

Minutes



NORTH Planning Committee

15 November 2017

Meeting held at Committee Room 5

Civic Centre, High Street, Uxbridge UB8 1UW

	<p>Committee Members Present: Councillors Eddie Lavery (Chairman), John Morgan (Vice-Chairman), Duncan Flynn, Raymond Graham, Henry Higgins, John Oswell and Jazz Dhillon</p> <p>LBH Officers Present: Roisin Hogan (Legal Advisor) Edward Oteng (Strategic and Major Applications Manager) James Rodger (Head of Planning and Enforcement) Peter Loveday (Highway Development Engineer) Anisha Teji (Democratic Services Officer)</p>
103.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies received from Cllr Jem Duducu with Cllr David Yarrow substituting, and Cllr Manjit Khatra with Cllr Duncan substituting.</p>
104.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Cllr Yarrow declared a non pecuniary interest in agenda item 16.</p>
105.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>)</p> <p>The minutes from 25 October 2017 were confirmed as an accurate record.</p>
106.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
107.	<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 Agenda Items 1 -13 were marked as Part I and would be considered in public. Agenda Items 14 -16 were marked as Part II and so would be considered in private.</p>

108. **ALDIS HALL & WETHERBY HOUSE GREEN LANE, NORTHWOOD - 68153/APP/2017/3233** (*Agenda Item 6*)

Officers introduced the report and provided an overview of the application. This was a re-submission following a previous and similar application which was refused at Committee on highways and safety grounds.

Planning permission was sought for the change of use of Aldis Hall (from residential to pre-school nursery) with associated parking and landscaping. Planning permission was also sought for the change of use of Wetherby House (from pre-school nursery to residential).

Officers highlighted the addendum and made a recommendation for approval.

A petitioner addressed the Committee and objected to the application on the following grounds:

- The resubmitted application was almost the same as the application originally submitted, which was refused.
- The main reason for refusal was the impact of traffic congestion.
- There was no evidence to support the statement that the majority of parents would arrive by foot or public transport.
- There were only two access points available for the total site and this would result in the nursery having a narrow access point.
- The latest site plans showed that access to the recently reduced three parking spaces, right by the entrance, were inhibited by two TPO trees.
- To include another three spaces at the rear of the building was misleading as parents were unlikely to use these spaces.
- The 12 spaces indicated by the agent/applicant contradicted the figures indicated on the plan dated 20 October 2017 which only showed 11 places.
- There was no parking outside the site or across the site.
- The availability of car parking depended on the time of the day as during peak hours more spaces would be needed.
- There were five schools within 400 yards of the site and the total number of pupils exceeded 2000. This added to traffic congestion, leading to a negative impact on the environment and local ambience of the area.

The agent for the applicant was in attendance and addressed the Committee with the following comments:

- The applicant and agent had critically analysed the debate at the previous planning committee meeting and worked with officers to try to resolve any reasonable concerns.
- The proposal was for a 104 space nursery on a site.
- Some of the concerns raised by Members were that parents would not use the car park on Green Lane for pick up and drop offs as it was 135 m from the site, parents would park illegally and that staff would park on the street causing highways safety issues.
- Survey data indicated a surplus of available parking within the vicinity of the site, which was contrary to the reason for refusal.
- The proposals included a commitment to planning conditions which would secure a travel plan and drop off and pick up management plan.
- There would be 11 spaces provided on site and there was more than adequate onsite parking to accommodate pick up and drop offs.

- The proposed nursery would open one hour earlier than a nearby nursery and this would result in less pressure on congestion in the area.
- Staff would not be permitted to park on site and would be asked to utilise the car park on Green Lane.
- The proposed development would be the only nursery operating from 7am to 7pm and open 51 weeks a year.
- There had already been 92 enquiries from members of the public for use of the facility.
- The applicant was able to operate responsibly and safely, be a good neighbour to local residents and be a valued choice in the range of education providers.

Following questions from Members, the agent confirmed that there was a stretch between 7-10am for drop offs in the morning and 5 - 7pm for pick ups in the evening. The agent explained that the nursery had been designed with a model for parents that worked and spent a long time in the office, therefore it was anticipated that these parents would arrive early to drop their children off and arrive later to pick their children up. There was no other nursery close by that provided these hours of operation.

