

Minutes

NORTH PLANNING COMMITTEE

7 March 2013

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



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Eddie Lavery (Chairman) Allan Kauffman (Vice-Chairman) David Allam (Labour Lead) Jazz Dhillon John Morgan Raymond Graham Dominic Gilham Brian Stead</p> <p>Officers Present: James Rodger, Head of Planning, Sport & Green Spaces Matthew Duigan, Planning Services Manager Syed Shah, Highways Anne Gerzon, Legal Advisor Nav Johal, Democratic Services</p> <p>Others Present: Councillor Andrew Retter (in part)</p>
11.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillors' Carol Melvin and David Payne. Councillors' Brian Stead and Dominic Gilham were in attendance as substitutes.</p>
12.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor John Morgan declared a pecuniary interest in relation to item 5, Former RAF Eastcote, Lime Grove, Ruislip, 10189/APP/2012/3143, and left the room for the duration of this item.</p> <p>Councillor John Morgan declared a non-pecuniary interest in relation to items 6, 7, 8, & 9 and remained in the room during the consideration thereof.</p>
13.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 3</i>)</p> <p>The Chairman announced that the application for Item 12, Land rear of 81-93 Hilliard Road, Northwood, 64786/APP/2012/2421 had been withdrawn by the applicant.</p>

14.	<p>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 (<i>Agenda Item 4</i>)</p> <p>It was confirmed that all items marked Part 1 would be considered in public and all items marked Part 2 would be heard in private.</p>
15.	<p>FORMER RAF EASTCOTE, LIME GROVE, RUISLIP, 10189/APP/2012/3143 (<i>Agenda Item 5</i>)</p> <p>S73 Application to vary the design, internal layout and external appearance of Block C (modifications of conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 dated 21/02/2008: Residential development).</p> <p>Councillor John Morgan left the room for the duration of this item.</p> <p>The Chairman agreed that items 5, 8 and 9 would be heard together and that confirmed Members of the North Planning Committee had visited the site and flats in question.</p> <p>Officers introduced the report, and stated the key was to look at the difference between what was approved and those proposed and whether those changes were acceptable. There were discrepancies between what was approved and what was actually built. Officers confirmed that the overlooking distance was over 21 metres.</p> <p>In accordance with the Council's constitution representatives of the petitions received in objection to the proposals were invited to address the meeting.</p> <p>Mr Ian Brooks, Chairman of Eastcote Residents Association spoke on behalf of the petition submitted by Eastcote Residents Association:</p> <ul style="list-style-type: none"> • The main concern of the petitioners was overlooking and loss of privacy. • Taylor Wimpey had discussions with the Residents Association and had agreed changes. Petitioners were disappointed that Taylor Wimpey were now changing the plans. • The site had a daily impact on residents' lives. They could see each other through properties. Through overlooking and into gardens. • The type 'B' homes were as much of a problem as 'P' homes and should be refused. • Residents were not made aware of a new drawing which showed dormers, these were seen on the internet. • 4 additional habitual rooms were proposed and this would increase the density. The lead petitioner asked if an audit had been undertaken of the whole site. • Since the original applications were improved and with the new plans the density would be increased further, if approved. • Mr Brooks asked that all 5 applications be refused and that enforcement action be carried out where the applicants had built against the agreed plans.

- It was stressed that Members of the Committee needed to look at the site as a whole.

Ms Akerman spoke on behalf of the petition submitted by residents of Eastcote Road:

- Ms Akerman was disappointed that she had to address Committee and speak about the issues surrounding the application for the third time.
- She stated that the applicants were blatantly going through the back door with planning applications.
- The additional habitat requested would cause more overcrowding in an over-dense area.
- The outline approval was up to 50 dwellings per hectare. Residents were persuaded and assured by planning committee that this would be the case. Residents then heard that there would be new buildings.
- Residents were against the previous applications that had been agreed and now additional planning permission was being asked for. They felt as if the Council and the developers were going against what was promised to them.
- Ms Akerman spoke about the lack of parking, and if there was to be additional parking it would impact on an already congested road.
- The application was overbearing and there would be additional light pollution. It was stated that the lighting in rooms bothered neighbouring houses.
- Residents in the new cottages could see people indoors through windows, this included into bedrooms and you could have eye-to-eye contact.
- Ms Akerman urged the Council to do the right thing and refuse the illegally built sites.

Members discussed the additional roof lights being proposed, and also the lack of privacy and overlooking raised by petitioners. Officers were satisfied the proposed plans complied with guidance.

