

**Minutes****Central & South Planning Committee****Tuesday, 20 July 2010****Meeting held at Committee Room 5 - Civic Centre,  
High Street, Uxbridge UB8 1UW****Published on: 23 July 2010****Come into effect on: Immediately**

HILLINGDON  
LONDON

	<p><b>Members Present:</b> Councillors John Hensley (Chairman) Judith Cooper (Vice-Chairman) Mike Bull Paul Buttivant Brian Stead Janet Duncan David Allam</p> <p><b>Officers Present:</b> James Rodger Nigel Bryce Manmohan Ranger Keith Lancaster Gill Brice</p> <p><b>Also Present:</b> Councillors Sandra Jenkins (in part), Pat Jackson (in part), Richard Mills (in part)</p>
11.	<p><b>Apologies for Absence</b></p> <p>Apologies had been received from Councillor Paul Buttivant with Councillor George Cooper substituting and Councillor Peter Curling with Councillor Dave Allam substituting.</p>
12.	<p><b>Declarations of Interest in matters coming before this meeting</b></p> <p>Councillors Janet Duncan and Dave Allam declared a personal and prejudicial interest in Item 14 and left the meeting whilst the item was discussed.</p>
13.	<p><b>Matters that have been notified in advance or urgent</b></p> <p>The Chairman had agreed an urgent Part 2 Item to ensure that officers had the appropriate authority to take enforcement action against an unauthorised operation should a breach of planning occur.</p>

14.	<p><b>To confirm that the items of business marked Part 1 will be considered in Public and that the items marked Part 2 will be considered in private</b></p> <p>It was confirmed that all items notified in Part 1 were considered in public and all items in Part 2 were considered in Private.</p>	Action By:
15.	<p><b>REAR OF 16 AND 17 PEACHEY LANE, ADJACENT 5-8 AND 9-13 CARLTON COURT, BOSANQUET CLOSE, COWLEY</b></p> <p><b>Two storey detached building comprising 2 two- bedroom flats, with parking provision and installation of vehicular crossover.</b></p> <p><b>66644/APP/2009/2784</b></p> <p>In accordance with the Council's constitution a representative of the petition received objecting to the proposal addressed the meeting. The agent was not present at the meeting.</p> <p>The following points were made by the petitioner:</p> <ul style="list-style-type: none"> <li>• This was one of two applications on this site, as there was a further application for 6 flats on 17 Peachey Lane.</li> <li>• The building line had been breached as it was in front of the adjoining dwellings.</li> <li>• There would be a considerable loss of daylight and sunlight to adjoining properties.</li> <li>• The proposed building does not complement the street scene.</li> <li>• The maisonettes adjoining this site had been made to look like semi-detached houses.</li> <li>• Residents had concerns about the distance between the outside staircase and Carlton Court.</li> <li>• Inadequate parking was being provided, there is a residents parking zone, which finishes at the new building.</li> <li>• There are concerns regarding deliveries being made to the site during the construction phase.</li> <li>• The committee should put residents first and make a site visit so they can gain an insight into the proposals as a whole.</li> </ul> <p>A Ward Councillor addressed the meeting making the following points:-</p> <ul style="list-style-type: none"> <li>• Ward Councillors fully support the residents in their objections to this application.</li> <li>• The number of residents that signed the petition shows the strength of feeling against this application.</li> <li>• The application breaches PPS3 in regard to backland development.</li> </ul>	<p>Action By:</p> <p><b>James Rodger Nigel Bryce</b></p>

- Parking was a major issue in this area with a parking scheme in place access to Bosanquet Close due to the road structure was not easy.
- If parking on street occurred this would block access to Carlton Court and access for Emergency Vehicles.
- It was reasonable to assume that the occupants would have more than two vehicles due to the demographics of the property.
- There was not a clear divide between the amenity space being provided, which could lead to conflict.
- The proposal would overlook Carlton Court causing loss of privacy.
- The external staircase would cause a number of problems to adjoining residents.
- Would ask the committee to consider visiting the site to see for themselves the concerns raised by residents.

In answer to an issue raised in relation to visibility splays officers advised the committee that as there was no footpath there was no requirement for public visibility splays. The existing parking had been replicated by the application and as the proposal was at the end of a cul-de-sac traffic levels would not be an issue.

