

## Minutes

### BOROUGH PLANNING COMMITTEE

12 July 2023

Meeting held at Committee Room 5 - Civic Centre



HILLINGDON  
LONDON

	<p><b>Committee Members Present:</b> Councillors Henry Higgins (Chairman) Darran Davies (Vice-Chairman) Farhad Choubedar Ekta Gohil Gursharan Mand Barry Nelson-West</p> <p><b>Officers Present:</b> Sehar Arshad, Legal Advisor Katie Crosbie, Area Planning Service Manager (North) Max Smith, Planning Team Leader Nesha Burnham, Principal Planning Officer Dr Alan Tilly, Transport Planning and Development Manager Ryan Dell, Democratic Services Officer</p>
14.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Raju Sansarpuri, with Councillor Barry Nelson-West substituting. Apologies were also received from Councillor Jagjit Singh.</p>
15.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p> <p>It was acknowledged that item 9 was a Councillor property.</p>
16.	<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 dated 13 June 2023 be agreed as an accurate record.</p>
17.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
18.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THE ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items of business were marked Part I and would be considered in public.</p>

19. **18 ST EDMUNDS AVENUE, RUISLIP - 3255/APP/2023/592 - RUISLIP** (*Agenda Item 6*)

**Retention of single storey rear extension involving demolition of existing extension, conversion of roof space to habitable use to include 1 x rear dormer, 2 x front dormers, installation of 2 x roof lights to the front roof slope and 3 x roof lights to the rear roof slope and conversion of roof from hip to gable end with alterations to fenestration - Retrospective Application.**

Officers introduced the application.

The petitioner organiser was in attendance and addressed the Committee.

Since May 2020, no fewer than nine applications had been made for a variety of extensions at ground and first floor level. Officers and Members had been largely resolute in resisting the proposed changes, supported also by the Planning Inspectorate. It appeared now that the applicants had 'worn down' officers to the point that there was a weary acceptance that the house now built was acceptable. Whilst the officers' recommendation was noted, this should not be a done deal.

The applicant and their architect had consistently, and without attempting to engage with neighbours, ridden roughshod over the planning system and policies. By mashing together permitted development and planning permission they had built a house that would not get planning permission in its own right. It was worth noting that this proposal was significantly bigger than applications previously refused by the Council. It was also worth noting that the same architect had adopted very similar tactics at nearby No. 31 St Edmunds Avenue, resulting in a building that did not yet have planning permission and at which there was a live enforcement case.

The petitioner appealed to Members to stand by residents who played fair, respected planning policies, and to not give in to applicants and architects who played the system. By mixing and matching permitted development with planning permission petitioners felt that the development was now out of scale and character with its surroundings. For example, whilst permitted development allowed for the large rear dormer which had been constructed, it only allowed for a four-meter deep ground floor rear extension. The neighbours had said 'no problem', they would build the 5.1 meter ground floor extension allowed by the Council through planning permission, ignoring the fact that that the planning permission only allowed a much more modest roof extension. Also, the current large lantern window in the roof above the porch was out of character and petitioners would like to see something in keeping with the original house and scene.

The report stated that the 5.2 meter ground floor extension did not comply with policy but it did not extend beyond the neighbouring properties' rear walls. In fact, the ground floor protruded further than the neighbours' rear building lines. This point was a contentious matter for petitioners as since the very beginning of the process petitioners had continuously informed the Council that the architect's drawings misrepresented the position of the neighbouring properties, along with other discrepancies such as windows being positioned incorrectly for

No. 16's representation, presumably to minimise issues with privacy before the condition for obscure glass was added. Homes on either side of the development were depicted longer than they are, so whilst the extension at No. 18 had been built roughly to depth on its plans, the permission for this extra large extension was only granted by the Council with the single reason that it 'would not extend beyond either of the neighbouring properties' (see application 665).

