

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. 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 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 Interim Director of Planning, Regeneration & Public Realm

Address 128 PINE GARDENS RUISLIP

Development: Conversion of roof space to habitable use to include a rear dormer with Juliet balcony, 2 front 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: **19544/APP/2022/2423**

Drawing Nos: 22/128PG/01
22/128PG/02A
22/128PG/03

Date Plans Received: 01/08/2022 **Date(s) of Amendment(s):**

Date Application Valid: 01/08/2022

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 Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. because the proposed development would encroach on the neighbouring property and not remain within the curtilage of the dwellinghouse.

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

INFORMATIVES

2.0 Planning Considerations

The application is for a Certificate of Lawful Development for the conversion of roof space to habitable use to include a rear dormer with juliette balcony, 2 front roof lights and conversion of roof from hip to gable end with new gable end window.

The proposals clearly involves 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 plans confirm that the loft conversion would:

1. Not exceed the permitted development allowance of 50 cubic metres (semi-detached property).

2. The dormer would not project forward of the plane of a roof which forms a principle elevation or fronts a highway.
3. The extension would not encroach on neighbouring properties.
4. The dormer would not be higher than the highest part of the roof.
5. The dormer would be set in from the eaves margin by 200 mm.
6. The proposed rooflights would not project more than 150 mm beyond the plane of the roof.
7. The permitted development rights have not been removed and
- 8 The site does not lie within a conservation area

The proposed development would fail to comply with the provisions set out within Class B Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), because the proposed development would encroach on the neighbouring property. Drawing number 22/128PG/02A demonstrate that the proposed rear dormer would project beyond the boundary line shared between the site and its neighbouring property at number 126.

Having regard to the above the proposed development is recommended for refusal.

3.0 Relevant Planning History

19544/APP/2018/38 128 Pine Gardens Ruislip
Single storey rear extension

Decision Date: 15-03-2018 Approved

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

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?
NO

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

Would the dormer be higher than the highest part of the roof?
NO

Is the building Listed?
NO

Does the roof alteration include a Veranda, balcony or raised platform?
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 - Drawing number 22/128PG/02A indicates this.

Is the enlargement/dormer set in 20cm (200mm) from the roof margins?
YES - Drawing number 22/128PG/02A indicates this.

Are any side facing windows obscurely glazed?
YES - Drawing number 22/128PG/02A indicates this.

Are any side facing windows 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 - Drawing number 22/128PG/02A indicates this.

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

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 - Drawing number 22/128PG/02A indicates this.

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

NOTE: Installation of solar photovoltaics may fall within permitted development under Part 40 of Class A

5.0 Other including Measurements

The roof volume calculations are as follows:

Rear dormer volume: $(3 \times 3.4 \times 5.4)/2 = 21 \text{ m}^3$

Hip to gable volume: $(3.2 \times 4.4 \times 8.95)/6 = 12.15 \text{ m}^3$

Total volume: 33.15 m³ is less than 50 cubic metres

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