

Minutes

MINOR APPLICATIONS PLANNING COMMITTEE

04 August 2021

Meeting held in the Council Chamber - Civic Centre, High Street, Uxbridge



	<p>Committee Members Present: Councillors Henry Higgins (Chairman) John Morgan (Vice-Chairman) John Morse (Opposition Lead) Shehryar Ahmad-Wallana Jagjit Singh Nicola Brightman Allan Kauffman</p> <p>LBH Officers Present: Meghji Hirani, Planning Contracts and Planning Information Roz Johnson, Planning Services Manager Alan Tilly, Transport and Aviation Team Manager Glen Egan, Office Managing Partner - Legal Services Steve Clarke, Democratic Services Officer</p> <p>Also Present: Councillor Martin Goddard Councillor Steve Tuckwell</p>
29.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Mohinder Birah with Councillor Jagjit Singh substituting.</p>
30.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>No interests were declared by the Members present.</p>
31.	<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 13 July 2021 be approved as a correct record.</p>
32.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
33.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE</p>

CONSIDERED IN PRIVATE (*Agenda Item 5*)

It was confirmed that all items were in Part 1 and would be considered in public.

34.

40 STATION APPROACH, SOUTH RUISLIP - 27354/APP/2021/1291 (*Agenda Item 6*)

Erection of a three-storey building comprising a dental surgery and 6 residential units (3 no. 1-bed units, 1 no. 3-bed unit and 2 no. 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.

Officers introduced the application noting that a previous related application had been refused on the basis of its size and scale, particularly the design of roof elements, and the loss of a family unit on site. The application in front of Members was a revised version of the previous application which had been reduced in size and amended to include a family unit on the ground floor. With the proposed changes and given that other developments on the surrounding roads had no real cohesive design properties, officers deemed the application to be acceptable. The application was recommended for approval. It was noted that whilst the proposed building works would take place, dental surgery facilities would continue to be provided on the site by means of a temporary building.

A petition had been received objecting to the development however the lead petitioner was not present. The applicant was in attendance and addressed the Committee. A number of points were raised, including:

- The applicant had worked proactively over the last year with officers in delivering an application that was policy compliant and could be recommended for approval by officers.
- A number of proposed benefits to the surrounding area were outlined as a result of the application including six residential units, a dental surgery on the ground floor to reaccommodate the existing surgery in an improved space and ample cycle and car parking for residents.
- The developer had worked with the dental surgery from the early conceptual stage to ensure that the space met their needs and standards.
- It was noted that the development met national space standards as well as providing both shared and private amenity space which exceeded the London Plan requirement.
- The site was accessible to local amenities including shops, services and good transport links and was deemed an accessible brownfield location appropriate for redevelopment.

Councillor Steve Tuckwell, Ward Councillor for South Ruislip, was present and addressed the Committee. A number of points were raised, including:

- It was highlighted that the officer's recommendation to approve the application had only materialised following significant design changes to the scheme which were driven from a combination of a residents' petition and the previous

diligence of the Committee.

- Removing what was effectively the fourth floor and setting back the third floor facing Northolt Avenue were welcome design changes that were seen to improve the design of this prominent corner plot in a key part of South Ruislip. The three-bedroom apartment was also welcomed.
- The proposed roof garden was considered a token external amenity space and not respectful of the neighbouring roof configuration.
- Concerns were raised with the provision of private amenity space on the roof and the Committee were asked to consider a condition stipulating that any railings were setback to prevent visual clutter and provide safe distance from the roof edge.
- Attention was also drawn to the fact that the site was within an air quality focus area given its proximity to the busy A40 road. On this basis the Committee were requested to include a condition requiring an air quality action plan ensuring the development comply with policies EM8 of the Local Plan Part One and DMEI 14 of the Local Plan Part Two.

Members commended the officers report and welcomed the revisions that had been made to the scheme. Concerns were raised as to items potentially falling from the roof garden over the balustrade; officers highlighted that recommended condition four required details of the balustrade to be submitted and approved, Members' concerns could be taken into account in respect of this.

