

## Minutes



### **NORTH Planning Committee**

**21 April 2021**

**Meeting held at VIRTUAL - Live on the Council's YouTube channel: Hillingdon London**

	<p><b>Committee Members Present:</b> Councillors Henry Higgins (Chairman), John Morgan (Vice-Chairman), Jas Dhot, Becky Haggar, Allan Kauffman, Carol Melvin, John Oswell (Opposition Lead), Jagjit Singh and David Yarrow</p> <p><b>LBH Officers Present:</b> Neil Fraser (Democratic Services Officer), James Rodger (Deputy Director of Planning and Regeneration), Glen Egan (Office Managing Partner - Legal Services), Alan Tilly (Transport Planning and Development Manager), James Wells (Planning Team Leader) and Desmond Adumekwe (Enforcement Manager)</p>
155.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>None.</p>
156.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
157.	<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 11 March 2021 be approved as a correct record.</p>
158.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>It was confirmed that an urgent enforcement report had been added to the meeting agenda.</p>
159.	<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> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items 1-8 would be considered in public, and items 9-14 would be considered in private.</p>
160.	<p><b>279 SWAKELEYS ROAD, ICKENHAM - 30255/APP/2020/4275</b> (<i>Agenda Item 6</i>)</p> <p>Officers introduced the report, confirming that the applicant was seeking the erection of a two storey building with habitable roofspace to provide 6 x 2-bed and 1 x 3-bed self-</p>

contained flats with parking and amenity space, following the demolition of the existing dwelling. While there was no objection in principle to the redevelopment of the site, officers considered that the proposed layout, scale and design would result in an uncharacteristic form of development within the site's context, and would result in material loss of privacy for occupants of No. 277 Swakeleys Road. The application was therefore recommended for refusal.

By way of written submissions, petitioners objecting to the application made the following points:

- The plans for no. 279 Swakeleys Road were not compatible with the local area. The proposed building was on a corner site with a further road to the rear. As such, it would be particularly prominent when viewed from three public sides.
- The proposed development was intrusive by reason of its scale and prominence; not harmonising with the character of the rest of this section of road, which was residential in character with mainly two-storey family homes.
- The development's broad footprint was inconsistent with neighbouring houses which were built in line at both front and rear, and no. 277 would be badly overlooked and lose their privacy.
- The proposed flats themselves were architecturally bland and would offer only a poor quality of accommodation. The rooms were too small, and there was no lift or step free access into the dwellings above ground floor level, so would not be accessible for wheelchair users and visitors.
- The development did not provide sufficient amenity space, with a lack of garden space and tree planting.
- The rear area would be over-busy with the designated parking spaces - well short anyway of what most people would deem necessary.
- The development did not provide external bin stores, general lockable storage areas, bike sheds or charging points for electric cars.
- The plan's siting and concentration would raise noise and air quality issues. Whilst the Highway Authority apparently considered any additional vehicle movements to be marginal, residents were concerned at potential additional traffic and difficulties of exiting the site, which could be hazardous to other drivers and to pedestrians, especially those heading to Vyners School down Warren Road.
- There is very little additional parking nearby, for second cars and visitors.
- Granting permission for vehicular access from Swakeleys Road properties onto Silverbirch Close would set a precedent which would turn the quiet safe cul de sac into a noisier, busier road and would reduce the amount of available parking spaces for those residents who didn't have off-street parking.
- Previous events and development work had effectively turned Silverbirch Close into a service road for Swakeleys Road.
- If permanent rear access from Swakeleys Road from SBC was granted, this could encourage other Swakeleys Road residents to do the same.

By way of written submission, the agent for the applicant addressed the Committee, making the following points:

- There were five reasons given for refusal, all of which were flawed and/or capable of resolution:
- Reason 1 – Scale and Prominence:
  - Pre-application advice given for a 9 flat scheme 30% larger than the current one did not suggest that the bulk or height were unacceptable.
  - This was a design point but is not apparently based on design officer's

advice.

- The footprint as proposed was only 6% larger than that of the existing building.
- The proposal was compliant in terms of density.
- The proposed building was set further from Swakeleys Road than the existing house
- Reason 2 – Insufficient Soft Landscaping:
  - The area of soft landscape proposed was in fact a 20% increase on the existing planted area.
  - The scheme was compliant with DMHB 18 despite the statement here.
- Reason 3 – Lack of Outdoor Amenity Space:
  - Compliant balconies were provided for upper floor flats.
  - Compliant private gardens were provided for ground floor flats.
  - Additional soft landscaped areas of 105 sqm were also provided for upper floor flats as required.
  - The proposal was fully compliant in this respect.
- Reason 4 – Lack of a Lift:
  - A lift could be added without external alterations.
  - This could and should be dealt with by condition.
- Reason 5 – Loss of Privacy for 277 Swakeleys Road
  - There were three upper floor windows looking towards the next house, all of which could be omitted since the rooms concerned had other windows.
  - This could and should be dealt with by condition.
- The applicant paid for pre-application advice including a meeting, but the meeting was not offered.
- The applicant was advised to withdraw the first application on the basis that officers would provide a copy of the draft officer's report, but that document was never issued.
- Despite repeated requests, no feedback was received on the current application until the report was issued.
- As the matter had not been dealt with fairly and transparently and the reasons given for refusal were incorrect or capable of resolution, it was requested that a decision be deferred so that any problems could be properly discussed and resolved with officers.

