

Minutes



CENTRAL & South Planning Committee

1 July 2020

Meeting held at VIRTUAL - Live on the Council's YouTube channel: Hillingdon London

	<p>Committee Members Present: Councillors Steve Tuckwell (Chairman), Alan Chapman (Vice-Chairman), Shehryar Ahmad-Wallana, Simon Arnold, Mohinder Birah, Roy Chamdal, Farhad Choubedar, Jazz Dhillon and Janet Duncan (Labour Lead)</p> <p>LBH Officers Present: Meghji Hirani (Planning Contracts & Planning Information), Kerrie Munro (Legal Advisor), James Rodger (Head of Planning, Transportation and Regeneration), Liz Penny (Democratic Services Officer) and Alan Tilly (Transport, Planning and Development Manager)</p>
41.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Nicola Brightman with Councillor Simon Arnold substituting.</p>
42.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Janet Duncan declared a non-pecuniary interest in item 9 on the agenda since her home was in the same road as the application site. Councillor Duncan remained in the virtual meeting room during discussion of the item but did not contribute to the discussion, switching her camera off and muting herself at the appropriate time.</p>
43.	<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 dated 4 June 2020 be approved as an accurate record.</p>
44.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
45.	<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 agenda items 1-14 marked Part I would be considered in public and agenda items 15-17 marked Part II would be considered in private.</p>

Change of use from single dwelling (Use Class C3) to house in multiple occupancy (Use Class C4)

Officers introduced the application which sought planning permission for a change of use from a single dwelling to an HMO for six people. It was considered that the proposal would provide satisfactory living conditions and there would be no adverse impact on the amenity of neighbouring properties or the character of the area. It was noted that, as indicated on page 11 of the agenda pack, the application was located within an article 4 direction area which removed permitted development rights for the conversion of dwellings to HMOs; hence the requirement for planning permission to be sought. It was reported that no other HMOs were registered in the immediate vicinity of the application site. Members were informed that the site was in a parking management area. The proposal complied with the Council's policies in terms of siting, room sizes, amenity space and parking spaces. The application was therefore recommended for approval.

A written representation in objection to the application had been received from petitioners. Key concerns highlighted included:

- It was claimed that 9 Newlyn Close was already operating as an HMO;
- The proposed HMO at no.3 would increase traffic and parking pressures in the area;
- Residents were not informed about the 'Control of Environmental Nuisance from Construction Work' prior to commencement of the building work;
- Concerns were raised regarding noise pollution;
- It was claimed that no.4 Newlyn Close would be surrounded by HMOs if the application were to be approved;
- Concerns were expressed regarding safeguarding and security given the transient nature of occupants of an HMO.

A further written submission and photos had been received from the agent for this application. Members heard that the applicant wished to reassure residents that the proposed use as a C4 HMO would not negatively impact future occupants or residents in the neighbourhood for the following reasons:

1. The proposed site would meet the Council's policies and would not be out of keeping in the area;
2. There was no evidence to show that traffic would increase; however there would be sufficient onsite parking and cycle storage;
3. The property had been refurbished to a high standard;
4. It was unclear whether there was another HMO in the cul-de-sac;
5. There was a lack of evidence to support the alleged 'noise pollution' concerns. However, the applicant had submitted an HMO Management & Supervision Plan and procedures to tackle the issue should it arise;
6. The Council had assessed that the additional HMO would not exceed the limit for HMO concentration.

The applicant sought to reassure residents that the proposed use as a C4 HMO would be under strict and professional management through a well-established management company. Moreover, the HMO aimed to attract professional tenants such as doctors and nurses working at Hillingdon Hospital.

Ward Councillor Richard Mills had also submitted a statement in objection to the application expressing concerns regarding the over-concentration of HMOs in the area and claiming that the application was in contravention to the Council's article 4 directive as no.9 was already operating as an HMO,. Councillor Mills was of the view that the proposal would be out of keeping with the street scene and would result in traffic stress in a small Close. Furthermore, he stated that the parking proposal was inadequate as the HMO would be unlikely to be shared by related individuals. Councillor Mills also expressed concern that the living area and amenity space in the garden were insufficient for six residents.

Members requested clarification regarding the alleged existence of another HMO in the vicinity of the application site. In accordance with policy as set out in the officer's report, it was confirmed that officers had referred to Council records on this point – no other licensed HMOs appeared in said records and no planning permission had been granted for another HMO in the Close. Moreover, even if one other HMO were already in operation, Members were informed that this would total two HMOs and would still be considered to comply with policy.

