

Minutes



CENTRAL & South Planning Committee

7 March 2019

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

	<p>Committee Members Present: Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Mohinder Birah, Nicola Brightman, Alan Chapman, Jazz Dhillon, Janet Duncan and Eddie Lavery (in place of Roy Chamdal)</p> <p>LBH Officers Present: Matt Kolaszewski (Planning Team Manager, Alan Tilly (Transport and Aviation Manager), Kerrie Munroe (Legal Advisor), James Rodger (Head of Planning and Enforcement) and Anisha Teji (Democratic Services Officer)</p>
200.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies received from Cllr Roy Chamdal, with Cllr Edward Lavery substituting.</p>
201.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interests.</p>
202.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meeting held on 6 February 2019 were agreed as an accurate record.</p>
203.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>Agenda item 6: 89 and 91 and Land Adjacent 89 & 91 Goshawk Gardens, Hayes - 74301/APP/2018/3913 was withdrawn from the agenda prior to the meeting.</p> <p>Agenda item 14: enforcement report was also withdrawn from the agenda prior to the meeting.</p>
204.	<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 the items of business marked Part I (items 1 - 12) would be considered in public and the item of business marked Part II (item 13) would be considered in private.</p>

205. **89 AND 91 AND LAND ADJACENT 89 & 91 GOSHAWK GARDENS, HAYES - 4301/APP/2018/3913** (*Agenda Item 6*)

This item was withdrawn from the agenda prior to the meeting.

206. **31 MANOR LANE, HARLINGTON - 74228/APP/2018/3580** (*Agenda Item 7*)

Officers introduced the report and provided an overview of the application. Planning permission was sought for the raising and enlargement of roof to create habitable roof space to include 1 x rear dormer, 1 x front dormer and conversion of roof from hipped to gable end. Officers made a recommendation for refusal.

The agent for the application addressed the Committee. Members noted the photographs submitted by the agent which were circulated to all parties prior to the meeting. A summary of the key points made are detailed below.

The agent commented that they were also the architect for 29 Manor Lane and the petition specifically raised the fact that 29 Manor Lane was owned by a Councillor. The applicant intended to live in the house for the foreseeable future and planned to accommodate all family. The petition had been signed by 22 signatories who were all nearby residents. It was submitted that the petitioners shared the concerns that the Local Authority was able to approve a similar scheme at 29 Manor Lane, but had made a recommendation for refusal for a similar scheme at 31 Manor Lane. It was further submitted that this petition had not been considered in light of the recently approved scheme. The scheme, context and constraints were similar to 29 Manor Lane and amendments had been made following consultation with planning officers. With the recent construction at 29 Manor Lane, it was submitted that 31 Manor Lane was now subordinate creating darker and colder rooms on the ground floor, as a result of overshadowing.

The agent explained that the applicant was seeking to improve the quality of family life by moving the bedroom from the ground floor to the first floor and introducing windows would create more natural daylight. It was submitted that the property would not become a two storey house, but a shallow style bungalow similar to 29 Manor Lane. The impact on neighbouring properties would be little and the dormer size had reduced. Overall, the proposal created a substantially smaller building to surrounding sites, the house and rear garden at 31 Manor Lane was overlooked by surrounding buildings and the proposals were no different to a number of other local properties. The applicant sought a recommendation for approval as it would improve the quality of life for their family and would improve overshadowing caused by the dominant side extension at 29 Manor Lane. The Committee was asked to look at the application, not only in the light of planning policies, but also in light of context, site, conditions and other recent developments.

The Head of Planning clarified the position in regards to planning permission for 29 Manor Lane. In summary, it was highlighted that the dormer was built above the bungalow and amounted to permitted lawful development. It was stated that had the proposal been a larger dormer, there would have been a different situation. The dormer being proposed was 10.2 metres wide and this was not the same as the dormer that fell under permitted development at 29 Manor Lane.

The Chairman reminded the Committee that this was a matter of judgement about the impact of the gable wall end.

Members were mindful that if a development in the nature of a two storey building was

being created, there should be a distance of 15 metres in accordance with planning policies. Members noted that in this case the distance was 8.6 metres and considered that this was just “too close”. The hipped roof would become a substantial feature.

Members noted that the recommendation appeared to be unfair because of what had been built at 29 Manor Lane. However, that application had different conditions and this application would be overbearing on 33 Manor Lane. With some changes to design Members commented that this application may have been approved.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed for the two reasons stated in the officer's report.