Officers advised that, on the matter of the points raised by the applicant's agent, the report detailed five different reasons for refusal, and officers did not consider that minor changes would have resulted in a favourable recommendation.

The Committee supported the recommendation for refusal for the reasons set out in the report. The officer's recommendation was therefore moved, seconded, and when put to a vote, unanimously agreed.

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

161. **WYNNSTAY, HIGH ROAD, EASTCOTE - 9292/APP/2021/63** (*Agenda Item 7*)

Officers introduced the report, which was seeking approval for part two storey, part single storey rear extension, raising of ridge height and conversion of roof from hip to gable ends with gable end windows involving alterations to elevations. Officers considered that the proposed development, by reason of its size, scale, bulk, depth and design, including the disproportionate roof detail, represented an unduly intrusive and incongruous form of development, which failed to harmonise with the character and appearance of the original dwelling and the wider area. For this reason, the application

was recommended for approval.

By way of written submission, a petitioner objecting to the application made the following points:

- The application sought approval for a form of residential development that was disproportionately large and out of keeping with the adjacent houses, with the applicant wishing to raise the roof and extend the property some 8.4m beyond its original building line (excluding the conservatory).
- The proposed extension was overbearing and unbalanced, having a disproportionately large roof with new roof lights, three in the front, 2 in the back and one at each side.
- The roof line and proposed rendered finishes were out of keeping with the street scene, whilst the inclusion of side windows was likely to affect the privacy for adjoining properties.
- The significantly enlarged second floor roof space was identified in the plans as being for 'storage', but had clearly been designed for future conversion as habitable rooms.
- The applicant had provided the land registry title plan, but not a site location plan showing the development in context. By using the Land Registry Title plan from 1957 instead of an Ordnance Survey plan, the potential impacts to surrounding buildings had been significantly underplayed as many of the neighbouring properties were not built at the time.
- Contrary to the applicant's claims, the house was already very visible from High Road Eastcote, Cheney Street and Birchmead Avenue, and the Eastcote Conservation Area. It was suggested that the Council request a townscape assessment to test the degree of impact to the setting of these conservation areas to demonstrate there is no impact.
- It was requested that the application be refused, but if approved, residents requested that the application be conditioned to ensure that storage space was not converted to habitable rooms. The position of the windows and potential to overlook neighbouring properties could not be tested in planning terms if the proposed use is 'storage', and once built, its future conversion could be carried out under Building Regulations approval, thereby by-passing planning law.
- In the event that the applicant resubmitted a smaller planning application, under permitted development, residents would expect the building line to be taken from the original building line, which corresponded to the existing living room and not the conservatory, which was itself an extension.

The Committee supported the recommendation for refusal for the reasons set out in the report. The officer's recommendation was therefore moved, seconded, and when put to a vote, unanimously agreed.

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

162. **S106 QUARTERLY MONITORING REPORT** (*Agenda Item 8*)

**RESOLVED: That the report be noted.**

163. **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 beach 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 and 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.

164. **ENFORCEMENT REPORT** (*Agenda Item 10*)

**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 beach 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 and 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.

165. **ENFORCEMENT REPORT** (*Agenda Item 11*)

**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 beach 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 and 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.

166.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 12</i>)</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That the enforcement action, as recommended in the officer's report, was agreed; and,</li> <li>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 beach of condition notice to the individual concerned.</li> </ol> <p>This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraphs 1, 2 and 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>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</b> and that the public interest in withholding the information outweighs the public interest in disclosing it.</p>
167.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 13</i>)</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That the enforcement action, as recommended in the officer's report, was agreed; and,</li> <li>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 beach of condition notice to the individual concerned.</li> </ol> <p>This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraphs 1, 2 and 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>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</b> and that the public interest in withholding the information outweighs the public interest in disclosing it.</p>
168.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 14</i>)</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That the enforcement action, as recommended in the officer's report, was agreed; and,</li> <li>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 beach of condition notice to the individual concerned.</li> </ol> <p>This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraphs 1, 2 and 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>information relating to any individual, information likely to reveal the</b></p>

	<b>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</b> and that the public interest in withholding the information outweighs the public interest in disclosing it.
	The meeting, which commenced at 7.30 pm, closed at 8.24 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on Telephone 01895 250636 or email (recommended): [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.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.**