

## Minutes

### NORTH PLANNING COMMITTEE

9 October 2012

Meeting held at Committee Room 6 - Civic Centre,  
High Street, Uxbridge UB8 1UW



HILLINGDON  
LONDON

	<p><b>Committee Members Present:</b> Councillors Allan Kauffman David Allam Jazz Dhillon Carol Melvin John Morgan David Payne Raymond Graham Brian Stead</p> <p><b>LBH Officers Present:</b> James Rodger, Head of Planning, Sports and Green Spaces Rory Stracey, Deputy Principal Lawyer Meghji Hirani, Planning Contracts and Planning Information Manager Sirous Ordoubadi, Senior Engineer Nadia Williams, Democratic Services Officer</p>	
100.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillor Edward Lavery. Councillor Brian Stead attended in his place.</p>	
101.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest notified.</p>	
102.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 30 AUGUST 2012</b> (<i>Agenda Item 3</i>)</p> <p>The minutes of the meetings held on 30 August 2012 were agreed as an accurate record.</p>	
103.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>There were no matters notified in advance as urgent.</p>	
104.	<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 all business marked Part 1 would be heard in</p>	

	public.	
105.	<p><b>GOSPEL OAK, 228 SWAKELEYS ROAD, ICKENHAM 11246/APP/2012/1575</b> (<i>Agenda Item 6</i>)</p> <p>Petitioners objecting to the proposed development were not present at the meeting. The agent did not wish to address the Committee.</p> <p>During discussion, Members indicated that the proposed development was too large for the size of the application site and failed to satisfy Lifetime home standards.</p> <p>The recommendation for refusal 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.</b></p>	<p><b>Action by</b></p> <p>James Rodger Meghji Hirani</p>
106.	<p><b>48 PINN WAY, RUISLIP 17220/APP/2012/1437</b> (<i>Agenda Item 7</i>)</p> <p>In introducing the report, officers advised that a previous scheme had been dismissed on appeal and had not been considered by the Inspector to be subordinate to the original house. The current scheme was still considered to be unacceptable, as the depth of the scheme’s two-storey extension was identical to the previously refused scheme at 4 metre from the original rear wall of the house.</p> <p>A Member commented that after visiting the site, in their view, the size of the plot was adequate enough to accommodate the extension but had concerns about the timber cladding.</p> <p>A member expressed some sympathy to the application and noted that the proposed development would be set back by 4metres, which would mitigate the concerns in the Inspector’s report that ‘the appeal proposal would noticeably alter this to create a roof and upper level with an unduly bulky nature and a key design quality of the existing home would be lost by the sizeable rearward projection following the same roof and vertical wall lines as the existing property’. This projection was at the back of the property and the application had sought to address this issue.</p> <p>Officers advised that the main issue regarding the proposal was related to the comments of the Conservation Officer which concerned the character of the property, the symmetrical design at the back of the property and the unacceptable use of timber cladding. Officers suggested that if Members considered that the timber cladding was the only issues of concern, this could be dealt with by condition, should the Committee be minded to approve the application.</p> <p>In response to the question of how strongly this refusal reason could be defended on appeal, officers advised that on balance, the decision could go either way.</p> <p>It was moved and seconded that the application be approved and on</p>	<p><b>Action by</b></p> <p>James Rodger Meghji Hirani</p>

being put the vote, the application was approved subject to conditions and informatives being prepared by officers in consultation with the Chairman and the Labour Lead.

**Resolved – That the application be approved subject to the following conditions and informative:**

**CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason: To comply with Section 91 of the Town and Country Planning Act 1990.**

2. Notwithstanding the materials indicated on the submitted drawings and documentation, all materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

**Reason: To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).**

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 46 and 50 Pinn Way.