RESOLVED – That the application be refused as per officer's recommendation.

207. **10 BAXTER CLOSE, HILLINGDON - 58479/APP/2018/4090** (*Agenda Item 8*)

Officers introduced the report and provided an overview of the application. Planning permission was sought for the conversion of existing dwelling into 1 x 3-bed dwelling and 1 x studio flat, involving alterations to front and rear elevations and associated amenity space. Officers made a recommendation for refusal.

Members considered that the application was unsatisfactory creating poor amenity space.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED – That the application be refused as per officer's recommendation.

208. **1-3 BAKERS ROAD, UXBRIDGE - 72219/APP/2018/3436** (*Agenda Item 9*)

Officers introduced the report and provided an overview of the application. Planning permission was sought for the change of use from retail (Use Class A1) to a flexible retail/office/restaurant/clinic/ health centre/gymnasium use (Use Classes A1/A2/A3/D1/D2). Officers made a recommendation for refusal.

Members were mindful that the developer may find it difficult to let these properties therefore flexibility would be helpful.

Members discussed whether given the location of the proposal near the bus garage, the servicing unit with hours between 08:00 – 18:00 on Monday – Friday and not on Sundays and bank holidays was appropriate. Members also discussed whether restricting the use of A3 was appropriate given the start time of buses.

In light of the comments made, the Committee considered editing conditions 5 and 6 to make them more workable. The Committee agreed changing the hours of use from 08:00 to 07:00 and allowing deliveries and collections from 08:00 – 18:00 all days of the week (including bank holidays).

Officers clarified that refuse collection was done by a private contractor previously. There was space for a small van/transit at the rear for deliveries and for any larger vehicles there was a bay available near Poundland.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED:

That the application be approved subject to:

- 1) amending the hours of use in condition 5 to 07:00 to 23:00; and**
- 2) amending the days for deliveries and collections in condition 6 to Monday – Sundays and bank holidays.**

209. **35 HILLINGDON ROAD, UXBRIDGE - 20205/APP/2018/3805** (*Agenda Item 10*)

Officers introduced the report and provided an overview of the application. Planning permission was sought for part two storey, part single storey side/rear extension and conversion of dwelling to 8-bed House in Multiple Occupation. Officers highlighted the addendum and made a recommendation for refusal.

Members requested clarification on the occupancy of a HMO under 10 metres. It was noted that in accordance with planning policy the potential occupancy in this application could make 15 and not 9.

Members considered the reasons for refusal incorporated in the report and addendum. It was noted that overlooking could be overcome by conditions and therefore would not formulate a refusal reason.

Members were mindful that the proposal was too big and considered it to be unacceptable.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED – That the application be refused as per officer's recommendation and the amendments in the addendum.

210. **37 FAIRFIELD ROAD, UXBRIDGE - 20855/APP/2018/4118** (*Agenda Item 11*)

Officers introduced the report and provided an overview of the application. Planning permission was sought for two storey side and part single storey, part two storey rear extension and conversion of roof space to habitable use to include 2 rear dormers and 2 front dormers. Officers made a recommendation for approval.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED – That the application be approved as per officer's recommendation.

211. **71A COLHAM AVENUE, WEST DRAYTON - 35291/APP/2018/4252** (*Agenda Item 12*)

Officers introduced the report and provided an overview of the application. Planning permission was sought for the change of use from light industrial (Use Class B1) to 8 x 1 bedroom self-contained flats (Use Class C3) involving the addition of a mezzanine (Prior Approval). Officers made a recommendation for approval and section 106.

The Head of Planning explained that as this was a prior approval, issues such as windows and overlooking were not considerations in this application. The real issues

related to highways and transportation. The scheme of delegation required any legal agreements to be referred to Committee. It was a matter for the Committee to decide on whether the legal agreement was required.

Members discussed whether there was a need for the sec 106 legal agreement. It was noted that there was a shortfall for two parking spaces and there was no indication that there were parking stress issues in this area.

The officer's recommendation for approval with the deletion of the sec 106 agreement was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED – That the application be approved with the deletion of the sec 106 agreement.

212. **ENFORCEMENT REPORT** (*Agenda Item 13*)

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 it 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 1085 as amended).

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

This item was withdrawn prior to the meeting.

The meeting, which commenced at 7.00 pm, closed at 8.03 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.