

Minutes**NORTH PLANNING COMMITTEE**

17 July 2014

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



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Eddie Lavery (Chairman), Duncan Flynn, Raymond Graham, Henry Higgins, John Morse, Carol Melvin (In place of John Morgan), Beulah East, Jas Dhot and David Yarrow</p> <p>LBH Officers Present: Matthew Duigan, Planning Service Manager Meghji Hirani, Planning Contracts & Planning Information Manager Paul Harrison, Principal Highway Engineer Nicole Cameron, Legal Advisor Nadia Williams, Democratic Services Officer</p>
19.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillors John Morgan and Peter Curling. Councillors Carol Melvin and Beulah East attended in their place.</p>
20.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Raymond Graham declared a non-pecuniary interest in item 7 - 3 Canterbury Close, Northwood by virtue of residing in the road the application is sited. He withdrew from the room and did not take part in the decision of this item.</p>
21.	<p>TO RECEIVE THE MINUTES OF THE MEETINGS HELD ON 7 MAY AND 24 JUNE 2014 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meetings held on 7 May and 24 June 2014 were agreed as a correct record.</p>
22.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>The Chairman agreed to consider item 14 (Agenda B) as urgent.</p>
23.	<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 I, with the exception of item 14 which would be considered in Part 2.</p>

24.

**LAND FORMING PART OF 7 WOODLANDS AVENUE, RUISLIP
69927/APP/2014/1402 (Agenda Item 6)**

Two-storey, 3-bedroom detached dwelling with habitable basement with associated amenity space.

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, the meeting was addressed by a petition representative as well as the agent.

The petitioners made the following points in objection to the application:

- Was a member of the Eastcote Residents' Association who dealt with planning issues
- As well as signing the petition, residents had also submitted individual letters in objection to the application
- Welcomed the recommendation for refusal in the report which clearly reflected the concerns of residents
- Noted in the officer's report, that details of the people that had objected had not been included and nor had comments from the Eastcote Panel and Eastcote Residents' Association
- Requested this oversight to be investigated
- Urged the Committee to refuse the application as per officer recommendation.

The agent raised the following points:

- The proposed development would not be used as a separate dwelling or be sold once completed
- The scheme would not be suitable enough to be used as an 'outhouse' and was merely being developed for use by the grandchildren
- With regard to the elevation report, the distance shown in the drawing was further than that shown on the PowerPoint presentation
- Suggested that the proposal was in keeping with the area
- Stressed that the proposed development would be used by family and enable a closer proximity to growing children.

The Chairman read a letter from a Ward Councillor who was unable to attend the meeting due to other engagement and the following points were raised:

- Expressed concerns that the a three-bedroom house with a basement in the grounds was being proposed
- Suggested that this was a blatant case of garden grabbing, which would result in loss of light, privacy and would be overbearing to the neighbouring properties
- The proposed development would be cramped, out of keeping and would result in the loss of amenity space
- Acknowledged that due to shortage of space, there was a potential for increased applications to build in basements but cautioned that consideration should be given to surrounding houses and the types of soil being built on
- Concerned that no provision had been made for extra drainage to prevent flooding, given the proposal would be surrounded by houses and located in an

	<p>area with clay soil type</p> <ul style="list-style-type: none"> Concerned that the proposed development would have a detrimental effect on parking and being close to Newnham Infant and Junior school, feared that the problem with parking would be exacerbated particularly during school drop-off and pick-up times. In addition, given that the scheme was on a corner plot, parked vehicles could become hazardous to pedestrians Urged the Committee to refuse the application. <p>The Chairman added that comments from residents' associations should be included and made clear in officers' reports, given that resident's associations generally commented on behalf of a group of people.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed.</p> <ul style="list-style-type: none"> Resolved – That the application be refused for the reasons outlined in the officer's report and changes in the addendum.
25.	<p>3 CANTERBURY CLOSE, NORTHWOOD 68984/APP/2014/1820 <i>(Agenda Item 7)</i></p> <p>First floor side extension.</p> <p>Cllr Graham withdrew from the room.</p> <p>Officer introduced and outlined details of 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>
26.	<p>32 CRANBOURNE ROAD, NORTHWOOD 31949/APP/2014/1197 <i>(Agenda Item 8)</i></p> <p>Two x two storey, four-bedroom, dwellings with habitable roof-space and associated parking and amenity space, involving installation of bin stores to front and demolition of existing dwelling.</p> <p>In introducing the report, officers explained that the previously approved application in December 2010 had now lapsed. This new application complied with current standards which had change from the previous approval.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved:</p> <p>That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:</p> <p>EITHER:</p> <p>A)(1) That prior to the Council's Community Infrastructure Levy coming into</p>

force, the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:

i) A contribution of £13,432 for capacity enhancements in local schools;

OR:

A)(2) That following the Council's Community Infrastructure Levy coming into force, the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.

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 in the officer's report be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.

27. **524-526 VICTORIA ROAD, RUISLIP 36666/APP/2013/3149** (*Agenda Item 9*)

Change of use from retail (Use Class A1) to childcare provision (Use Class D1) involving alterations to rear elevation.

