



**AGENT:** Andrew Ransome - ADP Ltd  
ADP Ltd  
1 Kolo Walk  
Colchester  
CO4 6ER

**APPLICANT:** Mr A Pavlov  
Hawthorn Cottage  
4 Frating Road  
Thorrington  
Essex  
CO7 8HT

## LARGER HOME EXTENSION – PRIOR APPROVAL REFUSED

### The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 1, Class A, Condition A.4 Prior Notification

**Application No.:** 25/00006/HHPNOT

**Proposal:** Application to Determine if Prior Approval is Required for a Proposed Larger Home Extension - Proposed single storey rear extension measuring 8m in depth, 3m high and 3.25m at the eaves, assessed under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A.

**Address:** Hawthorn Cottage, 4 Frating Road Thorrington Essex

The Local Planning Authority have notified the adjoining owners or occupiers of the proposed development (those who share a boundary with the site, including to the rear) in accordance with its duties under Condition A.4 Paragraph (5) of the above legislation. Where necessary, the impact of the development on the residential amenities of the occupiers of those adjoining properties, have been fully considered.

### Section A - Plans & Documents

This decision has been reached based upon the plans and documents accompanying this application, as listed below:

#### Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application. 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 Numbers 001, 012, 013, 014, 015, 016, 017 and 018.

**Section B - Determination**

**TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY** hereby confirms, pursuant to the above legislation, that **prior approval is REFUSED** for the following reasons:

- 1 Planning permission 00/01230/FUL approved the change of use of the eastern half of the application site from agriculture to residential. Condition 3 of this Planning Permission revoked the right to erect any structure within the approved and extended residential curtilage, without planning permission first being sought. Due to the sizeable depth of the single storey rear extension, part of the proposal will be sited within the extended residential curtilage and as such, the proposal as a whole cannot be assessed under the current application.
- 2 The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres. As such it fails to meet criteria for Permitted Development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

**You are not permitted to carry out the development.**

**DATED:** 31<sup>st</sup> January 2025

**SIGNED:**




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John Pateman-Gee  
Head of Planning and Building Control

**INFORMATIVES****Next steps:**

The proposed works in their current form fail to comply with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 1, Class A, Condition A.4 for the reasons set out above.

If you would like to explore alternative options for your development (via an amended Prior Approval application (if possible) or householder planning application), please refer to the Pre-Application Advice Pages of our website for further guidance on next steps:  
<https://www.tendringdc.gov.uk/departments/pre-application>

**Right of Appeal:**

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse this Prior Notification application, they may appeal to the Secretary of State for Communities and Local Government.

Applicants may appeal under section 78 of the Town and Country Planning Act 1990 against a local planning authority's refusal or non-determination of an application for prior approval for development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015.

Prior approval appeals generally follow the same procedures and timetables as appeals relating to ordinary planning permissions. Appeals against refusal of prior approvals relating to dwellinghouses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, will be made under the householder appeals process (see 9.4 of the [Planning Inspectorate Procedural Guide](#)).

Such appeals must be submitted within 12 weeks from the date of this decision.