

Minutes



MAJOR Applications Planning Committee

19 January 2022

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

	<p>Committee Members Present: Councillors Steve Tuckwell (Chairman), Henry Higgins (Vice-Chairman), Alan Chapman, Philip Corthorne, Janet Duncan (Opposition Lead), David Yarrow and Jazz Dhillon (In place of Stuart Mathers)</p> <p>LBH Officers Present: Neil Fraser (Democratic Services Officer), James Rodger (Deputy Director of Planning and Regeneration), Mandip Malhotra (Strategic and Major Applications Manager), Alan Tilly (Transport Planning and Development Manager), Michael Briginshaw (Principal Planning Officer) and Glen Egan (Office Managing Partner - Legal Services)</p>
77.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Mathers. Councillor Dhillon was present as substitute.</p>
78.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
79.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETINGS HELD ON 30 NOVEMBER AND 15 DECEMBER 2021 (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meetings held on 30 November and 15 December 2021 be approved as a correct record.</p>
80.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>The Committee was reminded that the report for agenda item 10 was published as a supplementary agenda.</p>
81.	<p>TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED INPUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items would be considered in public.</p>
82.	<p>TEMPORARY COVID-19 PROTOCOL FOR WRITTEN REPRESENTATIONS: STANDARDISATION OF TIME LIMITS (<i>Agenda Item 6</i>)</p> <p>The Committee received a report requesting consideration of the standardisation of</p>

time limits for submission of additional information and written representations to no less than 48 hours prior to a meeting – consistent with the rules for those attending to speak in person. Members were also requested to note the addition of legal services advice regarding privacy and a non-material amendment of the protocol by Democratic Services.

The proposal was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED: That under the provisions provided by Committee Standing Orders, that the Committee agree to the updated Temporary Covid-19 Protocol.

83. **NORTHWOOD AND PINNER COTTAGE HOSPITAL - 23658/APP/2021/1296**
(Agenda Item 7)

Officers introduced the application, which had been deferred from the Major Applications Planning Committee of 16 November 2021 to allow Members to conduct a site visit and for officers to prepare an updated report. The addendum was highlighted, which set out various amendments for completeness, comments from the Council's landscape officer, and planning officer comments following receipt of additional letters from residents, the petitioner, and the applicant.

Officers set out the proposed development, inclusive of demolition and refurbishment, access arrangements, retention of the most valuable elements of the listed building, and the retention of trees for screening purposes. The height of the proposed health centre was confirmed to be four storeys, which was broadly commensurate to adjoining and nearby buildings.

A single 'pinch point' regarding proximity of buildings to nearby occupiers was confirmed to be marginally below the Council regulations on separation distances and was not considered to be material. A car parking space was confirmed to be removed to enable access to refuse bin storage areas.

Officers advised that on balance, the benefit of the proposed new health centre was considered to outweigh any potential harm resulting from the site development, and the application was therefore recommended for approval subject to the addendum and amendment to conditions 42 and 38(2d), to strengthen overheating conditions and to show 69 parking spaces.

A petitioner addressed the Committee in objection to the application. Points raised included:

- Due to its scale and bulk, the application constituted overdevelopment for the area;
- Several other similar developments had been refused, including in Barnet, due to perceived harm to neighbourhoods and contravention of Council policies;
- The increase in height, from 3 to 4 storeys, was not marginal, being a 33% increase;
- Officers and developers should protect residents and consider applications based on planning principles rather than financial grounds;
- Residents had concerns over the safety of balcony play areas, the level of sunlight available through windows (as set out within the sunlight report), the resulting lack of sunlight's impact on human rights, and car parking provision within the PTAL assessment (particularly accessible spaces);
- It was requested that the application be refused.

The applicant addressed the Committee. Points raised included:

- The proposed health centre would benefit over circa 20,000 residents;
- The applicant had widely consulted with stakeholders including the CCG, the Council, residents, patients and carers;
- It was confirmed that the applicant had sufficient capital funding available to carry out the required works during the next financial year;
- The density of the proposed development, together with its car parking provision, was deemed acceptable under London and Local Plan guidelines;
- Issues of light and overlooking had been discussed with residents and improvements to windows and screening had been built into the design to address concerns;
- In correction to the officer's report, the parking space was not being removed and there were no changes to current access from Neal Close;
- It was requested that the application be approved.

