

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: D0480.23

CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

The Council of the London Borough of Havering hereby certify that on 10th November 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 B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), thereby considered to be permitted development.
- 2 The operations come within the provisions of Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), thereby considered to be permitted development.

INFORMATIVES

The development is permitted by Class B subject to the following conditions-

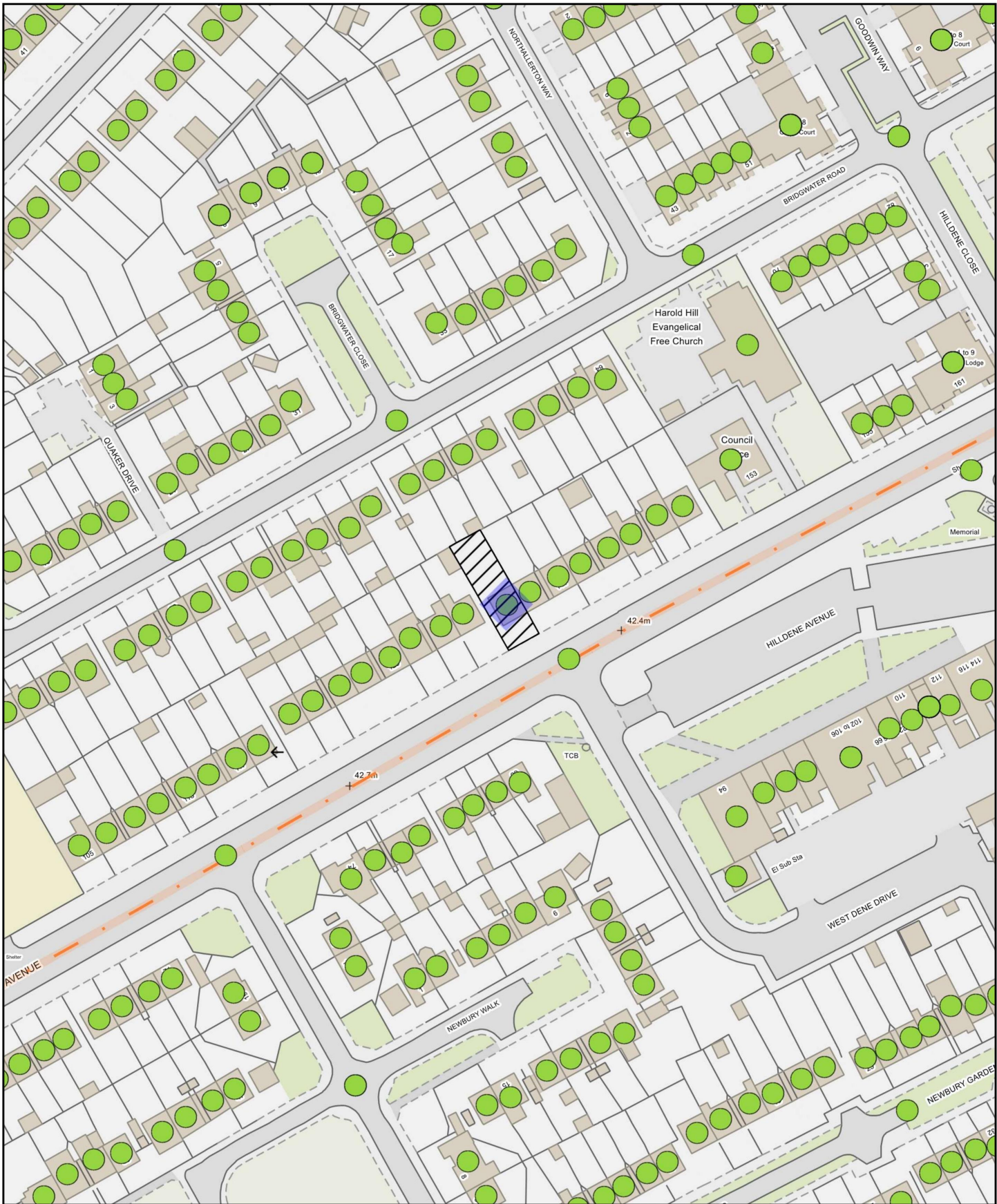
- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) the enlargement must be constructed so that-
- (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension-
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and
- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be-
- (i) obscure-glazed, and

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.



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