There was even an enforcement case raised in regard to this and the large outbuilding in October 2021. Petitioners hoped that this explained why they were disappointed to once again see this incorrect justification for an exception to policy. The report said that the rear dormer was larger than policy allowed but that it had the 'fall back' of permitted development. However, it also stated that this application would be assessed as a whole and the cumulative impact assessed. Surely if looking in this context of the effect of both the extra large rear extension, permissions in the roof and the ground floor, along with the large outbuilding, it was clear to see the scale and bulk was incongruous to that of the surrounding area. Petitioners considered that a consistent approach to decision making required the Council to refuse consent for the current retrospective application as the building was much bigger than in planning application 3835, which was refused because of the position, size, scale, bulk, design and massing of the roof extension. Therefore, approval now would be inconsistent with the previous refusal reasons. It also begged the question that if a developer can apply for all these exceptions to policy as individual elements in separate permissions, then mix them to create something much bigger than a design refused for being too large two years previous, why not just grant planning permission in the first place and save all parties, including the Council and taxpayer time, money and stress. Were there flaws in the consistency of the Council's planning policy and decision making process? Petitioners were concerned that this would set a precedent to applicants with the time and inclination to apply this method to create more of these supersize developments, which were out of character in modest residential areas such as this. Petitioners understood that precedent setting was not considered a material matter but as the officers' report drew direct comparisons to other developments in the immediate area, petitioners felt this point was relevant and important.

Petitioners thanked the planning officer for including conditions for no HMO, obscured glass and restricted opening windows as these had been important matters for petitioners throughout the process.

As a final note, petitioners reiterated that they were not opposed to the property being developed appropriately, with a design which was harmonious to the surrounding area and that respected the original character of the house, but the continuous submission of inappropriate plans had become an extremely undesirable situation. Petitioners appealed to the applicant that in the event the application was approved, to not enter any more plans for further development. The house would have five to six bedrooms, four bathrooms, generous living areas and a very large outbuilding which should be more than adequate for the family's needs. Petitioners asked the Council to add this as a condition of approval as it would give petitioners reassurance that, after three years, nine applications and an appeal, this would finally be the end of the matter. Notwithstanding officers' recommendations, petitioners appealed again to Members to apply a sense of fair play. This manipulation of the system should not be rewarded. Members should refuse the applicants again and send a signal

that the policies of the Council were not to be messed with.

The applicant and agent attended and addressed the Committee.

The intention was to make No. 18 St Edmunds Avenue the family home. The location held great appeal as it allowed the applicant's children to walk to the local primary and secondary schools.

Initially the project was split over the lawful development certificate and for planning permission on the advice of Hillingdon planning officers, however with an overlap on the rear dormer design, the applicant had been invited to regularize the permission in this application.

On the approved applications the planning permission referenced the lawful development certificate and the lawful development certificate referenced the planning permission, demonstrating that these were both considered in full knowledge of each other when the approval was granted.

The building was in scale and of similar characters to the neighbouring properties and although it had five bedrooms it was still of modest size as two of these bedrooms were smaller single rooms and two were located on the ground floor, maintaining the original design. The development of a five-bedroom home also benefited the community by increasing the Council's housing stock of family dwellings.

No. 18 Saint Edmunds Avenue was in a poor state of repair, neglected and run down prior to the development. Now the street benefited from a presentable and pleasant home. Materials were rendered with dark slate, found on other buildings in St Edmunds Avenue and locally. The overall design of the building was consistent with other houses in the street as highlighted in the planning officer's report. It was clear that there were numerous properties within the surrounding area that were similar in appearance, and it was considered that the development did not harm the character and appearance of the host dwelling scene.

In consideration of neighbour's privacy, the applicant had opted for obscure glazing in all side-facing windows even before it had become a proposed condition. Furthermore, the windows in the rear dormers, adjacent to the properties at No. 16 and No. 20, also featured obscure glazing, providing enhanced privacy to those neighbouring households. The distance to the rear windows of the properties No. 21 and No. 23 Keswick Gardens was more than 21 meters to minimize any overbearing or overlooking impacts.

In relation to the house's appearance, it was noted that the property on the western side of St Edmunds Avenue were built on a significant incline compared to those on the eastern side. No. 18 St Edmunds Avenue had one of the largest elevations from the road to the finished floor that made it difficult to directly compare it to similar sized houses on the eastern side which were built more level to the roads.

