



AGENT: Mr Peter Le Gry
C/o ZM Drawing Services
143 Connaught Avenue
Frinton-On-Sea
CO15 3HG

APPLICANT: Miss Hobday and Mr Lobb
The Laurels
30 Weeley Road
Little Clacton

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 25/00306/FUL

DATE REGISTERED: 5th March 2025

Proposed Development and Location of Land:

**Planning Application - Erection of one self-build dwelling.
Land rear of 210-212 St Osyth Road Clacton On Sea Essex CO15 3HB**

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 National Planning Policy Framework (NPPF) at Paragraph 135 states that planning should always seek to secure a high standard of amenity for all existing and future occupants of land and buildings. In addition, Policy SPL3 of the adopted Tendring District Local Plan 2013-2033 and Beyond Section 2 (TDLP) states new development should be compatible with surrounding uses and minimise any adverse environmental impacts. The following criteria must be met: e. buildings and structures are designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents.

The three windows (excluding the rooflight) serving the first floor rear facing main bedroom would have to be conditioned to be obscure glazed and non opening below 1.7m above floor level to prevent a significant loss of privacy to the neighbouring dwellings at 208 St Osyth Road and 2 Coronation Road. This would result in a feeling of enclosure and poor outlook for the future residents of the proposed dwelling.

The benefit of delivering one self-build dwelling is not considered to outweigh this harm to amenity, contrary to paragraph 135 of the NPPF and TDLP Policy SPL3.

DATED: 02nd May 2025

SIGNED:

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 2025 (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)

SP 1 Presumption in Favour of Sustainable Development

SP 2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP 3 Spatial Strategy for North Essex

SP 4 Meeting Housing Needs

SP 7 Place Shaping Principles

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP3 Housing Density and Standards

LP4 Housing Layout

LP7 Self-Build and Custom-Built Homes

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL10 Renewable Energy Generation and Energy efficiency Measures

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

Supplementary Planning Documents

Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy SPD 2020 (RAMS)

Essex Design Guide

Technical housing standards: nationally described space standard Published 27 March 2015

Local Planning Guidance

Essex Parking Guidance Part 1: Parking Standards Design and Good Practice 2024

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 - Received 07 March 2025

Drawing No. LSR-02 Revision D

Broadband Details - Received 25 February 2025

Construction Method Statement - Received 24 February 2025

Energy Statement - Received 24 February 2025

EV Charging Specification - Received 24 February 2025

Planning Statement - Received 24 February 2025

WATT A Save Report - Received 24 February 2025

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. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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 \(www.gov.uk\)](https://www.gov.uk/government/publications/procedural-guide-to-planning-appeals)
- 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.](https://www.gov.uk/government/publications/planning-appeals)

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.