

Minutes

NORTH PLANNING COMMITTEE

7 October 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), Peter Curling (Labour Lead), Duncan Flynn, Henry Higgins, John Morse, Jas Dhot and David Yarrow</p> <p>Also Present: Cllr Allan Kauffman (Item 14) Cllr Jonathan Bianco (Item 8)</p> <p>LBH Officers Present: James Rodger, Head of Planning, Green Spaces and Culture, Syed Shah, Highway Engineer, Adrien Waite, Major Applications Manager, Tim Brown, Legal Advisor Danielle Watson, Democratic Services Officer.</p>
64.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Cllr Raymond Graham with Cllr Brian Stead substituting.</p>
65.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Cllr John Morgan declared a pecuniary interest in Item, 40 Copse Wood, Northwood and left the meeting whilst the item was discussed.</p>
66.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 16 SEPTEMBER 2014 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 16 September 2014 were agreed as a correct record.</p>
67.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>The Chairman notified the meeting that he had accepted an urgent item and an enforcement report which were contained within agenda B.</p>
68.	<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 items marked Part 1 would be heard in public and those marked Part 2 would be heard in private.</p>

Part two storey, part first floor rear extension to include creation of basement space for storage, single storey front and side extension to attached garage, involving demolition of existing rear conservatory and front porch.

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

Members were aware that the site was located within an Area of Special Local Character. Members who attended the site visit observed the significant slope to the road and significant changes of level and the location of the foundations which were clearly visible. Officers had measured out and confirmed key distance for those on site.

Members were aware that the development was identical to a scheme previously approved in 2005. The main change visible from the street scene would be the replacement of a single storey pitched roof element with a wider single storey flat roofed element. Officers did not consider that this alteration would have an unacceptable appearance within the area. Members noted that objections received had placed much emphasis on Policy BE22 of the UDP; however the policy related only to two storey extensions and was not relevant.

Members noted that the proposed extensions were well separated and a privacy screen would stop any overlooking. Members viewed shadow diagrams which had regard to the change in levels. Accordingly, the proposal had no unacceptable impact on light with regard to this property when considered against the BRE guidance.

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

The petitioner objecting to the proposals made the following points:

- There were serious errors and mistakes contained within the officers' report.
- Work had begun in February 2014 and had continued despite no planning application being submitted until June 2014.
- A 'no party wall notice' had been served and the developer had apparently ignored his legal responsibilities under the ACT.
- The approval of planning permission in 2005 was based on plans wrongly showing separations of 1.5m to the front and rear boundaries of No 42 Copse Wood.
- Because of the misleading plans of 2005, any reference by the officer to approval of the scheme in 2005 should be disregarded.
- Plans submitted in June 2014 were a duplicate of those submitted in 2005.
- The planning officer agreed the plans were incorrect and requested new plans which were only received on the 9 September 2014.
- A series of solicitor's letter were obtained dated July 1993 confirming the boundary fence of No 42 Copse Wood was accurate and was the boundary.
- An email received from the case officer confirmed approval was given in 2005 for invalid drawings.
- There was no explanation why the developer submitted wrong drawings in 2005 and again in 2014.
- There was no front south west elevation extension drawing to the correct boundary line though the planning officer maintained there was.

- The front of the garage extension would only leave a distance of 0.28m from the boundary of No 42 Copse Wood invalidating BE22 for a separation of 1.5m.
- The rear of the garage extension would abut the boundary of No 42 Copse Wood.
- The case officer stated that no encroachment would take place which was untrue as the eaves and gutter would overhang the boundary of No 42 Copse Wood.
- The large flat roof would be detrimental to the street scene.
- A previous application submitted in March 2014 had been refused due to overshadowing of No 38 Copse Wood, visual intrusion, loss of sunlight and loss of outlook.
- No water management had been considered.

A representative of the applicant raised the following points:

- Did not want to go over issues which had already been addressed.
- Resubmission was requested due to enforcement issues and was felt the most appropriate way to address previous concerns raised.
- Had cooperated with planning officers and relevant requirements.
- The motivation for the extension remained, which was so a severely disabled resident could continue to live in their home.

The Chairman highlighted to the Committee that the motivation for the extension was not a planning matter. Officers explained that enforcement notice had not been served; however, this was not a material fact in consideration as the Council had to identify harm which had not been found in this case.

The legal advisor present explained the party wall act was also not a material planning consideration. Officers were aware that there had been previous boundary disputes relating to the application, however, officers had checked the red line with land registry.

Members questioned whether the eaves and gutters would overhang in the neighbouring property. Officers informed the Committee that there was nothing to suggest that overhanging would take place. Members requested that delegated authority be given to the Head of Planning, Green Spaces and Culture to reword informative 4 to ensure that all parts of the development were within the application site boundaries and no development whatsoever encroaches onto neighbouring properties beyond the application site.

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

Resolved - That the application be approved as per the officers' report.

70. **106 COPSE WOOD WAY, NORTHWOOD - 8287/APP/2014/1934** (*Agenda Item 7*)

Part two storey, part single storey side/rear extension, single storey front extension, first floor front extension including new dormer to front and raising of roof to allow conversion of roof space to include 2 rear dormers, 2 front rooflights and 3 side rooflights involving alterations to all elevations and demolition of conservatory and side extension.

