

Minutes



CENTRAL & South Planning Committee

27 June 2017

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

	<p>Committee Members Present: Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Roy Chamdal, Alan Chapman, Brian Stead, Mo Khursheed and Tony Eginton</p> <p>LBH Officers Present: James Rodger - Head of Planning & Enforcement), Meghji Hirani - Planning Contracts and Planning Information, Stuart Hunt - Green Spaces Area Manager, Nicole Cameron - Legal Advisor, Alan Tilly - Transport and Aviation Manager, Liz Penny - Democratic Services Officer</p>
1.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor John Morse with Councillor Tony Eginton substituting. Apologies also received from Councillor Peter Money.</p>
2.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
3.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 3</i>)</p> <p>None.</p>
4.	<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 4</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>
5.	<p>16 & 18 NORTHFIELD PARK - 72641/APP/2017/812 (<i>Agenda Item 5</i>)</p> <p>Installation of vehicular crossover to front.</p> <p>Officers introduced the report and highlighted the addendum. It was noted that the key issue related to the existence of a mature London Plane tree which, according to officers, would be endangered if the vehicular crossover were to go ahead. It was also noted that there were a number of other mature trees along the road. A previous application in 2012 had been refused due to the potential impact on the tree. Officers confirmed that the proposed crossover would be within 1m of the trunk of the tree and</p>

would therefore be prohibited under the National Joint Utilities Guidance adhered to by Council highways and tree officers. Additionally, the guidance suggested a precautionary zone four times the tree's circumference (2.1m in this case) in which the use of excavation plant was prohibited and hand digging would be required.

A petition had been received in support of the application. The applicant addressed the Committee and drew attention to a letter she had received the previous day from her independent tree specialist. Members were given time to read through and digest the contents of the letter which had already been shared with officers. The applicant highlighted the parking problems she had been experiencing which had caused her considerable stress and difficulty. She stated that she often had to park on adjacent roads and had been subjected to abusive comments from commuters who had parked outside her property and refused to move. The applicant highlighted the fact that, of the 59 houses along the street, 55 had driveways and only 4 did not. Moreover, she stated that her neighbours had signed a petition in support of the proposed vehicular crossover. The only issue related to the existence of the tree. The applicant stated that, according to a report produced by her independent tree expert, the tree outside her house would not be endangered if the work were to take place. She reported that other trees along the road with adjacent dropped kerbs were still flourishing.

The lead petitioner spoke briefly in support of the application and drew attention both to the petition signed by 31 residents and the 7 personal statements also received. The petitioner stated that a parking permit scheme would take 1-2 years to implement. He reiterated the applicant's comments regarding difficulties caused by commuter parking and referred to the fact that trees along the road were pruned in 2015 at which time some were replaced and some pruned down to a stump. Members asked if a parking scheme had been applied for and it was confirmed that it had.

Councillor Dhillon also spoke in support of the application and drew attention to a picture which showed 3 kerbstones of a different colour where an illegal dropped kerb had been in existence approximately 3 years previously which had not impacted negatively on the tree. He stated that the applicant's crossover would not be as close to the tree as the previous illegal dropped kerb. Members asked Councillor Dhillon to clarify whether residents of the 4 houses without dropped kerbs were currently parking in the other remaining spaces and, if the applicant had a dropped kerb, whether she would park in her own driveway. Councillor Dhillon confirmed that this was partly the case, but also adjacent roads had parking schemes in existence which impacted on parking in the road in question. He confirmed that a parking scheme had been applied for but timescales were not known.

Members sought clarification from officers as the addendum stated the need for an excavation of 300mm whereas the independent tree report suggested 200mm was required. Officers confirmed that the standard construction of a dropped kerb with the Council's contractor required a dig of 300mm or more to allow for haunching and the kerbstone (150mm for each). Members enquired whether the work done to repair the illegal dropped kerb would also have been to a depth of 300mm but officers were unable to confirm this. The Committee stated that trees of this type were hardy, had vigorous growth and their roots often caused damage to pavements. Officers confirmed that an inspection had revealed signs of roots growing which would need to be severed to allow the crossover to go in.

The Chairman asked officers to explain the importance of the 1m distance. Officers confirmed that National Joint Utilities Guidance had been adopted by the Council when dealing with street trees as the main structural roots would be lying within this area. A further precautionary zone of 4 times the diameter of the tree would be used in which

there would be further roots affected by the work. Further clarification was requested as to whether the proposed work would necessarily impinge on the 1m exclusion zone. Officers confirmed that it would and that this was unavoidable.

Members queried whether there were other trees along the road adjacent to vehicle crossovers and whether these had been damaged or were thriving. Officers confirmed that, although other trees were closer to dropped kerbs, the National Utilities Guidance had been adopted by the Council in 2007 and adhered to as standard since then. Officers were not able to comment on the health of other individual trees along the road.

