

## Minutes



### CENTRAL & SOUTH PLANNING COMMITTEE

3 March 2021

Meeting held VIRTUALLY - Live on the Council's YouTube channel: Hillingdon London

	<p><b>Committee Members Present:</b> Councillors Steve Tuckwell (Chairman) Alan Chapman (Vice-Chairman) Shehryar Ahmad-Wallana Mohinder Birah Nicola Brightman Roy Chamdal Farhad Choubedar Jazz Dhillon Janet Duncan (Opposition Lead)</p> <p><b>LBH Officers Present:</b> Meghji Hirani (Planning Contracts &amp; Planning Information) James Rodger (Head of Planning, Transportation and Regeneration) Alan Tilly (Transport Planning and Development Manager) Kerrie Munro (Legal Officer) Desmond Adumekwe (Enforcement Manager) Steve Clarke (Democratic Services Officer)</p>
174.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence. It was also noted that Councillor Choubedar was yet to join the meeting.</p>
175.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Duncan declared a non-pecuniary interest in item 7; although she had no particular involvement with the application, she had discussions with residents regarding a previous related application. For the duration of the item, Councillor Duncan remained muted and her camera was turned off.</p>
176.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meeting held on 04 February 2021 be approved as a correct record.</p>
177.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>

178.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items 1-8 were in Part I and would be considered in public and item 9 was in Part II and would be considered in private.</p>
179.	<p><b>26-28 DOWDING ROAD, HILLINGDON - 75328/APP/2020/3570</b> (<i>Agenda Item 6</i>)</p> <p><b>Change of use of 2 dwellings (Use Class C3) to a building for the provision of education (Use Class F1a).</b></p> <p>Before the commencement of this item, Councillor Choubedar joined the meeting.</p> <p>It was brought to the attention of the Committee that the new London Plan 2021 had been adopted on Tuesday 2 March; as such, the policies set out in the agenda papers related to the 2016 London Plan, which was in force at the time of agenda publication. Members were informed that the London Plan policies listed in the meeting's reports may have been superseded by policies outlined in the newly adopted London Plan 2021. Officers requested Members' permission to substitute in the new London Plan policies, should an appeal be received in relation to any of the items on the meeting's agenda; this was granted. It was agreed that officers would indicate to the Committee during each item, which London Plan policies were pertinent to the application and if there were any changes of note from the 2016 and 2021 London Plan policies in question.</p> <p>Officers introduced the application noting that a long standing fundamental policy of the Council was the retention of residential properties and that there were very few occasions where the loss of residential properties would be permitted; this was highlighted as a primary reason for refusal being recommended. Occasions whereby a loss of residential property would be permitted, usually pertains to a property considered to be unfit for purpose; in this instance, officers deemed that not to be the case particularly when there is a shortage of residential properties in the Borough and across London.</p> <p>Further reasons for the recommended refusal of the application applied to an increase in general noise and disturbance to nearby residential properties, and a failure to provide sufficient on-plot parking which had prompted objections from Highways officers.</p> <p>A petition in objection to the application had been received and written representations from the lead petitioner were read out for the consideration of the Committee. It was also noted that Councillor Ray Graham, Ward Councillor for Uxbridge North had given his express support for the petitioners of this item. Key points raised included:</p> <ul style="list-style-type: none"> <li>• Petitioners stated that the proposed development would lead to an increase in the movement of traffic along Dowding Road;</li> <li>• That safety and security could be compromised as a result of the properties' use as an independent school for up to 20 children aged 11–17 years with behaviour disorders. There were concerns of individuals attempting to access the neighbouring garden over a small wooden fence;</li> <li>• There were concerns surrounding the intrusion of privacy. There were windows of 26-28 Dowding Road that overlooked the lead petitioner's property and vice-</li> </ul>

versa;

- The increased movement of through traffic and the intended use of the site as an independent school would cause more noise to emanate from the site leading to disturbance to neighbouring residents.

