

## Minutes



**CENTRAL & South Planning Committee**

**4 March 2020**

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

	<p><b>Committee Members Present:</b> Councillors Steve Tuckwell (Chairman), Roy Chamdal (Vice-Chairman), Shehryar Ahmad-Wallana, Mohinder Birah, Nicola Brightman, Alan Chapman, Jazz Dhillon, Janet Duncan (Labour Lead) and John Morgan</p> <p><b>LBH Officers Present:</b> Armid Akram (Highways Development Control Officer), Kerrie Munro (Legal Advisor), Meghji Hirani (Planning Contracts &amp; Planning Information), Anisha Teji (Democratic Services Officer) and James Rodger (Head of Planning, Transportation and Regeneration)</p>
135.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
136.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Roy Chamdal declared a non-pecuniary interest in agenda item 19. He did not vote and left the room during the discussion of this item.</p>
137.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meeting held on 5 February 2020 be agreed as a correct record.</p>
138.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
139.	<p><b>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</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that agenda items marked Part I would be considered in public, and agenda items marked Part II would be considered in private.</p>
140.	<p><b>LAND TO REAR OF 89-91 GOSHAWK GARDENS &amp; HAYSTALL CLOSE, HAYES - 74301/APP/2019/3314</b> (<i>Agenda Item 6</i>)</p>

**Erection of two-storey building to create 2 x 2-bed flats, with associated parking and amenity space, involving installation of vehicular crossover to front and also to front and side of 89 and 91 Goshawk Gardens to create additional parking.**

Officers introduced the application and made a recommendation for approval.

A petition was submitted in objection of the application but there were no representatives in attendance.

The applicant addressed the Committee and submitted that the garages at the rear of 89 and 91 had become redundant as they were too far from the properties. The proposed development was in keeping with the area and would improve the appearance. The design of the development complied with size and amenity space requirements. Off street parking issues had been addressed and the crossover would provide closer parking to the development s there would be additional car parking on Haystall Close. The open aspect would be provided by providing a low brick wall replacing the fence and landscaping of the whole area would be included as part of the development. The applicant drew the Committee's attention to the officer's report which made a recommendation for approval.

Responding to Member questions, it was clarified that the parking for residents' were close to the living room of the proposed development. It was noted that the living area was at the rear of the proposal and the front of the development was a kitchen area. Concerns were raised regarding potential noise disturbance to occupiers of the development and neighbours.

The Head of Planning confirmed that an allocated parking condition could be imposed as part of the determination. The condition would require a plan to be submitted indicating what parking space would go to which unit and an informative could also be added telling the applicant what the plan was expected to indicate.

Councillor Neil Fyfe, Ward Councillor for Charville, addressed the Committee and questioned where the parking bays would be located. Clarification was sought on the PTAIR ratings, bus services and the number of cross overs allocated per property. In response to the questions raised, it was clarified that the two parking bays were allocated to the front of the building, two to the side of 89 and 91 and there was no net loss of parking. This complied with the Council's requirement and policies. The PTAIR ratings were based on a number of factors and not just a question of how many services there were. There were three crossovers in total.

The Committee considered that this application was a better scheme which was in compliance with policy. The parking concerns were noted in relation to the two spaces on the ground floor development and it was confirmed that this would be regulated by a condition. It was clarified that the layout plans and the elevations were being approved. Delegated authority was requested to clarify the exact plan numbers.

It was noted that this applicant had designed the development to fit in with the wider street scene.

Some Members raised concerns regarding back land development and it was explained that as there was a frontage this was not classified as back land development.

The officer's recommendation with the additional condition on allocated parking and delegated authority to the Head of Planning to clarify the exact plan numbers was

moved, seconded and, when put to a vote, there were six votes in favour and two abstentions.

**RESOLVED: That the application be approved subject to the additional condition on allocated parking and delegated authority to the Head of Planning to clarify the exact plan numbers.**

141. **1120 UXBRIDGE ROAD, HAYES - 32331/APP/2019/3989** (*Agenda Item 7*)

**Change of use of land from car wash to use as a tyre fitting business involving alteration to roof profile.**

Officers introduced the application, highlighted the addendum and made a recommendation for approval.