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

Members were informed that the application had been previously submitted and refused on the grounds of loss of an A1 unit in a designated retail area. However, due to the decline of the shopping centre with considerable competition within the local

vicinity, officers considered that the Care Area Policy was too restrictive and that in this case, this type of development would be useful. Furthermore, officers considered that the application had overcome previous reasons for refusal and therefore recommended approval.

Officers also sought the Committee's steering on the premises hours, particularly on revising the starting time to 7am instead of 7.30am (as stipulated by guidance). It was explained that the reason regarding consideration of an earlier starting time was to take account of the need to also provide a service for commuting parents/carers.

The Chairman read a letter from a Ward Councillor who was unable to attend the meeting due to other engagement and the following points were raised:

- Evidence showed that a nursery would be of great service to the community
- The application would not only offer diversity to the local shopping parade, it would revive a double fronted shop which had been vacant for over 6 months
- It would provide a sustainable service to the shopping parade without affecting the large local retail store in Victoria Road and offer local employment
- The proposed scheme includes dedicated drop-off and pick-up points, a play space for 'Free Flow' play and 4 parking spaces
- Urged the Committee to approve the application.

The Chairman advised that the Committee should consider the hours given that the scheme was in an area with residential flats above shops.

A Member commented that with the close proximity of South Ruislip Station, they were well aware that some users may need to be at work early and would have no objection to a 7am start. Condition 9 was amended to allow 7am start.

In response to a query raised regarding air quality, officers advised that the proposed scheme was in an area which suffered from poor air quality on occasion. With regard to the protection from air pollution, whilst it was accepted that the outdoor play area would not be protected, officers explained that children would spend very little time outdoor. Members were informed that air pollution was currently being monitored across the Borough and South Ruislip had been identified and included in this process. It was noted that larger schemes were required to make financial contribution for monitoring but as this was a small scheme, funding contribution would not be required.

In response to concerns raised as to whether there was sufficient play area, officers advised that there was no available official standard. It was noted however, that the applicant had indicated that not all the children would go outside to play at the same time, as some of the children would be involved in other activities that would be taking place in side.

A Member added that it should be conditioned to ensure that children were not allowed to play outside before 8.30am. Officers advised that Condition 9 could be extended to take this into account.

The recommendation for approval and amendments to Condition 9 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, amendment to Condition 9 and changes outlined in the addendum.

28.	<p>HANOVER COURT, TORRINGTON ROAD, RUISLIP 6626F/73/624 (<i>Agenda Item 10</i>)</p> <p>Deed of Variation to S106 Agreement.</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved:</p> <p>1. That the Council enter into a deed of variation with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:</p> <p>Delete Operative Clause 2: The Association agrees for itself and its successors in title that it will not withhold the written consent of the Council let or permit to be let by any of the proposed flats to any person other than elderly persons.</p> <p>2. That the applicant meets the council's reasonable costs in the preparation of the deed of variation and any abortive work as a result of the deed not being completed.</p>
29.	<p>TREE PRESERVATION ORDER NO.717 (TPO 717): OAK AT 11 COURT ROAD, ICKENHAM (<i>Agenda Item 11</i>)</p> <p>Officer introduced and outlined details of the report.</p> <p>The recommendation to confirm Tree Preservation Order (TPO) 717 without modification was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved - That TPO 717 be confirmed without modification.</p>
30.	<p>S106 QUARTERLY MONITORING REPORT (<i>Agenda Item 12</i>)</p> <p>The Committee received the quarterly update report on the S106/278 agreements for the period up to 31 March 2014.</p> <p>Resolved – That the information contained in the officer's report be noted.</p>
31.	<p>ENFORCEMENT REPORT (<i>Agenda Item 13</i>)</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The recommendation contained 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</p>

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).

32. **LONDON SCHOOL OF THEOLOGY, GREEN LANE, NORTHWOOD
10112/APP/2013/1837 (Agenda Item 14)**

Erection of a part three, part two and a half storey building, comprising 3 x two bedroom, 2 x three bedroom and 1 x four bedroom flats, formation vehicular access and associated parking and landscaping.

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

The Chairman asked for Condition 8 (2a) to be revised to ensure refuge storage was covered and secured.

Condition 8 (2d) (Parking Layout) was changed to Condition 14 (one par flat plus 3 vehicles).

A Member expressed concerns about possible overlooking from people playing on the pitch and being able to look into properties, given the slopping changes of the land where the playing fields were sited. Officers advised that Condition 8 (2c) could be amended to require planting to be of a certain height.

The Chairman added that a comment could be added to requiring the applicant to ensure there was no overlooking.

The recommendation contained in the officer's report, amended conditions 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:

EITHER:

A)(1) That prior to the Council's Community Infrastructure Levy coming into force, the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:

- i) A contribution of £29,834.07 for capacity enhancements in local schools;**
- ii) 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.

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

iv) 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).'

v) That following the Council's Community Infrastructure Levy coming into force, the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.

vi) 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.

OR:

A)(2) That if the application is approved, the conditions and informatives set out in the officer's report be imposed, subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision, amended conditions 8(2d and 2c), 14 and changes outlined in the addendum.

The meeting, which commenced at 8.00 pm, closed at 9.00 pm.

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