

**Subject:** RE: 56 Preston Drive Wanstead

Dear Helen,

I asked that the issue you raised be looked into and the explanation behind the permission is given below.

Thank you for your enquiry regarding the above case. The outbuilding in question has been granted planning permission under REF: 1318/12. Attached to the permission was the following personal condition:

*The building hereby approved for use of a granny annexe shall only be occupied by Mrs M. Mitchell and by no other persons or party. As soon as Mrs M. Mitchell vacates the building, the use as granny annexe shall be discontinued and all the alterations, fixtures, fittings, facilities and equipment associated with the use as a separate unit of accommodation including the shower room, kitchenette and bedroom will be removed. The building approved by this permission shall then only be used for purposes incidental to the domestic use of the related dwelling house and shall not be used for any other purpose or use without the further specific permission from the Local Planning Authority.*

Due to the late Mrs .Mitchell passing and the fact that the fixtures and fittings were not removed, an enforcement case was opened for breach of conditions (E0660/15). To remedy the breach of planning control, a variation of condition application was then submitted to vary condition 5 under ref 2220/16. A replacement condition was added under planning reference 2220/16 which limits the use of the outbuilding to purposes ancillary to the main dwelling at 56 Preston Drive, Wanstead. This condition is considered satisfactory in restricting the use of the outbuilding and ensuring that a link is maintained between the outbuilding and the main property. The condition read;

*The annexe building hereby permitted shall not be occupied at any time other than for purposes ancillary to residential use of the dwelling known as 56 Preston Drive, Wanstead, London E11 2JB and shall not be occupied as a separate residential unit.*

***Reason: In order to prevent a separate use operating from this site, which may lead to an inappropriate and/or over-intensive use of the site, and to comply with Policy BD1 of the Council's Borough Wide Primary Policies Development Plan Document.***

From an enforcement perspective the potential harm for outbuilding is that they may be used as self-contained dwellings. A number of outbuildings in the borough have some degree of kitchen / bathroom facilities as are used in conjunction with the main house. The main test for enforcement is to ensure that it is ancillary and not lived in as an independent unit.

It was considered to enforce the removal of kitchenette/ bathroom and bedroom would have been disproportionate response. The variation of the condition has been through the formal decision making process of the Council and the breach has been regularised.

If there is any concern that this unit is being used as a separate planning unit the enforcement team will investigate this. However, it is the Council's understanding that the outbuilding it is remains ancillary to the main building.

If you require anything further let me know.

Kind Regards,  
Helen Coomb