



**AGENT:** Fiza Pereaz –  
1 Stop Design and Build  
128 City Road  
London  
EC1V 2NX

**APPLICANT:** Sadie Cullen  
43 Rosemary Way  
Jaywick  
Clacton On Sea  
Essex  
CO15 2SD

## 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:** 25/00154/LUPROP

**DATE REGISTERED:** 10th February 2025

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 of a dwellinghouse consisting of an addition or alteration to its roof which would fall to be considered under Class B of Part 1 of Schedule 2 of the General Permitted Development Order. However, an Article 4 direction is in place which confirms these provisions do not apply to this dwelling as the relevant permitted development rights have been removed. The application for a certificate of Lawfulness of Proposed Use or development is therefore refused.
- 2 The installation of the proposed rooflights fail to comply with the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1 Class C Conditions C.2 (a) and (b) as insufficient information has been provided to confirm if the windows will be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The proposal therefore requires planning permission and this application for a certificate of Lawfulness of Proposed Use or development is therefore refused.

**DATED:** 20<sup>th</sup> March 2025

**SIGNED:**

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John Pateman-Gee  
Head of Planning and Building Control

**FIRST SCHEDULE**

Application for Lawful Development Certificate for Proposed Use or Development for loft conversion including roof lights and dormer window.

**SECOND SCHEDULE**

43 Rosemary Way Jaywick Clacton On Sea 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):

Site Plan - Rec'd 30.01.25  
 A-001 - Existing Floor Plans And Roof Plan-  
 A-002 - Existing Elevations  
 A-003 - Existing Sections  
 A-004 - Existing 3d Views  
 A-005 - Demolition - Floor Plans And Roof Plan  
 A-006 - Demolition - Elevations  
 A-007 - Demolition - Sections -  
 A-008 - Demolition - 3d Views  
 A-009 - Proposed Floor Plans And Roof Plan  
 A-010 - Proposed Elevations  
 A-011 - Proposed Sections  
 A-012 - Proposed 3d Views  
 B-001 Existing Site Plan  
 B-002 - Existing Block Plan  
 B-003 - Proposed Block Plan  
 Design And Access Statement  
 Evidence Statement

***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.**