

Minutes

NORTH PLANNING COMMITTEE

30 October 2013

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



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Eddie Lavery (Chairman) John Morgan (Vice-Chairman) David Allam (Labour Lead) Raymond Graham Carol Melvin David Yarrow Robin Sansarpuri Brian Stead</p> <p>LBH Officers Present: Matthew Duigan (Planning Service Manager) Adrien Waite, Major Applications Manager Manmohan Ranger, Highways Engineer Nicole Cameron, Legal Advisor</p>
99.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Michael Markham. Councillor Brian Stead attended in his place.</p>
100.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest declared.</p>
101.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 8 OCTOBER 2013 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 8 October 2013 were agreed as an accurate record.</p>
102.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>There were no items notified in advance or urgent.</p>
103.	<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 5</i>)</p> <p>It was confirmed that all items marked Part 1 would be considered in public and item 14 (Agenda B) Enforcement Report would be heard in Private.</p>

104.	<p>6 LINKSWAY, NORTHWOOD 5380/APP/2013/2046 (<i>Agenda Item 6</i>)</p> <p>Two storey, 6-bed, detached dwelling with habitable roofspace, installation of vehicular crossover to front and fence and gate to front involving demolition of existing dwelling.</p> <p>This application was withdrawn by the applicant.</p>
105.	<p>15 NICHOLAS WAY, NORTHWOOD 16824/APP/2012/3220 (<i>Agenda Item 7</i>)</p> <p>Two storey 5 bed detached dwelling, involving demolition of existing dwelling.</p> <p>Officers introduced the report and directed Members to note the changes in the addendum sheet circulated at the meeting.</p> <p>In accordance with the Council's constitution, a representative of the petitioners addressed the meeting. The petitioners objecting to the proposed development raised the following points:</p> <ul style="list-style-type: none"> • This was a very large proposed new house including a basement to be sited in an area of Special Local Character. • The initial planning application in June 2012 was rejected by Delegated Powers. • This planning application was a house that was 4ft taller, 2ft wider at the front and 5ft deeper than the previously refused scheme • Suggested that the proposed development was considerably larger and felt that the recommendation for approval by officers was against all reason. • Stated that officers had not addressed the reasons for approval adequately. • Suggested that petitioners had been denied meetings to discuss the recommendation and felt that the refusal reasons in the previous report had been trivialised. • Suggested that the proposed development had an area of approximately 16,000 sq ft (which included a large basement) and excluded the roof space of a further several thousands more sq ft, which in their opinion would be used for future development, as the large roof had been further raised. • Indicated that the Committee was being asked to approve a proposal that was 20,000 sq ft overall and suggested that the scale of the proposal had not been addressed in the officer's report • The proposed development would dwarf the detached houses in the road, particularly the one that was close by, which had an area of approximately 5,000 sq ft. • Questioned how it was that an even larger proposal to that refused in June 2012 could now be within policy. • Advised that Nicholas way was a very beautiful unadopted road which, although was within the Copse wood estate, was not typical of the estate, as it was felt had been misleadingly described in the officer's report. • The petitioner stated that the proposed development would be better placed in areas such as Linksway, where many mansions with huge basements had been recently built and more importantly, was an adopted street with conventional pavements and kerbs. • In the petitioner's opinion, the report had omitted to discuss the issue of surface and underground water down the Copse wood Hill, given that Nicholas Way lay across the slope and almost at the bottom of the hill.

- Felt that this issue had not been adequately dealt with in the report and had instead been minimised in and accepted by condition.
- Expressed concern that the Council's website showed the link to a Structural Engineer report V2, which when opened gave details relating to tree matters.
- Requested the removal of a street-facing balcony on top of a porch in the front elevation of the proposed development, which was felt to be intrusive and unsuitable, as there were no such balconies in the road.
- Objected to the removal of trees in a Tree Preservation area and in an area of Special Local Character.
- Urged the Committee to refuse the application to avoid setting a precedent for such development in the road.

The applicant who was present at the meeting did not wish to address the Committee.

Members of the Committee noted that a Ward Councillor had asked for his objection to the application to be noted.

A Member highlighted that compared to the outline of the proposed development; no.17 appeared to be a very large property.

A Member stated that there appeared to be some confusion between floor space and foot print.

The Chairman commented that this scheme appeared to be bigger than the previously refused scheme. Officers advised that the applicant had met with design officers and sought to address the reasons for refusal of the previous application. The applicant had submitted a new application and the scheme before the Committee was different to the previous scheme.

A Member commented that on principle, the footprint of the scheme did not appear to be any bigger than that of the other houses. However, expressed particular concerns about having a basement in this area, where current mitigation measures against flood risk did not appear to be working effectively in dealing with the regular flooding of existing properties with basements. Officers advised that the Council did not have a policy in the Unitary Development Plan in respect of developments with basements; as such developments were very few. It was explained that the issue of flood risk in respect of the proposed scheme had been carefully considered. This was a real issue of concern, which was why the applicant had provided a Structural Engineering report and officers were of the opinion that what was being put forward in relation to the concerns raised, was appropriate.