Officers introduced the report and outlined details of the application.

Members noted that the main issue for consideration was whether the design of the proposal would be appropriate within the Area of Special Local Character and whether the proposal would have an appropriate relationship with neighbouring residential properties.

Members noted that in relation to the character and appearance of the area the Council's Conservation Officer considered that the scheme was compatible in design terms with the Copse Wood Estate. Members noted that the extensions would comply with relevant guidance and were not considered over dominant, nor would the result in unacceptable loss of light of privacy to neighbouring properties.

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

The petitioner objecting to the proposals made the following points:

- The existing property was located in the Copse Wood Estate.
- A smaller extension at No 92 Copse Wood was previously refused.
- The front extension should not have been in front of the building line.
- The rear extension was excessive.
- There were a number of breaches which were unacceptable.
- The bulk of the proposed extension would change the character within the immediate area.
- New windows proposed would overlook into No 104 Copse Wood.
- The proposed extensions were out of scale with neighbouring properties.
- Members should visit the neighbouring properties to view the impact on them and the street scene.

A representative of the applicant raised the following points:

- The building line increase was marginal.
- The proposal was not detrimental to existing properties or the street scene.
- There were no overlooking issues.
- The proposals were fully compliant with HDAS.
- No trees would be lost or damaged.
- Existing materials on site would be reused to reduce the impact on local residents.

Members sought clarification on the building line of the site. Officers informed the Committee that the proposals did exceed statutory guidance; however, due to the generous size of the plots in the local area it was thought that the proposals were acceptable. Members had concerns about the size of the extension and suggested that it would be more appropriate to defer the application for a site visit so that Members could view the site before making a decision. Members also requested plans of the street scene.

It was moved, seconded and agreed that the application be deferred for a site visit and for further details to be provided.

Resolved- That the application be deferred for a site visit and for further details to be provided.

71.

JOEL STREET FARM, JOEL STREET, NORTHWOOD - 8856/APP/2013/3802
(Agenda Item 8)

Demolition of the existing Dutch barn and erection of a replacement building to be used as a Class D1 (nursery), demolition of existing detached stables, alterations to existing buildings and associated parking and landscaping (resubmission).

(Deferred from North Committee dated 27/08/2014)

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

Members noted that since the deferral the applicant had provided amended plans which more accurately described the proposed uses of the site. A framework travel plan and further measures, which would form part of the travel plan, to ensure staggered pick up and drop off time had also been provided.

Officers maintained the view that the proposal would not have an unacceptable impact on the openness of the Green Belt and would therefore accord with adopted Green Belt Policy.

In relation to traffic impacts, officers considered that adequate parking was provided for the proposed nursery and existing uses and that measures secured by the travel plan would serve to further mitigate any potential impacts on the public highway. Members were also mindful of a proposal allowed at appeal nearby for a nursery with less parking.

The Council's Conservation Officer was fully satisfied with the proposals in respect to the locally listed buildings on site and it was noted that the application would ensure the provision of further viable uses on the site moving forward, this was considered beneficial in ensuring the future maintenance and management of the locally listed buildings.

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

The petitioner objecting to the proposals made the following points:

- Was representing the Northwood Hills Residents Association.
- There were still concerns regarding the application.
- There were not enough parking spaces on site for staff and only one parking space for parents dropping their children.
- It would not be possible to have staggered pick up and drop off times.
- There was no zebra crossing in the immediate area.
- Northwood Hills was not a suitable area for cycling.
- Pleased to see a fire exit had been added.
- The impact of UTC had not been taken into account, there would be an additional 350-500 pupils travelling to the area.
- The Committee needed to understand the problems in Joel Street.
- A proposed nursery in Eastcote had been refused as it was located on a main distributor road.
- Children should not have access to the kitchen unless supervised when in use.

A representative of the applicant raised the following points:

- Members had attended the site visit.
- The cattery had been inspected every year.
- There was water/washing provision.
- The garage had never been used.

A local Ward Councillor raised the following points:

- The application was a great concern.
- There was nowhere for parents to park.
- Joel Street was a busy main road and was not an appropriate place to pick up and drop off children.
- There were often changes in the traffic pattern in Joel Street.
- UTC opening would impact the traffic in the area.
- There would be another nursery in local proximity.
- The proposals would bring the building into use.

The Chairman reminded the Committee that the planning inspectorate did not support the reasons for refusal in relation the other nursery located in close proximity. The Chairman also highlighted that issues relating to health and safety of the nursery would be inspected by Ofsted who had their own strict guidelines to adhere to.

Members discussed the site visit, and whilst there was no traffic problems during the site visit it was questioned whether there would be disruption in the morning period.

Members agreed that an additional condition be added regarding contamination to ensure that the occupants of the development were not subject to any risks from soil contamination which the final wording delegated to the Head of Planning, Sport and Culture.

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

Resolved – The application was approved with four Members in favour and 3 against for the reasons set out in the officer’s report and addendum.