Members expressed further concerns regarding the availability of parking at the application site and the proximity of off street parking to the ground floor bedroom window. It was confirmed that three private parking spaces were available at the site and a small area of planting separated the bedroom window from the parking area. A parking management scheme was in operation Monday – Friday from 09:00 – 17:00 hours and it would not be possible to preclude residents at no.3 from joining the scheme by way of Condition. The Legal Advisor advised the Committee that the only way to prohibit parking on the highway would be by way of a Section 106; however, enabling powers would need to be added to the Section 106 in accordance with Section 16 of the Greater London Council General Powers Act 1974. Members were concerned that three spaces would be insufficient for six occupants; particularly given the current pandemic which had resulted in less people travelling by public transport and more reliance on private vehicles.

The Committee heard that there was potential for a Condition to be imposed restricting the HMO to six occupiers only to minimise parking stress; the three parking spaces provided would then be considered sufficient and the proposal would be policy compliant.

Members requested further clarification regarding the dimensions of the three proposed parking spaces and access to them. Concerns were raised regarding the restricted size of the three spaces and the potential difficulty in accessing them without straddling the pavement in order to do so. It was noted that this would also have safety implications.

In response to questions from the Committee regarding amenity space, it was confirmed that there was no set standard in terms of bedroom sizes; however, there was a large garden at the site.

Members proposed that the item be deferred to gain more clarity regarding parking arrangements, vehicular access, the existence of a second HMO in the Close and to investigate the matter of Enabling Powers.

The option to defer was moved, seconded and, when put to a vote, unanimously approved.

RESOLVED: That this application be deferred to gain more clarity regarding parking arrangements, vehicular access, the existence of a second HMO in the

Close and to investigate the matter of Enabling Powers.

47. **LAND TO THE REAR OF 511 UXBRIDGE ROAD - 15988/APP/2019/2831** (*Agenda Item 7*)

Erection of two storey, 4-bed, detached dwelling with associated bin and cycle storage and parking and amenity space, involving demolition of existing garage and outbuildings.

Officers introduced the application advising Members that the scheme was considered unacceptable as the development did not harmonise with its surroundings and would have an adverse impact on the nearby Conservation Area. The proposed development of the rear garden was the main issue and there were also highways concerns. The application would have been recommended for refusal had there not been a non-determination appeal.

A petitioner statement had been submitted highlighting the negative impact that the proposed development would have on residents of Elmlea Drive, Hayes. Residents were concerned that the development would increase traffic and create parking stress in a compact road. Members were informed that the garages were used on a daily basis and offered a sense of security, particularly to elderly residents. Petitioners were concerned that, if the development were to go ahead, the peace and quiet of their quiet family-orientated cul-de-sac would be disrupted.

Members raised considerable concerns in relation to the proposal, particularly with regard to access arrangements and deemed it to be unacceptable. In response to Councillors' requests for clarification, it was confirmed that, when assessing planning applications, officers considered historical maps and records to ascertain whether the proposed development site had previously formed part of a rear garden.

Members enquired whether there were any trees on the site which could be protected by a Tree Preservation Order (TPO). It was confirmed that the trees in question were on the boundary and did not form part of the development site.

The Committee requested that Non-Standard reason for refusal 2 be strengthened to include all vehicles (including construction traffic), wheelchair users and mobility scooter users, in addition to pedestrians and cyclists.

It was noted that the application would have been recommended for refusal had there not been a non-determination appeal.

The officer's recommendation, subject to the strengthening of Non Standard reason for refusal 2 to include all vehicles (including construction traffic), wheelchair users and mobility scooter users, in addition to pedestrians and cyclists, was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED: That the application be refused subject to the strengthening of Condition 2 to include all vehicles (including construction traffic), wheelchair users and mobility scooter users, in addition to pedestrians and cyclists.

48. **47 FAIRFIELD ROAD, UXBRIDGE - 21763/APP/2020/1035** (*Agenda Item 8*)

Demolition of existing dwelling and erection of three storey building to provide 6 x 2-bed flats with associated car and cycle parking, amenity space and refuse storage and installation of vehicular crossover to front.

Officers introduced the application. Due to the size and scale of the proposed development and by reason of its siting in an open prominent position, the proposal was recommended for refusal. It was felt that it would result in a cramped, intrusive and visually prominent over-development of the site.

A written submission had been received from the agent. Key points highlighted included:-

- The applicant had sought to address the concerns of the Council and appeal inspector with a building form that was more reflective of the character of the road;
- The development would appear as a larger house on a corner plot with sufficient landscaping and tree planting;
- The building width was reflective of those in the immediate context;
- The gaps retained on either side were larger than, or equal to, those found between flats and houses along Fairfield Road;
- The development provided sufficient parking and cycling provision;
- The development would provide much needed housing to meet local demand in this accessible location.

Ward Councillor Raymond Graham had submitted a written statement in objection to the application stating that the development would be harmful to the general character of the area and would have an overbearing dominance on the street scene, particularly on the houses opposite in Harefield Road. Councillor Graham was of the opinion that the cramped, intrusive, prominent over-development of the site would not accord with the Hillingdon Local Plans Part 1 and 2, and the scale and form of the proposed building would unacceptably intensify the developed nature of the site.

Members noted that the proposed crown roof was excessively large and was not in keeping with the character of the local area. At the suggestion of the Committee, it was agreed that the matter of 'design' and roof treatment be added to the suggested reason for refusal. Councillors requested further clarification regarding the 'position' of the proposed development as mentioned by officers. It was explained that corner plots usually provided an area of openness and space; the proposed development would protrude quite considerably, particularly to the side, thereby negating the current sense of spaciousness.

In response to further questioning from the Committee, it was confirmed that lift provision was not deemed essential but, should the application be approved, wheelchair access would need to be provided to enable access to the ground floor units.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously approved, subject to an amendment to Reason for Refusal 1 to include design and roof treatment.

RESOLVED: That this application be refused, subject to an amendment to Reason for Refusal 1 to include design and roof treatment.

49. **16 FRAYS AVENUE, WEST DRAYTON - 53156/APP/2020/1393** (*Agenda Item 9*)

Two storey, 4 bed detached dwelling, parking and amenity space involving demolition of existing dwelling.

Councillor Janet Duncan had declared a non-pecuniary interest in this item. She therefore switched off her camera, did not take part in the discussion and did not vote on this item.

Officers introduced the report advising Members that the proposal was a revision of a scheme which had been refused a number of times. It was felt that the proposed dwelling would result in a disproportionately large, dominating and incongruous form of development which would be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton Garden City Area of Special Local Character. The application was recommended for refusal.

A written submission had been received from petitioners. Concerns raised included:

- The proposed structure was overbearing and its depth and height would cause a risk to the foundations around the properties in Frays Avenue;
- The proposal would result in increased activity at the site, including more traffic and heavy machinery / vehicles; this would impact on the privacy of neighbouring properties;
- The building work would have a negative impact on residents working from home;
- The development would not be in keeping with the surrounding environment and street scene of the Garden City Estate;
- The proposed property would be overbearing and too large for a corner plot;
- The proposed building would be dangerous as drivers and pedestrians would not be able to see round the corner;
- If the application were approved, it could set a precedent and the Garden City Estate might lose its status as an area of special local character.

A written submission had also been received from the applicant. Key points highlighted included:

- The current application had attempted to take into account most of the concerns of the planning officer;
- The case officer had indicated that the new application would not have an adverse effect on neighbours;
- A sunlight / daylight report from the previous proposed scheme (which was much larger) had been provided demonstrating that the scheme would not have a negative effect on no.14;
- The height and bulk of the proposed scheme were similar to that of neighbouring properties – particularly no.18;
- Most of the houses opposite the application site were two storey houses;
- In the proposal, the roof was designed to look less bulky than nos. 14 and 18;
- The house at no.8 was on a corner plot on Fray Avenue. It had been built quite recently and was high and dominant on the corner but still blended into the street scene;
- The applicant was willing to accept conditions on the height or the garage as deemed necessary by the Committee.

Members requested further clarification as to the comparable height and bulk of no.14 and no.18 Frays Avenue and noted that the houses in the vicinity were of different shapes and sizes. It was confirmed that officers and the Planning Inspector had concluded that the proposal would be more prominent than other new builds and concerns had been raised regarding its size and proximity to the boundaries. The

Committee suggested that officers should work with the applicant to offer guidance in order to reach an agreement on an acceptable proposal. This would assist the applicant and avoid the likelihood of another unacceptable proposal coming before the Planning Committee in the future.

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

RESOLVED: That this application be refused.

50. **766B UXBRIDGE ROAD, HAYES - 62118/APP/2020/743** (*Agenda Item 10*)

Change of use from retail (Use Class A1) to a mixed use comprising café / restaurant / hot food takeaway (Use Class A3/A5) (Retrospective)

Officers introduced the application which sought retrospective planning permission for the change of use from A1 (retail) to A3/A5 (Café/Takeway). Members were informed that it was considered that the change of use would not harm the area and officers were recommending that the application be approved.

Members requested further clarification regarding the advertisement mentioned in the officer's report which did not have permission and was therefore at risk of enforcement action. It was confirmed that the application under consideration by the Committee was for retention of the change of use only; the applicant would need to seek consent for the signage separately. The Committee noted that, particularly in light of the current economic situation in the country and the effects of Covid-19, it was vital that Members support local businesses as much as possible.

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

RESOLVED: That the application be approved.