The Chairman asked officers to clarify the building line and the application not being in accordance with PPS3, backland development.

Officers advised the committee that there was no established building due to the layout of the area. In regard to the proposal not being in accordance with PPS3, the site access was afforded from another road so was not technically classed as backland development.

In answer to an issue raised in relation to the distance between the proposed staircase and Carlton Court, officers advised that the distance was 14.5 metres and complied with the Council's standards.

The member felt that details on the plan were incorrect and suggested that the application be deferred to enable members to make a site visit. This would enable members to be satisfied that the plans were correct as it was the plans that the committee approved. There were also other inconsistencies that would be better looked at on site.

It was moved and seconded that the application be deferred to enable members to make a site visit.

**Resolved – That the application be Deferred to enable a site visit to be undertaken by Members.**

<p>16.</p>	<p><b>186 GROSVENOR CRESCENT, HILLINGDON</b></p> <p><b>Conversion of existing dwelling to 2 two-bedroom flats to include a two storey side/rear extension with associated parking and amenity space.</b></p> <p><b>25424/APP/2010/1133</b></p> <p>This application was withdrawn from the agenda by the Head of Planning and Enforcement for consideration and re-consultation with residents on amended plans received.</p>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>
<p>17.</p>	<p><b>132 RYEFIELD AVENUE, HILLINGDON</b></p> <p><b>Change of use of basement and ground floor from Class A4 (Drinking Establishments) to Class A1 (Shops), involving alterations to elevations, installation of ATM machine at front and demolition of existing single storey side extension, conversion of existing residential unit to 2 one-bedroom, 1 two- bedroom and 1 studio flat, to include 2 rooflights to rear, alterations to south elevation to include re-instalment of existing metal staircase leading to first floor flat and new roof terrace and associated parking (Resubmission.)</b></p> <p><b>1728/APP/2009/2566</b></p> <p>In accordance with the Council's constitution 8 representatives of 8 petitions received objecting to the proposal and the agent addressed the meeting.</p> <p>The following points were made by the petitioners:</p> <ul style="list-style-type: none"> <li>• There are three shopping parades in this area with a mix of products and services providing the community with all they needed.</li> <li>• If allowed it would lead to smaller shops in the parade closing to the detriment of the area.</li> <li>• The supermarket was neither required or desired.</li> <li>• The existing convenience store included a Post Office, if this supermarket was allowed it may cause the retail side to shut and this may force the closure of the Post Office. This would lead to the elderly and disabled having to travel further to a Post Office.</li> <li>• The parking provided would be unrealistic and only provided for 2 disable parking spaces.</li> <li>• Double parking by people visiting the shops already occurred and cars already park on the pavement to use the shops.</li> </ul>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>

- There are a number of schools in the area and the use would be detrimental to pedestrian safety. The 20 mph speed limit that had already been introduced was often exceeded.
- Delivery vehicles would block access to the service road at the rear, which would prevent access to resident's garages.
- Delivery vehicles would need to either reverse into or out of the service road as there was no turning point.
- Traffic calming measures already existed in the area.
- Increased opening hours would increase anti social behaviour in the area.
- The gated access road was paid for by the Council and residents, there were concerns that this would be left open or damaged by delivery Lorries to the supermarket.
- The viability and vitality of parade would be affected by this proposal.
- The proposal would result in the loss of larger accommodation as the property originally had 7 bedrooms.

The following points were made by the agent:

- The proposal had been discussed extensively with planning officers.
- Car parking as shown on the drawing was acceptable to officers.
- Extending the footpath would assist pedestrian safety.
- Auto track drawing had been provided for 3 tonne and 7 tonne delivery Lorries.
- The change of use to a supermarket was not required.
- If the application was refused the community would lose 4 residential units.
- Refusal would mean an increase in the illegal parking and dumping of rubbish.
- There was already vandalism in the area and damage had already occurred to the building.

A Ward Councillor addressed the meeting and made the following points:

- All the Ward Councillors support the resident's objections to the proposal.
- A survey of the area had been undertaken and showed the strength of feeling against the proposal.
- We are aware that the change of use does not need planning permission and not refused just because it was not wanted
- Would ask the committee to refuse the application as recommended by officers.

