

**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: D0304.23

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

The Council of the London Borough of Havering hereby certify that on 26th June 2023 the operations described in the First Schedule to this notice in respect of the land specified in the Second Schedule to this certificate and hatched on the plan attached to this certificate would 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 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

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.

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>

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.

Schedule 1

Creation of an Outbuilding at the bottom of the garden.

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

23.010/ 01

23.010/ 02

23.010/ 03

23.010/ 04

Schedule 2

19 Dagnam Park Close Romford

Signed:



Authorised Person

On behalf of the London Borough of Havering

Date: 21st August 2023

Notes:

1. This certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations which are materially different from those described or which relate(s) to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act (as amended) which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change before the use is instituted or the operation begun in any of the matters relevant to determining such lawfulness.

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.