51. **BOTWELLEARS HOUSE, REAR OF 25 BOTWELL LANE, HAYES - 1644/APP/2020/1061** (*Agenda Item 11*)

Part change of use of ground floor to financial and professional services use (Use Class A2) and part change of use to create 1 x 1 bed self-contained flat involving two storey extension to first and second floors (part retrospective).

Officers introduced the report and highlighted the information in the addendum. Members were informed that there was lengthy enforcement history at the site as the development had not been built to plan; this had culminated in the current application. The retention of the ground floor was proposed which was as agreed in terms of its size and change of use. Amendments to the construction of the two existing flats above were proposed as part of the application; these were deemed to be acceptable. The application was therefore recommended for approval.

Members commented that the application would improve the current construction considerably. No concerns were raised.

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

RESOLVED: That the application be approved.

52. **LAND FRONTING RENAISSANCE HOTEL, BATH ROAD - 57699/APP/2020/968**
(Agenda Item 12)

The installation of a 20m monopole, 12 antenna apertures, 7 equipment cabinets and the removal of the existing 14.7m monopole, 3 antennas, 5 redundant equipment cabinets and development ancillary thereto.

Officers introduced the application and highlighted the information in the addendum. The proposed scheme involved the removal of the existing mast and 5 cabinets, 2 of which would be retained. The replacement 20m mast and 7 new cabinets, together with the existing 2, would be re-sited approximately 13m to the west of the current site. Members were informed that the proposed scheme would not result in a detrimental impact on the character and appearance of the street scene.

At the request of the Committee, it was agreed that a standard Condition be added to the report confirming that, if any of the proposed equipment were to become redundant in the future, it would be removed.

Members requested further clarification regarding the siting of the new monopole. Attention was drawn to point 3.2 of the officer's report which indicated that the new mast would be sited at the back edge of the pavement, while the photographs shown to Councillors appeared to suggest that the current structures were sited to the front. The Committee was informed that the mast would actually be sited towards the front of the highway as per the photographs rather than to the rear.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed, subject to the addition of a standard Condition confirming that, if any of the proposed equipment were to become redundant in the future, it would be removed.

RESOLVED: That this application be approved subject to the addition of a standard Condition confirming that, if any of the proposed equipment were to become redundant in the future, it would be removed.

53. **HAYES TUITION CENTRE, 52 COLDHARBOUR LANE, HAYES - 52803/APP/2019/2634**
(Agenda Item 13)

Change of use of first floor from tuition centre / offices to 2 x 2 bed and 3 x 1 bed self-contained flats, including addition of a second floor, a first floor side extension, balconies to the rear, new external stairs and widening of crossovers.

Officers introduced the application and informed Members that the proposed scheme was considered to comply with policy and guidance. The application was recommended for approval subject to completion of a S106 legal agreement restricting occupants of the units from being eligible for parking permits.

In response to Councillors' requests for clarification, it was confirmed that the flats would not be eligible for parking as part of any parking management schemes in surrounding roads. Members were advised that there was no amenity space at ground floor level but this was deemed to be acceptable in a town centre location. The Committee also heard that the balconies did not overlook adjoining properties therefore frosted glass was not required.

Members commented that the proposal would give the building a far more attractive

appearance and would provide much needed housing.

The officer's recommendation, subject to completion of a S106 legal agreement restricting occupants of the units from being eligible for parking permits, was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED: That this application be approved, subject to completion of a S106 legal agreement restricting occupants of the units from being eligible for parking permits.

54. **CAR BREAKERS YARD ADJACENT 1RIVERSIDE COTTAGES, THE COMMON - 4161/APP/2016/2736** (*Agenda Item 14*)

Retrospective application for the change of use of Unit 1 to sale of Motor Vehicles and Unit 2 for Contractors Plant, both buildings being previously used in conjunction with the overall use of the site as a breakers yard.

Officers introduced the application which was recommended for approval. Members heard that no external alterations were proposed and the change of use would therefore have no detrimental impact on the Green Belt.

Members raised no objections.

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

RESOLVED: That this application be approved.

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

RESOLVED:

- 1. That the enforcement action, as recommended in the officer's report, was 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 purposes of it issuing the formal breach of condition notice to the individual concerned.**

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest in disclosing it.

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

RESOLVED:

- 1. That the enforcement action, as recommended in the officer's report, was 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 purposes of it issuing the formal breach of condition notice to the individual concerned.

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest in disclosing it.

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

RESOLVED:

1. That the enforcement action, as recommended in the officer's report, was 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 purposes of it issuing the formal breach of condition notice to the individual concerned.

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest in disclosing it.

The meeting, which commenced at 7.01 pm, closed at 9.57 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on Telephone 01895 250636 - email (recommended) democratic@hillington.gov.uk. 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.