Minutes

NORTH PLANNING COMMITTEE

4 August 2011



Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge UB8 1UW

	Committee Members Present : Councillors Eddie Lavery (Chairman) Alan Kauffman (Vice-Chairman)	
	David Allam Jazz Dhillon	
	Michael Markham Carol Melvin	
	David Payne	
	John Morgan	
	LBH Officers Present:	
	James Rodger, Meg Hirani, Syed Shah, Rory Stracy and Nav Johal	
222.	APOLOGIES FOR ABSENCE (Agenda Item 1)	Action by
	There were no apologises for absence.	
223.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)	Action by
	Councillor Edward Lavery declared a personal and prejudicial interest in relation to item 9, 534 Victoria Road, and left the room for the duration of this item. Councillor Allan Kauffman was Chairman for this item.	
224.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)	Action by
	None.	
225.	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 (Agenda Item 5)	Action by
	Items marked part 1 were considered in public and items parked part 2 were considered in private. There were no part 2 items to consider.	
226.	22 PAVILION WAY, RUISLIP - 17423/APP/2011/57 (Agenda Item 6)	Action by
	Demolition of existing detached store to rear, erection of single storey side/rear extension and alteration to first floor side elevation	

17423/APP/2011/57

The application site was located on the north side of Pavilion Way and comprised a two storey semi-detached property finished in red brick, with white render and white UPVC windows and a wooden door. The property had a detached garage to the rear which was used as a store, an area of hard standing to the front and had been extended to the rear with a single storey extension. A loft conversion involving the formation of a gable end and the construction of a rear dormer had recently been undertaken as Permitted Development.

The street scene was residential in character and appearance and the application site was within the developed area as identified in the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Planning permission was sought for the erection of a single storey side/rear extension with alterations to the first floor side elevation of the existing house and demolition of the existing detached store to the rear. The extension would replace the existing single storey rear extension. It would project 3.6 metres from the original rear wall of the property and have an overall width of 8.4 metres. It would be set back 5.4 metres from the front main wall of the property. It would be constructed with a flat roof to a height of 2.98 metres and be finished in materials to match the existing. The alterations to the first floor side elevation would comprise the installation of an additional toilet window.

Planning permission was refused on 1 November 2010 (17423/APP/2010/1662) for a two storey side and rear extension, conversion of roofspace to habitable use to include a rear dormer, 1 front rooflight and conversion of roof from hip to gable end, including demolition of single storey rear element.

7 neighbours and the Eastcote Residents Association were consulted. A petition signed by 21 persons had been received objecting to the proposal on the grounds that it was oversized and posed potential environmental issues.

In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting.

Points raised by the petitioners:

- Mr Hyde spoke on behalf of the petitioners; he stated that there had been significant changes to the original application that was submitted.
- Pictures/plans submitted by the lead petitioner showed the angle of the plot. Mr Hyde stated that the boundary of the fence sloped inwards and not at a right angle as was suggested in the plans submitted by the applicant.
- Photographs were shown to explain to members the extent of the inward slope on the neighbouring garden.
- Further photographs showed the boundary line was one that

had existed for many decades and that there was old vegetation.

- The depth of the building was discussed.
- Mr Hyde had met with the applicant and agent and said that they had stated whatever design was approved they would alter it with adjustments.
- The petitioners felt that the roof would be out of character with nearby property.
- Concerns were raised with storage of refuse.
- Petitioners stated that the existing garage would be demolished.

The agent was not present.

Councillor Michael White was present and spoke as a Ward Councillor:

- Councillor White thanked officers for a precise report which covered most of the points which were an issue.
- He stated that the original planning application was refused.
- Councillor White felt that the extensions to the building were bigger than what the house should have. As a result the property looked bulky.
- He stated that according to policy extensions should be kept to scale and form of the original architectural building.
- That the property could become an eyesore.
- It was very close to the boundary lines.
- The potential loss of sunlight on the neighbours was an issue for concern.

