

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: 39 GREAT CENTRAL AVENUE RUISLIP

Development: Change of use from a 2-bedroom flat (Use Class C3) to a 3-bedroom 3-person small House in Multiple Occupation (Use Class C4) (Application for a Certificate of Lawful Development for a Proposed Development)

LBH Ref Nos: 79420/APP/2025/1016

Drawing Nos: Site Location Plan
25/3671/1
25/3671/2

Date Plans received: 07-04-25 **Date(s) of Amendments(s):**

Date Application valid 07-04-25

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 3, Class L 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. It should be noted that if the property (subject of this application) is used as a HMO and occupied by more than 6 persons, planning permission will be required.
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 of 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.

2.0 Planning Considerations

The application is seeking a certificate of lawful development for the change of use from Use Class C3 (dwellinghouse) to Use Class C4 (small House in Multiple Occupation (HMO)) occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

The question before the Council is therefore limited to whether the physical works to the property would constitute permitted development and whether or not the change of use from a dwellinghouse (Use Class C3) to a small HMO (Use Class C4) represents permitted development.

The proposal involves development as defined in the Planning Acts. The site is not situated within a Conservation Area, World Heritage Site, or Area of Outstanding Natural Beauty. The site benefits from permitted development rights. Permitted development rights have not been revoked by a planning condition for the proposed works. There is no Article 4 Direction restricting the proposed development.

Schedule 2, Part 3, Class L of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) outlines permitted development rights for the change of use of a C3 dwellinghouse to a C4 HMO.

Class L states:

Class L - small HMOs to dwellinghouses and vice versa

L. Development consisting of a change of use of a building-

- (a) from a use falling within Class C4 (houses in multiple occupation) of the schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that schedule;
- (b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

Development not permitted

L.1 Development is not permitted by Class L if it would result in the use -

- (a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule; or
- (b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.

Assessment:

The submitted application form and drawings show that the conversion would result in a small HMO suitable for no more than six persons. There would be three bedrooms ranging between eight sq. m. and 11.3 sq. m., which would all be single bedrooms for use by one occupant.

The HMO would also have three separate bathrooms and a shared dining/kitchen area.

The floor plans therefore demonstrate that the layout of the proposed HMO would be utilised as a small HMO (Use Class C4). No external works are proposed for the property.

The proposed change of use constitutes permitted development by virtue of the provisions of Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The certificate is recommended for approval.

3.0 Relevant Planning History

Comment on Planning History

4.0 ALL CLASSES

Is the dwelling a flat or a maisonette?

YES

Is there a planning condition removing permitted development rights?

NO

Is the building listed/ in a Conservation Area?

NO

Article 4

The site does not lie within an Article 4 area that restricts permitted development rights for the change of use of dwellings to a Houses in Multiple Occupation.

Contact Officer: Mitchell Heaven **Telephone No:** 01895 250230