (NPPG)

**Local:**

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development  
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth  
SPL3 Sustainable Design  
LP3 Housing Density and Standards  
LP4 Housing Layout

Supplementary Planning Documents  
Essex Design Guide

Local Planning Guidance  
Essex County Council Car Parking Standards - Design and Good Practice

**Positive and Proactive Statement**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

**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):

Drawing No. OR/1

**The attached notes explain the rights of appeal.**

## NOTES FOR GUIDANCE

### WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

#### APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
  - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) 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 possesses the right of appeal.**
- Please ensure that you have read the latest procedural guidance for appeals prior to submitting an appeal. The latest guidance can be found at [Procedural Guide: Planning appeals – England - GOV.UK \(www.gov.uk\)](#)
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

#### ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.