Members noted that there was a previous application similar to this proposal and considered whether the proposal would work better if the car parking spaces were only available for staff members and not pick ups and drop offs.

Members acknowledged that Green Lane was a busy road. Concerns were raised about whether the road would be wide enough to manage two flows of traffic. Officers confirmed that the access road was approximately 5 m wide and there was guidance which suggested that an access road could be 4.6 m. Therefore, the proposed access road was no narrower than access roads already in existence on some housing estates. The fire escape was very narrow approximately 2.8 m.

From a public policy perspective, Members accepted that this facility was in demand in the area. However, Members also had regard to the petitioner's comments that there were already a number of nurseries and schools within close proximity of the site. 104 nursery spaces seemed like a high number and would impact the pressure on parking, traffic and congestion on the car park in Green Lane. Members questioned whether there would be sufficient spaces available in the car park and whether a reduction in the number of nursery spaces would reduce the congestion and parking concerns.

Some Members noted that this application was better than the previous application put before the Committee. Some Members considered 5 m for a public access road to be reasonable as this was off the public highway road.

Members questioned the logistics of dropping and picking up children. There were potentially 104 children that would be arriving and young children would be unlikely to walk great distances. There was a potential of 104 vehicles arriving between 7 - 10 am, which was large number. Officers clarified traffic generation figures for the Committee and assured Members that traffic in the area has not been discounted in determining the application. From officers' perspective, the area would become congested and there would be some turning and manoeuvring issues, but the option before the Committee saved some of the vegetation. Officers weighed this against a further application that would potentially reduce all vegetation.

The Head of Planning explained that the planning inspector would most likely find a reason for the application to work.

Members again considered whether it would be more appropriate if the car park was solely used by staff and parents parked in car parks. Members noted that if it was raining and dark, parents would be inclined to drop and go and park on a double yellow line as there was a five minutes grace until parking tickets could be sanctioned. Parents would eventually become aware of the five minutes grace and park on the double yellow lines which would cause traffic issues.

11 car parking spaces with 37 members of staff would still cause the car park in Green Lane to become congested. Members also asked whether one of the places could offer disabled parking and officers confirmed that there would be space to do.

When put to a vote to agree the officer's recommendation, there were two votes for and five votes against.

The Head of Planning reminded the Committee that there were risks going down a refusal path as the planning inspector may not agree all the conditions and legal causes.

Members further considered the alternative suggestion that it could be used as a staff only car park.

Members bore in mind that at the last meeting this application was refused on highway safety grounds. Members decided that the additional six spaces provided did not overcome the refusal reason and put the following reasons forward for refusal:

"The proposed use of the premises as a nursery and primary school does not adequately provide on-site pickup and drop off facilities to the detriment of child safety and fails to have regard to existing highway and pedestrian safety concerns. The proposed use would result in an increase in parking stress within the surrounding area which is already subject to considerable pressure. Furthermore, the use of the Green Lane Car Park due to its distance from the proposed nursery would result in cars parking stress on the local highway network and would create an environment that would present considerable hazard to pupils and other pedestrians and will be disruptive to residents of neighbouring dwellings."

The Legal Advisor advised the Committee that there would need to be a strong refusal reason to overturn officers' recommendation. The Committee had heard from the highways officer, agent/applicant and the petitioner. The Legal Advisor summarised that the application had a staggered start time, more car parking spaces and a car park 135 m away but with information provided by local councillors there was a legitimate reason for refusal.

When put to a vote, the officer's recommendation was overturned and Members agreed the above refusal reasons. There were six votes in favour, one abstention and one vote against.

RESOLVED - That the application be refused.

109. **7 HEDGESIDE ROAD, NORTHWOOD - 38605/APP/2017/2296** (Agenda Item 7)

Officers introduced the report and provided an overview of the application. The application sought planning permission for a part two storey side extension and a single storey rear extension, conversion of roof space to habitable space, erection of open porch to front, part conversion of garage including associated alteration and landscaping to the front and rear.

Officers highlighted the addendum and made a recommendation for approval.