A petitioner in objection of the application addressed the Committee. It was highlighted that there had previously been no issues on this site and any small objections had been promptly dealt with on a casual basis. However, since the mid 2000's, the changes in ownership had impacted the relationship between residents and the site. There had been discussions with the Council for some time since the approval of the change of use. Concerns were raised about the validity of the site as there had been constant breaches of designated operating hours, issues of noise, nuisance and the erection of unauthorised signage, which were all awaiting a response from the Council. Concerns were raised regarding the future and what residents in close proximity should expect in terms of safety and reasonable peace and quiet. Questions were raised regarding the number of key holders that had access to the site and the proposed gate design. Concerns had been raised with the applicant but there had been no response. There were breaches of noise levels and none of the suggested mitigation measures in the noise survey had been instigated. Further, it was noted that the garage roof section had been raised and the amount it had been raised was disputed.

In response to Member questions, it was noted that the concerns raised to the Council had not been addressed.

The applicant was not in attendance.

Councillor Neil Fyfe, Ward Councillor for Charville, was in attendance and noted that the issues raised by the petitioners had been raised to the Head of Planning by email. It was questioned whether there was any sort of legal protection for residents close to the premises as they experienced noise and pollution affecting their health and wellbeing.

Officers explained that any breaches of the conditions relating to the hours of operation and noise would need to be reported to the Council's enforcement team so that the appropriate action could be taken. The site had permission and were allowed to operate.

The Committee was asked to bear in mind that the tyre fitting business had been approved previously.

Members agreed that that the plans were difficult to see, making it difficult to properly determine the application. Members questioned how the noise assessment had been undertaken and it was explained that this was undertaken by experts that compared the existing noise levels with the proposed noise levels of the development. This was then assessed by the Council's Environmental Protection Unit and it was confirmed

that this was acceptable subject to the conditions set out in the report.

The Planning Inspector's points on page 31 of the agenda were noted.

The Head of Planning recommended Members defer the item as the petitioner queried the plans, the printing was not of good quality and there was an inconsistency in the level of the noise issues indicated by the petitioners and the Council's noise experts.

The site was in a residential area and it was questioned whether noise could be controlled and emergency vehicles could access the site. Access by emergency vehicles was not an issue and it was requested that the height of the roof was also reviewed by officers.

The Committee was of the view deferring the application would enable it to consider the plans properly and explore the noises issues raised in more detail.

A motion to defer the application was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED: That the application be deferred.**

142. **31 MANOR LANE, HARLINGTON - 74228/APP/2019/1213** (*Agenda Item 8*)

**Conversion of roofspace to habitable use involving raising of ridge height and a front and a rear dormer.**

Officers introduced the application, highlighted the addendum and made a recommendation for refusal. Delegated authority was requested to amend the refusal reasons to include the impact on the conservation area and the grade 2 listed buildings.

A petition in support of the application was submitted by the applicant. The agent on behalf of the application addressed the Committee and gave a summary of a previous application that was put before Members. That scheme was refused as aspects of the proposal would have had a negative impact on the setting of the street scene. Since then, following Committee comments and the points made in the refusal notice, a number of further amendments to the application had been made including reducing the scale, mass and bulk. The agent explained that the dormer size had been reduced from 10.3m to 6.342m and the gable ends from either side of the roof had also been removed. A fully hipped aspect had been introduced following Committee comments. The dormer was now 1.5 m shorter than the adjoining property. The property at 29 Manor Lane was 1.5 m wider than the proposal being put forward and included a Juliet balcony but the scheme had been granted under permitted development. It was highlighted that this already set a harmful precedent. It was questioned why the permitted development rights were not removed by an article 4 direction. The scheme addressed previous concerns raised and the height of the house had been kept as low as possible in compliance with building regulations.

It was noted that adjustments had been made to the application in terms of height. It was explained that the adjoining property was developed under permitted development rights, granted by government permission and there was no control over it. The application before the Committee needed to be assessed on its visual impact and the impact on adjoining properties, in addition to taking into account the Council's policies. This application was in contrary to the Council's policies.

Some Members considered that the applicant had taken steps to address previous concerns raised by the Committee and it was noted that the street scene on Manor Lane was varied and each application needed to be considered on its own merits.

Although the applicant had made a number of efforts to make the application acceptable, the development in question was under the Council's control and not in compliance with policies.