Members discussed the plans for item 5 and whether there were any additional plans as the plans submitted did not reflect what the applicants had proposed. Officers confirmed that there was not a plan that reflected the proposal for item 5. The plans for item 8 and 9 were confirmed as being correct as per the plans submitted to Committee.

Members agreed that they were not in a position to approve item 5 as they did not have the correct plans to reflect what was being proposed. It was agreed that this item should be deferred pending the submission of corrected plans.

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

Resolved –

That the application be deferred for corrections to be made to 'as built' plans so they match the as built development.

16.	<p>FORMER RAF EASTCOTE, LIME GROVE, RUISLIP, 10189/APP/2012/3146 (<i>Agenda Item 8</i>)</p> <p>S73 Application to vary the internal layout and external appearance of Block D (modifications to conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development).</p> <p>Officers introduced the report. This item was discussed with the item above.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved as per the agenda.</p>
17.	<p>FORMER RAF EASTCOTE, LIME GROVE, RUISLIP, 10189/APP/2012/3147 (<i>Agenda Item 9</i>)</p> <p>Section 73 Application to vary the internal layout and external appearance of Block W (modifications to conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 dated 21/02/2008: Residential development).</p> <p>Officers introduced the report. This item was discussed with the item above.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved as per the agenda.</p>
18.	<p>FORMER RAF EASTCOTE, LIME GROVE, RUISLIP, 10189/APP/2012/3144 (<i>Agenda Item 6</i>)</p> <p>S73 Application to vary the external appearance of House Type B (1882) (modifications to conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development).</p> <p>The Chairman agreed that items 6 and 7 would be heard together and stated that Members of the North Planning Committee had visited the site and flats in question.</p> <p>Officers introduced the report and outlined the changes made as per the addendum.</p>

In accordance with the Council's constitution representatives of the petition received in objection to the proposals were invited to address the meeting.

Ms Ann Wright spoke on behalf of the petition submitted:

- It was noted that Acalia Walk gardens were short and that this had an impact on privacy.
- Ms Wright stated that the original plans were meant to have obscure glazing but did not.
- Sky/roof lights were discussed.
- Petitioners commented on a goldfish bowl effect of the application.
- Privacy was compromised and you could see into gardens and the homes of neighbouring properties.
- Taylor-Wimpey had already gone against the planning applications that were agreed and were putting in new applications for financial gain. This was not acceptable.

Members discussed the roof lights and habitual rooms. Officers stated that Taylor-Wimpey could argue that the Committee gave permission for the rooms in the roof and the only way to make it habitual was by way of a roof light. Officer's discussed the likelihood of a successful defence if this application went to appeal, if refused. Members asked for legal clarification on this issue, which was planning permission would be dependent on whether there was a material difference.

Officers asked if Members were comfortable with any perceived overlooking, it was noted that the rooms had already been approved and that building regulations needed to be adhered to in order to make the rooms habitual. It was noted that the room had been approved as a 'bonus' room and without additional lighting it could be used as a storage room. Members felt that the developers would have known what the building regulations were when the original plans had been submitted and approved.

It was noted by Members that petitioners had stated there was overlooking and the application had an impact on privacy. That the central dormer could be used as a shower and it was clearly visible. Members noted the planning officers concerns around guidance and building regulations but felt that the developers may have made the situation worse.

Members felt the proposed development by reason of the accumulation of rooflights and dormer windows on the rear roofslopes of Plots 317, 320, 316, 321, 323 had resulted in an unacceptable perception of overlooking from the dwellings on the western side of Azalea Walk. This resulting development had not safeguarded a satisfactory residential amenity to the occupiers of the neighbouring properties, due a perceived loss of privacy. The development was therefore contrary to Policy BE24 of the Hillingdon Local Plan (November 2012).

