

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: D0366.20

WARD : Brooklands

Date Received: 9th September 2020

ADDRESS: 159 Rush Green Road
Romford

PROPOSAL: Certificate of Lawfulness for outbuilding to rear for use as storage/gym

DRAWING NO(S): PA-01
PA-02

RECOMMENDATION : It is recommended that a **Certificate of Lawfulness be issued** in accordance with the details given at the end of the report

SITE DESCRIPTION

The application site features a semi-detached dwelling located on Rush Green Road. The dwelling is finished in brick face and smooth face render and features a gable roof.

The application site is located within a predominantly residential area and is not within a Conservation area, nor is it a listed building.

DESCRIPTION OF PROPOSAL

Certificate of Lawfulness is sought for an outbuilding to rear for use as storage/gym

RELEVANT HISTORY

Y0290.20 - Single Storey rear extension with an overall depth of 6m, a maximum height of 3.3m, and an eaves height of 2.8m. (PRIOR APPROVAL)
Prior Appr Not 12-10-2020
Req'd

D0367.20 - Certificate of Lawfulness for conversion of roof space to habitable use to include a rear dormer and 2 front roof lights.
Awaiting Decision

CONSULTATIONS/REPRESENTATIONS

N/A

RELEVANT POLICIES

Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

MAYORAL CIL IMPLICATIONS

CIL NOT LIABLE

STAFF COMMENTS

NOTE: Due to the current Covid-19 crisis, the Officer was unable to do a site visit. Site photos

were requested from the agent via email. The site photos subsequently submitted, (taken on 20/10/2020), site drawings as well as other mapping services such as aerial view and streetview were used to assess the site.

Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended:

Is the property a dwellinghouse? Yes

Have permitted development rights been removed? No

Is it within a conservation area? No

Is the proposed use incidental to the use of the dwellinghouse? Yes

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas?
No

Development not permitted

E.1 Development is not permitted by Class E if:

(a) Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P, PA or Q of Part 3? No

(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)? No

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse? No

(d) the building would have more than a single storey? No

(e) the height of the building, enclosure or container would exceed:

(i) 4 metres in the case of a building with a dual-pitched roof,

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or

(iii) 3 metres in any other case? No (2.5m)

(f) the height of the eaves of the building would exceed 2.5 metres? No

(w; 6.5m, h; 2.5m, d; 6m)

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building? No

(h) it would include the construction or provision of a veranda, balcony or raised platform? No

(i) it relates to a dwelling or a microwave antenna? No or

(j) the capacity of the container would exceed 3,500 litres? No

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse? NA

For the reasons outlined above it is recommended that a Certificate of Lawfulness be issued in this instance. Development is permitted by Class E subject to the following conditions being adhered to under the informative section of this report.

KEY ISSUES/CONCLUSIONS

The proposed development is considered to be in accordance with the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 and it is therefore recommended that a Certificate of Lawfulness be issued in this instance.

RECOMMENDATION

It is recommended that a Certificate of Lawfulness be issued

1. Cert of Lawfulness - Reason for Approval Class E

The operations come within the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), thereby considered to be permitted development.

INFORMATIVES

1 Cert of Lawfulness Building Regs

This certificate provides confirmation that the development is lawful. You should also check whether the development requires separate Building Regulation consent. Information is available on the Building Control webpages via <http://www.havering.gov.uk/Pages/Category/Building-control.aspx?11=200252> and the team is available between 9am and 10am Monday to Friday via 01708 432700.

2 LDC Outbuilding Informative ENTER DETAILS

Please note that this certificate is granted for the outbuilding to be used only for purposes incidental to the enjoyment of 159 Rush Green Road, and not for any trade or business nor as living accommodation. Should business or living accommodation use be intended, an application for full planning permission must be applied for and permission granted before such use could occur. The use of outbuildings as living accommodation is not typically deemed acceptable therefore it is important the outbuilding is only used for the purposes as listed above.

Authorising Officer: Suzanne Terry



03-11-2020