

## 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 | <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. ADVERTISEMENT 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 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 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, Sport and Green Spaces

**Address** 17 CHILTERN COURT WIDMORE ROAD HILLINGDON MIDDLESEX

**Development:** Conversion of integral garage to habitable use involving alterations to front elevations (Application for a Certificate of Lawful Development for a Proposed Development)

**LBH Ref Nos:** 70721/APP/2015/928

**Drawing Nos:** PL-966-02 Rev. A  
BR-996-01

**Date Plans Received:** 12/03/2015 **Date(s) of Amendment(s):**

**Date Application Valid:** 23/03/2015

### 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 A of the Town and Country Planning (General Permitted Development)(England) Order 2015, as permitted development rights relating to the use of the garage for habitable accommodation were removed from this property when planning permission was originally granted.

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

### INFORMATIVES

#### 2.0 Planning Considerations

The application relates to a two storey terraced property located on the east side of Chiltern Court. The application seeks a Certificate of Lawful Development for the conversion of integral garage to habitable use involving alterations to the front extension.

Plans indicate that the conversion would:

- i) Not exceed 50% of the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- ii) The height of the part of the dwellinghouse enlarged would not exceed the height of the highest part of the roof of the existing dwellinghouse; and
- iii) The height of the eaves of the part of the dwellinghouse enlarged would not exceed the height of the eaves of the dwellinghouse.

The application property is not located within a Conservation Area.

Permitted development rights were removed from properties within Chiltern Court when planning permission was originally granted. As such planning permission is required for the conversion of this integral garage to habitable accommodation, and a certificate of lawful development cannot be issued.

### **3.0 Relevant Planning History**

#### **4.0 ALL CLASSES**

Is the dwelling a flat or a maisonette?  
NO

Is there a planning condition removing permitted development rights?  
YES

Is the building listed/ in a Conservation Area?  
NO

#### **CLASS A - Proposed Extension**

The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;  
NO

The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;  
NO

The enlarged part of the dwellinghouse would extend beyond a wall which-  
(i) fronts a highway, and  
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;  
NO

The enlarged part of the dwellinghouse would have a single storey and-  
(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or  
(ii) exceed 4 metres in height;  
NO

The enlarged part of the dwellinghouse would have more than one storey and-  
(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or  
(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;  
NO

The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;  
NO

The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-

- (i) exceed 4 metres in height,
  - (ii) have more than one storey, or
  - (ii) have a width greater than half the width of the original dwellinghouse; or
- NO

it would consist of or include-

- (i) the construction or provision of a veranda, balcony (means a platform with a height greater than 300 millimetres) or raised platform,
  - (ii) the installation, alteration or replacement of a microwave antenna,
  - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent, pipe, or
  - (iv) an alteration to any part of the roof of the dwellinghouse.
- NO

In the case of a dwellinghouse in a Conservation Area, development is NOT permitted if you answer YES to any of the following questions:

A. Does the development involve the cladding of any part of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?

N/A

B. Does the extension extend beyond a wall forming a side elevation of the original dwellinghouse?

N/A

C. Does the enlarged part of the dwellinghouse have more than one storey and extend beyond the rear wall of the dwellinghouse?

N/A

Conditions of Class A: Development is NOT permitted if you answer NO to any of the following questions - Development is permitted by Class A, subject to the following conditions:

A. Are the materials used similar to those of the existing dwellinghouse?

YES

B(i). Are any new side facing windows obscurely glazed?

N/A

B(ii). Are any new side facing windows non - opening, or any parts of the window which do open 1.7m above the floor of the room?

N/A

C. Does the roof pitch of the extension match, so far as practicable, the roof pitch of the original dwellinghouse?

YES

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