As stated in the officer's report, the development was considered acceptable with regard to the character of the host dwelling and the surrounding area. This was not a development-led project, but a family home project. The suggestion of sub-division or conversion into an HMO was speculative and incorrect. St

Edmonds Avenue already had homes ranging from two to six bedrooms and whilst condition 7 would have no bearing, it would be the first property in St Edmonds Avenue to have this condition imposed on it. The Borough stock of family dwellings should be protected and if this condition alleviated residents' fears and met Borough objectives, the applicant could see the purpose of it.

The planning officer had completed a comprehensive report deciphering, assessing and justifying the scheme whilst addressing the concerns of neighbours and residents, which had been appropriately addressed in the additional conditions. The applicant requested approval of the application in accordance with the officer's report and recommendation.

A written representation had been received from Councillor Corthorne as Ruislip Ward Councillor.

Several residents had been in touch expressing their concerns over the totality of this development in the context of its setting and the impact on neighbouring dwellings.

Councillor Corthorne had explained to them that the fate of any application came down, not to the views of individual Ward Councillors, but to the case officer's assessment of the overall planning balance in the context of the Council's local development framework. Councillor Corthorne had also explained that it would be unlikely that a developer would proceed with a development without first taking planning advice, as to do otherwise would be to risk incurring some very significant costs.

The officer recommendation of approval was noted.

However, in considering the case officer report, the Planning Committee might usefully seek clarity over the length of the extension. It was understood that officers were indicating it was no longer than extensions/ outbuildings of neighbouring properties, which was disputed, and it was suggested that the dimensions of the constructed building were not consistent with those submitted in the application.

Officer comments on these points for transparency and as a matter of public record ahead of determination on these points would be important.

There had been questions regarding previous enforcement action. In response and to clarify, officers noted that there had been planning permission granted previously for a single-story extension and some roof alterations. These were investigated by planning enforcement, who had confirmed that the depth of the single-story extension was 5.1 meters deep, which was in general accordance with the approved plans. There was a slight overhang to the roof. On the roof alterations, officers clarified that in terms of the hip to gable roof extension, this had been carried out in accordance with ACLD. The key difference between the previously approved planning permission and the current application were fenestration changes to the front and the width of the rear dormer.

Members asked for clarity over the length of the extension. It was clarified that the extension was in accordance with planning policy, however the roof was slightly overhanging.

In summary of the previous enforcement action, it was clarified that this related to an

outbuilding. It was clarified that if there was a further application, it would have to come to Committee.

Members noted that there was a condition for the house not to be divided into a HMO, and asked how binding this was. Officers clarified that if the applicant wanted to change this site into an HMO, they would have to apply for planning permission, which would be assessed against the HMO policy. If the property was sold on, the new owners would have to apply for planning permission to convert into an HMO. Officers clarified that planning permission was not required for an HMO of up to six residents, but this condition took away the permitted development right to make the conversion for any HMO.

Officers' recommendations were moved, seconded and when put to a vote, unanimously approved.

**RESOLVED: That the application be approved**

20. **22 FRINGEWOOD CLOSE, NORTHWOOD - 42066/APP/2022/3824 - NORTHWOOD**  
(Agenda Item 7)

**Erection of a single storey annexe for ancillary residential use with glazed link between the annexe and the existing house.**

Officers introduced the application.

The petitioner organiser was in attendance and addressed the Committee in support of the application.

The petitioner was speaking on behalf of 25 people who had signed the petition, and who all knew the applicant and their family. Petitioners were aware that this application was based on health requirements. It was noted that the proposed annex would allow the resident to avoid the use of stairs in the home. The applicant was only trying to improve the quality of life of the resident. Most of the signatories of the petition were from Fringewood Close and six letters of support had been submitted. It was noted that the property directly next to the proposed annex were supportive of the proposals.

The petitioners all disagreed with each of the officers' reasons for refusal:

Reason one – principle of development: the applicant could attest to the fact that the resident and their family had no intention for the annex to be used as an independent dwelling.

Reason two – character and appearance: following engagement with the planning officers and after an exercise of design auctioneering the design team had arrived at a solution of the smallest possible footprint of the development whilst retaining the functionality and accessibility and establishing an appropriate relationship with the host dwelling. Given the reduction in the scale, the visual impact on the street scene of Fringewood Close was minimal. The annex would be partially screened by trees. Residences on Ducks Hill Road would be screened by tall hedges. As the annex would be lower than these houses, the units would not be visible from the road scene.