The issue of parking was also highlighted as the immediate area was almost entirely covered by a Parking Management Scheme. Officers noted that there would be six units with four car parking spaces, it was noted that for a development in this location with a Public Transport Accessibility Level of three, the London Plan Car Parking Standards would allow a maximum of 4.75 spaces, it was confirmed that the four provided was in accordance with policy. The Committee were minded to include a condition stipulating that the four parking spaces be allocated to the associated dwellings. The officer's recommendation for approval was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED:

- 1) That the application be approved;**
- 2) That a condition be added requiring the four car parking spaces to be allocated to their associated dwellings.**

35. **72 HAREFIELD ROAD, UXBRIDGE - 25767/APP/2021/491** (*Agenda Item 7*)

Demolition of existing dwelling and erection of building to provide 6 x 2-bed and 3 x 3-bed flats with associated parking and amenity space.

Officers introduced the item noting that the principle of the development was deemed acceptable, but issues arose from the scheme's design and impact on adjoining occupiers. The design was not deemed compatible with the surrounding properties, although it was noted to have taken some design cues from the adjacent property, the front gables and roof had significant differences and the rear element of the scheme,

particularly the depth of extension and a very large crown roof, specifically warranted reason for refusal by way of it's impact on adjoining occupiers. The application was recommended for refusal.

Two petitions objecting to the development had been received. The lead petitioners' nominated individual was present and addressed the Committee with their concerns, key points included:

- It was highlighted that of the two petitions objecting to the proposals, the ePetition had received 83 signatures and the paper petition had received 60. Further to this, there had been 28 letters of objection, it was noted that this was a strongly opposed development locally.
- Petitioners acknowledged the officers recommended reasons for refusal and alluded to further areas of concern which could be considered as reasons for refusal.
- On car parking, the location of 10 of the 12 parking spaces was highlighted as a major concern being proposed at the back of the property adjacent to residential gardens. It was deemed a small car park being placed directly in the middle of a residential area. On this subject, further concerns were raised around air quality around the adjacent gardens and the adverse impact that 12 cars would have.
- 12 extra vehicles would contribute to traffic congestion in the local area, specifically on a section of Harefield Road that is often subject to congestion pressures. It was specifically noted that there were already three junctions leading onto Harefield Road, the development would effectively add a fourth with 12 vehicles manoeuvring in and out of the car park.
- With regard to the impact the development would have on the daylight and sunlight levels of adjacent properties, it was noted that the height of the building would block the view of sunsets from a number of properties on Cambridge Road and Fairfield Road.
- It was noted that proposed balconies would project over the adjacent back gardens prompting concerns over noise and nuisance.

The applicant was also present and addressed the Committee, key points raised included:

- The application in front of Members was a result of extensive consultation with planning officers and the original plans had been submitted by way of the pre-application advice service. Feedback from the pre-application process resulted in several design changes including reducing the rear projection of the building and amending the original tiled pitched roof to a crown roof with a dummy pitch. The applicant was surprised to see that the recommendation was for refusal given what was seen as the necessary alterations had been made.
- The applicant had also met with the tree officer to alleviate their concerns, which were addressed to the officer's satisfaction.
- Once the applicant was informed that a petition had been received objecting to the application, they were aware that it would be determined at a meeting of the Planning Committee. Shortly before this process the planning officer had

informed the applicant that their draft recommendation was one of approval.

- Four main points of concern were raised by planning officers, two of which were technical questions and were answered immediately. The third concern related to the height of the roof design and overall look of the building, CGIs were provided for the Committee and it was noted that the planning officer had initially felt the design was satisfactory. With regard to the fourth concern relating to the rear outlook for neighbouring properties, specifically those to the right of the development, it was noted that the view from these flats was blocked by a row of evergreen trees protected by a TPO.
- Making any further reductions to the scheme would render it unviable. The applicant questioned the advantages of going through the pre-application process.
- The applicant was a local property developer and a similar scheme, which had also been opposed by a petition, had been approved by the Committee in Ickenham.
- On the matter of car parking to the rear of the property, it was highlighted that the properties on either side of the development had their car parking at the rear of their properties.