72. **1 BARRINGTON DRIVE, HAREFIELD - 62825/APP/2014/2576** (*Agenda Item 9*)

Installation of boundary wall with railings and gate to front.

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

The application site was a large modern detached property and permission was sought for the installation of a boundary wall with railing and a front gate. The site was within the developed area; however was just outside of the Coppermill Lock Conservation Area.

Overall, it was considered that the proposed boundary treatment by reason of the enclosure of the properties frontage and the height and design of the treatments would be detrimental to the open plan character of the area and adjoining conservation area. Members noted that the proposal would also result in the loss of existing trees which would be detrimental to the character and appearance of the area.

	<p>Members noted that the Council's highways officer had raised concerns regarding visibility and an additional reason for refusal was set out in the addendum.</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>
73.	<p>95 HOYLAKE CRESCENT, ICKENHAM - 15392/APP/2014/1584 (<i>Agenda Item 10</i>)</p> <p>Part two storey/part single storey side/rear extension involving raising of roof height and single storey front extension involving alterations to front elevation.</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The main considerations of the proposal were the impact on the character and appearance of the area and on the amenity of neighbouring occupiers.</p> <p>The street comprised of a mixture of bungalows and two storey dwellings. The proposal also maintained adequate car parking and amenity space for the future occupiers of the application site.</p> <p>Members discussed the character of the street and questioned when it became acceptable to change the character of a street. Officers informed the Committee that roads with bungalows could be designated as areas of special character.</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>
74.	<p>PARK FARM HOUSE, DUCKS HILL ROAD, NORTHWOOD - 272/APP/2014/2598 (<i>Agenda Item 11</i>)</p> <p>Proposed installation of window in ground floor rear elevation.</p> <p>Officers introduced the report and outlined details of the application.</p> <p>Members noted that the application was seeking planning permission for the installation of a ground floor window in Park Farm House, which was a locally listed building. The Council's Conservation Officer considered the proposal acceptable in terms of the heritage considerations and the proposal raises no other material planning concerns.</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>

75.	<p>21 KNOLL CRESCENT, NORTHWOOD - 52149/APP/2014/2877 (Agenda Item 12)</p> <p>Single storey infill extension to front.</p> <p>Officers introduced the report and referred members to the addendum sheet that had been circulated.</p> <p>Members noted that the proposal was identical to a scheme previously dismissed by the Planning Inspectorate, as it was distinctly at odds and out of character with the other houses in the terrace and other properties in the street scene. The appeal decision was a significant material consideration.</p> <p>The proposal remained contrary to the Council's adopted guidance, detrimental to the architectural composition of the existing terrace and detrimental to the wider street scene. Members decided it would be more appropriate to visit the site in question to gain a better view of the street scene</p> <p>It was moved, seconded and agreed that the application be deferred for a site visit and for further details to be provided.</p> <p>Resolved- That the application be deferred for a site visit and for further details to be provided.</p>
76.	<p>ENFORCEMENT REPORT (Agenda Item 13)</p> <p>1. That the enforcement action 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>
77.	<p>1 STATION APPROACH, RUISLIP - 17174/APP/2014/2861 (Agenda Item 14)</p> <p>Change of use of ground floor from shop to residential.</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The application related to a two storey mid terrace property located on the northern side of Station Approach, South Ruislip. The property had an existing retail unit located on its ground floor with residential accommodation located above at first floor level. The parade of shops was not located in a key shopping area (as designated by the Council's Local Plan).</p> <p>In accordance with the Council's constitution a representative of the petitioners</p>

objecting and the agent addressed the meeting.

The petitioner objecting to the proposals made the following points:

- Local shopkeepers did not support the proposals.
- The proposal would set a precedent in the local area.
- Businesses had been established for over 28 years.
- Local shopkeepers had survived the recession.
- 6 remaining businesses employ 18 people.
- Jobs should not be put at risk.
- 132 dwellings were already proposed in the local area.
- Petition had gained over 600 signatures which showed the level of objection to the proposals.
- A local Ward Councillor had emailed his concerns and supported petitioners concerns.
- The site had only been vacant for 4 months.

A local Ward Councillor raised the following points:

- Was aware of new government legislation whereby consent was deemed to have been given if no decision was made within 56 days of the date the application was registered.
- The proposals should be refused for three reasons which included highway safety, contamination and flood risk.
- The applicant had not given any consideration to parking in the local area.
- The proposal was within the South Ruislip Parking Management Scheme. There was also a 'Stop and Shop' parking scheme in the shopping parade.
- No more housing was needed in the area.
- There was no amenity space.
- Urged the Committee to refuse.

Members discussed the application and questioned the time that the site had been vacant for. Having considered the presentation and the points raised by the speakers, it was moved, seconded and agreed that the application be approved with 7 votes in favour and 1 abstention.

Resolved – The application was approved as per the officers' report with one abstention.

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

1. That the enforcement action 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.

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).

	The meeting, which commenced at 7.00 pm, closed at 9.55 pm.
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These are the minutes of the above meeting. For more information on any of the resolutions please contact Danielle Watson on Democratic Services Officer 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.