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

Resolved –

That the application be refused, with the wording for refusal to be

	agreed by the Chairman and Labour Lead.
19.	<p>FORMER RAF EASTCOTE, LIME GROVE, RUISLIP, 10189/APP/2012/3145 (<i>Agenda Item 7</i>)</p> <p>S73 Application to vary the internal layout and external appearance of House Type P (1761) (modifications to conditions 1, 6 and 10 Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development).</p> <p>Officers introduced the report and outlined the changes made as per the addendum. This item was discussed with the item above.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be refused as per the agenda and the changes set out in the addendum.</p>
20.	<p>38 COLLEGE DRIVE, RUISLIP, 62734/TRE/2013/5 (<i>Agenda Item 14</i>)</p> <p>Application to fell oak (T1) on tree preservation order number 250 (TPO 510) on land at, and between, 34 Warrender Way and 38 College Drive, Ruislip.</p> <p>Officers introduced the report. It was noted that the applicant had raised a number of concerns regarding the oak tree. The planning officers stated that the tree was a healthy medium sized oak tree, it did not suffer from disease, had high amenity value and contributed to the street scene.</p> <p>In accordance with the Council's constitution representatives of the petition received in objection to the proposals were invited to address the meeting.</p> <p>Mr Dennis Hall spoke on behalf of the petition submitted, and as the applicant:</p> <ul style="list-style-type: none"> • Mr Hall questioned the accuracy of the officer report and felt the reference to high visual amenity of the oak tree was false. • The report stated that 20 houses were consulted but this was inaccurate. There was not a no. 40 house so this figure of 20 was incorrect. Furthermore, Mr Hall had spoken to neighbours who had informed him that they had not been consulted over this application. • The quantity of dead wood was important. • It was absurd that the Council officer suggested Mr Hall should employ a gardener or tree surgeon. That it was an infringement of his human right to ask him to concur the cost of the tree which he did not own and did not want. • The Council had created the problem and the owner of the tree should maintain the tree and the problems it was creating. • That officer's were contradicting themselves and deliberating trying to distort the facts.

- Mr Hall asked what the benefit of a glimpse of a tree was to residents.
- He felt the report was misleading, biased and there was no consideration of the people that lived near the tree.
- The Councillors were meant to put residents first.
- The TPO was issued behind his back and when he brought the property he was told there was no TPO on the tree.
- Mr Hall was told there were 2 boundaries to consider and that the nearby college owned a strip of the land.
- The tree was dangerous and he could no longer cope with the problems it caused.
- If the Committee did not agree to fell the tree that they should consider to agree to significantly reduce the size of the tree.
- Mr Hall asked the Council to issue a formal directive to the college.
- It was noted that Mr Hall did not believe the Committee Room was fully equipped with hearing loop facilities and had difficulty with hearing all the conversations of the Committee Members and officers.

It was noted that the college had not specifically said they owned the tree but the strip of land. Officers clarified the consultation at 40 College Drive and that a consultation letter was sent to the address, but it did not exist. This was not for Councillor's to consider, but it was noted that consultation letters were sent out to other addresses in the area, as per what was required.

Officers stated that the issue of ownership was not for consideration for this meeting and that the Council issued a TPO in 1992. That in 2005 a planning inspector had looked at this tree and considered it of amenity value. It was noted there had been correspondence on the ownership of the tree and this was being debated. The issue of who owned the tree was a civil matter and outside of the remit of the Committee.

Members sympathised with the petitioner and recognised that it was a very large tree. Members questioned who was responsible for the dead branches of the tree and who was responsible for the cost of trimming the tree. Officers reminded Members that the application before them was to fell the tree and there were processes for picking up dead wood.

Members agreed that they did not want to chop down a healthy English oak tree which had at least another 40 years life. The petitioners concerns were appreciated and that ownership was not a matter for Committee to consider.

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

Resolved –

That the application be refusal as per the agenda.

21.

**HARLYN PRIMARY SCHOOL, TOLCARNE DRIVE, RUISLIP,
8883/APP/2012/3004 (Agenda Item 10)**

Construction of part two storey/part single storey extension to existing school; erection of a stand alone two storey classroom block;

demolition of the existing caretaker's house, nursery building and refuse compound; demolition and removal of six temporary units; construction of an extension to the south of the main hall; partial refurbishment of the existing building; car parking; landscaping; and associated development.

Officers introduced the report and outlined the changes made as per the addendum.

A Ward Councillor was present and spoke with regard to the application:

- The Ward Councillor's had been well consulted with regard to the application and he thanked the Head of Planning for extending the area for consultation.
- The response for the consultation was considerable and the majority of the comments were around parking and traffic management.
- The Ward Councillor was pleased that additional landscaping would be incorporated and he felt that officer's had done an excellent job in trying to get the best application possible.

Members agreed that the proposal was excellent was in an area that could cope with the application. Members confirmed that they visited the site and it was a school that would develop and take on a 3rd form of entry.

There was some concern with regard to traffic issues over the years as pupil number increase. Members were glad to hear that this would be monitored regularly as the school population increased. It was further noted that the issue of traffic around schools was an issue in every school.

