

Minutes

NORTH PLANNING COMMITTEE

15 April 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, Michael Markham, Carol Melvin, David Yarrow, David Allam (Labour Lead) and Robin Sansarpuri</p> <p>Also Present: Cllr Jonathan Bianco (Items 7 and 8) Cllr Andrew Retter (Items 7, 8 and 9) Cllr Philip Corthorne (Item 12)</p> <p>LBH Officers Present: Matthew Duigan, Planning Service Manager Syed Shah, Highway Engineer Adrien Waite, Major Applications Manager Sarah White, Principal Legal Advisor Danielle Watson, Democratic Services Officer</p>
199.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
200.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
201.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 6 MARCH 2014 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 6 March 2014 were agreed as a correct record.</p>
202.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
203.	<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>All items were considered in Part I, with the exception of items 14, 15, 16 and 17 which were considered in Part II.</p>

204.	<p>4A EASTBURY AVENUE, NORTHWOOD - 36828/APP/2014/184 (<i>Agenda Item 6</i>)</p> <p>Part two storey, part single storey front/side/rear extension involving raising of roof.</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The application was deferred for a Members Site visit which took place on the 25th March 2014.</p> <p>The key issue was whether the proposed extensions would be detrimental to the character and appearance of the original house and to the appearance of the area, which was adjacent to a Conservation Area. Officers remained of the view that the proposal was unacceptable in this regard.</p> <p>Members were in agreement that the proposals would have a severe impact on neighbouring properties.</p> <p>The recommendation for refusal was moved, seconded and on being put to the, vote was unanimously agreed.</p> <p>Resolved – That the application be refused as per the officers’ report.</p>
205.	<p>1A RAVENSWOOD PARK, NORTHWOOD - 40455/APP/2013/3472 (<i>Agenda Item 7</i>)</p> <p>Two storey 3 bed detached dwelling with habitable roofspace and installation of vehicular crossover, involving demolition of existing shed.</p> <p>Officers introduced the report and referred members to the addendum sheet that had been circulated.</p> <p>It was noted that a Members site visit had taken place with respect to this proposal, and that there was relevant planning history in the form of a grant of planning permission for the erection of an attached dwelling and extensions to the existing property. Whilst the current proposal was different from the previously approved scheme, this decision was material in particular with respect to the principle of additional built form to provide a dwelling, plot sizes and access arrangements.</p> <p>It was noted by Members that the site was located in a prominent location, principally due to the change in levels, however the proposed dwelling would be quite similar in appearance and with respect of its height and set back from Elgood Avenue to the existing property at no.1 Elgood Avenue. The site was not located within an Area of Special Local character and overall it was not considered that the proposal would be so harmful to the character and appearance of the area so as to warrant refusal.</p> <p>Members noted that should approval be given that the proposals would be subject to a legal agreement.</p> <p>The Chairman highlighted that the wrong ward had been named in the officers' report. Northwood Hills was the correct ward.</p> <p>In accordance with the Council’s constitution a representative of the petition received in objection of the proposals was invited to address the meeting. The lead petitioner spoke on behalf of the petitioners and raised the following points:</p>

- The Northwood Hills Residents Association were in objection to the proposals.
- The Gatehill Estate was an area of Special Character.
- Glad there had been mention of the legal position between the two applications.
- Enforcement was costly and time consuming.
- Concern that the case officer dismissed comments of the planning conservation officer.
- The conservation officer considered that the application be refused.
- The proposed front garden would be 50% smaller which was garden grabbing.
- There were sharp rises in levels.
- The proposed building would be over dominant.
- That the application should be refused as per the Hillingdon Local Plan BE1, BE5, BE13, BE14 AND BE19.

The Chairman highlighted that the agent had sent an email to Members of the Committee.

Local Ward Councillors also spoke regarding the proposals and made the following comments:

- Technical reasons had been covered by the petitioner.
- Supported the petitioners in objection to the proposals.
- Concern that there would be a hugely dominant effect on the locality.
- The level of the garden was 12 feet higher.
- It was like a 4 storey building.
- An unpleasant fence had already been subject to enforcement action which had now been repainted.
- Ravenswood Park was a dense development in the immediate area.
- A bungalow would be more appropriate.
- The application should be refused.
- Parking was a problem in the local area.
- The road was narrow.
- Schools were in local proximity.
- The road was often used as a cut through.

