



HILLINGDON

LONDON

Meeting: Central & South Planning Committee
Date: 06 March 2012 **Time:** 7.00pm
Place: Committee Room 5, Civic Centre Uxbridge

ADDENDUM SHEET

| | | |
|---|-----------------|--|
| Item: 7 | Page: 49 | Location: KMS Motors, rear of Dawley Parade, Dawley Road, Hayes |
| Amendments/Additional information: | | Officer Comments: |
| Add standard condition OM19 (construction management plan) and RES23 (Visibility splays) | | To mitigate construction and traffic impacts |
| Amend condition 4 by inserting the number 3 before the word bicycles | | For clarity |
| Amend condition 5 by inserting the words 'including the designation and allocation of spaces,' | | For clarity |
| Add standard condition RES24 (Secure by Design) | | To prevent crime |
| Replace condition 13 with standard condition RES16 (Code for Sustainable Homes) | | For clarity |
| Item: 8 | Page: 65 | Location: 4, 5 and 6 School Approach, Fredora Avenue, Hayes |
| Amendments/Additional information: | | Officer Comments: |
| Replace condition 18 with standard condition RES24 (Secure by Design) | | For clarity |
| Item: 9 | Page: 83 | Location: Harvard House, Summerhouse Lane, Harmondsworth |
| Amendments/Additional information: | | Officer Comments: |
| Amend condition 5 by inserting the word 'Public' between the words 'including' and 'Bank' | | For clarity |
| Delete condition 27 and amend condition 10 by inserting the words 'or the collection of refuse and recycling' between the words 'goods' and 'outside' | | For clarity |
| Delete condition 14 | | To remove duplication |
| Replace condition 28 with standard condition RES24 (Secure by Design) | | For clarity |
| Amend Informative 5 by inserting the words public between or and Bank | | For clarity |

| | | |
|--|-----------------|---|
| Item: 10 | Page:107 | Location: Harvard House, (Listed Building Consent) Summerhouse Lane, Harmondsworth |
| Amendments/Additional information: | | Officer Comments: |
| <p>Replace Informative 6 with the following condition:</p> <p>The fire places and shutters shall not be removed, damaged or otherwise altered.</p> <p>REASON This approval does not relate to fire places and shutters, which in this case are of considerable historical value. It is therefore necessary to consider the acceptability of any works to the fire places and shutters before any alterations are made, and to safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p> | | For clarity |

| | | |
|---|------------------|---|
| Item: 12 | Page: 131 | Location: 86 - 90 High Street, Yiewsley |
| Amendments/Additional information: | | Officer Comments: |
| <p>A letter has been received from the Applicant which is attached at Annex 1 to this Addendum.</p> | | <p>To ensure the letter from the applicant is communicated to the Committee members.</p> <p>There is nothing in the letter which alters the report recommendation. Large sections of the letters concern an unconnected planning application which is not relevant to the Committee's decision.</p> |

| | | |
|---|------------------|--|
| Item: 13 | Page: 141 | Location: 7 Nestles Avenue, Hayes |
| Amendments/Additional information: | | Officer Comments: |
| <p>Amend condition 8 by inserting the word 'Bank' between Sundays and 'and'</p> | | For clarity |

Annex 1: Letter from Applicant Relating to Item 12

Messrs G & K Dade
High Street

86 – 90

Yiewsley
West Drayton

Middx
UB7 7DS

Matthew Duigan

Team Manager
Central and South Team
London

Planning Environment and Community Services
Borough of Hillingdon
Sunday, 04 March 2012

Dear Mathew

Re: Planning Application Number 64714/APP/2009/778 :86-90 High Street, Yiewsley, UB7-7DS

I thank you for your e-mail and subsequent telephone conversation with Mr Singh.

We would like to stress that we want to sign the S106 agreement as soon as possible, as you are fully aware. All sections within the S106 have been agreed to in principle. But in order to satisfy the Councils requirements, unimpeded access is required for 12 vehicles to the proposed car park. However, I reiterate the factual situation regarding this matter below.

