

**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: D0371.23

REFUSAL OF CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

The Council of the London Borough of Havering hereby determine that on 13th September 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 proposed use so long as there would be no more than two adults requiring care and one or two non-resident carers (total occupancy of less than 6) as described in the statement submitted occupying the premises as a single household would not form a material change of use within the meaning of Town and Country Planning (Use Classes) Order 1987 (as amended).

Informatives

Should the circumstances of the property/occupants and activities change it may be that planning permission would be required. It is the responsibility of the applicant to ensure that the operations associated with 15 Orchard Avenue remain lawful.

Schedule 1

Certificate of Lawfulness for proposed change of use from use class C3(a) to use class C3(b)

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

19/412/001

19/412/002

Schedule 2

15 ORCHARD AVENUE RAINHAM

Signed:



Authorised Person
On behalf of the London Borough of Havering

Date: 4th December 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.