In response to the issue raised about the incorrect document in place of the Structural Engineering report on the Council's website, officers advised that this would be investigated and indicated that they thought that the technical report was on the Council's website.

Members raised concerns about the number of trees felled. Officers advised that this was a substantial site and although a number of trees were being removed, a large majority of trees on site, together with those considered of importance were being retained and protected.

A Member added that this was a new proposed development which the Council's Urban Design officer had raised no objection to. With regard to concerns about flooding, the Flood Risk officer had raised no objection and although large internally,

the foot print of No. 17 was much bigger than that of the proposed scheme.

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

Resolved

1. That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:
 - i) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:
 - a) A contribution of £12,796 towards capacity enhancements in local educational establishments made necessary by the development;
2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.
3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.
4. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this report, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture then delegated authority be granted to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:

'The development has failed to secure obligations relating to capacity enhancements in local educational establishments made necessary by the development. Accordingly, the proposal is contrary to policies R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD.'
5. That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.
6. That if the application is approved, the conditions and informatives set out in the officer's report and the changes outlined in the addendum sheet be imposed.

106. **LAND FORMING PART OF OAKHURST, NORTHGATE, NORTHWOOD**
67012/APP/2013/2040 (*Agenda Item 8*)

S73 Minor Material Amendment application, seeking amendments to approved plans (siting and height) under condition 2 of planning permission ref:

67012/APP/2011/2712 (Appeal ref: APP/R5510/A/12/2175907 dated 14 November 2012) (Erection of two storey 5 bedroom, detached dwelling).

Officers introduced the report and directed the Committee to note the changes in the addendum sheet circulated at the meeting.

In accordance with the Council's constitution, the agent of the proposed scheme addressed the meeting. The petitioners who had submitted a petition in objection to the proposed development did not wish to speak at the meeting.

The agent made the following points in support of the scheme:

- Supported officers report which had clearly set out the history of the site.
- This application was to make small changes to an extant planning application.
- The house would be set back, which would assist in improved vehicular manoeuvre and parking spaces to the front of the house.
- It would create an improved setting for the replacement of dwellings on the neighbouring plot at Oakhurst.
- The proposed scheme would be a detached house in large tree plot set back with no additional impact.
- The applicant would pose no objection to the completion of planning obligation for education.
- The applicant had no objection to attaching the associated conditions from the appeal with regard to land compliance.

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

Resolved

- 1. That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:

(i) A financial contribution of £12,796 for education facilities and places.**
- 2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement/Deed of Variation and any abortive work as a result of the agreement not being completed.**
- 3. That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.**
- 4. That if the application is approved, the conditions and informatives in the officer's report be attached and the changes outlined in the addendum sheet.**

107.	<p>EASTCOTE HOUSE GARDENS, HIGH ROAD, EASTCOTE 23846/APP/2013/2400 <i>(Agenda Item 9)</i></p> <p>Refurbishment and alteration of the stables, including external and internal works to building, partial rebuilding of front wall, removal of fireplace, creation of new entrance on south side, altering south and east walls of the walled garden; and erection of new cafe building with site managers office, store and toilets and associated external works (Application for Listed Building Consent).</p> <p>Officers introduced the report.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be approved, subject to the conditions and informatives set out in the officer’s report.</p>
108.	<p>EASTCOTE HOUSE GARDENS, HIGH ROAD, EASTCOTE 23846/APP/2013/2401 <i>(Agenda Item 10)</i></p> <p>Full planning permission for refurbishment and alteration of the stables, including external and internal works to building, partial rebuilding of front wall, removal of fireplace, creation of new entrance on south side, altering south and east walls of the walled garden; and erection of new cafe building with site managers office, store and toilets and associated external works.</p> <p>Officers introduced the report.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote, was agreed.</p> <p>Resolved – That the application be approved, subject to the conditions and informatives set out in the officer’s report.</p>
109.	<p>PARK FARM, DUCKS HILL ROAD, NORTHWOOD 272/APP/2013/1836 <i>(Agenda Item 11)</i></p> <p>Change of use from use class B1 (Office) to use class C3 (Residential) and two storey side extension to create 2 x 1-bed and 2 x 2-bed residential units with associated parking and amenity space, including alterations to elevations and part conversion of existing basement to habitable use.</p> <p>This application was withdrawn by the applicant.</p>
110.	<p>ENFORCEMENT REPORT <i>(Agenda Item 14)</i></p> <p>The recommendation as 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 be agreed.</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 7.30 pm, closed at 8.23 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nadia Williams on 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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