The Committee moved, seconded the officer's recommendation with delegated authority to the Head of Planning to amend the refusal reason to include the impact on the conservation area and the grade 2 listed buildings, and upon being put to a vote, there were seven votes in favour and one abstention.

**RESOLVED: That the application be refused and delegated authority be given to the Head of Planning to amend the refusal reason to include the impact on the conservation area and the grade 2 listed buildings.**

143. **39 STATION ROAD, WEST DRAYTON - 24730/APP/2019/3531** (*Agenda Item 9*)

**Change of use of first floor from 1 x 2-bed flat (Use Class C3) to mixed use restaurant (Use Class A3) and takeaway (Use Class A5), involving installation of fire escape to rear and alterations to side and rear elevations.**

Officers introduced the application and made a recommendation for refusal.

A petitioner spoke in support of the application and informed the Committee that the change of use of the first floor was requested to enable the restaurant below to expand. It was noted that this would result in a loss of a residential unit however West Drayton had seen an increase in the development of flats near the local high street. It was explained that the first floor flat was already in bad condition and would take several months to refurbish. There was a concern that the area would not grow economically if businesses were not supported. The petitioner had consulted with a sound specialist to limit noise ensuring that it did not impact neighbours. It was highlighted that the flat was not suitable for renting purposes and would require an investment of £50k. A local agent had undertaken a survey and confirmed that rent costs would be £950 after being refurbished. However, in its current state, it would be difficult to rent the property and would remain vacant. The concern regarding precedent setting and losing a residential unit was weighed against the contribution the restaurant would make to the local community.

In response to Member questions, it was confirmed that the first floor would be used as a second kitchen however if this would cause a noise nuisance to neighbours, then it would just be used as a dining area. It was noted that there were no internal photos of the premises, the petitioner was the leaseholder, the freeholder had no intention of investing money to renovate the property and it could not be let in its current form. The length of time the flat had been empty was unknown.

Councillor Jan Sweeting, Ward Councillor for West Drayton, addressed the Committee and supported the petition. It was noted that the existing restaurant supported the local community, adding to the vitality of the West Drayton town centre. The petition had been signed by 117 residents and it was emphasised that community facilities were needed to support the area in light of the increased population. The restaurant contributed to the feel of the area, the business brought quality to the area and would encourage investment in the area. The Council needed to encourage independent businesses and as the population was increasing, there were not enough places to

have a sit down meal as a family. The expense needed to renovate the flat would not be cost effective. The Committee was asked to consider this proposal under special circumstances and it was noted that a nearby bar was recently replaced with flats. West Drayton lacked businesses inviting people to the local area and the Committee was urged to support the expansion of the restaurant.

In response to Member questions, it was confirmed that the freeholder was very supportive of the restaurant and wished for it to be expanded.

The Head of Planning explained that there was a policy in relation to exceptional circumstances but the London Plan Strategic Policy had no leeway to allow the loss of a residential unit. The London Plan policy was explained to the Committee and the loss of housing would be restricted as there was a housing need in London. There was more flexibility in relation to retail premises however this proposal had some serious policy issues.

The Committee asked for clarification on what would be considered as exceptional circumstances. It was explained that residential units had previously been lost for health facilities. It was noted there was no mechanism to enforce the freeholder to renovate the property and housing legislation dealt with empty homes.

Members considered that the property was a loss of a unit as it would not be renovated or rented and had been vacant for a period of time. It also considered that the Council had multiple responsibilities including enhancing the vitality of town centres allowing successful businesses to grow.

The Committee bore in mind that each application was based on its own merits and that it would be more beneficial for the freeholder to rent the property as a flat than a commercial premises. Members agreed to defer this application for a site visit to consider further information such as pictures of the flat, visiting the premises in person and finding out how long it had been vacant for.

The Legal Advisor advised the Committee that deferring the application for a Member site visit to gain further information sounded practical.

A motion to defer the application to a site visit was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED: That the application be deferred to a Member site visit.**

144. **TRAVEL LODGE HOTEL, BENNETFIELD ROAD, STOCKLEY PARK - 37800/ADV/2019/65** (*Agenda Item 10*)

**Installation of 4 internally illuminated fascia signs.**

Officers introduced the application and made a recommendation for approval.

