

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: D0076.25

WARD: St Andrew's **Date Received:** 26th February 2025

ADDRESS: 12 Balmoral Road
Hornchurch

PROPOSAL: Certificate of Lawfulness for proposed garage conversion to form habitable room

DRAWING NO(S): 2503.01
2503.02

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

The application premises comprise of a two storey semi-detached property finished in pebbledash. The application dwelling is not a listed building or within a conservation area.

DESCRIPTION OF PROPOSAL

The application seeks a certificate of Lawfulness for proposed garage conversion to form habitable room. The existing attached garage would be converted to habitable space for a utility room and shower room. The proposal includes the removal of the existing garage door, replacing it with a new window and door to the front and matching materials and the existing flank door would be altered to align with the floor level of the converted garage.

RELEVANT HISTORY

L/HAV 2182/78 - Alterations & extensions - Approved.
1804/84 - Single storey rear/side extension - bathroom - Approved.
P0915.89 - First floor side & rear extension - domestic bathroom/bedroom - Approved.

CONSULTATIONS/REPRESENTATIONS

N/A.

RELEVANT POLICIES

Section of 55 of The Town and Country Planning Act 1990 as amended.

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

MAYORAL CIL IMPLICATIONS

Application is not CIL liable.

STAFF COMMENTS

The proposed conversion of the garage to a habitable room which is within an attached garage is subject to the criteria as set out in Section of 55 of The Town and Country Planning Act 1990 as amended.

The garage to be converted falls within a side extension to the existing house. There are no conditions relating to previous planning consents which restrict the use of the garage for motor vehicles only.

The plans show that a new window and door would replace the garage door to the front with the flank door being increased higher due to the new floor level. Internal alterations can be completed also without requiring planning permission. For these reasons it is recommended that a certificate of lawfulness for the conversion of the garage to a habitable room would not be deemed to be development and therefore the certificate should be issued.

KEY ISSUES/CONCLUSIONS

The proposed development is considered to be in accordance with the provisions of Section of 55 of The Town and Country Planning Act 1990 as amended 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

The operations come within the provisions of Section of 55 of The Town and Country Planning Act 1990 as amended and therefore the proposal would not require planning permission.

INFORMATIVES

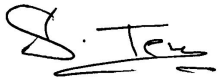
1 Cert of Lawfulness-Use as part of main dwelling Informative

The applicant is advised that the Certificate hereby granted only confirms the lawfulness of the conversion of the garage to a habitable room integral to the dwelling and associated works. The habitable room created through the conversion can only be used only for living accommodation as an integral part of the existing dwelling known as No.12 Balmoral Road, Hornchurch and planning permission would be required for use as a separate unit of residential accommodation.

2 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.

Authorising Officer:



Suzanne Terry

23rd April 2025