

Minutes



CENTRAL & South Planning Committee

24 November 2016

Meeting held at Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW

	<p>Committee Members Present: Councillors Ian Edwards (Chairman), Shehryar Ahmad-Wallana, Roy Chamdal, Jazz Dhillon (Labour Lead), Janet Duncan, Raymond Graham, Manjit Khatra Edward Lavery, and Brian Stead</p> <p>LBH Officers Present: Kate Boulter - Democratic Services Officer, Victoria Boorman - Flood and Water Management Specialist, Neil McClellan - Major Applications Team Leader, Alex Chrusciak - Planning Services Manager, Jyoti Mehta - Trainee Solicitor, Syed Shah - Principal Highways Engineer</p>
140.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillors Alan Chapman and David Yarrow (Councillors Lavery and Graham were in attendance as their respective substitutes).</p>
141.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
142.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 1 NOVEMBER 2016 (<i>Agenda Item 3</i>)</p> <p>RESOLVED:</p> <ul style="list-style-type: none">– That the minutes of the meeting held on 1 November 2016 were approved as a correct record.
143.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>The Chairman advised the Committee that an additional item had been accepted, and would be considered in Part II of the meeting.</p>
144.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I 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 I would be considered in public, and items marked Part II would be considered in private.</p> <p>The Chairman varied the order of business, and planning application 28718/APP/2016/2454 - 85 Haig Road, was considered first.</p>

145.	<p>85 HAIG ROAD - 28718/APP/2016/2454 (Agenda Item 7)</p> <p>Change of use from Use Class C3 (Dwellinghouses) to Use Class C4 (HMO).</p> <p>Officers introduced the report and noted the addendum.</p> <p>Members were informed that the main issues relevant to the application were the quality of accommodation proposed, the impact on the amenities of neighbours, and the impact on highways. Although the impact on amenities and highways was negligible, two of the bedrooms within the property were of a poor standard with relation to the level of outlook and privacy, in conflict with the Council's Houses and Multiple Occupation SBD. The officer recommended that the application be refused on this basis.</p> <p>A petitioner spoke in objection to the application, and informed Members that the appellant had already completed the proposed work on the property. The construction work instigated had resulted in a loss of privacy for neighbours due to the appellant trespassing on their property during construction. The appellant's suitability to act as a landlord was brought into question, as the petitioner asserted that the appellant had failed to ensure his current tenants were supplied with water and electricity, and had failed to provide removal of refuse which had resulted in a problem with vermin that affected both tenants and neighbours.</p> <p>In addition, the petitioner raised concerns that an HMO at the property would have a detrimental effect on the value of the other properties within the area, in contravention of a covenant restriction within the deeds of the existing properties, which stated that nothing should be done to decrease the value of the properties within the area. It was put to Members that if the application was successful, the area would see an increase in vehicles parked within the area, which could block vulnerable or elderly residents from accessing services such as the park and ride service.</p> <p>Members sought clarity regarding the internal changes to the property, including the actual use of the rooms and the visibility from the windows. The petitioner confirmed that they had been inside the property and seen the changes, that it was likely that the room proposed as a storage room was instead being used as a bedroom, and that the view from the new bedrooms was very limited.</p> <p>Members confirmed that the application was located within the Brunel ward, not Hillingdon East, and therefore may not have been recognised as being part of Article 4 of the Brunel HMO.</p> <p>The Committee expressed concerns that the application would lead to substandard housing, and moved the officer's recommendation. This was seconded, put to a vote, and unanimously agreed.</p> <p>RESOLVED: That the application was refused as per the officer's recommendation.</p>
146.	<p>57 MONEY LANE, WEST DRAYTON - 62525/APP/2016/333 (Agenda Item 8)</p> <p>Single storey attached garage to side/rear involving alteration to existing vehicular crossover</p> <p>Officers introduced the report. Members were informed that the application had been brought to the planning committee meeting of 1 November 2016, where it had been</p>

deferred to a subsequent meeting to allow for the attendance of a Flood and Water officer able to address the Committee's concerns relating to flooding.

Officers confirmed that the main issues to be considered by the Committee related to the potential impact on the character and appearance of the original building and street scene, the impact on the conservation area and residential amenities, the impact on highways, and the potential increased risk of flooding.

A petitioner addressed the committee, confirming that they were representing over 50 local residents who were objecting to the application due to the potential for increased flooding. Members were informed that when the building was originally built in 1960, an integral garage was included, which allowed for an area at the side of the house to be allocated as a soakaway. As the river was prone to flooding, a soakaway at the rear of the property was not suitable, and allowing the proposed structure to be built would remove the current soakaway area.