In your e-mail dated September 2010, you mentioned that the council would like the residents of 47, 47a & 45 Albert Road to sign the S106 agreement. However, after consultation with your legal department, you decided that this would not be necessary. You later mentioned that the owner of the access road will have to sign the S106 agreement. This was the first time that this requirement was brought to our attention. In earlier correspondence with Mr Rory Stracey, we were required only to provide proof that we had a right of way by supplying our title deeds to him. The evidence was provided and still no mention was made that we would have to include the access road owner into the S106 agreement.

We on our part, for our development required access for only 8 vehicles to use the proposed car park. The remaining 4 car park spaces were required to satisfy the planning breach in relation to 47 & 47A Albert Road UB7 8ES.

The 47A Albert Road dwelling was built in breach of planning regulations. We understand that enforcement action is in place for the breach of planning regulations. This breach cannot be satisfied without access to the car park and without the four spaces that are required.

In order to help matters concerning breach of planning regulations and resolve the problem of parking of 12 vehicles, which include the 4 spaces to be GIVEN at noon going cost, to the residents of 47 and 47a Albert Road, we had to purchase additional land at the rear of 45 Albert Road UB7 8ES at an additional cost to us. The committee members should be made aware that we are prepared to provide 4 car parking spaces at no cost to the residents of 47 & 47A Albert Road UB7 8ES, but we require financial support either from the council or the residents of 47, 47A Albert Road UB7 8ES, to acquire unimpeded access for their 4 spaces, to the proposed car park. In the original

application of 2005, the council did not secure the access rights to the 4 spaces, and are now using our planning application to secure this requirement, which is highly unfair. We have contacted James Rodger in this connection on several occasions. He has replied to us on one occasion with an unsuitable response.

The owner of the access road has demanded a contribution of £215,000.00p for providing access to 12 vehicles to the proposed car park. In order to support the council with their planning approval for 47A Albert Road UB7 8ES, access to the car park is absolutely essential. We are doing our best to reach an amicable solution to the problem. We have requested the owner of the access road for a meeting and we are awaiting a response to our last e-mail dated 9th January 2012 and we have left several telephone messages, to which we have received no response.

We therefore request the council for the extension of time to get the S106 agreement completed. We shall be grateful if our case is put on the agenda for the planning committee at a later date than 6th March 2012.

Further, worryingly, in 2005, St John Spencer Estates and Developments Limited were granted permission by London Borough of Hillingdon Council using a portion of land in their RED LINE SITE, but BELONGING TO US, at the rear of our building: 86 – 90 High Street Yiewsley, UB7 7DS, without our prior written consent. We are extremely concerned that the council granted permission for the development to go ahead without the full permission of all the land owners included within the red line site of 2005. It now seems that the correct procedure had not been followed by the Council on two occasions.

Firstly, granting full planning consent to erect the property at 47a Albert Road without checking if access was granted by the access road owner. Secondly, by granting permission to St Johns Spencer Estates and Development Ltd, whilst they had not obtained full written consent from land owners within their proposed RED LINE at the time of application in 2005.

We have sought legal advice on this matter and have been informed that the council as well as the developer did not follow the correct procedures at that time. In 2005, we ought to have been made a party to the developers S106 agreement.

On the one hand the Council has allowed St John Spencer Estates & Developments Limited to proceed with their development without our participation in their S106 agreement and on the other hand the council is not allowing our development to proceed unless they are a party to our S106 agreement, which seems very high handed. Please note that we are willing to make the financial contribution required under schedule 1, within our s106 agreement, towards the education policies of London Borough Hillingdon Council. Perhaps, it seems as though our contribution of £9184.00p, is not good enough in monetary terms compared to larger contribution, by the development next door?

We have written to the council on 14th February 2012, regarding the application made by St Johns Spencer Estates and Development Ltd, and are awaiting a response to this email. In the meantime, due to the various serious issues involved in our application,

and indeed regarding the applications that were approved by the Council without the correct documentation in 2005, we have taken the necessary steps to involve our local MP as a matter of urgency.

Due to such a complex range of issues involved in the applications, please allow us more time to get the S106 agreement completed, as we will be including any correspondence from our MP in our file from now on.

Please take this letter with you for the attention of the committee members at the planning meeting on the 6th March 2012.

Yours Sincerely

Messrs G & K Dade