Members asked officers to clarify the boundary line measurements. Members did not feel comfortable deciding on an application where there was uncertainty about the plans presented. Officers explained that the applicants had shown a signed certificate to planning officers which showed the boundary line as presented. Members requested legal comment on the plans that were presented. They were advised that planning officers were to advise on whether they believed there were any accuracies in the plans submitted.

Members also commented on other issues for discussions which officers had not mentioned in the report which were brought up at the meeting, these could be options for refusal for the application.

Officers advised that they had the option to go back to the applicant and ask them to check the accuracy of the plans. Officers could also go out and check the precise measurement of the area.

Members asked that this item be deferred and that officers to accurately measure the area. Members also asked officers to consider the other reasons for refusal that were discussed by the Ward Councillor and petitioners.

The recommendation for a deferral pending the accuracy of plans to be checked and top get overshadowing assessment was moved, seconded and on being put to the vote was unanimously agreed.

	Resolved –	
	That the application be deferred to check accuracy of plans and get overshadowing assessment.	
227.	34 PARKFIELD ROAD, ICKENHAM - 59470/APP/2011/1203 (Agenda Item 7)	Action by
	Retention of existing side dormer facing No.32 and alteration to side dormer facing No.36.	
	59470/APP/2011/1203	
	The application site was located on the north east side of Parkfield Road and comprised of a detached bungalow. The application property was separated from the adjoining property, No.32 also a detached bungalow, by 2.5m. To the northwest was 36 Parkfield Road, also a detached bungalow.	
	The area was characterised by a mix of bungalows and two storey houses and the application site lies within the developed area as identified in the adopted Unitary Development Plan Saved Policies 2007.	
	The proposal was to retain the dormer window facing No.32 as constructed and to alter and retain the dormer facing No.36. The dormer facing No.32 would measures 4.25m wide, 3.4m deep and finished with a flat roof 2.3m high. It would retain gaps of 0.5m to the eaves and 0.2m to the roof ridge and would be set some 4.5m back from the front of the property. This dormer was as constructed and would retain the existing windows. The dormer facing No.36 would still measures 4.25m wide and 3.4m deep but would be finished with a flat roof 1.96m high. This would involve a reduction in its height by approximately 400mm. It would increase the gap between it and the eaves to 0.9m, but would still be 0.2m to the roof ridge and would be set some 4.5m back from the front of the property. It was also proposed to remove both the existing windows from the face of this dormer, leaving a blank facade facing No.36.	
	The site had an extensive planning history relating to developments in the roof. However, the most relevant is the enforcement notice relating to the existing dormers, the subject of this application, which was served in July 2008 and was the subject of an appeal. The Council had already secured a prosecution through the courts which resulted in the courts instructing the owner to comply with the terms of the enforcement notice. This had not occurred and the matter would be referred back to the courts for further determination.	
	Ickenham Residents Association were consulted, and two letters had been received objecting to the proposal. Two petitions, one with 21 signatures and one with 20 signatures had also been received. Both requesting that the application was refused and the enforcement notice	

complied with.

Officers had recommended this application be refused.

In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting.

Points raised by the petitioners:

- Mr Noad spoke to Committee on behalf of petitioners. He had lived in Parkfield Road for 50 years.
- He stated that the dormers at no.34 had been one of the most stressful applications in the area.
- The dormers should not have been built and there were many applications refused, hearing, enforcements, meetings, emails, etc which supported this.
- The proposal that was submitted by the applicant was in no way acceptable.
- That the reason for submitting the application was to delay the process of enforcement further.
- This was causing stress to residents and the system was being exploited.
- This was unauthorised development and Mr Noad requested that the application be refused and he made strong representation that the Council proceed with the enforcement process.
- Mrs Kirke spoke on behalf of the second petition that was submitted.
- She thanked the officers for the report and recommendation presented.
- Mrs Kirke encouraged the endorsement of further enforcement. That since 2004 planning applications had been on-going on this site.
- The proposal that was submitted to committee was less acceptable than that was submitted at a previous appeal.
- The application did not comply with LB Hillingdon planning policies.
- That the application did not meet the requirements for light.
- It was having a dramatic adverse effect on neighbouring properties and she had spoken about this in previous meetings.
- The applicant was continuing to delay the enforcement process and Mrs Kirke said that compliance was needed to be taken asap.