Reason three – substandard living conditions: the existing garden in 22 Fringewood Close was 573 square meters. The gardens within the Close average from 150 to 200 square meters. The resulting garden once the annex had been built would be 440 square meters. The remaining garden area would be double the size of the largest garden within the Close, and so the annex would enjoy a large amenity space.

Reason four – neighbour amenity: petitioners disagreed that the proposed annex would cause harm to the living conditions of the existing neighbouring occupiers. The separation distance between the proposed one-storey annex and 20 Fringewood Close was 3.5 meters. The average separation distance between two-storey houses within the close was 1.5 meters. The annex would be considerably smaller than the houses in the Close and the separation distance would be twice the average. The proposed development would sit outside of the 45 degree line of sight from the nearest window to the habitable room of 20 Fringewood Close, which proved that there would be no loss of outlook, loss of privacy or overshadowing on this property. The hedge along the annex closest to 20 Fringewood Close was considerably taller than the annex would be. The visual impact and daylight impact would be the same, if not smaller than the impact from the existing hedge. Neighbours had been consulted and had not raised concerns.

Members asked if there had been a site visit carried out. Officers clarified that a site visit had been conducted, however this had not been recent.

Members asked the petitioner how close they lived to the application site. The petitioner confirmed that they lived in the next road but had known the applicant for 11 years. Members also asked the petitioner if the development would have any overview of their property and the petitioner confirmed it would not.

Members noted that application was for the erection of a single storey annex for ancillary residential use with glazed link between the annex and the existing house, and asked why the link would be glazed. It was clarified that if the extension was against the house, it would impact three rooms.

A representative on behalf of the applicant attended and addressed the Committee.

The application was made with the intention of assisting the living conditions of their 92 year old mother who had limited mobility and was a wheelchair user. 22 Fringewood Close was a two-storey house, meaning that the applicant's mother had to negotiate stairs every day. The applicant's mother could not use the garden any more as the garden was a meter higher than the level of the house. The applicant was seeking permission to build an annex for their mother to live in which would be fully accessible without stairs, and with access to the garden. The existing house was sunken and the garden was at a higher level. The planned annex would be on the same level as the garden.

An application has been submitted in November 2021 and was considered at the Borough Planning Committee, who accepted the special circumstances of the applicant and agreed with the need for the development. However, the application was refused and the Committee encouraged the applicant to revisit the proposal, reducing the scale and to engage with planning officers. A series of meetings were held with planning officers where different design options were

considered, and officers advised that the annex would need to be fully attached to the host dwelling and that the scale would need to be substantially reduced. Whilst the applicant had been able to reduce the volume of the annex by 35%, it was not possible to fully attach the annex to the host dwelling because it would have a detrimental impact on the host dwelling by covering the two existing windows as well as resulting in having to reposition all the meters and services of the house. The annex currently being considered had the smallest possible footprint whilst retaining the functionality and accessibility. This development was 35% smaller than the original application both in footprint and in roof format.

Under permitted development rights the applicant would be able to build a free-standing room of similar dimensions and detached from the main house. The principle of allowing development of accessible housing in the garden as a special planning balance for a protected characteristic was not uncommon in Hillingdon. A development had been approved on appeal in 2017 for a bungalow with a rare garden. The current application was similar to this previous one, and The Equality Act 2010 protected people against discrimination, harassment or victimisation on nine protected characteristics. The proposal was for an annex for a disabled family member who had a protected characteristic. The applicant did not want the annex to be an independent dwelling.

Members noted that the intention was for an elderly family member to occupy the annex, and asked what the plan was in the longer term. The applicant noted that in the future, they would live in the annex with their wife, and their children would live in the main house.

Members referenced the site plan and asked the applicant to point out the hornbeam, as a protected tree. Officers pointed out the location of the hornbeam on the site plan.

Members noted that when the applicants had previously come to Committee, officers were asked to help, which the applicant confirmed they did. This application was the outcome of that help.