	<p>The Committee asked officers to review the situation on site to ensure that no unauthorised works was taking place.</p> <p>Clarification was sought on three issues raised in relation to the proposals impact on the bus stop, loss of residential accommodation and issues raised in relation to noise pollution.</p> <p>Officers advised that the frequency of the buses and delivery vehicles to the site was not robust enough for a refusal reason. The applicant would not have control over the size of delivery vehicles visiting the site. Discussions had taken place in relation to the extension of the footpath and this was reflected on the drawings. Auto track drawing had been provided for refuse vehicles and an alternative exit route would be required. Refuse collection for the retail use could be serviced by a smaller vehicle but this would be a matter for the applicant.</p> <p>In regard to the issue raised in relation to loss of residential accommodation officers reported that H7 supports the principle of converting residential into more units. With appropriate sound insulation, which could be covered by condition making the residential units would be acceptable.</p> <p>The change of use does not require planning permission but there may be operational works that require planning permission, only highway issues could be considered in this context.</p> <p>Concerns were raised in relation to the external staircase and the overlooking that would occur from the proposed amenity space. Officers suggested that if members had concerns about these issues two informatives could be added to ensure that in any re-submission they were addressed. The committee agreed to two additional informatives being added.</p> <p>The recommendation for refusal with the additional informatives added was moved, seconded and on being put to the vote was agreed.</p> <p><b>Resolved – That the application be Refused, for the reasons set out in the officer’s report with an additional 2 informatives added in regards to the external staircase and overlooking from the proposed amenity space.</b></p>	
18.	<p><b>8 HINTON ROAD, UXBRIDGE</b></p> <p><b>Change of use from single family dwellinghouse to an HMO with six bedrooms (Retrospective application.)</b></p> <p><b>65415/APP/2009/2657</b></p>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>

In accordance with the Council's constitution a representatives of the petition received objecting to the proposal and the agent addressed the meeting.

The following points were made by the petitioner:

- The plans submitted are incorrect and do not reflect the layout of the property.
- There was no legal right of access to the rear for No. 8 Hinton Road.
- Had sufficient sound proofing been shown on the plans as the party walls were thin?
- The parking required for a House in Multiple Occupation (HMO) had not been provided.
- Documents of the Council's website gave two different percentages for the number of HMO's in any road.
- Assumptions had been made in the officer's report rather than facts.

The following points were made by the agent:

- The property was purchased in 2007 to renovate the property as a family home.
- Due to the amount of work needed to be undertaken it was decided to use as an HMO in the short term.
- Had an administrative error not occurred the proposal would have been permitted development?
- Work had been undertaken on the property to improve the appearance and up date the interior.
- Students and young professional people would benefit from this accommodation.
- One parking space had been provided at the front of the property with an additional space and cycle storage at the rear.

In answer to a question raised in relation to the layout members were informed that the common room had not yet been knocked through. Rooms 3, 4 and 5 were on the 1<sup>st</sup> floor and the applicant advised that he occupied the top floor.

Members asked whether there was a kitchen on the top floor as this was not shown on the plans before committee.

The committee was informed that there was a kitchen on the top floor.

As the plans before the committee were not in accordance with the information being provided by the applicant it was asked whether the committee could determine the application.

	<p>Officers advised the committee that accurate plans would be needed to enable to determine the application. It was suggested that the application be deferred for amended plans to be submitted.</p> <p>Clarification was sought in regards to the legal issue raised in the report regarding the right of way over the rear access road. Objectors had raised concerns that the applicant did not have legal right of way over the rear access road.</p> <p>The issue between the neighbouring landowners was a Civil Law matter.</p> <p>The Legal Adviser reported that the general rule, under PPS 1: General Principles was that private rights of access issues were considered private interests and not a material consideration. However, where there was a potential planning impact private rights of access may become material. The application raised the possibility that the private access issue, if unresolved, may cause some of the development (on-site car parking) to be unimplementable. In such situations, it was advised that the issue be necessarily linked to some other reason for refusal</p> <p>Members asked that the applicant be asked to demonstrate that he had legal right of way over the access road in writing.</p> <p>Amended plans should also show security measures to be provided at the rear of the property.</p> <p>Clarification was sought on whether No.9 Hinton Road was an HMO and what the percentage of properties in this road was.</p> <p>It was moved, seconded and on being put to the vote was agreed that the application be deferred to enable accurate plans to be provided and written information demonstrating that the applicant had legal right of way to the rear access road.</p> <p><b>Resolved – That the application be deferred to enable correct and amended plans to be provided, written information demonstrating that the applicant has right of way over the rear access road and clarification of what percentage of properties in Hinton Road was in HMO use.</b></p>	
<p>19.</p>	<p><b>26 MANOR ROAD, HAYES</b></p> <p><b>Conversion of detached garage to a habitable use for use as playroom (Retrospective Application)</b></p> <p><b>50949/APP/2009/2309</b></p>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>