The Committee sought additional information from the applicant regarding funding. In response, the applicant confirmed the funding structure and reiterated that funding was currently available. Regarding any potential funding deficit, development budgets included and accounted for factors such as rising inflation and construction costs, and any shortfall was manageable through additional NHS funding.

Regarding accessibility for exiting through windows in the case of a fire, it was confirmed that all windows were fully openable and useable in the event of an emergency.

Members suggested that the applicant confirm the availability of funding in writing, and it was agreed that a letter would be provided for circulation to Members upon receipt. Officers reassured Members that conditions provided adequate safeguarding regarding issues with development, though it was suggested that the S106 agreement be amended to include mandatory referral to the Planning Committee should further changes to that agreement be requested.

By way of written submission, Ward Councillor Duncan Flynn addressed the Committee. Points raised included:

- The principle of developing the site was not an issue, with the site not in use and falling into disrepair;
- The possibility of a new medical centre being located in Northwood Hills was very welcome and would be of clear benefit to local residents;
- However, community benefits had to be balanced against the considerable harm caused by the application to neighbouring residents, especially those living a few metres from the site in Juniper Court, Neal Close, Sovereign Court and Waverley Gardens.
- Although some mitigation measures around landscaping had been taken, concerns remained that the scale of the proposed development constituted over-development on what was a relatively constrained site;
- Should the Committee be minded to approve the application, it was requested that all reasonable conditions be put in place to minimise any harm caused to local residents and to ensure that the applicant would be held to account for any breaches of those conditions.

Ward Councillor Jonathan Bianco addressed the Committee. Points raised included:

- The points raised by Councillor Flynn and the petitioner were agreed with;
- The prospect of a new health centre was beneficial to residents, but size, scale and bulk were too great.
- Additional concerns related to the likely sale of the site to another developer who could further intensify the area, the adverse impact on the development on adjoining neighbours, and the potential for overlooking and loss of privacy;
- The existing screening trees should be wholly retained;
- It was requested that the application be refused.

Ward Councillor John Morgan addressed the Committee. Points raised included:

- The points raised by Councillor Flynn, Councillor Bianco and the petitioner were agreed with;
- Additional concerns included the overdevelopment of Block A, which could adversely impact residents of Juniper Court (some of whom were high needs residents), and difficulty in access to Block A for large vehicles due to narrow roads;
- It was requested that the application be refused.

Planning officers responded to the points raised by the petitioner. Regarding the Barnet case referred to, Members were informed that this concerned a 9-storey building and was therefore not comparable to the application before the Committee. Regarding the proposed change from 3 storeys to 4 storeys, officers considered that this was acceptable for such a large site. On the matter of sunlight reports, it was highlighted that these could identify issues for a number of reasons, including shadowing caused by trees and balconies, and were not necessarily a reason for refusal.

Regarding balcony safety, it was confirmed that play space was included at both roof and ground level, with roof play space not unusual in such developments and acceptable under planning policies. Additional safety guidelines included prohibition of the use of building edges. On parking provision, the London Plan parking standard required 47 spaces for such a site, with the proposed 69 spaces in excess of this requirement. On the matter of accessible car parking spaces, it was highlighted that the proposed spaces were located as close as possible to Block A, and access to the spaces was not considered an issue. Regarding the PTAL score, this reflected the future value following forthcoming transport improvements within the area.

On the impact on human rights as referred to by the petitioner, the Legal officer confirmed that in accordance with the law, Committees should weigh the benefits of the proposed development versus any harm it would cause. It was highlighted that should the application be refused, it was likely it would be approved on appeal, upon which the Council could lose the benefits from the current S106 agreement.

The Committee discussed energy sustainability as part of the development. Officers advised that the new London Plan required developments to be carbon neutral, but where this was not possible, applicants were able to make a financial contribution to offset any environmental impact. Regarding this application, the contribution was relatively modest, which showed the scheme was not particularly harmful to the environment.

Members requested further information on vehicle access. Officers advised that Addison Way and Neal Close already had access to the health centre area, and transport officers considered that the proposed development was expected to result in

fewer car journeys and vehicle numbers than currently.