The petitioner confirmed that the land sloped downwards from houses 59 to 55, which was also the direction of the river flow. When the Committee had undertaken their site inspection alongside the Flood and Water officer, the officer had suggested that the gardens were flooded when the river burst its banks. This was incorrect, as the gardens flooded due to rainfall. The Committee was referred to photographs showing site flooding following two hours of heavy rain within June 2016, and the petitioner suggested that without the soakaway area, such issues would be exacerbated. The proposed flood alleviation measures, including a water butt to catch water from the proposed roof, and pea shingle as a replacement for a grass and earth soakaway, were deemed to be insufficient.

The petitioner asserted that if the application was allowed, the applicant would be greatly increasing the risk of their own property flooding, as well as that of neighbours, and respectfully requested that the application be refused.

Councillor Sweeting then addressed the Committee on behalf of the petitioners, reiterating the necessity of retaining the current soakaway area. By removing this area, water from the roof of house number 57 would no longer be dissipated through the ground, and would instead be pooled elsewhere. Councillor Sweeting drew the Committee's attention to the photographs submitted by the petitioner, which showed the scale of flooding following heavy rain.

The Councillor referred to the information provided by the Flood and Water officer, and asserted that the information did not address where the water would go once the soakaway area was removed. Councillor Sweeting concluded that the proposed flood alleviation measures were not suitable, and suggested that to allow the application would substantially increase the risk of flooding for residents of the area. On this basis, the Councillor requested that the Committee refuse the application.

The Flood and Water officer addressed the Committee in response to the points raised by the petitioner and Councillor Sweeting, as well as the Committee's requests for further information on the flooding issues. The officer confirmed that the application had been assessed to ensure it complied with policy and technical guidance.

The officer confirmed that whilst the petitioners concerns were recognised, there was an acceptance that the gardens would flood from time to time. Environment Agency flood modelling showed that the height of the buildings in relation to the gardens meant that the houses were only likely to be affected by flooding in an extreme event.

Of the suggested mitigation, the garage proposed would be floodable, with gaps included in the design to allow water to pass through unimpeded, maintaining water flow to the river. The proposed pea shingle would absorb and hold water more efficiently than compacted soil, whilst a water butt, of a specified size, would provide additional capacity to hold water, together with the provision of a soakaway in the rear garden. The officer asserted that the total area that the proposed building would take up, and the impact of its erection, would have no discernible impact on the flood risk to the properties.

Councillors requested clarity regarding the Council's policy on development on grass spaces, as it was understood that developments that would remove or reduce grass spaces were prohibited by the Council. Officers confirmed that there was no firm policy in the adopted Local Plan or emerging Local Plan that such developments were prohibited. Previously, it had been noted that many front gardens were being paved over, which meant that land with the ability to soak up water was being removed. The government then changed the permitted developments policy to ensure that any such paving was permeable, or would drain to a permeable area. Any future planning applications that proposed the removal of grass spaces were therefore now considered in light of the development's ability to soak up water.

Councillors expressed concern that the capacity provided by the proposed pea shingle and water butt would not prove sufficient, and referred to the submitted photographs that showed the impact of heavy rainfall within summer months. Members suggested that whilst the proposed mitigation may work in theory, it may not work in practice.

The Flood and Water officer confirmed that the concerns over flooding due to rainfall were understood, with over 70 residential properties being flooded in June 2016 due to heavy rain. However, the officer asserted that the removal of available soakaway space due to this application would not have a discernible impact on flooding within the area.

Officers suggested that Members could approve the application on the agreement that, prior to commencement of the construction work, the flood mitigation measures as set out in condition 6 within the officer's report be amended to ensure that the pea shingle area was of appropriate depth and construction to allow for sufficient water retention, that the capacity of the rain water storage be specified and deemed fit for purpose, and that the design of the side and rear wall be amended to improve water flow. This was moved, seconded, and agreed by a vote of 5 to 3.

RESOLVED: That the application was approved with amendment to the conditions.

147. **LAND AT 17 PEACHEY LANE - 66643/APP/2009/2783** (*Agenda Item 6*)

Two storey building comprising 2 x two-bedroom and 3 x one-bedroom flats, to include parking provision, involving demolition of existing dwelling.

Officers introduced the report and highlighted the addendum, confirming that conditions 2C and 2D within the addendum were erroneous and could be safely disregarded.

The officer confirmed that an application for the site had been approved by the Committee in 2010, subject to conditions and a S106 agreement covering Parking Permit Restrictions for future occupiers and a financial contribution towards the enhancement of Educational facilities. As the S106 was never signed, permission was never granted for the development. The development had now been completed, and the applicant was again seeking planning permission. The item had been brought to a meeting of the Committee in August 2016, and was deferred to allow for local residents

to be consulted. The consultation had now been completed, and no additional comments had been received.

