

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2010: ARTICLE 35**

Council Reference: D0237.23

REFUSAL OF CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

The Council of the London Borough of Havering hereby determine that on 1st June 2023 the operations described in the First Schedule to this notice in respect of the land specified in the Second Schedule to this notice and hatched on the plan attached to this notice would not have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

- 1 The operations do not fall within the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015, as amended. Specifically, the use of the proposed outbuilding would not be incidental to the dwelling and the provision of canopy to the proposed outbuilding by reason of its excessive size.

Informatives

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London and Havering Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the Mayoral CIL payable would be £3,400 based on the calculation of £25.00 per square metre and the Havering Community Infrastructure Levy (HCIL) would be a charge of £17000 based on calculation of £125 per square metre. Each would be subject to indexation.

Further details with regard to CIL are available from the Council's website.

Schedule 1

Certificate of Lawfulness for construction of a detached rear outbuilding with canopy

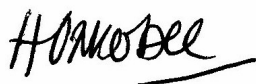
The above decision is based on the details in drawing(s)

18/310/013 Rev A

18/310/015 Rev A

Schedule 2

Signed:



Authorised Person
On behalf of the London Borough of Havering

Date: 26th July 2023

Note:

1. This certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act 1990 (as amended).

NOTES IN CONNECTION WITH REFUSAL OF APPLICATIONS FOR
CERTIFICATE OF LAWFULNESS OR MODIFICATION TO DESCRIPTION

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to modify the description, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk)
- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy be sent to Planning, London Borough of Havering, Town Hall,, Main Road, Romford, RM1 3BB. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal.