

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 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 2 MAYGOODS VIEW HIGH ROAD COWLEY UXBRIDGE

Development: Detached garage to rear (Application for a Certificate of Lawful Development for a Proposed Development)

LBH Ref Nos: 71057/APP/2015/2658

Drawing Nos: Location Plan (1:1250)
drawing no 2 (Proposed Site Layout)
drawing no 1 (Proposed Floor Plan and Elevations)
drawing no 1 (Existing Floor Plan and Elevations) received 15-09-2015
drawing no 2 (Existing Site Layout) received 15-09-2015

Date Plans Received: 15/07/2015 **Date(s) of Amendment(s):**

Date Application Valid: 03/08/2015

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 Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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, study or as a separate unit of accommodation 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.

Part 1 Policies:

Part 2 Policies:

- 2 This application does not relate to the building as partially constructed on site or as shown on drawing no 1 (Existing Floor Plan and Elevations) received 15-09-2015 and drawing no 2 (Existing Site Layout) received 15-09-2015

Part 1 Policies:

2.0 Planning Considerations

The application site relates to a semi-detached dwelling situated on the west side of Maygoods View .

The application seeks a CLD for a proposed garage in the rear garden with access onto the rear service road which leads to a block of garages. Drawing no 1 (dated May 2015 but submitted on 03/08/2015) shows the proposed building which measures approximately 30sqm with a height of 2.5m.

There is a partially built building at the rear of the property which measures approximately 8m on the elevation facing the service road and 8m deep into the garden (shown as 'existing' on drawings -also titled no 1 and 2 but submitted 15/09/2015). This has been the subject of earlier enforcement action and discussions have been held with the applicant and various officers within the Council. This is to be demolished.

SUMMARY

In view of the size and scale of the outbuilding, the proposed building is considered to represent a development 'for a purpose incidental to the enjoyment of the dwellinghouse' as the building would be of a scale and appearance which would be commensurate to the scale of an ancillary structure.

As such, the proposed development 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 2015.

It is considered prudent to add an informative explaining that the existing outbuilding is not the subject of this application.

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?

NO

Is the building listed/ in a Conservation Area?

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?

YES / 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

The outbuilding measures 30sqm, with an eaves height of 2.5m.

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