The officer confirmed that it was not considered that the proposed development would have a detrimental impact on the character and appearance of the surrounding area or on the residential amenity of neighbouring occupants, and complied with the relevant UDP and London Plan policies. It was therefore recommended that the application be approved.

Members were supportive of the application, and moved that the officer's recommendation, including the conditions within the addendum, be approved. This was seconded, put to a vote, and unanimously agreed.

RESOLVED: That the application was approved with amendment to the conditions.

148. **28 KEATS WAY - 58018/APP/2016/1973** (*Agenda Item 9*)

Retention of existing outbuilding and use of this as office with shower and toilet facility ancillary to the existing HMO

The Officer introduced the report, highlighting that the main issues for consideration by the Committee were whether the retention of the existing building and its use as an office would have a detrimental impact on the character and appearance of the surrounding street scene and local amenities. Officers considered that the application would not have a detrimental impact, and it was therefore recommended that the application be approved.

Members were concerned that the property would not be used for its stated purpose, and that it would likely be subject to an enforcement notice due to improper use. It was moved, and seconded, that the application be approved subject to the replacement of the S016 agreement by a breach of condition notice, to ensure that the building was not used as a residential unit, and would not include bed or shower facilities. This was put to a vote and unanimously agreed.

RESOLVED: That the application was approved with amendment to the conditions.

149. **5 GRANVILLE ROAD - 1404/APP/2016/1650** (*Agenda Item 10*)

Conversion of existing house to two self-contained flats.

Officers introduced the report, confirming that the application had been called in by a local councillor. The application did not include any external changes to the property, did not have an adverse impact on the character and appearance of the street scene or residential amenities, and was considered acceptable with regard to highways impacts. The main consideration was therefore the standard of living being provided, and while the application met the relevant internal space and quality standards, the proposal failed to provide sufficient amenity space commensurate to the size and layout of the units, and failed to demonstrate that adequate space for waste and recycling facilities could be provided. The officer's recommendation was therefore that the proposal be refused.

Members sought clarity regarding amenity space and provision for parking within the proposal. Officers confirmed that whilst a large garden was present at the property, access to the garden did not comply with the relevant guidance, and this had therefore been cited as a reason for refusal within the report. With regard to parking, the

proposal included a single parking space per dwelling, though this had been deemed sufficient as the site was located within close proximity to the train station. It was highlighted that parking controls currently in place would ensure that cars would not be able to park and block carriageways due to a lack of parking spaces.

Members discussed the officer recommendation, and endorsed the recommended reasons for refusal. However, Members were concerned that officers had not given sufficient regard to the living conditions for the occupants of the downstairs flat, and felt that parking space was not sufficient for the proposed two dwelling development. On this basis, together with the officer's recommendation, it was moved that the application be refused. This was seconded, put to a vote, and unanimously agreed.

RESOLVED: That the application was refused with amendment to the reasons for refusal.

150. **EURO GARAGES HEATHROW NORTH - 17981/APP/2016/3287** (*Agenda Item 11*)

Single storey side extension and chiller unit to rear.

The addendum was referenced, wherein it was confirmed that the application plans needed further review. It was therefore moved that the item be deferred. This was seconded, put to a vote, and unanimously agreed.

RESOLVED: That the application was deferred.

151. **1 HAWTHORNE PLACE, HAYES - 65949/APP/2015/4135** (*Agenda Item 12*)

Retention of existing single storey rear extension.

Officers introduced the report, confirming that the main points of consideration were the impact of the extension on the character and appearance of the original building and local street scene, impact on residential amenities for neighbours, and amenity space for occupiers.

The officer confirmed that the extension was not considered to cause harm to the character and appearance of the building or local area, and did not impact on the privacy of neighbours. The proposal met guidance in relation to internal space and construction, with one exception relating to the height of the roof that was deemed to have no detrimental impact. Therefore, the recommendation was that the application be approved.

The officer recommendation was moved, seconded, and put to the vote, where it was unanimously approved.

RESOLVED: That the application was approved as per the officer's recommendation.

ENFORCEMENT REPORT (*Agenda Item 15*)

RESOLVED:

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).

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

RESOLVED:

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).

156. **ENFORCEMENT REPORT** (Agenda Item 17)

RESOLVED:

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).

157. **ENFORCEMENT REPORT** (Agenda Item 18)

RESOLVED:

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).

158.	<p>ENFORCEMENT REPORT (<i>Agenda Item 19</i>)</p> <p>RESOLVED:</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>
	<p>The meeting, which commenced at 7.00 pm, closed at 8.56 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Kate Boulter on 01895 556454. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.