Councillor Martin Goddard, Ward Councillor for Uxbridge North, was in attendance and addressed the Committee. Key points raised included:

- The scheme was seen as gross overdevelopment of the site; this was seen in the impact on the street scene and the impact upon neighbouring occupiers and their outlook.
- The Ward Councillor was fully supportive of the officer's recommendation for refusal.
- The nine flat development would have the capacity to contain 35 people. It was noted that 12 spaces were appropriate but the reality would be that more than 12 vehicles would be used by occupiers adding to parking and congestion pressures nearby.

Officers clarified that, in their view, although the matters raised by the petitioners were material planning considerations, they did not warrant the imposition of additional reasons for refusal and therefore officers advised that, should the Committee be minded to refuse the application, that Members retain just the reasons stated in the officers report. On matters of the pre-application process, it was noted that this was evidently a finely balanced application, but pre-application comments were given in good faith and they do not prejudice the Council's formal decision-making process.

Members stated that they felt the existing dwelling contributed to the street scene and the proposed development would be an overdevelopment of the site due to its size and bulk; in addition to this, there were concerns over the amount of vehicles likely to be associated with the development and where these vehicles would park. The officer's recommendations were moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused as per the officer's

recommendations.

36. **78 MANOR WAY, RUISLIP - 36051/APP/2021/1364** (*Agenda Item 8*)

Proposed raised patio and fencing.

Officers drew Members' attention to the addendum where it was noted that a petition had been received objecting to the application since the agenda had been published. Officers introduced the report noting that under permitted development, patios can be constructed in the garden area up to a height 30cm. The application granted in 2019 was for a single storey extension and a raised patio of just over 30cm, when the patio area was constructed it was raised to just over 50cm which had led to the application in front of Members which would reduce that patio area to 40cm in height. Officers deemed that a refusal reason based on overlooking could not be justified. The application was recommended for approval.

A petition objecting to the development had been received following the publication of the meeting's agenda. The lead petitioner was present and addressed the Committee. Key points that were raised included:

- Concerns were raised over the applicant exceeding the permitted height of the raised patio on their previous planning application and stated that there must be specific circumstances for exceeding the permitted height of 30cm.
- The petitioner had concerns around overlooking and the intrusion of privacy into their property as a result of the raised patio. It was noted that the fence and trellis only came up to many peoples' chest height, allowing them to easily view into the neighbouring property.
- The petitioner's measurements had the height of the existing patio at closer to 60cm, almost twice the height of permitted development and questioned the real-world impact of only lowering the patio by a relatively small amount. Concerns were raised over the prospect of future applications being given leeway to exceed their permitted development rights. A number of similar refused applications were noted.
- It was noted that, due to the elevation of people when out on the patio, noise disturbance was an issue.
- It was highlighted that the report mentioned that proposals would lessen the likelihood of overlooking not prevent it. The reduction in the height of the patio and the proposed 2m fencing would do very little to prevent overlooking.
- The report implied that a decision to refuse the application may not hold up at appeal, however the 28 residents who had signed the petition over the preceding weekend would disagree.

The applicant had submitted a written statement that was read out ahead of the Committee's debate. Key points raised in the statement included:

- The applicant had very recently been made aware of the petition objecting to the retrospective application. Unfortunately, due to a pre booked holiday, they were unable to attend the meeting to put across their views and had therefore submitted a written statement.

- It was noted that officers had recommended the application be approved however, should the Committee have been minded to refuse the application, it was requested that the item instead be deferred to allow the applicant to attend the meeting in person to put across their views.
- An application for a single storey rear extension, approved in 2019, featured drawings of the raised patio but without dimensions given. No objection was made pre-approval about the raised patio. Once building had started, a complaint was received, and an enforcement officer felt that there was a difference between what was built and what was drawn on the original plans. The applicant then worked with officers to mitigate overlooking from the adjacent property including a reduction in height of 10cm, a taller fence and a planting area adjacent to the fence.
- The new plans were asking for a 40cm raised patio. An enforcement letter had stated the previous patio was at a height of 30cm when the applicant stated this was 34cm, therefore the difference was 6cm not 10cm.
- It was clarified that the fence currently in place was 160cm high with a trellis of 30cm on top. A 200cm fence would be a vast improvement, particularly with the 10cm reduction in the height of the patio.
- A final concern was raised in that the applicant had recently received an approval notification through their architect; it was highlighted that this was an administration mistake bringing further stress to the process.