Members sought further clarification regarding the contradicting reports; one of which claimed that with the use of hand-held tools no damage to the tree would be caused. The Green Spaces Area Manager was unable to comment on the independent professional's report but stated that, in his professional opinion, this was not the case. Members queried whether, as indicated in the independent report, work could be commenced and stopped if any roots were revealed; at which point bridging work could be undertaken. The Green Spaces Area Manager was unsure how bridging would be achieved and stated that, once the roots had been exposed, the damage would have already been done.

The Committee requested an update regarding the requested parking management scheme. The Transport and Aviation Manager confirmed that a petition had been received requesting such a scheme, residents had been informally consulted and were in favour of the scheme so the formal process had begun. Formal consultation would be undertaken and, should there be objections, an objection report would be written to the Cabinet Member. It was not yet known if there would be any objections to the formal consultation.

The Chairman asked for final confirmation as to whether exploratory work could be conducted to determine whether or not the crossover works would necessarily damage roots and whether it could be installed under supervision without the use of power tools and ceased if necessary without detriment to the tree roots. It was confirmed by officers that this was not thought to be possible as any excavation around the roots would potentially cause damage to the tree. The Legal Advisor confirmed that there appeared to be no evidence to support departure from the guidance and departure from the guidance would cause inconsistency in decision making. The Head of Planning and Enforcement did not think any bespoke conditions could be used in this case.

Members asked what proportion of the roots would be affected under the current proposal. The Green Spaces Area Manager stated that it would be difficult to say what percentage of the tree's root plate would be damaged given the hostile environment in which it was growing. The tree would be gaining its moisture from the soil under the ground.

A motion for the officer's recommendation was moved, seconded, and upon being put to a vote there were five in favour and one against.

RESOLVED That: the application be refused.

6. **LAND FORMING PART OF 7 BROOKSIDE - 72693/APP/2017/1026** (*Agenda Item 6*)
This item was withdrawn prior to the meeting.

7. **LAND TO THE REAR OF 119 HAREFIELD ROAD - 72673/APP/2017/938** (*Agenda Item 7*)

Single storey detached storage building (Part Retrospective)

Officers introduced the report, explaining that the proposed building would be used for parking and domestic storage only and would comply with the Council's guidelines. Officers drew attention to a condition which would restrict the use of the building quite severely. It was explained that work had been commenced but had now ceased.

A petition had been received in objection to the application and a resident spoke on behalf of the petitioners. He expressed concern that the proposed storage building would significantly alter the existing residential environment and would change the character of the neighbourhood. There was also concern regarding potential volume of traffic and the fact that vehicles accessing the storage building would have to drive along a narrow lane so it would be unsafe for children to play there. The petitioner stated that the application would result in a reduction in the residential amenity and commented that, in the Local Plan, Harefield Road was part of an archaeological priority zone therefore the applicant would need to apply for an architectural assessment and evaluation prior to commencing work. Residents were concerned that this development would be the start of something else and could set a precedent - they felt it appeared to have a double-skin wall and insulation which could suggest heating would be installed. Moreover, they believed the existence of the trench indicated preparations for water and electricity. Residents were concerned that the applicant had approached other adjoining properties asking to purchase land and stated that the land was originally meant to be for residential use; not for storage facilities.

The applicant responded to the petitioners' comments stating that he had sought advice from the duty planner prior to purchasing the piece of land, on which he wished to build a garage to house his car and garden furniture. He had adhered to the dimensions specified by the duty planner. The applicant stated that he worked for British Airways therefore travelled a considerable amount and needed somewhere to store his car. He did not intend to have electricity or water in the building and had chosen to have a double wall to make it more secure. It would be purely for his personal use and for his own storage; not for commercial use. Members queried whether the advice from the duty planner was verbal or written - it was confirmed to be verbal.

The Chairman requested clarification regarding the archaeological issue and the Planning Officer confirmed that, although the site was in an archaeological priority area, the scheme was on a small scale and would not disturb any remains significantly. The Chairman requested further clarification regarding the alleged change in the character of the area and change of use. The Planning Officer confirmed that the site was on a vehicular access road therefore the application did not represent a change of character and there were conditions to restrict usage (specifically condition 3).

Members commented that the development was acceptable provided that the conditions in place regarding restricted usage were enforceable. It was confirmed that this was the case.

A motion for the officer's recommendation was moved, seconded, and upon being put to a vote was unanimously agreed.

RESOLVED That: the application be approved.

8.	<p>280 HIGH STREET, UXBRIDGE - 59263/APP/2016/1707 (Agenda Item 8)</p> <p>Retrospective application for the installation of kitchen extract and outdoor condensing units at roof level</p> <p>Officers presented the report and highlighted the addendum, emphasising that the units were mostly hidden and barely visible from the street. Members felt that the visual impact terms were acceptable and raised no objections.</p> <p>A motion for the officer's recommendation was moved, seconded, and upon being put to a vote was unanimously agreed.</p> <p>RESOLVED That: the application be approved.</p>
9.	<p>ENFORCEMENT REPORT (Agenda Item 9)</p> <p>This item was withdrawn.</p>
10.	<p>ENFORCEMENT REPORT (Agenda Item 10)</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 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. <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 8.09 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny 01895 250185. 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.