The applicant had also submitted written representations addressing the primary concerns of officers and petitioners, these were read out for the consideration of the Committee. Key points raised included:

- The applicant stressed that the property would not become available for local residents as it was a Ministry of Defence (MOD) property that was not available for general sale or rent;
- The property had been unoccupied for the past 20 years and was falling into disrepair. There were issues with damp and drainage requiring significant works which would be done by the applicant improving the street scene and preventing further degeneration;
- Regarding an increase in noise and disturbance, the applicant highlighted that students of the school would be unable to attend mainstream schools due to being anxious and withdrawn. Many students were elective mute and it was noted that the students would be notably quieter than most;
- All independent schools of this type were in residential properties as it was deemed necessary for the therapeutic approach adopted by the schools. Of the five existing centres in residential properties existing for 25 years, there had been no complaints made by neighbouring residents with regard to noise and disturbance;
- It was noted that the applicant would accept a condition proposing a reduction in student numbers with a resultant reduction in staffing;
- The school would not be offering staff parking as they would be committed to environmentally friendly travel, most staff would use public transport or active transport;
- The on-street de-restricted parking was largely vacant during the daytime as the neighbouring residential properties were occupied exclusively by military families leaving for work during the daytime;
- The site would be accessible using a modular disabled access ramp to the rear of the property. This was not included in the site plans due to the ramp being modular in nature.

Members were informed that London Plan (2016) policy 3.14 on 'Existing Housing' was pertinent to this application. It was noted that there had been no significant changes to this policy in the newly adopted London Plan (2021).

Before the debate on this application, Councillor Ahmad-Wallana confirmed that he did not see the officer's presentation. Councillor Ahamad-Wallana was advised not to vote on the item as he had not seen all of the relevant information needed to make a valid determination.

Members noted the four strong reasons for refusal given in the officer's report and concurred with the potential issues of noise and disturbance. It was further noted that, from a planning perspective, the property was deemed residential housing and it would be unacceptable in this instance to approve the loss of residential housing in the Borough.

Committee Members were sympathetic towards the applicants as the intended service they would be providing from the property was seen as commendable and challenging

work, demand for which could grow as an outcome of the Covid-19 pandemic. However, Members emphasised that the property in question was simply not in the right location for use in the provision of education; further noting that, even though the intended students may be quieter than most, this wouldn't stop the site being used in future for different schooling purposes for potentially more disruptive student cohorts.

The officer's recommendation was moved, seconded and, when put to a vote, agreed. Councillor Ahmad-Wallana did not participate in the vote.

**RESOLVED: That the application be refused.**

180. **26A HAWTHORNE CRESCENT, WEST DRAYTON - 74982/APP/2020/592** (*Agenda Item 7*)

**Conversion of roof space to habitable use to include a rear dormer and 3 front roof lights**

For the duration of this item, Councillor Duncan remained muted and her camera was turned off.

Officers introduced the item noting that this was a 2-bedroom dwelling which was granted planning permission in 2017 and 2019; the application in front of Members would add a third bedroom. Regarding the dormer window, officers considered this not to comply with the Local Plan policies set out in the report due to its size and scale; the item was therefore recommended for refusal.

Officers informed Members that there were no London Plan policies implicated within the officer's recommended refusal reasons for this application.

Councillor Ahamad-Wallana confirmed that he did not see the officer's presentation and as such, was precluded from the vote.

A petition in objection to the application had been received and written representations from the lead petitioner were read out for the consideration of the Committee. Key points raised included:

- That following submission of the petition, a further eight residents asked to sign, indicating the strength of the feeling behind the petition;
- There were concerns amongst petitioners that the proposed development was destined to become a House in multiple occupation (HMO);
- Significant concerns were raised regarding the intrusion on the privacy of neighbouring residents as a result of the dormer windows, construction of which had recently been completed;
- The addition of a second building on the plot lead to further concerns of a potential HMO;
- Although the application's plans showed some modifications to the construction, it was seen that the development of the property was already in progress using the dimensions of the initial drawings;
- The larger footprint of the site had been made possible by the applicant's removal of a public footpath and large bank of earth which supposedly contravened the initial planning agreement that no change would be made to existing ground levels;
- There was no acknowledgment on the plans of a 70 foot high ash tree which was sited less than 5 metres from the development;

- Further concerns were raised as to parking on the street; parking stresses were endemic to the street and the development had the potential to exacerbate this;
- Construction on the site was entering its fourth year causing disruptiveness for neighbouring residents. There were also instances of contractors working outside of agreed hours;
- There had been an absence of engagement by the applicant when objections were raised directly with them.