The Chairman highlighted that Members had undertaken a site visit without the plans that were before them now. The Chairman stated that there were very significant level changes and had concern about the impact. It was noted by Members that material consideration had to be taken into account and that if the application did go forward that a legal agreement would need to be drawn up.

Members discussed the application and all agreed that the proposals were not in keeping with the local area. It was highlighted that it was likely the application would go to appeal. The reasons for refusal were discussed and it was agreed by Members that the siting, levels, reduction of garden area and overall bulk, scale and massing would have a detrimental impact on the character and appearance of the area overall and the Gatehill Area of Special Local Character. A legal agreement was also needed to prevent the implementation of the previous planning application.

It was moved that the application be refused, refusal was seconded and on being put to the, vote was unanimously agreed.

Resolved - That the application be refused.

Reasons for refusal - The proposed development by virtue of its prominent siting, levels, reduction of garden area and overall bulk, scale and massing would represent an incongruous feature having a detrimental impact on the character and appearance of the area overall and the Gatehill Area of Special Local Character contrary to Policy BE1 of the Hillingdon Local Plan Part 1: Strategic Policies (November 2012) and Policies BE5, BE13, and BE19 of the Hillingdon Local Plan Part 2: Saved Policies UDP (November 2012)

In the absence of a robust and binding legal agreement to prevent the implementation of the previous planning permission (Reference 40455/APP/2012/1376 dated 24th August 2012) the cumulative impact of the developments if both implemented would represent an incongruous feature having a detrimental impact on the character and appearance of the area overall and the Gatehill Area of Special Local Character, fail to provide adequate levels of amenity for future occupiers and fail to provide adequate levels of car parking. The cumulative development would therefore be contrary to Policy BE1 of the Hillingdon Local Plan Part 1: Strategic Policies (November 2012) and Policies BE5, BE13, BE19, BE23, AM7 and AM14 of the Hillingdon Local Plan Part 2: Saved Policies UDP (November 2012), Policy 3.5 of the London Plan and the Hillingdon Design and Accessibility Statement - Residential Layouts.

206. **LAND ADJACENT TO UPLANDS, FORE STREET, EASTCOTE - 69371/APP/2013/2230** (*Agenda Item 8*)

To use existing farmland for the purposes of providing dog walking services.

Officers introduced the report and outlined details of the application.

The application sought planning permission to use the existing farmland for the purposes of dog walking. The existing double steel framed and chainlink fenced gates to the northern side of Fore Street would be used as the main access to the site. Eight letters of objection and a petition with 26 signatories had been received opposing the proposed scheme.

It was noted that the proposal would introduce a commercial dog walking use within the Green Belt.

In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting. The lead petitioner raised the following points:

- Was speaking on behalf of residents living in Uplands.
- Welcomed the officers' report.
- The site had been cleared within the past 8 months.
- There would be an impact on residents' lives.
- Concern about health and safety.
- The land was allegedly polluted with asbestos.
- The fencing was not adequate to protect young children and the elderly.
- There would be impact on noise pollution.
- Questioned the maximum amount of dogs on site there would be.
- What would the out buildings be used for?
- There was a school in close proximity which was due to be expanded.
- Supported officers' recommendation.

Local Ward Councillors also spoke regarding the proposals and made the following comments:

- The area was one of the best dog walking areas in the Borough.
- The facility was not needed.
- The area was of special interest.
- Fore Street was like a country lane.
- The noise would be significant.
- Would like to be assured that the asbestos had been disposed of appropriately.
- Was a great place to meet with people.
- Questioned whether the dogs would be kept on the premises for the whole day.
- Could hear dogs barking from Harefield Dogs Trust.
- Could hear dogs barking through double glazing.

The Committee discussed the application. Members were unsure of the intensity of the proposals and questioned why the facility was needed when Ruislip Woods was in close proximity.

The recommendation for refusal was moved, seconded and on being put to the vote was agreed with 6 votes in favour and 1 against.

Resolved – That the application be refused as per the officers’ report.

207. **LAND REAR OF 81-93 HILLIARD ROAD, NORTHWOOD - 64786/APP/2013/1434**
(Agenda Item 9)

2 x two storey, 3- bed detached dwellings with associated parking and amenity space, involving demolition of existing material shed, office building and material storage shelter.

Officers introduced the report and referred members to the addendum sheet that had been circulated.

The application related to a builders yard site at the rear of 81-93 Hilliard Road and seeks permission to erect 2 x two storey, 3- bed detached dwellings with associated parking and amenity space.

The development would be accessed via an existing alley which ran between Nos. 83 and 85 Hilliard Road. The access route was considered appropriate to service a larger residential development of 3 units under a previous appeal; this decision was a material consideration which must give significant weight.

In accordance with the Council’s constitution a representative of the petition received in objection of the proposals was invited to address the meeting. The lead petitioner spoke on behalf of the petitioners and raised the following points:

- The Northwood Hills Residents Association had objections.
- The development did not harmonize with the surrounding area.
- The design was over dominant.
- The proposals were in close proximity to existing properties.
- The access was too narrow to accommodate vehicles.

- Threat to safety was a reason for refusal in 2009.
- There was a high brick wall at the bottom of their gardens.
- Proposals would result in garden grabbing.

A representative of the applicant raised the following points:

- The proposals would make use of the existing areas.
- This application was seeking 2 properties, not the 3 previously proposed.
- Would replace existing ruined buildings.
- There would be traditional features and materials used.
- The proposals were compliant.
- There would be a 50% reduction of the buildings.
- The applicant would provide a high quality development.
- Consultation was undertaken with local residents, unfortunately specific wishes could not be met.
- Hoped the Committee noted the efforts made.
- Was important to note that the petitioner had quoted previous planning evidence.
- The site had been used for the past 23 years as a builder's yard.

A local Ward Councillor spoke regarding the proposals and made the following comments:

- The agent had gone a long way, but not far enough.
- Hilliard Road was a narrow road and was often congested.
- It was hard to find parking on Hilliard Road.
- There was a Nursery nearby.
- The proposals were over dominant.
- Had never observed a lorry on the slip road.

Officers explained that there was a 22.6 separation distance to the rear extension to other houses. It was further explained that the planning inspector had previously found that the access to the proposed site was acceptable.

The resolution was amended to include a 5% Project management and Monitoring contribution within the legal agreement.

The recommendation for approval with the above change and changes in the addendum was moved, seconded and on being put to the, vote was agreed with 5 votes, with 2 votes against.

Resolved - That delegated powers be given to the Head of Planning, Culture and Green Spaces 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 £29,953 towards capacity enhancements in local educational establishments made necessary by the development;

2.2 That in respect of the application for planning permission, the applicant

	<p>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 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, Culture and Green Spaces then delegated authority be granted to the Head of Planning, Culture and Green Spaces to refuse the application for the following reason:</p> <p>'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.'</p> <p>2.5 That subject to the above, the application be deferred for determination by the Head of Planning, Culture 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> <p>2.6 That the conditions outlined in the officers' report and addendum be imposed.</p>
208.	<p>58 HALFORD ROAD, ICKENHAM - 12657/APP/2013/3713 (<i>Agenda Item 10</i>)</p> <p>Boundary wall and gate to front (Part Retrospective).</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The application related to 58 Halford Road and sought part retrospective permission for a boundary wall and gate, which would involve a substantial re-build of the existing wall by reducing the height of the front piers and removal of the existing railings and gate. Officers consider that the development as proposed would be acceptable both in respects of its visual appearance and pedestrian and highway safety.</p> <p>The recommendation for approval was moved, seconded and on being put to the, vote was unanimously agreed.</p> <p>Resolved – That the application be approved as per the officers report.</p>
209.	<p>66 LONG LANE, ICKENHAM - 39319/APP/2014/53 (<i>Agenda Item 11</i>)</p> <p>Two storey detached building with habitable roofspace for use as 8 x 2 bed and 1 x 3 bed flats with associated amenity space and parking, involving demolition of existing dwelling.</p> <p>Officers introduced the report and referred members to the addendum sheet that had</p>

been circulated.

In relation to the character and appearance of the area, the previously permitted development was a significant material consideration. Having regard to this, which was very similar in terms of overall design, scale and bulk it was not considered that the development would have an unacceptable impact on the street scene or the Ickenham Village Conservation Area.

The resolution was amended to include a £20,000 travel plan bond within the legal agreement.

The recommendation for approval including the above change and changes in the addendum was moved, seconded and on being put to the, vote was unanimously 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 enter into a legal agreement / Deed of Variation to secure:

(i) A contribution of £19843.00 to be used towards capacity enhancements in nearby educational facilities made necessary by the development.

(ii) 10 Year Green Travel Plan in accordance with TfL guidance.

(iii) Project Management and Monitoring Fee: A financial contribution equal to 5% of the total cash contributions is to be secured to enable the management and monitoring of the resulting agreement.

2. 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.

3. If the Legal Agreement/s have not been finalised within 3 months, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the capacity enhancements in nearby educational facilities and improvement of the environment as a consequence of demands created by the proposed development. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan and the Council's Planning Obligations SPD'

4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

5. That the conditions outlined in the officers report and changes to the addendum be attached.

210. **4 POPLAR CLOSE, RUISLIP - 69660/APP/2013/3803** (*Agenda Item 12*)

Part two storey, part single storey side/rear extension and conversion of integral garage to habitable use involving installation of bay window to front.

Officers introduced the report and outlined details of the application.

The application related to a semi-detached within the Ruislip Village Conservation Area and sought permission for the erection of a part two storey, part single storey side and rear extension and the conversion of the integral garage to habitable use.

The development maintains adequate amenity space and car parking for the proposed development. The proposed development also complied with the Council's guidance on residential extensions and it was not considered it would have any unacceptable impacts on neighbouring occupiers by way of loss of light or over dominance.

In relation to the appearance to the development within the street scene it was noted that the development complies with the guidance set out within residential extension and the Council's Conservation officer considered the scheme (which had been amended to address their initial comments) would have an acceptable appearance within the Conservation Area.

A local Ward Councillor spoke regarding the proposals and made the following comments:

- Was surprised that the conservation officer had withdrawn their previous concerns.
- Case Officer had identified potential issues.
- Poplar Close was a small residential close.
- There were lack of residents which meant lack of petitioners; however, there was not a lack of feeling.
- There would be significant shadows from the existing building.
- Parking was a premium in the local area.
- Condition use of appropriate materials.

Members had listened to the points raised by the local Ward Councillor; however, it was felt that there was no reason to refuse the application.

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 officers' report.

211. **106 QUARTERLY MONITORING REPORT** (*Agenda Item 13*)

The Committee received a report setting out the S106 Quarterly Monitoring Report.

Resolved - That the report be noted.

212. **ENFORCEMENT REPORT** (*Agenda Item 14*)

	<p>Resolved –</p> <p>1. That the enforcement actions as recommended in the officer’s report was agreed with the compliance period amended to 4 months.</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>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
213.	<p>ENFORCEMENT REPORT (Agenda Item 15)</p> <p>Resolved –</p> <p>3. That the enforcement actions as recommended in the officer’s report was agreed.</p> <p>4. 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>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
214.	<p>ENFORCEMENT REPORT (Agenda Item 16)</p> <p>Resolved –</p> <p>5. That the enforcement actions as recommended in the officer’s report was agreed.</p> <p>6. 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>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority</i></p>

	<p><i>proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
215.	<p>ENFORCEMENT REPORT (Agenda Item 17)</p> <p>Resolved –</p> <p>7. That the enforcement actions as recommended in the officer’s report was agreed.</p> <p>8. 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>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
216.	<p>ANY ITEMS TRANSFERRED FROM PART 1 (Agenda Item 18)</p>
219.	<p>ANY OTHER BUSINESS IN PART 2 (Agenda Item 19)</p>