

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

Adrian Harding

Signature:

Date: 30th December 2011

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

Team Manager:

Signature:

Date: 19th January 2012

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:



Date: 19th January 2012

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Report of the Head of Planning & Enforcement Services

Address 240 COLDHARBOUR LANE HAYES

Development: Single storey detached outbuilding to rear for use as a games room/ store (Application for a Certificate of Lawful Development for a Proposed Development)

LBH Ref Nos: 60578/APP/2011/2835

Drawing Nos: R1125/LD01 Rev A
LOCATION PLAN

Date Plans Received: 23/11/2011 **Date(s) of Amendment(s):** 23/11/2011

Date Application Valid: 24/11/2011

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 outbuilding constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008.

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

INFORMATIVES

- 1 The applicant is advised of the following comments from Thames Water:
Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk.

2.0 Planning Considerations

The plans indicate that the proposed flat roofed outbuilding would not result in more than half the area of land around the original house being covered by additions and other buildings nor extend forwards of the principal elevation of the original dwelling-house. It would be a single storey building, no higher than 4 metres for dual pitched roof, no higher than 2.5 metres for a building within 2 metres of the curtilage boundary, no higher than 3

metres in any other case, not have an eaves height exceeding 2.5 metres, not be within the curtilage of a Listed Building and does not include the provision of a veranda, balcony or raised platform as set out in subsections Class E.1: (a), (b), (c), (d) (i), (ii) + (iii), (e), (f) + (g).

3.0 Relevant Planning History

60578/APP/2009/1787 240 Coldharbour Lane Hayes

Single storey rear extension and front porch, involving demolition of existing detached garage.

Decision Date: 29-10-2009 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?

NO

CLASS E - Outbuildings

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

In the case of any land within the curtilage of the dwellinghouse which is article 1(5) 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

NO

5.0 Other including Measurements

FOOTPRINT PROPOSED OUTBUILDING = 33m²

FOOTPRINT ORIGINAL HOUSE = 49m²

FOOTPRINT OUTBUILDING AS % OF FOOTPRINT OF ORIGINAL HOUSE = 67%

Dimensions (metres):

Proposed outbuilding max. 4.7 (D) x 7.0 (W) x 2.5 (h).

Calculations (metres):

Total area of curtilage = 325 m²

Footprint of original dwelling-house = 49 m²

Net curtilage: = 276 m²

Existing porch and rear extension: = 24 m²

Proposed outbuilding = 33 m²

Total area of existing extensions and proposed outbuilding = 57 m²

**% of area covered by existing extensions and proposed outbuilding $\frac{57}{276} \times 100$
= 20%**

20% is less than 50% maximum allowed under Class E.

'Incidental' test:

Outbuilding floor area should not exceed 30m² and must not exceed more than 80% of footprint of original house.

Outbuilding footprint is 33m² which is more than 30m². Considered acceptable in this case and represents a negotiated reduction from 35m²

Original dwelling floor area is: 49 m².

80% of 49m² is: 39.2m².

Outbuilding floor area at 33m² is less than 39.2m².

The use of the proposed outbuilding as a 'games room / garden store' with wc is a use that would be considered as ancillary and incidental.

Contact Officer: Jazz Ghandial

Telephone No: 01895 250230