

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 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. ADVERTISEMENT 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 Heads of Terms have already received Committee approval ☐
25. WORKS TO TREES ☐
26. OTHER (please specify) ☐

The delegation powers schedule has been checked. Director of Planning, Environment and Community Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Report of the Head of Planning & Enforcement Services

Address 58 COWLEY MILL ROAD UXBRIDGE

Development: Use Class C4 - House in Multiple Occupation for 3 - 6 persons. The property was previously used as a single dwellinghouse (Use Class C3). Under permitted development the applicant changed the use of the building from a dwellinghouse (Use Class C3) to a House in Multiple Occupation for 3 - 6 persons (Use Class C4). (Application for a Certificate of Lawful Development for an Existing Use).

LBH Ref Nos: 39855/APP/2013/102

Drawing Nos: CMR LDC 02 A
CMR LDC 01 A

Date Plans Received: 17/01/2013 **Date(s) of Amendment(s):**

Date Application Valid: 21/01/2013

1. RECOMMENDATIONS

1.1 Recommendations

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

The existing use does not require planning permission by reason of Section 191 of the Town and Country Planning Act 1990: Section 191 as amended by section 10 of the Planning Compensation Act 1991, as the site falls within Class C4 and under the Town and Country Planning (Use Classes) Order 1987 (as amended) a change of use from a single family house to a HMO (Class C4) constitutes permitted development.

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

INFORMATIVES

2.0 APPRAISAL OF EVIDENCE SUBMITTED

The site comprises of a semi-detached Victorian Terrace property located on the eastern side of Cowley Mill Road. The property has a small enclosed front garden and large rear garden. The property has been extended by way of a single storey rear extension. The property is located within the Developed Area as designated in the Hillingdon Adopted Local Plan.

List of evidence submitted.

Evidence submitted with this application.

a) Application form for certificate under s191 of Town and Country Planning Act 1990.

- b) Ref: CMR LDC 02 Rev A: Location Plan
- c) Ref: CMR LDC 01 Rev A: Existing Plans and Elevations

Comment on planning history

There are no planning history records relating to the change of use of the site. However it does demonstrate that the property was formally a single family house.

Key considerations

The applicant has applied for this lawful development certificate on the grounds that the change of use of the property from a single family dwelling (C3) into a House in Multiple Occupation (HMO) occupied by between three and six unrelated individuals (Class C4) does not require full planning permission.

During the site visit it was evident that the property has a shared kitchen. There are three individual bedrooms, one on the ground floor and two on the first floor. Each of the bedrooms have their own bathroom and kitchenettes, however none of them have the ability to provide washing or cooking facilities.

It was clearly evident during the site visit that the bedrooms were not self-contained and that all of the residents would have to use the cooking facilities on the ground floor of the property. It was also clearly evident that it would not be possible for more than six individuals to reside at the property at any one time. As a result it is considered that the existing use of the site falls under Class C4.

Under the Town and Country Planning (Use Classes) Order 1987 (as amended) a change of use from a single family house to a HMO (Class C4) constitutes permitted development.

It is noted that an article 4 direction preventing the change of use from C3 to C4 is due to come into force on the 24th March 2013. However, this direction is not currently in force, nor was it in force at the time that the change of use occurred.

As a result it is considered that the change of use of the property does not require full planning consent and a Certificate of Lawful Use can be granted.

3.0 Relevant Planning History

39855/APP/2001/2434 58 Cowley Mill Road Uxbridge
ERECTION OF A TWO STOREY SIDE EXTENSION

Decision Date: 28-01-2002 Refused

39855/APP/2012/1259 58 Cowley Mill Road Uxbridge
Part two storey, part single storey side extension

Decision Date: 13-07-2012 Refused

39855/APP/2012/2788 58 Cowley Mill Road Uxbridge
Part two storey, part single storey side extension

Decision Date: 02-01-2013 Refused

39855/D/87/2398 58 Cowley Mill Road Uxbridge
Erection of a two-storey rear extension

Decision Date: 15-03-1988 Refused

39855/E/88/0711 58 Cowley Mill Road Uxbridge

Two storey rear extension.

Decision Date: 08-07-1988 Refused

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