By way of clarification, officers confirmed that Members were considering a patio 10cm above what would be considered permitted development. If Members were considering an application within permitted development, they would have no control over the boundary treatment. A two-metre-high screen with an additional 30-centimetre trellis had been proposed and officers had recommended a condition stipulating that this be installed concurrently with the patio and thereafter retained and maintained in perpetuity. Officers had also negotiated a planted strip adjacent to the boundary which helped to define the separation.

Members sought clarification over whether the height of the fencing had been measured from the ground or the level of the raised patio. Officers confirmed that this was measured from ground level and there would be 1.9 metres of fencing (inclusive of the 30 centimetres of trellis) above the level of the patio. Members noted how this would still allow people of a certain height to easily view over the fence, however officers noted that the negotiated height of the boundary was higher than it would have been if the patio had remained under permitted development limits. The officer's recommendations were moved, seconded, and when put to a vote, agreed with five votes for and one abstention.

RESOLVED: That the application be approved as per the officer's recommendations.

37. **56 SWAN ROAD, WEST DRAYTON - 76289/APP/2021/1143** (*Agenda Item 9*)

Single storey rear extension.

Officers introduced the report noting that determination of the application had

previously been deferred for the purpose of conducting a site visit; this site visit took place on 13 July. Members attention was drawn to the addendum sheet where correspondence had been received from the lead petitioner objecting to the application where they had reiterated concerns around loss of light and that the cumulative impact of the proposed extension and the loft conversion should be taken into account and that similar extensions in equivalent properties were not comparable as they didn't have an outrigger. The objector had also commented on the requirement for a shadowing diagram, it was confirmed that, although Members did discuss the issue of shadowing diagrams at the previous meeting, no formal request was made for the production of such a diagram. It was noted that a shadowing diagram was not a requirement for householder applications and if one had been produced, it would not have added any new information for Members given that they had visited the site in person. Officers highlighted that a potential reason for refusal based on overshadowing would be unlikely to be sustained at appeal. The application was recommended for approval.

Ward Councillor for West Drayton, Councillor Jan Sweeting, had submitted a written statement objecting to the application which was read out ahead of the Committee's debate. Key points included:

- It was highlighted that the proposed development, together with the loft extension, would have a detrimental impact on the adjacent dwelling at 54 Swan Road. There would be a reduction in natural light to the main rear reception room and the extension would create an enclosed courtyard effect to the outdoor amenity space.
- It was noted that the issue of overshadowing was discussed at length by the Committee at their previous meeting and the lack of a shadowing diagram was highlighted as it was believed that this would have clarified the issue.
- Further concerns were raised as to the use of the property as an HMO; it was highlighted that the Covid-19 pandemic had hindered officers' ability to properly investigate the property during 2020. The applicant had stated the property was a family home, when it was felt it was likely being used as an unlicensed HMO.
- It was requested that if the Committee were minded to approve the application, that conditions be put in place restricting the property from being used as an HMO.

The Chairman reiterated to the Committee that the permitted loft extension development was not part of the application and therefore should not be considered. It was also highlighted that within the officer's recommendations was a condition stipulating that the property could not be used as an HMO without further express permission from the Local Planning Authority.

The Committee noted that the site visit had aided Members in garnering clarity regarding the application. It was highlighted that the condition relating to restricting the property's use as an HMO was very important to alleviate a primary concern of the Ward Councillors and objectors. The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved as per the officer's recommendations.

The meeting, which commenced at 6.00 pm, closed at 7.17 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.