The agent spoke on behalf of the application submitted:

- He felt that Committee had heard some very prejudicial comments and that he wished for some perspective on this application.
- The agent felt that the application did not cause 'distress' and that there were many larger dormers in the area. That the comments were exaggerated.
- He had reduced the size of the application in order to reduce the complaints.

	 The agent asked that Committee look at the application in its true light. He felt that neighbours had ganged up; that some signed the petition had no relevance and lived streets away. The dormers were modest in size and the removal would cause hardship. There were many similar dormers throughout the Borough. The agent asked that if Members could not approve the application that they deferred the decision to carry out a site visit. Members stated that they would not get carried away by petitioner's comments and their decision would be based on planning.	
	Members felt that this application showed blatant disregard for the Council's planning requirements and the dormers were completely inappropriate for the area.	
	Members felt that they had no hesitation in accepting the officer's recommendation.	
	It was noted that officers were pursuing Enforcement issues regarding this site.	
	Officers explained to Members that in the last few days the Mayor of London had issued a new London Plan, therefore policies needed to be updated.	
	The recommendation for refusal was moved, seconded and on being put to the vote was unanimously agreed.	
	Resolved –	
	That the application be refused as per the agenda and delegated authority be given to the Head of Planning, Environment, Education & Community Services to update the policies.	
228.	12 EASTBURY ROAD, NORTHWOOD - 1901/APP/2011/174 (Agenda Item 8)	Action by
	Erection of part first floor rear/side extension, alterations to rear elevation to include removal of single storey rear roof, installation of ramps to West elevation and East elevation and external staircase to side.	
	1901/APP/2011/174	
	This application was deferred from the committee of the 14th July for a site visit. Planning permission was sought for the erection of a part two storey part first floor side extension, ground floor rear infill extension and provision of external first escape staircase.	
	The application property was an attractive 'Arts & Crafts' style building which formed a group with 10, 14 and 16 Eastbury	

Road, which were on the local list. The proposed part first floor side/rear extension was not considered to harmonise with the	
character, proportions and appearance of the main building and would be detrimental to the appearance of the surrounding area and the character and appearance of the Northwood/Frithwood Conservation Area. The proposal would not harm the residential amenities of the occupiers of nearby properties.	
Officers had recommended this application be refused.	
Officers had met with neighbours the day before to discuss issues and Members commented that the site visit was very helpful.	
Members felt that the proposed extension was very large and the visual amenities needed to be considered. Light in the proposed bedroom could be an issue. Members also discussed any possible vegetation that could be destroyed.	
The recommendation for refusal was moved, seconded and on being put to the vote was unanimously agreed.	
Resolved –	
That the application be refused as per the agenda with an additional reason relating to the visual impact on the adjoining occupier to be agreed with the Chairman and Labour lead.	
229. 534 VICTORIA ROAD, RUISLIP - 3677/APP/2011/851 (Agenda Item Ac 9)	tion by
Councillor Lavery declared a personal and prejudicial interest for this item and left for the room. Cllr Kaufmann was Chairman for this item.	
Change of use from Class A1 (Retail) to Class A2 (Financial and Professional Services) for use as an estate agent.	
9	
Professional Services) for use as an estate agent.	
 Professional Services) for use as an estate agent. 3677/APP/2011/851 The site was within the core area of the South Ruislip Local Centre and comprises a ground floor commercial unit. Policy S9 states that in Local Centres the Local Planning Authority would only grant planning permission to change the use from Class A1 shops outside the core areas. Local Centres were generally much smaller than Town Centres and in order that these centres retain a strong retail core, with more than just the bare minimum of shops, the Local Planning Authority would not grant planning permission to change the use from 	

address committee.