A petitioner spoke in objection of the proposed development and made the following points:

- This was a revised plans application that included the removal of the balcony and glazing.
- The plans still showed the overdevelopment of a four bedroom house to an eight bedroom house.
- The plans were virtually identical to the previous application.
- In the current application, the ground floor print had been reduced by nine square metres, and there was no effort to scale back the double storey element.
- The two storey side extension remained the same. The proposal was incongruous, over dominant and detrimental to the street scene.
- The gap between 7 and 9 Hedgeside road was disputable and they were very close together.
- The proposed development was like a bulk on the side of a house.
- The petitioner asked the Committee to note the conversion of the garage which may be converted to a habitable space.
- The petitioner asked the Committee to consider the grounds for refusal from the previous application and consider whether this application had done enough to address the concerns.
- The application ought to be refused on the grounds that size, scale, bulk and depth was detrimental to the road.

The applicant's agent addressed the meeting and made the following points:

- Since the Committee meeting on 3 October 2017, the agent had clarified any unclear details.
- The proposal right side alteration to the extension retained the existing 900 mm as measured.
- The proposed rear extension had been set back to conform with planning requirements.
- The applicant/agent had taken on board Members' objections and the balcony to the rear had been removed
- The porch was now open sided.
- There were only six bedrooms, five on the first floor and one at ground floor to assist applicant.
- Minor changes had been made to the front access in the building.
- There were parking spaces for three cars.
- The rear garden was quite large and the extension being proposed would retain 90 percent of garden area.

Members considered the site to be an overdevelopment in terms of size and bulk. The main key revisions were the removal of the balcony and windows and opening of porch.

The Head of Planning clarified the changes that have been made to the application and drew the Committee's attention to relevant parts of the reports. The impact had been considered acceptable. The revised application was now fully compliant with policy and within street scene.

Although the proposed developments were big, Members accepted that the application

was in policy and there was no reason to refuse it.

Members suggested for conditions to be included in relation to glazing and garage not being converted into a habitable space.

The officer's recommendation was moved, seconded, and when put to a vote, six in favour and two abstained.

RESOLVED: That the application be approved as per officer's recommendation, subject to the additional conditions.

110. **51 WIELAND ROAD, NORTHWOOD - 17990/APP/2017/3191** (*Agenda Item 8*)

Officers introduced the report and provided an overview of the application. The application sought planning permission for a three storey, 7 bed detached dwelling house with habitable basement and roof space, involving the demolition of the existing dwelling house.

Officers highlighted the addendum and made a recommendation for refusal.

A petitioner spoke in objection of the proposed development and made the following points:

- The Gateshill Farm estate consisted of a modest four - five bedroom detached houses in spacious surroundings.
- The proposals were large and block like.
- The petitioner agreed with the officers' design and appearance grounds for refusal as there was nothing similar to this development on the estate.
- The petitioner requested additional reasons to be included in the refusal for the application as they were not in policy.
- Overdevelopment - even with the amendments, the property could still be inhabited by up to 12 people leading to a house in multiple occupancy or small hotel.
- The size scale and bulk as a result of the design and third storey crown roof was not in policy. Boundary rules for new developments had been ignored.
- The basement had doubled the foot print for the house.
- There was a flooding risk as the proposal took no account of the management of surface water and a stream at the bottom of the garden.
- The applicant's site plan showed incorrect ownership of parts of the land.
- There was a lack of 25 percent soft landscape on the applicant's land as they have given it over to accommodate cars.
- The petitioner asked the Committee to unanimously refuse the application and adding the considerations discussed.

The applicant's agent addressed the meeting and made the following points:

- The application site had been the subject of a number of planning applications and these were material considerations in determining the current scheme on the site.
- The most relevant application was the application relating to an extension and alterations, including a two storey rear extension, the construction of a basement and loft conversion. This scheme was approved in April 2015. This was an important consideration as the principle building of the site had already been established.
- Another important material factor in determining the scheme was the recent refusal for a replacement dwelling on the site. This scheme was refused on 14 March 2017

as a result of the design and appearance of the proposed dwelling.

- As a result of the refusal, the design of the proposal had been revised.
- Wieland Road comprised a mixture of residential dwellings of various sizes, designs and materials.
- Based on previous approved applications, dwellings with contemporary designs had been considered acceptable in the street. This had been demonstrated at another property on the street which drew on very similar designs of the current scheme.
- The proposed development proposed a form of development that would be partly in the footprint of development and existing forms of development on the site. The suggestion of it being cramped had been revised and there had been improvements in the distances and boundaries between neighbouring properties.
- Car parking was considered to be appropriate and officers had not raised any concerns in relation to this.
- The agent requested that Members approved the application contrary to officer recommendation.