Members suggested that that the wording of the Construction Logistics Plan be strengthened prior to commencement of any building work to ensure no construction could take place until the Plan was received, together with the inclusion of the applicant's resident engagement strategy. Members also requested that officers conduct a further review of plan numbers to ensure accuracy.

The officer's recommendation, inclusive of the addendum and suggestions for additions and amendments to conditions as outlined, was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved, subject to the addendum and the following;

- a. That a phasing condition to ensure hospital delivery in the first phase be added;
- b. That condition 42 be amended to strengthen overheating conditions;
- c. That condition 38(2d) be amended to show 69 parking spaces;
- d. That the applicants provide a letter to confirm their board has approved the financial position to deliver a new health centre, with the letter to be circulated to Members upon receipt;
- e. That the Construction Logistics Plan wording be strengthened prior to commencement, inclusive of the applicant's resident engagement strategy;
- f. That any changes to the terms of the section 106 Agreement set out in the report are to be referred to this Committee for determination and are not to be considered by officers under delegated powers; and
- g. That officers review plan numbers in full to ensure accuracy.

*Councillor Chapman was not present for the item, and therefore did not take part in discussion or voting.

84. **1 VINYL SQUARE - 59872/APP/2021/4046** (*Agenda Item 8*)

Officers introduced the application which was seeking a Deed of Variation (DoV) to a legal agreement of a previously consented scheme, to secure all 134 units (100%) as affordable housing units. The Committee was advised that the applicant had agreed to a healthcare contribution of £162,682 in lieu of the reduced CIL payments. The application was recommended for approval.

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

RESOLVED: That the application be approved + Sec 106.

85. **HPH4, MILLINGTON ROAD - 76655/APP/2021/3039** (*Agenda Item 9*)

Officers introduced the application, which was seeking approval for a development comprising 131 no. residential units (Use Class C3). It was highlighted that the site had been vacant since 2008.

Officers confirmed that the affordable housing offer was the maximum viable affordable housing provision possible. The proposed development was considered acceptable with regard to its impact on neighbour amenity, access, security, landscaping, and

parking provision. Agreed local highway improvement works would complement the intensified use of the site and would be a benefit of the scheme. It was confirmed that there were to be no windows on the southern elevations, while existing trees would be retained alongside further planting.

Regarding height and scale, it was confirmed that the proposed height was comparable to buildings within local surroundings. A 6m setback would allow planting of street trees which would benefit local air quality. It was highlighted that the units proposed were 3 bed, 5 person units. The application was recommended for approval.

Members raised concerns regarding crime, with reference made to nearby car parks which experienced theft from, and damage to, parked vehicles. Additionally, it was suggested that Millington Road experienced street racing which could endanger any pedestrians from the proposed site. In response, officers advised that the proposed car park was enclosed and secure. Regarding Millington Road, this was confirmed as unadopted highway and the Council therefore did not have power to install speeding measures.

Additional concerns raised included the consideration of density guidelines, bird roosts, overheating, electric vehicle charging points, and the recirculation of grey water within the development.

Regarding density, officers advised that guidelines had been considered within the context of the proposal as a whole, and the recommendation reflected the on-balance consideration that the application was acceptable. On bird roosts, a bird management plan was to be created and consulted on to allay any potential for bird strikes. Overheating mitigation, charging points, and the use of grey water were all conditioned.

Members requested that condition 6(2) be amended to include food waste under refuse arrangements, together with the amendment of condition 6 to mandate 17 semi mature street trees.

The officer's recommendation, inclusive of the suggested amendments to conditions, was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved subject to the addendum and the following;

- a) That condition 6(2) be amended to include provision of food waste under refuse;**
- b) That condition 6 be amended to include 17 semi mature street trees.**

86. **STANFORD HOUSE, 9 NESTLES AVE - 51175/APP/2020/2543** (*Agenda Item 10*)

Officers introduced the application and confirmed that the reason for the urgent report was to ensure that a decision was reached before 31 January, in order to retain grant funding.

Officers advised that the newly proposed S106 agreement was more viable than that previously consented to, and the application now proposed 27% affordable homes. The addendum was highlighted, which set out a corrected health contribution value in lieu of CIL money. The application was recommended for approval.

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

RESOLVED: That the application be approved, subject to the addendum.
The meeting, which commenced at 6.02 pm, closed at 8.38 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on 01895 250636 or 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.