The agent was present and raised the following points on behalf of the application:

- The agent employed 7 full time and 1 part time staff at his letting agents. He ran a family business.
- He had agreed to invest in the property without realising there were any issues regarding change of use of the property.
- The agent understood why the officer's recommendation was for refusal but he felt he had a strong retail case.
- There were 24 units in the area and 1 was an estate agents. 4 were food outlets and 2 newsagents.
- Historically the property was a very successful estate agents for around 30 years, it was a very good site.
- The agent was surprised at the petition generated; this was done by another estate agent who did not want any competition.
- This existing estate agent was the only one in South Ruislip. The agent felt that monopoly was not positive or a healthy way forward.
- If the application was refused by Committee than the unit would be left empty.
- It was historically a busy parade and the proposed estate agent would improve the parade and business.

Members discussed the current policy and commented that it was not fit for purpose in the current economic climate. Members discussed the possibility of another business failing and it was suggested that the officer's recommendation be overturned.

Members also commented that where possible they should maintain A1 usage, that the shop was current occupied as A1 usage. Members considered the option of trying to maintain this property as an A1 usage and seeing if it could be occupied in this way. That other occupiers needed to be considered.

Members discussed the change in the retail market, that there was not as much demand for such shopping parades. Members could assume that the current owner had looked at other opportunities and some felt that it was not down to the Committee to dictate to the owner what he could and could not do.

Members further commented that this was a refreshing application. Members noted that changing the use did not mean the business would be kept afloat. They again, considered the option of giving another A1 business a chance before agreeing to a change of use.

The recommendation for approval was moved, seconded and on being put to the vote was agreed by a majority of 7:1.

Resolved -

That the application be approved and the officers recommendation as per the agenda be overturned. Details of

	conditions to be agree with the Chairman and Labour lead.	
230.	21 FRITHWOOD AVENUE, NORTHWOOD - 42456/APP/2011/653 (Agenda Item 10)	Action by
	Part single storey, party two storey side / rear extension involving alterations to side elevation.	
	42456/APP/2011/653	
	This application related to an existing residential care home situated within a residential area. The application seeked permission for a part 2 storey, part single storey side extension, to provide 5 additional rooms.	
	It was considered that the design of the proposal was acceptable and that any loss of residential amenity had been satisfactorily addressed and would not be materially different from the existing site circumstances to warrant the refusal of planning permission on these grounds alone. As such the proposal was considered to comply with all relevant policies contained in the Hillingdon Unitary Development Plan Saved Policies (September 2007) and therefore the proposal was recommended for approval.	
	Some Committee Members had visited the site previously. Members asked for clarification on the frontage and trees. Officers replied that no trees would have been affected, that some shrubs would have had to be removed. Officers further commented that conditions were in place which safeguarded the trees and vegetation in the area.	
	Members felt that it was a sympathetic design and that it ticked all the boxes. Officers had produced a good report and included good conditions. Members agreed that the proposed application was inkeep with the existing building, and that the neighbouring property was at a higher level so the impact would be minimised.	
	The recommendation for approved was moved, seconded and on being put to the vote was unanimously agreed.	
	Resolved –	
	That the application be approved as per the agenda.	
231.	30A NORTHOLT AVENUE, RUISLIP - 16490/APP/2011/1037 (Agenda Item 11)	Action by
	Retention of two storey, three-bedroom, end terrace dwelling with integral garage and associated amenity space and parking	
	16490/APP/2011/1037	
	The proposal was for retrospective planning permission for an end terrace property, that had not been built in accordance with the approved plans, which were for the erection of a row of four 2-storey	

2-bedroom terraced houses, two with integral garages, together with frontage parking and vehicular crossovers (16490/APP/2006/1061).

