

DELEGATED DECISION

Prior Approval Application under Part 4, Class J of Part 4 of The Town and Country (General Permitted Development) (England) Order 2013

Class J

Development consisting of a change of use of a building and any land within its curtilage to use a falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule.

The delegation powers schedule has been checked. Director of Residents 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, Transportation and Regeneration

Address 114 HARMONDSWORTH ROAD WEST DRAYTON

Development: Change of use of first floor from Use Class B1 (Offices) to Use Class C3 (Dwellings) to create 1 x 1-bed flat (Prior Notification)

LBH Ref Nos: 52467/APP/2019/3369

Drawing Nos: 114H/LOCPLAN Rev. A
114H/PLNS Rev. A
114H/ELNS Rev. A
Design and Access Statement

Date Plans Received: 14/10/2019 **Date(s) of Amendment(s):**

Date Application Valid: 10/12/2019

1. RECOMMENDATIONS

1.1 Recommendations

PRIOR APPROVAL REFUSED

REASONS FOR REFUSAL

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This application fails to provide sufficient evidence to demonstrate beyond reasonable doubt that the first floor was in use as an office (Use Class B1a) on 29th May 2013.

2.0 Planning Considerations

- 1) Is there an existing planning condition removing permitted development rights? NO
- 2) Is the building a Listed Building / in a Conservation Area. NO

The application site comprises of a two storey building, formerly used as a doctors surgery which is located on the Western side of Harmondsworth Road which lies within a residential area within the 'developed area' as identified within the The Local Plan: Part 1 - Strategic Policies (2012). The building does not benefit from any off street parking. The frontage of the site has a pedestrian access over a paved yard to the front. Solar panels have been installed on the southern roofslope.

It is noted that the authorised use of the building is D1 (non-residential education and training centre) and ancillary B1 (video production). This was confirmed by the appeal Inspector in the decision in 2017 under reference APP/R5510/W/17/3174730. The submitted plans show the existing first floor as two offices, kitchen and staff WC. The first floor accommodation is considered ancillary to the mixed D1/B1 use. As such, the last known lawful use of the property was for purposes falling within a Mixed D1/ B1 and accordingly the provisions of Schedule 2 Part 3 Class O of the General Permitted Development Order are not

applicable to the application site.

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This application fails to provide sufficient evidence to demonstrate beyond reasonable doubt that the first floor was in use as an office (Use Class B1a) on 29th May 2013.

3.0 CONSULTATIONS

Traffic Impacts

In accord with the Town and Country Planning General Permitted Development (GPD) (Amendment) Order 2016 (class O of part 3 of schedule 2) there is broadly no specific objection to the conversion from B1 to C3 residential use in transport and highways impact terms.

Contamination

The proposed change of use of the building would not include any groundworks or excavation.

Flooding

The site is not located within a flood risk or critical drainage area.

Consultee Comments

Flood and Water Management - No objection - the site is not at risk of flooding.

Highways - Given the very nature of the proposals in that the site will result in a reduction in trip rates and that parking linked to the site will remain on-street (which is a similar arrangement to which the surrounding residential properties currently make use of), I would have no significant highway concerns.

1 letter of comment has been received from the occupants of a neighbouring property requesting that her driveway is not blocked by the proposal.

52467/APP/2016/3892 114 Harmondsworth Road West Drayton

Change of use from doctors surgery (Use Class D1) to a mixed use comprising education/training centre and ancillary video production (Use Class B1/D1) and installation of solar panels to side roof (Retrospective)

Decision Date: 08-02-2017 Refused

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