**Reason: To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).**

4. Access to the flat roof over the single storey extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

**Reason: To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).**

**INFORMATIVE:**

**With regard to condition 2, the use of timber cladding is not acceptable and the walls of the proposed extension should be in**

107.	<p><b>render to match the existing building.</b></p> <p><b>LAND AT WILLOW FARM (FIELD 3116) JACKETS LANE, HAREFIELD 57685/APP/2011/1450</b> (<i>Agenda Item 8</i>)</p> <p>Prior to officer's introduction of the application, a petitioner organiser (in support of the application) stated that he would like to address the Committee for a second time and stated that he would like to ask the Chairman (under the Chairman's discretion) to accept a late petition to enable him to speak about the application.</p> <p>The Chairman announced that as the application had previously been considered by the Committee and the petition organiser (who spoke on behalf of the applicant/agent) was aware that the application would be coming back to a future meeting, he saw no extenuating circumstances to allow the petition organiser to speak, given that the petition was received less than 48 hours before the meeting. As such, the petition organiser's request to speak on this item was refused.</p> <p>The Legal Advisor asked the Chairman whether the Committee would be taking the written petition in into account. The Chairman affirmed that the petition would not be taken into account.</p> <p>The petition was handed back to the petition organiser at the end of the meeting.</p> <p>In introducing the report, officers reiterated that the application was reported to the North Planning Committee meeting held on 10 January 2012, at which the Committee was addressed by a representative of the applicant/agent (following a receipt of a petition that had been submitted in objection to the application).</p> <p>Officers drew Members' attention to note the changes in the Addendum and advised that at the time the addendum had been published, two further emails had been received in support of the application.</p> <p>Officers highlighted that notwithstanding the personal circumstances of the applicant and his family; the site had continually been occupied for over 9 years and on balance, the overall duration of harm and the impact on green belt, permission could no longer be extended.</p> <p>A Member expressed sympathy for the applicant having occupied the site for 9 years and stated that the two previous planning appeals had been granted by Planning Inspectors for two reasons; firstly, due to the lack of policies (for appropriate site- specific allocations to be made) and secondly due to the compelling personal circumstance of the applicant. The Member highlighted that the balance would be against any harm (the character and appearance of) to the green belt as opposed to the occupying the green belt.</p> <p>Officers were asked whether consideration could possibly be given to a temporary permission tied up exclusively to the applicant and his family. Officers responded that temporary permission could be considered but stressed that if temporary permission were to be</p>	<p><b>Action by</b></p> <p>James Rodger Meghji Hirani</p>
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	<p>granted, the buildings would also be temporary, which would then raise the issue of what would happen with the buildings when the applicant was no longer on the site.</p> <p>Members were advised that in order to take the technical issues into consideration, the Committee could grant a permission which was tied to the site and impose conditions which would require the removal of all buildings on site.</p> <p>During discussion, Members indicated that granting permission exclusively to the applicant would lead to highly technical complications.</p> <p>A Member commented that the last Inspector had considered that a 4 year temporary permission had been acceptable, so that at least the harm to the Green Belt could be restricted by a limited time and suggested that the present situation had gone on long enough.</p> <p>The Legal Advisor advised the Committee to note that the previous Inspector's decision to grant temporary permission was for two reasons which were due to the special circumstance relating to the individual, and the fact that the Council did not have a strategic plan in place to meet the demand for traveller sites in the Borough. The Inspector had granted the appeal in the hope that policies would have been developed by the Council. Members were informed that it would be possible with the applicant's agreement to grant a further temporary permission whilst policies were developed.</p> <p>Officers advised that the Committee could only determine the application that was in front of them, which was for a permanent planning permission. The applicant could submit an application for a temporary permission for the Committee to consider. Members were informed that a number of months had passed since this application was deferred at the meeting in January 2012, during which, an application for temporary permission could have been submitted by the applicant.</p> <p>The recommendation for refusal 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 subject to the changes in the Addendum circulated at the meeting.</b></p>	
108.	<p><b>91 - 97 HIGH ROAD, ICKENHAM 14964/APP/2011/2969</b> (<i>Agenda Item 9</i>)</p> <p>In introducing the report, officers advised that the proposal had overcome previous reasons for refusal and was therefore recommended for approval.</p> <p>In response to a query relating to the two flats above Nos. 95 and 97, officers advised that enforcement notice was served against all four flats in 2005 which were appealed on the grounds that the flats were lawful, as they had been in existence for 4 to 5 years. Evidence had</p>	<p><b>Action by</b></p> <p>James Rodger Meghji Hirani</p>

	<p>been provided to support the claim for Nos. 95 and 97, but not for Nos. 91-93 (the current application).</p> <p>The recommendation for approval was moved, seconded 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.</b></p>	
<p>The meeting, which commenced at 7.00 pm, closed at 7.50 pm.</p>		

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