

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Report of the Head of Development Management and Building Control

Address: 28 WESTHOLME GARDENS RUISLIP

Development: Conversion of roof space to habitable use to include a side dormer with 3 side roof lights and conversion of roof from hip to gable end with new gable end window. (Application for a Certificate of Lawful Development for a Proposed Development)

LBH Ref Nos: 68565/APP/2023/3453

Drawing Nos: Location Plan
A101
A102 (annotated) received 09/01/24
A103

Date Plans received: 29-11-23 **Date(s) of Amendments(s):**

Date Application valid 29-11-23

1. RECOMMENDATIONS

1.1 Recommendations

That a certificate of lawful use or development be **REFUSED** for the proposed development described above in respect of the land edged red on the attached plans for the following reasons:

The proposed development does not constitute permitted development by virtue of the provisions of Article 3, Schedule 2, Part 1, Class B, sub paragraph B.1 (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the proposed front elevation hip to gable end would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

This determination is based on your submitted plans. All measurements are taken from existing ground level.

INFORMATIVES

2.0 Planning Considerations

The application seeks a certificate of lawful development for the conversion of roofspace to habitable use to include a hip to gable extension, side gable window, rear dormer and one front

facing rooflights.

The proposals clearly involve development as defined in the Planning Acts. The site is not situated within a Conservation Area, World Heritage Site or AONB, and benefits from permitted development rights. Permitted development rights have not been revoked by a planning condition, and neither is there an Article 4 Direction restricting this particular proposal.

The submitted drawings confirm that the proposed roof extension would:-

- (i) Not exceed the permitted development allowance of 50 cubic metres (detached property);
- (ii) Not exceed the height of the highest part of the roof;
- (iii) extend beyond the plane of any existing roof slope which forms part of a principal elevation of the dwelling house and fronts a highway; - the proposal fails to comply with part and extends beyond the plane of the existing house.
- (iv) The rear dormer would be set in from the eaves margin by 200 mm;
- (v) All materials would be of a similar appearance to those of the existing dwelling.
- (vi) Rooflights are less than 150 mm above the roof plane and lower than the highest part of the original roof.
- (vii) Permitted development rights have not been removed; and
- (ix) The site does not lie within a conservation area;

The proposal therefore does not comply with the conditions set out in Class B.1 as the development is proposing a front elevation hip to gable which is not permitted by Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It is clearly evident that part of the extension works in the form of the front hip to gable would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

3.0 Relevant Planning History

68565/APP/2012/1232 28 WESTHOLME GARDENS RUISLIP

Single storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 31-05-12 Approved

Comment on Planning History

4.0 ALL CLASSES

Is the dwelling a flat or a maisonette?

NO

Is there a planning condition removing permitted development rights?

NO

Is the building listed/ in a Conservation Area?

NO

CLASS B - Proposed Roof Alterations

Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)?

NO

Does the volume of the proposed, and any existing roof extensions, exceed the permitted development allowance?

NO

Does any part of the dormer project forward of the plane of a roof which forms a principle elevation and fronts a highway?

YES

Does any part of the extension encroach on the neighbouring property - including eaves and foundations?

NO

Would the dormer be higher than the highest part of the roof?

NO

Is the building Listed?

NO

Is the dwellinghouse on article 2(3) land?

NO

Does the roof alteration include a Veranda, balcony or raised platform?

NO

Has the dwellinghouse been built under Part 20 of this Schedule (construction of new dwellinghouses)?

NO

Has the existing dwellinghouse been enlarged in reliance on permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)?

NO

Conditions to Class B: (If the answer to any of these questions is NO then planning permission is required):

Are the materials proposed similar in appearance to the property?

YES

Is the enlargement/dormer set in 20cm (200mm) from the roof margins?

YES

Are any side facing windows obscurely glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed)?

YES (A102/A1)

CLASS C - Any Other Alt. to the Roof of a Dwellinghouse

Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)?

NO

Would the alteration protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original?

NO

Would it result in the highest part of the alteration being higher than the highest part of the original roof?

NO

Would it consist or include the installation, alteration or replacement of a chimney, flue or soil and vent pipe?

NO

Would it involve the installation, alteration or replacement of solar photovoltaics or solar thermal equipment?

NO

Has the dwellinghouse been built under Part 20 of this Schedule (construction of new dwellinghouses)?

NO

5.0 Other including Measurements

Additional roof volume calculations

Hip to Gable 1: $6.679 \times 2.609 \times 3.340 / 6 = 9.70$

Hip to Gable 2: $6.679 \times 3.094 \times 3.960 / 6 = 13.63$

Side Dormer: $7.326 \times 2.287 \times 2.935 / 6 = 24.58$

Total: $17.67 + 27.59 = 47.91\text{m}^3$

Less than 50m³

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