

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: D0304.23

WARD: Gooshays **Date Received:** 26th June 2023

ADDRESS: 19 Dagnam Park Close
Romford

PROPOSAL: Creation of an Outbuilding at the bottom of the garden.

DRAWING NO(S): 23.010/ 01
23.010/ 02
23.010/ 03
23.010/ 04

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

Two storey, end of terrace dwelling which is finished in a mixture of face brick and painted render. The property has a flat roof side extension which is set back from the front elevation. Parking is achieved within the surrounding road network.

The site is neither listed, nor is it within a conservation area. No trees would be affected by the development.

The area is residential in nature, comprising mainly terraced properties.

DESCRIPTION OF PROPOSAL

Certificate of Lawfulness is sought for the creation of an outbuilding at the bottom of the garden.

RELEVANT HISTORY

P0203.18	First Floor Side Extension	
	Apprv with cons	11-04-2018

CONSULTATIONS/REPRESENTATIONS

N/A

RELEVANT POLICIES

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

STAFF COMMENTS

An in-person site visit was not undertaken by an officer. Site photos were sent in by the agent with the application. In determining this planning application, photos, Google street view, aerial view images and submitted drawings were used to assess the site constraints.

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, - N/A

(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

w: 8.3m, h: 2.5m, d: 7m

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

(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 verandah, 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

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** in accordance with the following details

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?l1=200252> and the team is

available between 9am and 10am Monday to Friday via 01708 432700.

2 Party Wall

This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters.

A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

3 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 19 Dagnam Park Close, 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:



Raphael Adenegan

21st August 2023