

Minutes

NORTH PLANNING COMMITTEE

11 February 2014

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) Raymond Graham Carol Melvin David Yarrow David Allam (Labour Lead) Robin Sansarpuri</p> <p>LBH Officers Present: James Rodger, Head of Planning, Green Spaces and Culture Adrien Waite, Major Applications Manager Syed Shah, Principal Highway Engineer Nicole Cameron, Legal Advisor</p>
157.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Michael Markham and there was no substitute.</p>
158.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were none declared.</p>
159.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETINGS HELD ON 10 DECEMBER 2013, 7 AND 22 JANUARY 2014 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meetings held on 10 December 2013, 7 and 22 January 2014 were agreed as correct records.</p>
160.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None were notified in advance or urgent.</p>
161.	<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 would be considered in Part 1.</p>

162. **39 COPSE WOOD WAY, NORTHWOOD 11007/APP/2013/2426** (Agenda Item 6)

Two-storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of existing detached dwelling.

Officers introduced the report and directed Members to note the changes in the addendum sheet circulated at the meeting. Members were also advised to attach an additional informative relating to the Mayor's Community Infrastructure Levy (CIL).

In accordance with the Council's constitution, a representative of the petitioners and the agent were invited to address the meeting. The petition representative raised the following points in objection to the proposal:

- Had lived at No.37 since 1976
- Recognised that the applicant had addressed many of the concerns that had been raised but three main points remained a cause for concern
- Firstly, regretted that the ground floor side window had been allowed, as this would intrude on the garage at No. 37 due to its location. It would also be detrimental to any future development of No.37 should they wish to extend and suggested that this should not be permitted, as (PD) permitted development rights for No. 37 would be affected
- Consideration should be given to imposing a condition requiring the removal or obscuring this window to minimise intrusion
- Secondly, the shadowing diagrams/study had not taken the mid December month into account, as they only illustrated impact at the height of the Summer
- The shadow dimensions did not clearly illustrate whether the level had taken No. 37 into account
- The application should be deferred pending appropriate overshadowing study by a qualified shadowing expert
- Thirdly, requested the raised patio to be stepped down in order to minimise the impact on No.37 and reduce the terrace to a lower level
- Would have no further objection if these factors were addressed by the applicant.

The agent addressed the Committee on behalf of the petitioners in support of the application. The following points were raised:

- Had worked long and hard to get an acceptable third application.
- The design in the first application had been unsatisfactory and despite efforts to address these concerns, had had to lodge a non- determination appeal
- The new application was put to consultation and a greater number of residents had registered support for the proposal, which met the Design Officer's requirements, as well as relevant planning policies
- Did not consider that No.37 was anymore important than other properties on the estate
- The shadow diagram showed the sunlight effect on neighbouring properties was no greater than that which already existed
- The property which adjoined No.37 showed similar to current proposals
- All other issues had been cleared by officers having followed a thorough consultation process.

The Chairman asked whether the ground floor side window was a study window.

Officers advised that this was a study window and next to it was the roof of the garage at No. 37. This was shielded by vegetation and hedge with the garage below. Officer's were of the view that this was the same height as a normal window and did not consider that it required obscure glazing to protect privacy. However, the Committee was advised that if Members were minded, the window could be obscured.

With regard to a query about the shadow diagrams, officers advised that these had been prepared by architects in early 2014 using a software programme and were considered to be accurate. Officers did not consider that the diagrams would be any different if they were done in-house.

With regard to comments about the patio, officers explained that fencing was proposed along the fence of the patio at 1.8metre (m) above patio level. The Committee could impose a condition requiring the fence to be above 1.8m level.

A Member suggested that this would be acceptable if both gardens had been on the same level at 1.8m, as this was not the case, expressed grave concern about the difference in height of the fencing with an additional 2m being added to 1.8m, which would result in No. 37 having a 4m height fence. Officers advised that the existing balcony fence was at the same level of the house and the new fence would be offset from the boundary. There would be nearly a 2metre gap between the fence and the neighbouring property.

In relation to the possibility of future development, the Legal Advisor advised that the Committee must look at the application before them on its own merit.

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

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report, the addendum and the following addition condition and informative:

Additional Condition

'Notwithstanding the plans hereby approved, the fence erected along the north eastern edge of the raised terrace (shown on plan 1176/P3/2) shall be 1.8m in height above the finished floor level of the patio and shall be retained as such for the life to the development.

Reason

To protect the privacy of no. 37 Copse Wood Way in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).'

Additional Informative

"You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website at www.hillingdon.gov.uk/index.jsp?articleid=24738"

Conversion of roof space to habitable use to include raising of roof height, a rear dormer, 1 front rooflights and conversion of roof from hip to gable end with a new gable end window.

In accordance with the Council's constitution, a representative of the petitioners was invited to address the meeting. The petition representative raised the following points in support of the proposal:

- Wife was a member of the Ruislip Woods Community Association as well as a teacher and journalist
- Son aged 8 and daughter aged 12 years currently shared a bedroom and needed to move into separate bedrooms
- The family was very much involved in the local community and did not wish to move away
- The children attended local schools
- The key issues of hip to gable conversion which had been identified in the proposed development was already in existence in the local area
- Four out of the 5 terrace block already had hip to gable conversions and the proposed development would bring the block in line with the other properties
- The proposed development would have the same finish as No. 10 so that the dormer would not look like it had been placed on top of a roof
- There were 8 properties with hip to gable in the immediate block and did not think that the proposal would be out of keeping with the design of the other properties
- Would need to raise the roof by 25cm to build up to 2.1m, as 1.9m would not be high enough to build the loft. This would slop off the roof by 25cm which they believed would not be seen from the highways
- There was no overlooking in the application site, as it benefited from a large garden.