The officer's recommendation, was moved, seconded and unanimously agreed.

**RESOLVED: That the application be approved.**

145. **56B WOOD END GREEN ROAD, HAYES - 54624/APP/2019/3983** (*Agenda Item 11*)

**Erection of a rear dormer window and 3 front rooflights following full removal of**

**the existing unlawful dormer window.**

Officers introduced the application and made a recommendation for refusal.

The officer's recommendation, was moved, seconded and unanimously agreed.

**RESOLVED: That the application be refused.**

146. **THE HILLINGDON HOSPITAL, FIELD HEATH ROAD, UXBRIDGE - 4058/APP/2019/3286** (*Agenda Item 12*)

**Erection of a temporary single storey prefabricated system building, together with a link to the AMU building, with a total floor area of 888 sq.m, to provide for a 28 bed space decant and winter overspill ward, including 4 parking spaces; demolition of Building 17 and the creation of 30 replacement staff car parking spaces; reconfiguration of the parking area to the east of the Womens' Services Building resulting in a net provision of 11 replacement visitor parking spaces (amended scheme).**

Officers introduced the application and made a recommendation for approval and section 106.

The Committee was informed that the consultation period for this application had not yet concluded. The Head of Planning requested delegated authority to determine the application subject to no objections being raised during the consultation period. As such, the officer's recommendation with the delegated authority to the Head of Planning was moved, seconded and unanimously agreed.

**RESOLVED: That the application and section 106 be approved and delegated authority be given to the Head of Planning to determine the application subject to no objections being raised during the consultation period.**

147. **SKYPORT TELEPHONE EXCHANGE, NEWALL ROAD, HEATHROW AIRPORT - 15665/APP/2019/3421** (*Agenda Item 13*)

**Installation of 3 antennas on new steel work with new poles, 12 ERS units on freestanding frames behind the antennas, 1 cabinet and 1 distribution board installed on new grillage on rooftop.**

Officers introduced the application and made a recommendation for approval.

It was clarified that landscaping conditions relating to ground floor cabinets were not usually included unless they were located in close proximity to foot paths or grass verges.

The officer's recommendation, was moved, seconded and unanimously agreed.

**RESOLVED: That the application be approved.**

148. **ACS INTERNATIONAL SCHOOL, 108 VINE LANE, HILLINGDON - 63297/APP/2019/4036** (*Agenda Item 14*)

**Erection of external fixed access ladder to the existing side wall of existing water tank (Listed Building Consent).**

Officers introduced the application and made a recommendation for approval.

The officer's recommendation, was moved, seconded and unanimously agreed.

**RESOLVED: That the application be approved.**

149. **3-5 VINE STREET, UXBRIDGE - 73293/APP/2019/3622** (*Agenda Item 15*)

**Removal of conditions 2 (Approved plans) and 8 (Parking) of planning permission Ref: 73293/APP/2019/3685 dated 05/06/2018 (Extension and enlargement of existing building and change of use from Use Class A2/D2 (Professional Services/Assembly and Leisure) to Use Class A2 to create Office space at ground and first floor and 4 x 1-bed self-contained flats at second floor).**

Officers introduced the application and made a recommendation for approval and section 106.

A disabled parking bay was requested for residents that were not able to use public transport.

The officer's recommendation with the additional condition on a disabled parking bay, was moved, seconded and unanimously agreed.

**RESOLVED: That the application and section 106 be approved with the additional condition allocating a disabled parking bay.**

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

**RESOLVED:**

- 1. That the enforcement action, as recommended in the officer's report, be agreed; and,**
- 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 purpose 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 1985 as amended).*

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

**RESOLVED:**

- 1. That the enforcement action, as recommended in the officer's report, be agreed; and,**

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 purpose 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 1985 as amended).*

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

**RESOLVED:**

1. That the enforcement action, as recommended in the officer's report, be agreed; and,
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 purpose 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 1985 as amended).*

153. **ENFORCEMENT REPORT** (Agenda Item 19)

**RESOLVED:**

1. That the enforcement action, as recommended in the officer's report, be agreed; and,
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 purpose 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*

	<i>Government (Access to Information) Act 1985 as amended).</i>
	The meeting, which commenced at 7.17 pm, closed at 9.35 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.**