The Chairman informed the Committee that Councillor Bianco was unable to attend the meeting, but confirmed that he fully supported the officer's recommendation for refusal.

The Head of Planning commented on the request for additional refusal reasons. The refusal reasons related to some policies in use and some emerging policies which the Council were not yet relying on. Crown roofs were not a characteristic of the estate and could be added to strengthen the refusal reasons.

Members considered the proposed application to be overdevelopment in terms of size and bulk. The key changes included the removal of the balcony and windows and the opening of porch.

The Head of Planning clarified the changes that had been made to the application and drew the Committee's attention to relevant parts of the reports.

Members considered strengthening refusal reason one relating to the proposed development being cramped by reason of its design and appearance.

Members were also concerned about the large crown roof as they dramatically affected a street scene. Crown roofs did not appear to be the character of the estate. Members questioned the car parking provisions as some appeared to be made on land controlled by the trustees. Officers confirmed that the agent had clarified that it was not their intention to do development on areas outside their land.

Members agreed that the refusal reasons ought to be redrafted and agreed with the Chairman and Labour Lead. The refusal reasons should take into account crown roofs and the inspector's refusal commentary. Members also agreed that the landscaping and car parking provisions proposed should be checked to confirm that they were in policy. The scale, bulk and crown roof would be incorporated into the refusal reasons to reflect the comments by the Members and petitioner.

The officer's recommendation was moved, seconded, and when put to a vote, six in favour and two abstained.

RESOLVED:

That the Committee:

- 1) refuse the application as per officer's recommendation and;**

2) delegate authority to the Head of Planning, in consultation with the Chairman and Labour Lead, to draft and agree the refusal reasons.

111.	<p>18 CHURCH ROAD, NORTHWOOD - 6532/APP/2017/1814 (<i>Agenda Item 9</i>)</p> <p>Officers introduced and provided an overview of the application. The application sought planning permission for a single story side/rear/front extension and conversion of garage to habitable use.</p> <p>The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.</p> <p>RESOLVED: That the application be refused as per officer's recommendations.</p>
112.	<p>54 THE BROADWAY JOEL STREET, NORTHWOOD - 72958/APP/2017/2134 (<i>Agenda Item 10</i>)</p> <p>Officers introduced and provided an overview of the application. The application sought planning permission for the change of use from shop to nail bar.</p> <p>The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.</p> <p>RESOLVED: That the application be approved as per officer's recommendations.</p>
113.	<p>5 & 7 KINGSEND, RUISLIP - 45467/APP/2016/3680 (<i>Agenda Item 11</i>)</p> <p>Officers introduced and provided an overview of the application. The application sought planning permission for a two storey, 3 bed semi detached houses with associated parking and amenity space involving the demolition of No 7 Kingsend.</p> <p>Officers highlighted the addendum and made a recommendation for approval.</p> <p>Members noted that it was good application and commented that it was good to see houses being built.</p> <p>The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.</p> <p>RESOLVED: That the application be approved as per officer's recommendations, subject to the amendments and additional SUD condition.</p>
114.	<p>2 RESERVOIR ROAD, RUISLIP - 7112/APP/2017/2725 (<i>Agenda Item 12</i>)</p> <p>Officers introduced and provided an overview of the application. The application sought planning permission for the change of use to a car wash, valeting and car sales.</p> <p>The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.</p> <p>RESOLVED: That the application be approved as per officer's recommendations.</p>
115.	<p>S106 QUARTERLY MONITORING REPORT (<i>Agenda Item 13</i>)</p> <p>Members noted agenda item 13.</p>

RESOLVED - That the contents of the report be noted.

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

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 the 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).

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

RESOLVED:

- 1. That the enforcement action as recommended in the officer's report was agreed.**
- 2. The Head of Planning be delegated authority to amend the notice if required.**
- 3. That the Committee resolved to release their decision and the reasons for it outlined in the 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).

118. **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 the 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 9.05 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. 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.