The Chairman added that hip to gable developments were relatively common but it was not common for the dormer to be above the ridge height. Officers advised that there was strong objection from the planning perspective to that aspect.

In response to a question as to whether the top of the dormer could be seen from the street scene, officers advised that this could be clearly seen from the street scene, as it rose above the ridge height and was an end of terrace property.

Officers explained that in respect to building control requirement, the proposal would need a major restructuring of the property which would be more than that required for a loft conversion. The problem stemmed from the property having a very low ridge height from the ridge and the proposed scheme would not be something that would be recommended for approval.

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

Resolved – That the application be refused for the reasons set out in the officer's report.

Part two storey, part single storey rear extension and raising of roof to allow for conversion of roofspace to habitable use to include installation of rooflights to side.

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

In accordance with the Council's constitution, a representative of the petitioners and the applicant were invited to address the meeting. The petition representative raised the following points in objection to the proposal:

- Petition had been signed by residents of Broadwood Avenue
- The proposed development would have the most impact on Nos. 27 and 37
- The scheme would be against policy, as it would result in overdevelopment of the plot, would be out of character and detrimental to the area
- The proposal would be overdominant, result in overshadowing and overlooking, particularly the patios at Nos. 27 and 37
- The extension would increase the ground floor from 9.9m to 14.1m which would increase the bulk in the site with particular impact on No.31
- All the rear of the properties were roughly in the same place but the first floor extension of the proposed development would look out of place
- The first floor siting on top of the flat roof would be detrimental to the area and the proposed extension would block the amenity of viewing the oak trees
- The roofline was directly overlooking neighbouring properties and expressed particular concern that the flat roof might be filled in the future.

The applicant raised the following points:

- Had a young family with three children aged 9, 7 and 5 years
- The house was old and in need of a great deal of work to make it more eco friendly and to provide good living standards
- Had sought advice from professionals and the application met all criteria and relevant planning policies
- Had removed the old conservatory, which was very cold in the winter and very hot in the summer to create a bedroom and raised the loft to create more storage space
- Did not understand why the proposal had been exaggerated for it to be brought to Committee
- All the rules have been met and the scheme had kept the 45 degree angle making sure that the proposed first floor was located in the centre to overcome overshadowing concerns
- Had resolved the issue of light and showed how the oak tree would be protected
- Both adjoining properties to the proposed development benefited from massive extensions
- Hoped the Committee would consider the application, which had been recommended for approval, as the family also had a right to good family life.

The Committee noted that the issue regarding the oak trees had been clarified and indicated that any issues in terms of this development could be dealt with by condition with other issues being dealt with by the Tree Officer. Members were satisfied that all

objections to the previously refused scheme had been addressed.

A Member expressed concerns about the issue of trees on site and indicated that it would be helpful to go for a site visit.

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

Resolved – That the application be approved, subject to the conditions and informatives set out in the officer’s report and the addendum circulated at the meeting.

165. **37 THE DRIVE, ICKENHAM 24043/APP/2013/1738** (*Agenda Item 9*)

Two-storey, 7-bedroom, detached dwelling with basement/lower ground level and habitable roofspace and single storey detached garage with associated access and amenity space (involving demolition of existing dwelling).

In introducing the report, officers directed Members to note the changes in the addendum circulated at the meeting.

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

Resolved

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

1. That the Council enters into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:

(i) A financial contribution of £13,728 for education facilities and places.

2. 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 decision, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse the application for the following reason:

'The applicant has failed to provide contributions towards additional education places required as a consequence of the demands created by the proposed development. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'

3. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.

4. That subject to the above, the application be deferred for determination by the Head of Planning, Sport and Green Spaces 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.

	<p>5. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.</p> <p>6. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers.</p> <p>7. That if the application is approved, the conditions and informatives set out in the officer's report be attached and subject to changes in the addendum.</p>
166.	<p>46 DAWLISH DRIVE, RUISLIP 49706/APP/2013/3361 (<i>Agenda Item 10</i>)</p> <p>Single storey front extension involving conversion of garage to habitable room (Part Retrospective).</p> <p>This application was withdrawn by the applicant.</p>
167.	<p>LITTLEHURST, NORTHGATE, NORTHWOOD 31866/APP/2013/3686 (<i>Agenda Item 11</i>)</p> <p>2 x two-storey, 5-bed detached dwellings with habitable roofspace and associated parking and amenity space, installation of vehicular crossover and retention of existing vehicular crossover, involving demolition of existing dwelling.</p> <p>The Committee attached an additional condition relating to concerns about contaminated soil.</p> <p>The recommendation and additional condition was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <p>1 That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:</p> <p>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:</p> <p>a) A contribution of ££12,796 towards capacity enhancements in local educational establishments made necessary by the development;</p> <p>2.2 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.</p> <p>2.3 That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.</p> <p>2.4 That if any of the heads of terms set out above have not been agreed and the</p>

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) and the Council's Planning Obligations SPD.'

2.5 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.

2.6 That if the application is approved, the conditions and informatives set out in the officer's report and the following additional condition be imposed:

Additional Condition

'Before any part of the development is brought into use, site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.'

Reason

To ensure that maintenance workers at the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'

The meeting, which commenced at 6.00 pm, closed at 7.15 pm.

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.