Members asked that the provision for scooter and cycles be increased as they felt the current request for 20 of each was not sufficient to encourage this mode of transport. It was agreed that the Chairman and Labour Lead would discuss and ask officer's to negotiate an increase with the applicant.

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

Resolved –

That the application be approved as per the agenda, the changes set out in the addendum and an increase in the provision of scooters and cycles be negotiated with the applicant.

22. **SAINSBURY'S SUPERSTORE, LONG DRIVE, SOUTH RUISLIP, 33667/APP/2012/3214** (*Agenda Item 11*)

Demolition of existing store and erection of new larger retail superstore, creation of ancillary commercial units (Use Class A1, A2, A3, and D1), refurbishment of existing petrol station, creation of new service yard and decked car park, alterations to existing public car park with associated landscaping and public realm works.

Officers introduced the report and outlined the changes made as per the addendum.

Members asked about the Council car part nearby and wished for reassurance that this would remain unaffected and continue to be £2 a day parking for residents. Officers confirmed that conditions to this respect were outlined in the addendum.

Members discussed the traffic lights at the Long Drive junction and stated that the lights were not phased properly. This was a major traffic problem area. Officers were in some disagreement on whether this was something that could be included in the application as it was an existing problem, which could perhaps be dealt with by the relevant Council department. Officers clarified that the transport assessment looked at the traffic lights on this development and it was decided that there was no justification for re-phasing the traffic lights. Or had the developer been asked to do this at any stage of the application process.

Members asked for clarification on the access to the new retail units that were being proposed. Officers stated that access would be from both directions. The units would be some retail units and some business start up units. It was noted that the commercial units could be a range of uses, A1, A2, A3 and D1. No businesses had been identified yet but possible occupiers were in discussion with the Council's partnership team. The issue of competition was discussed to existing local businesses in the area. Members had some concerns that no split was given on the retail units being proposed.

Members spoke about delivery to retail and the petrol station and that there was history of major problems with lorries parked up on Victoria Road. Officers stated that much of the servicing would be done at an upper level for minimal impact and that there would be enough room for lorries to turn. The loading bays were shown on plans and this showed bays for 2 vehicles.

Members stated that the current site had recycling amenities for the public and this was not shown in the proposed plans. Members asked for clarification on where this would be.

It was noted that the report projected that there would be approximately 18 additional vehicles per hour in peak times. Members asked for clarification on this as the size of the store was double and the extra parking spaces was considerable.

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

Resolved –

That the application be approved as per the agenda, the changes set out in the addendum and the following amendments, wording to be agreed by the Chairman and Labour Lead:

- 1. Amend the car parking condition to ensure it referred to 24 spaces being re-provided. The 24 spaces to be re-provided shall be conveniently located in the vicinity of the existing Council car park and shall be for use under the same terms, conditions and tariffs as parking spaces in the public car park;**
- 2. Servicing conditions to be satisfied;**

	<p>3. Details of the split of retail units to be agreed;</p> <p>4. Review the operation of the signal controlled junction (including signal timing review) at the intersection of Victoria Road/Long Drive and implementation of all works identified in the review which were necessary to mitigate the impact of the development; and</p> <p>The new site for waste and recycling to be included onto plans.</p>
23.	<p>CIVIC AMENITY SITE, NEW YEARS GREEN LANE, HAREFIELD, 8232/APP/2012/2988 (<i>Agenda Item 13</i>)</p> <p>Construction of a waste transfer facility, comprising an open fronted building (18m x 15m x 10m high) together with associated hard standing and landscaping.</p> <p>Officers introduced the report. Members asked why West London Waste had not been consulted and it was agreed that delegated authority be given to the Head of Planning, Sports & Green Spaces to consult as necessary.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved –</p> <p>That the application be approved as per the agenda and delegated authority was given to Head of Planning Sport and Green Spaces to approve the scheme subject to undertaking any required consultation with the waste authority and the waste authority not raising any objection.</p>
24.	<p>ENFORCEMENT REPORT (<i>Agenda Item 15</i>)</p> <p>The recommendation set out in the officer’s report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved:</p> <p>1. That the enforcement actions as recommended in the officer’s report.</p> <p>2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>

25.	<p>ENFORCEMENT REPORT (<i>Agenda Item 16</i>)</p> <p>The recommendation set out in the officer's report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved:</p> <p>1. That the enforcement actions as recommended in the officer's report.</p> <p>2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
	<p>The meeting, which commenced at 7.00 pm, closed at 10.29 pm.</p>

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.