Councillor Jan Sweeting, Ward Councillor for West Drayton submitted written representations which were read out for the consideration of the Committee. Key points raised included:

- Support was given to both the officer's recommendation for refusal and the points raised by petitioners;
- The proposed development would create a design harmful to the dwelling and the character of the area; it was seen as too bulky, too large and out of harmony with the design of the original dwelling;
- The development would be over dominant and too near to other properties. The large dormer windows would be incongruous and overpowering;
- The lack of provided parking spaces was also of concern on a street where road parking spaces were at a premium.

The Committee were in agreement that the development was oversized and dominated the immediate surrounding area. Members further noted that the development appeared more akin to a third floor rather than a dormer window.

The officer's recommendation was moved, seconded and, when put to a vote, agreed. Councillor Ahmad-Wallana and Councillor Duncan did not participate in the vote on this item.

**RESOLVED: That the application be refused.**

181. **REAR OF 1-3 COLHAM MILL ROAD, WEST DRAYTON - 52884/APP/2020/2090**  
(Agenda Item 8)

**Retention and alteration of 4 shipping containers for office use (Use Class E(g)(i)) with associated parking (Part Retrospective)**

Prior to the commencement of this item, Councillor Duncan returned to the meeting and Councillor Ahmad-Wallana confirmed that he could now see the officer's presentation and would be voting on this item.

Officers introduced the item noting that the proposed containers had already been placed on the site and that this was an application for retention. Officers informed the Committee of some relevant planning history for the site; namely that in 2016, an application for a bungalow on the site was refused, and an appeal on that decision was subsequently dismissed.

Officers noted that there was sufficient on-site parking to comply with Council standards relating to the proposed use and that the aesthetics of the shipping containers had been amended sufficiently enough that a reason for refusal due to visual impact could not be supported. The application was recommended for approval.

Following the officer's presentation, Members raised concerns that plans for the

development did not show any amenities for office staff in the way of toilet facilities. It was noted that by way of conditioning, a detailed internal layout of the development could be requested if Members were minded to do so. Regarding safeguarding future usage of the development, the Committee highlighted a desire not to allow the development to become a residential unit in future; officers confirmed that the premises would be for office use within Use Class E(g)(i) and for no other purpose.

Further concerns were raised that approving the use of modular shipping containers may set a precedent for future developments in the Borough; a request was made that the item be deferred and that a site visit conducted to assess matters such as the impact on adjoining occupiers and access to the site. There was general support from Members for a site visit; officers confirmed that this would be possible, suggesting a virtual site visit given the current coronavirus restrictions on unnecessary journeys. It was also noted that the large site could potentially facilitate an in-person, socially distanced site visit. It was confirmed that, if Members were minded to request a site visit, officers would seek advice as to how best to accommodate this given the current coronavirus restrictions.

The request to defer the item for a site visit was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED:**

- 1) That the application be deferred; and**
- 2) That a site visit be organised, the logistics of which would be determined in consultation with the Chairman, Labour Lead, Planning Officers and Legal, taking into account current coronavirus restrictions.**

**182. ENFORCEMENT REPORT** (*Agenda Item 9*)

**RESOLVED:**

- 1) That the enforcement action, as recommended in the officer's report, was agreed; and,**
- 2) That the Committee resolved to release their decision, and the reasons for it outlined in the report, into the public domain, solely for the purposes of it issuing the formal breach of condition notice to the individual concerned.**

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest in disclosing it.

The meeting, which commenced at 7.00 pm, closed at 8.38 pm.

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These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on Telephone 01895 250636 - email (recommended) [democratic@hillington.gov.uk](mailto:democratic@hillington.gov.uk). Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

**The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.**