	<p>Members asked that the condition in regards to parking be amended.</p> <p>Officers suggested and it was agreed by committee that Condition 2(iv) be deleted as it does not relate to the proposal. An additional condition be added for details to be submitted showing the siting of two parking spaces at the front of the site.</p> <p>The committee also agreed an additional condition to restrict the use as a playroom.</p> <p>The recommendation for approval was moved, seconded with the amendment and on being put to the vote was agreed.</p> <p><b>Resolved – That the application be Approved subject to the conditions and informatives set out in the officer’s report and addendum sheet circulated at the meeting with the condition 2(iv) being deleted and an additional two conditions added as follows:-</b></p> <p><b>Additional Conditions</b></p> <p><b>The outbuilding hereby approved shall only be used as a playroom as stated on the application form and approved drawings. It shall not be used for purposes such as a living room, bedroom, kitchen, bathroom, study or as a separate unit.</b></p> <p><b>Reason</b>  <b>To avoid any future undesirable fragmentation of the curtilage or the creation of a separate residential use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies September 2007.</b></p> <p><b>Details to be submitted showing the siting of two parking spaces at the front of the site.</b></p>	
20.	<p><b>VERSATILE HOUSE, BENTINCK ROAD, YIEWSLEY</b></p> <p><b>Application for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementation ref: 59436/APP/ 2007/3615 dated 22/01/2008: Redevelopment of site to provide 9 two-bedroom flats in a residential block with associated parking and access (involving demolition of existing building.)</b></p> <p><b>59436/APP/2010/721</b></p>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>

Officers advised that condition 7 needed to be amended to include 'dedicated and allocated', condition 8 be amended to delete 'a minimum' as this had been repeated and condition 19 deleted.

In answer to an issue raised in relation to the number of electric charging points being provided officers advised that this was a nine unit development, which would only support one electric charging point.

It was suggested that the condition on the addendum sheet in relation to electric charging points be amended to add 'minimum of one'. This amendment was agreed by the committee.

Officers advised that if they had concerns about the number of electric charging points this should be looked at as a change to policy.

The recommendation for approval was moved, seconded and on being put to the vote was agreed.

**Resolved – That the application be Approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting with condition 19 deleted, conditions 7 & 8 amended and an additional condition added as follows:-**

7. **None of the dwellings hereby approved shall be occupied until the car parking spaces to be dedicated and allocated, including 1 space for people with disabilities, have been provided and marked out in accordance with the details shown on drawing no. 120/30 Rev A and thereafter permanently retained and used for no other purpose.**

**REASON**

**To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan.**

8. **None of the dwellings hereby approved shall be occupied until the on-site secure cycle storage facilities which must provide a minimum of 9 cycle parking spaces as shown on drawing no. 120/30 Rev A has been provided and thereafter the approved facilities shall be permanently retained.**

	<p><b>Reason</b> To ensure the provision and retention of facilities for Cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).</p> <p><b>Additional Condition to be added that a minimum of one electric charging point be provided on site.</b></p> <p>During the discussion on this item 10.30 was reached, it was moved, seconded and agreed that the meeting continue until 10.45 p.m.</p>	
21.	<p><b>S106 Quarterly Monitoring Report - Up to 31 March 2010</b></p> <p>Members received a report updating them on the current position in relation to S106 agreements.</p> <p><b>Resolved – That the report be noted.</b></p>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>
22.	<p><b>Enforcement Report</b></p> <p><b>Resolved</b></p> <ol style="list-style-type: none"> <li>1. That enforcement action as recommended in the officer's report be agreed.</li> <li>2. That the Committee resolved to release their decision and the reasons for it outlined in this report be released into the public domain, solely for the purpose of issuing the formal enforcement notice to the individual concerned.</li> </ol>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>
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	<p>The meeting, which commenced at 7.00 p.m., closed at 10.42 pm.</p>	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Brice on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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