

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	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>
REFUSAL RECOMMENDED: GENERAL		
6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>
RESIDENTIAL DEVELOPMENT		
10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>
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	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

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: 93 HARLINGTON ROAD HILLINGDON

Development: Demolition of existing garage; Erection of a double garage and outbuilding (Application for a Certificate of Lawful Development for a Proposed Development)

LBH Ref Nos: 26105/APP/2023/1520

Drawing Nos:
10289 P 01
10289 P 02
10289 P 03

Date Plans received: 24-05-23 **Date(s) of Amendments(s):**

Date Application valid 24-05-23

1. RECOMMENDATIONS

1.1 Recommendations

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

The proposed development constitutes permitted development by virtue of the provisions of Article 3, Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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

INFORMATIVES

1. The use of the outbuilding hereby approved shall be for the purpose(s) stated on the application form and drawing/s. Use of the outbuilding for purposes such as a living room, bedroom, kitchen, bathroom, as a separate unit of accommodation or for business purposes constitutes a primary use that is not incidental and likely to invalidate this certificate.

Furthermore, the Local Planning Authority may pursue enforcement against breaches of planning control, which may involve legal action through the Courts.

2. Nuisance from demolition and construction works is subject to control under The Control of

Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3. The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

4. The volume of the existing garage exceeds 50m³, as such the Prior Approval of the council is required before it is demolished.

This is a requirement set out in Schedule 2, Part 11, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 and The Town and Country Planning (Demolition - Description of Buildings) Direction 2021.

2.0 Planning Considerations

The application seeks a certificate of lawful development for the demolition of existing garage; Erection of a double garage and outbuilding.

The proposal is clearly for development as defined in the Planning Act. The application is not located within a Conservation Area, World Heritage Site or AONB and permitted development rights have not been removed by condition, nor is there an Article 4 Direction restricting such rights for this type of proposal.

Submitted plans confirm the outbuilding would:-

- i) Not result in more than 50% of the curtilage surrounding the original dwellinghouse being covered by buildings;
- ii) Not be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- iii) Not have more than one storey;
- iv) Not consist or include the construction or provision of a balcony, veranda or raised platform;
- v) Would not have a height that would exceed 2.5 metres in the case of a building, enclosure or contained located within 2 metres of the boundary of the curtilage of the dwelling house;
- vi) Would not have eaves with a height that exceeds 2.5 metres
- vii) Would be considered as incidental to the dwellinghouse.

The maximum height of the outbuilding is proposed to be 2.50m characterised with a flat roof and the eaves height are 2.5m. The footprint of the proposed outbuilding would measure approximately 57 sqm and the total area of ground covered by the development would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse). The proposed use of the outbuilding is stated as a double garage, gym and w.c. The use of the building is considered to be a use which is incidental to the enjoyment of the dwellinghouse.

Overall, it is therefore considered that the proposed development constitutes permitted development by virtue of the provisions of Article 3, Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3.0 Relevant Planning History

26105/APP/2007/1283 93 HARLINGTON ROAD HILLINGDON

CONVERSION OF ROOFSPACE TO HABITABLE ACCOMMODATION INVOLVING THE
INSTALLATION OF A REAR DORMER WINDOW AND TWO FRONT ROOFLIGHTS.

Decision Date: 25-07-07 **Approved**

26105/APP/2004/2077 93 HARLINGTON ROAD HILLINGDON

INSTALLATION OF VEHICULAR CROSSOVER

Decision Date: 28-09-04 **Approved**

26105/A/79/1981 93 HARLINGTON ROAD HILLINGDON

Householder dev. (small extension, garage etc) (P)

Decision Date: 08-01-80 **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 E - Outbuildings

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 total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?

NO

Does any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse?

NO

Does the building have more than one storey?

NO

Does the height of the building, enclosure or container exceed-

- (i) 4 metres in the case of a building with a dual-pitched roof,
- (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
- (iii) 3 metres in any other case?

NO

Does the height of the eaves of the building exceed 2.5 metres?

NO

Is the building, enclosure, pool or container situated within the curtilage of a listed building?

NO

Does it include the construction or provision of a veranda, balcony or raised platform (means a platform with a height greater than 300 millimetres)?

NO

Does it relate to a dwelling or a microwave antenna?

NO

Does the capacity of the container exceed 3,500 litres?

NO

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

NO

In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse

N/A

Contact Officer:

Rhian Thomas

Telephone No: