

Minutes

CENTRAL & SOUTH PLANNING COMMITTEE

22 April 2014

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



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors John Hensley (Chairman), Judith Cooper (Vice-Chairman), Wayne Bridges, Neil Fyfe, Dominic Gilham, Brian Stead, Mo Khursheed (Labour Lead) and Janet Duncan</p> <p>LBH Officers Present: James Rodger – Head of Planning, Green Spaces & Culture, Meg Hirani – Planning Team Manager, Manmohan Ranger – Engineering Consultant, Nicole Cameron – Legal Adviser, Gill Oswell – Democratic Services</p>
16	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
167.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Wayne Bridges declared a non pecuniary interest in Item 6 - 48 Pole Hill Road, Hillingdon and left the meeting whilst the item was discussed.</p> <p>Councillor Brian Stead declared a non pecuniary interest in Item 5 - 115 The Greenway, Uxbridge and left the meeting whilst the item was discussed.</p> <p>Councillor Judith Cooper declared a non pecuniary interest in Item 17 a Part 2 item and left the meeting whilst the item was discussed.</p>
16	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 3</i>)</p> <p>There were two Part 2 items taken as urgent.</p>
16	<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 considered in private.</p>
17	<p>115 THE GREENWAY, UXBRIDGE 21611/APP/2013/3445 (<i>Agenda Item 5</i>)</p> <p>Change of use from Use Class A1 (Shops) to Use Class A5 (Hot Food Takeaway) and demolition of existing outbuilding to the rear.</p> <p>Officers introduced the report giving a brief summary of the application.</p> <p>In accordance with the Council's constitution a representative of the petitioners addressed the meeting. The agent was not present at the meeting.</p>

The petitioner made the following points:-

- The site is located close to residential properties.
- The proposal would damage the quality of life for local residents.
- There was only a 10 foot gap to the closest bedroom window.
- The proximity of the site would result in odours and noise, which would significantly affect residents in the adjoining flats.
- The site was directly opposite a school and there were concerns about healthy eating options for the pupils attending the school.
- In another Borough a Court had overturned a decision on a takeaway in close proximity to a school.
- The business would be reliant on mopeds to deliver takeaways, which would cause residents noise and disturbance 12 hours a day, 7 days a week.
- The proposal would cause disturbance to the elderly and families with young children that live close to the site
- Residents would be unable to open windows in the summer due to the noise and odours emanating from the site.
- Residents had enjoyed peace and quiet since the previous use had been closed, by the Police and the Courts.
- The concerns raised in relation to noise and disturbance that would be caused by the delivery mopeds could not be dealt with by condition.
- The Greenway was a classified road with no parking due to restrictions.
- There was a pedestrian crossing located in close proximity to the site.
- Parking currently takes place on the forecourt of the shop and there were concerns about vehicle and pedestrian safety.
- The takeaway would not provide a viable service to the community.
- Requested that the Committee refuse the application.

A letter that had been received from a Ward Councillor in support of the petitioners was circulated to Members of the committee.

In answer to a question raised in relation to condition 7 related to the hours use of and condition 8 covered deliveries to the site. As the Committee were concerned about the clarity of condition 8 officers suggested and it was agreed by the Committee that condition 8 be amended to make it clearer.

Officers advised the Committee that in relation to concerns raised in regard Healthy Eating and the proposal being in close proximity to a school, Hillingdon does not have a policy in place on this and Members should not give any weight to these concerns.

A Member asked whether the concerns raised in relation to the noise and disturbance by the delivery mopeds had been taken into consideration.

In answer to a question raised in relation to the mopeds being used for delivery officers advised that this had been taken into account. If the Committee had concerns a condition could be added to cease the use of delivery mopeds being used to an earlier time.

In answer to a question raised Members were informed that to access the forecourt in front of the proposed takeaway it would be necessary for the mopeds to go across the pavement and there was no crossover.

A Member stated that there had been an attempt to introduce a policy on the location of

takeaways close to schools, although this had not been successful. Each application had to be treated on its own merits, the proposal was close to a very busy school and the traffic arrangements were not felt to be acceptable. There were concerns that having mopeds crossing the pavement, its location on a busy road would be dangerous and the hours of operation were felt to be excessive.

It was suggested that the application be refused as it was not an appropriate use and would be unneighbourly to surrounding residential properties. There were also serious concerns about the health & safety in relation to the delivery mopeds being used from the site. There was a requirement on all Local Authority's to promote healthy eating so would be unable to support this application. If the application was further down The Greenway there would not be the same concerns.

In relation to the parking concerns the Highway Engineer advised the Committee that the parking standards were the same for A1 and A4/5. The peak hours for traffic would be between 8 - 9 in the morning and 5 - 6 in the evening. Consideration needed to be given to the schools opening and closing times.

It was moved and seconded that the application be deferred to enable the Members to make a site visit. On being put to the vote there were three in favour and three against the Chairman used his casting vote and the request for a site visit was lost.

Officers suggested that as Members had concerns about the healthy eating programme that if refusal was agreed that an informative be added to highlight the Committees concerns.

It was then moved and seconded that the application be refused for reasons of noise, disturbance and vehicle and pedestrian safety and an informative as suggested on the Healthy Eating concerns. On being put to the vote refusal was agreed. The reasons for refusal to be agreed by the Chairman and Labour Lead.

Resolved : That the application be Refused for the following reasons:-

1. The proposed development including the hours of operation and the provision of a motor cycle delivery service is likely to result in noise, disturbance and activity above the level acceptable in a predominantly residential area. The proposal is therefore contrary to Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2. The proposal would result in vehicles parking on the highway in close proximity to a pedestrian crossing and school which would result in a danger and inconvenience to highway users, to the detriment of public and highway safety. Therefore the proposal would not comply with Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

17 **48 POLE HILL ROAD, HILLINGDON 33924/APP/2014/360** (*Agenda Item 6*)

Single storey detached outbuilding to rear for use as storage (Part Retrospective).

Officers introduced the report setting out the main issues and concerns.

In accordance with the Council's constitution a representative of the petitioners addressed the meeting. The agent was not present at the meeting.

The petitioner made the following points:-

- Had been a resident for 50 years.
- Those that had signed the petition object to the change of use to storage.
- An application for the same building for use as a garage had been refused by the Council and the Secretary of State.
- The building is an imposing structure and does not harmonise with the street scene.
- The building does not complement the character of the street scene.
- The flank wall of the building has a roller shutter and abuts the highway and should be set back 2 metres.
- Why was there a toilet and washing facility still in the building.
- It was felt that the building was being used as a business as vehicles offload materials into the garage.
- The building was unauthorised and there was no consideration for the neighbouring area or residents.
- The application should be refused and enforcement action taken.

Officers were asked to investigate whether there was a business being carried out from the building.

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.

17 LAND ADJACENT 18 COLNE DALE ROAD, UXBRIDGE 69634/APP/2013/3671
(Agenda Item 7)

3-bed detached dwelling (Outline application for access and scale).

Officers introduced the report setting out the main issues.

In accordance with the Council's constitution a representative of the petitioners objecting and the agent/applicant addressed the meeting.

The petitioner made the following points:-

- Object to house being built behind rear gardens of 5 neighbouring properties.
- The proposed house was in front of the existing building line.
- The proposed dwelling would be out of character with the surrounding properties.
- The proposal would affect the privacy of surrounding gardens.
- There were concerns that an additional dwelling would cause problems in relation to drainage.
- The site is located on the edge of a Conservation Area and close to a Listed Building.
- The site was located in an Area of Special Character, there are policies and guidelines as to what can be built in these areas and the proposal conflicts with most of those policies.
- In conclusion the proposed dwelling would be an inappropriate development that was out of character with the area.

The applicant made the following points:-

- Had owned the plot of land and 5 West Common Road had been the family home

for 21 years.

- The applicant wanted to downsize and wanted to secure permission for a dwelling for their retirement on land that they owned.
- If it had been known that arboricultural and ecological reports were required they would have been provided.
- The proposed site was not a cultivated garden but used for access and storage.
- Adjacent buildings had been built forward of the building line so the proposed dwelling would reflect this.
- The proposed dwelling harmonised with existing properties as there were detached, semi-detached and bungalows in the vicinity.
- All three windows in the eastern elevation of 18 Colnedale Road were all to non-habitable rooms and were already obscure glazed, which inhibited the view both in and out of these windows.
- The proposal lies to the north and east of 18 Colnedale Road, and therefore could not possibly cast afternoon shadows to this property as stated in the report. The afternoon sun shines from the opposite direction from the south and west.
- It was not felt that the affect on the local area would be as significant as suggested and requested that the application be deferred for a site visit.

In answer to comments made in relation to report being incorrect the Committee was informed that in relation to refusal reasons 4 & 5 the reports had not been received. In regards to the impact on 18 Colnedale Road the dwelling projects in front of the building line and the separation was not sufficient to mitigate the impact. The plot widths in this area were considerable and the proposed dwelling significantly less.

A Member stated that as the visual amenity was difficult to judge from the photographs it was suggested that the application be deferred to enable a site visit to take place. Deferment for site visit was move, seconded and on being put to the vote was agreed.

Resolved - That the application be Deferred to enable Members to make a site visit.

17 **LORDS BUILDERS MERCHANTS, DAWLEY ROAD, HAYES**
43554/APP/2013/3779 (*Agenda Item 8*)

Variation of condition 5 (Storage Heights) of planning permission Ref: 43554/APP/2013/1028 dated 17/10/2013 to increase the height building materials can be stored (Single storey detached shed, raising of roof of existing warehouse and alterations to cladding).

Officers introduced the report a gave a brief summary of the report and advised the Committee that condition 11 should be deleted, as this condition had been repeated.

The recommendation for approval with condition 11 deleted 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 except condition 11, which was deleted.

17 **44 DERWENT DRIVE, HAYES** **6810/APP/2014/411** (*Agenda Item 9*)

Single storey rear extension.

The Committee asked officers to investigate the outbuildings in the surrounding area to ensure that they were permitted development or had planning permission.

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.

17 **8 POLE HILL ROAD, HILLINGDON 57736/APP/2013/2065** (*Agenda Item 10*)

Two storey rear extension for use as a 4 bed self contained dwelling, alterations to existing dwelling to include additional windows and roof alterations.

Officers introduced the report giving a brief summary of the application.

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.

17 **23 VICTORIA AVENUE, HILLINGDON 12211/APP/2014/238** (*Agenda Item 11*)

Two storey side extension and part two storey, part single storey rear extension to allow for conversion of existing dwelling to 2 x 2-bed self contained flats with associated parking and amenity space to include the installation of bay windows to front, canopy to side, and vehicular crossover to front involving demolition of attached side garage.

Officers introduced the report giving a brief summary of the application.

The committee asked for condition 6 to provide for the crossover to be completed prior to occupation of the flats.

The Committee also suggested and agreed that an additional condition be added to require the windows in the east elevation to be obscure glazed.

The Committee raised concerns about there being no defensible space between the first floor flat amenity space and windows in the ground floor flat. Officers suggested and it was agreed that the application be delegated for approval by the Head of Planning following receipt of an amended plan showing a defensible space between the first floor flats amenity space and the ground floor windows.

The recommendation for delegated approval with condition 6 amended and an additional condition was moved, seconded and on being put to the vote was agreed.

Resolved - That the application be delegated for Approval to the Head of Planning following the receipt of an amended plan showing a defensible space to the windows in the ground floor windows. That if the application is approved the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting. Condition 6 was amended to provide for the crossover to be completed prior to occupation of the flats and an additional condition added to require the windows in the east elevation to be obscure glazed.

17 **LAND ADJOINING 43-44 FAIREY AVENUE, HAYES 69055/APP/2014/37**
(Agenda Item 12)

Demolition of existing garage blocks and erection of a two storey, detached building containing 4 x 2-bedroom, self contained flats with associated parking and amenity space involving the installation of a cycle and bin store to front (Resubmission).

Officers introduced the report giving a brief summary of the report and the amendment set out on the addendum sheet.

The recommendation contained in the officers report 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:

A. 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:

i) A contribution of £14,118 for capacity enhancements in local schools;

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal Agreement(s) and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That if any of the heads of terms set out above have not been agreed and the legal agreement has not been finalised within 6 months of the date of this Committee resolution, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture , then the application be refused for the following reason:

'The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered and the applicants are not willing to enter into or provide any such agreement, to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).'

E) 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 with the applicant.

F) That if the application is approved, the conditions and informatives set

out in the officers report be attached, amendments set out on the addendum sheet circulated at the meeting and subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.

17 **UNIT 3, THE ARENA, STOCKLEY PARK, STOCKLEY ROAD, YIEWSLEY 68933/APP/2013/3242** (*Agenda Item 13*)

Installation of 2 retractable awnings to entrance.

Officers introduced the report giving a brief summary of the application.

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.

17 **S106 QUARTERLY MONITORING REPORT** (*Agenda Item 14*)

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

Resolved - That the report be noted.

180. **ENFORCEMENT REPORT** (*Agenda Item 15*)

Resolved –

1. That the enforcement actions as recommended in the officer's report was agreed.

2. That the Committee resolved to release their decision and threasons 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.

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).

181. **ENFORCEMENT REPORT** (*Agenda Item 16*)

Resolved –

1. That the enforcement actions as recommended in the officer's report was agreed.

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><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>
182.	<p>ENFORCEMENT REPORT (Agenda Item 17)</p> <p>Resolved –</p> <p>1. That the enforcement actions as recommended in the officer’s report was 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>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>
	<p>ADDENDUM SHEET</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 8.40 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Oswell on Democratic Services Officer - 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.