

Delegated Report

Application for a Lawful Development Certificate for a proposed use or development

Case Officer:	Emily Thorne	Valid Date:	19.05.2022
Officer Recommendation:	Grant	Expiry Date:	14.07.2022
Application Number:	22/01148/CLP	Recommended Date:	19.05.2022
Address:	96 Montpelier Gardens East Ham London Newham		
Proposal:	Certificate of Lawfulness for proposed rear dormer roof extension with installation of 3no. rooflights to front roofslope.		

Relevant Planning Applications History:

No relevant planning applications.

Relevant Planning Enforcement Investigations History:

No relevant planning enforcement investigations.

Relevant Planning Appeals History:

No relevant planning appeals.

Relevant Legislation:

- The Town and Country Planning Act 1990 (as amended)
- The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Classes B and C Criteria


Assessment

A.	Dwellinghouse
<i>Is the application site a Dwellinghouse?</i>	
	YES
B.	Pre-Commencement & Planning Enforcement
<i>Had works commenced on site (all or in part) in relation to that proposed on the date upon which the application was submitted?</i>	
	NO
<i>Is the development proposed the subject of a related enforcement case?</i>	
	NO
C.	Permitted Development Rights
<i>Have the relevant provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) been removed from the application site?</i>	
	NO
D.	Application Clarity
<i>Has the developer provided sufficient information to enable the authority to establish whether the proposed development complies with the relevant conditions, limitations or restrictions as detailed within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)?</i>	
	YES
<i>Officer comment:</i>	Officers note that the existing ground floor rear extension and outbuilding do not benefit from planning permission, however, on review of historic satellite imagery it is evident that the structures were constructed prior to 2017 and as such are lawful by virtue of the longevity of time.
E.	The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Classes B and C Criteria
<i>Does the proposed development comply with the relevant conditions, limitations or restrictions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)?</i>	
	YES

Conclusions:

Grant a Certificate of Lawful Development

It has been demonstrated to the satisfaction of the Local Planning Authority that the use or operations described in the application would be lawful within the meaning of S192 of the Town and Country Planning Act 1990 (as amended) if instituted or begun at the time of the application.

Officer Recommendation:	Grant
Authorising Officer Signature:	
Date:	19/05/2022