This particular property was constructed with 3-bedrooms and the position of the integral garage had been re-sited and was now situated against the shared party wall. However, the proposed dwelling was still considered to provide adequate amenities for future occupiers and the bulk and design was not considered materially different to that approved by the earlier grant

of planning consent and as such, it was considered the design of the dwelling had been established by that permission as acceptable.

With regard to the revised layout, the dwelling still provides 2 offstreet parking spaces, together with an area of soft landscaping to the front and therefore, the design of the dwelling is considered to adequately integrate within the street scene without causing material harm to the residential amenities of the neighbouring properties.

The application was recommended for approval subject to appropriate safeguarding conditions.

The four applications for 30A-D Northolt Avenue were discussed by Members. Members requested that officers investigated whether there were any highways enforcement issues that needed to be considered with regard to driving over kerbs to get cars into driveways; and whether the properties should have dropped kerbs was discussed.

Members discussed in detail the parking management scheme in the surrounding area. Officers advised that the new occupants would have no new restrictions imposed on them. Members commented that parking would be further congested due to the additional number of bedrooms in the applications.

Members were unhappy at getting to this stage with the applications and the in the future commented that this situation should be avoided. It was noted that although the situation was not ideal it was an improvement on the previous applications.

The size of the garages was discussed. These were the same as per original applications.

The recommendation for approval was moved, seconded and on being put to the vote was agreed by a majority. Councillor Payne abstained from voting.

Resolved –

That the application be approved as per the agenda and the changes set out in the addendum, and delegated authority be given to the Head of Planning, Environment, Education & Community Services to update the policies.

232.	30B NORTHOLT AVENUE, RUISLIP - 16490/APP/2011/245 (Agenda Item 12)	Action by
	Retention of two storey, with rooms in roofspace, four-bedroom terraced dwelling with 2 rooflights to front and 2 rooflights to rear.	
	16490/APP/2011/245	
	The proposal was for retrospective planning permission for a mid- terrace property, that had not been built in accordance with the approved plans, which were for the erection of a row of four 2-storey 2-bedroom terraced houses, two with integral garages, together with frontage parking and vehicular crossovers (16490/APP/2006/1061).	
	This particular property was constructed with 4-bedrooms, one of which was in the roof space and due to the amended frontage layout, now only allows for one off-street parking space. However, the proposed dwelling was still considered to provide adequate amenities for future occupiers and the bulk and design was not considered materially different to that approved by the earlier grant of planning consent and as such, it was considered that the design of the dwelling had been established by that permission as acceptable.	
	With regard to the revised frontage layout, whilst the dwelling now resulted in a parking shortfall, due to the parking management scheme that was in place in the street, it was not considered demonstrable harm by this deficiency results and furthermore, this revised layout was considered to result in a visual improvement to the frontage as there is now adequate space to allow for areas of soft landscaping to be provided.	
	Approval was therefore recommended.	
	The recommendation for approval was moved, seconded and on being put to the vote was agreed by a majority. Councillor Payne abstained from voting.	
	Resolved –	
	That the application be approved as per the agenda and the changes set out in the addendum, and delegated authority be given to the Head of Planning, Environment, Education & Community Services to update the policies.	
33.	30C NORTHOLT AVENUE, RUISLIP - 16490/APP/2011/1039 (Agenda Item 13)	Action by
	Retention of two storey, with rooms in roofspace, four-bedroom terraced Dwelling.	
	16490/APP/2011/1039	

The proposal was for retrospective planning permission for a mid- terrace property, that had not been built in accordance with the approved plans, which were for the erection of a row of four 2-storey 2-bedroom terraced houses, two with integral garages, together with frontage parking and vehicular crossovers (16490/APP/2006/1061).	
This particular property was constructed with 4-bedrooms, one of which was in the roof space, together with a revised front layout. Whilst it is considered that the proposed dwelling provides adequate amenities for future occupiers and the bulk and design was not considered materially different to that approved by the earlier grant of planning consent, the amended frontage layout, which allows for one off-street parking space for this residential unit results in the need to remove an existing highway tree (Cherry tree, ref. 00894 on the street tree register). It had been recommended that this tree was removed and replaced in a more suitable position.	
In addition to this requirement, as the property would result in a net gain of 7 habitable rooms, the director of education had stated an education contribution of £13,572 for nursery, primary, secondary, and post 16 education would be required in the South Ruislip Ward. Confirmation had been sought from the applicant regarding a request that both of these matters were dealt with via the completion of a Section 106 agreement and no response had been received. Without this agreement in place, the proposal was considered to result in a total lack of off-street parking provision for this particular unit together with an increased shortfall of education provision in the surrounding area.	
As such, the application is considered to fail to comply with policies BE38, AM14 and R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and was recommended for refusal.	
Refusal of this application would result in prosecution proceedings recommencing.	
Members discussed this application and were advised that officer's had asked the agent for changes and a legal agreement which had no been provided.	
The recommendation for refusal was moved, seconded and on being put to the vote was agreed by a majority. Councillor Payne abstained from voting.	
Resolved –	
That the application be refused as per the agenda.	
234. 30D NORTHOLT AVENUE, RUISLIP - 16490/APP/2011/1085 (Agenda Item 14)	Action by
Retention of two storey, three-bedroom, end terrace dwelling with integral garage and associated amenity space and parking	

The proposal was for retrospective planning permission for an
end terrace property, that had not been built in accordance with the
approved plans, which were for the erection of a row of four 2-storey
2-bedroom terraced houses, two with integral garages, together
with frontage parking and vehicular crossovers
(16490/APP/2006/1061).

This particular property was constructed with 3-bedrooms and the position of the integral garage had been re-sited and was now situated against the shared party wall. However, the proposed dwelling was still considered to provide adequate amenities for future occupiers and the bulk and design was not considered materially different to that approved by the earlier grant of planning consent and as such, it was considered the design of the dwelling has been established by that permission as acceptable.

With regard to the revised layout, the dwelling still provided 2 offstreet parking spaces, together with an area of soft landscaping to the front and therefore, the design of the dwelling was considered to adequately integrate within the street scene without causing material harm to the residential amenities of the neighbouring properties.

The application was recommended for approval subject to appropriate safeguarding conditions.

The recommendation for approval was moved, seconded and on being put to the vote was agreed by a majority. Councillor Payne abstained from voting.

Resolved –

That the application be approved as per the agenda and the changes set out in the addendum, and delegated authority be given to the Head of Planning, Environment, Education & Community Services to update the policies.

235.	516A VICTORIA ROAD, RUISLIP - 42660/APP/2011/739 (Agenda Item 15)	Action by
	Change of use from retail (Use Class A1) to a gymnasium (Use Class D2)	

42660/APP/2011/739

The application related to the change of use of an A1 (retail) unit to D2 (Assembly and Leisure) for use as a gymnasium. The site was within the core area of South Ruislip Local Centre. Policy S9 stipulates change of use from A1 to other uses would only be granted outside these areas. However, due to the extended length of time this unit had not been used for A1 use (since mid 1990's), it was

	nsidered the change of use would not have an adverse impact on established character of the Local Centre.	
ope pro witi	erefore, subject to appropriate conditions relating to hours of eration and noise control, deliveries, and air extraction systems, the oposal would not conflict with any of the relevant Adopted policies hin the Hillingdon Unitary Development Plan Saved Policies eptember 2007).	
Thi	is application was recommended for approval.	
	embers discussed the usage and any noise issues that may arise. Embers were satisfied with the proposal and change of usage.	
	e recommendation for approved was moved, seconded and on ing put to the vote was unanimously agreed.	
Re	solved –	
aut	at the application be approved as per the agenda and delegated thority be given to the Head of Planning, Environment, lucation & Community Services to update the policies.	
The	e meeting, which commenced at 7.00 pm, closed at 8.55 pm.	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nav Johal on 01895 250692. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.