Prior planning advice was provided to the applicant on this proposal in principle. There were no objections to providing ancillary accommodation, only the form that was being proposed. It was presenting as a self-contained detached dwelling with all the functions of a detached dwelling and so that was how it was assessed. The expectation on an ancillary dwelling was that it would still remain partially dependent on the main house and so would not have the full kitchen, living area, facilities for a self-contained dwelling. Part of the reasons for refusal on the application were that it was not considered an annex, it was a detached dwelling and had been assessed as such.

Members sought some clarification as one of the proposed reasons for refusal was that the proposed annex would cause harm to the living conditions of the existing neighbouring occupiers at numbers 20 and 24. However, the petitioners in support were neighbours. It was clarified that whilst the current occupiers of neighbouring properties may be in support of the application, this may not extend to any future occupiers of those households.

Members noted that in terms of size and scale, the proposed development had been reduced by 35% in size, and asked whether this did not comply with what the Committee had asked the applicant to do. It was clarified that the applicant had complied with some of what was raised, but the main issue was that it was a separate dwelling.



Members referenced page 23 of the agenda where it was noted that “*during the course of the current application the applicants were provided the opportunity to amend the scheme however they declined to make the relevant changes*”. Members clarified if this had meant that the applicant had said that they would not make the changes, or if the new application did not reflect the proposed changes. Officers noted that there had been extensive pre-application discussions between the previous refusal and the current application. Officers noted that this application was a modest reduction in scale from the previous scheme. The ground floor area was similar and it was still fully self-contained and so the impact on neighbours still applied. There was also no separate amenity space for it.

Members asked how far the existing kitchen was from the current proposal. Officers clarified that the kitchen was one of the closest points of the existing house to where the annex would be.

The legal officer clarified that all the discussion points had been taken on board; the report was very detailed; officers had considered the policy and it was policy compliant for the application to be refused.

Officers clarified that there would be no fence to partition the garden, so the annex would have access to the whole garden. It was further clarified that the proposal was assessed as an independent dwelling and it would be expected that two separate dwellings would have their own amenity space. Members also asked what the distance was from the window to the neighbouring property, and whether it was under 14 meters. It was clarified that that window was not within the 45 degree line of the neighbouring property.

Officers clarified the use of the term annex within the report and discussion. The applicant had referred to the proposal as an annex, and the report had stated that this is what it had been called. Officers had recommended refusal because the proposed building was not considered as an annex, it was considered as a separate building.

Members also sought clarification over whether a site visit had been conducted. The Chairman clarified that Members could have a site visit if they wished to do so.

A proposal for a site visit was moved, seconded and when put to a vote, agreed.

**RESOLVED: That the application be deferred for a site visit**

21. **NORTHWOOD COMMERCIAL SALES/ AUTOCENTRE NORTHWOOD LTD - 77460/APP/2022/2480 - NORTHWOOD HILLS** (*Agenda Item 8*)

**Replacement of vacant car sales centre with a 3 storey mixed used development comprising of 1 x 1-Bed Apartment, 7 x 2-Bed Apartments and 1 x 3-Bed Apartment, with associated ground floor undercroft car and cycle parking and ground floor commercial space Use Class E.**

Officers introduced the application.

A written representation was received from the lead petitioner.

In the planning application it stated that Chestnut Avenue was “a quiet road used for access to a residential area beyond the railway line and Northwood

Recreation Ground containing a playing field and park.” This statement was disputed by Watkins Close residents, who did not agree that Chestnut Avenue was a quiet road; it was a busy suburban avenue with access and egress only via the main Pinner Road. It also served a members’ private gym; a football and social club; a cricket and social club; a bowling club; and a cemetery. None of which have been referenced and all of which produced a great deal of traffic at this busy junction. Residents, of which there were over a hundred, were constantly battling the odds to gain a parking space close to their homes. In Watkins Close the dwellings were built on what was previously a Council car and lorry park. People had long memories, and many still felt they had a right to park in resident-only spaces in the private close, and regularly blocked residents’ entrances. Unfortunately, as social housing tenants there were no electronic gates to keep unwelcome visitors out. Parking was a contentious issue the length of Chestnut Avenue with residents at the bottom having issues with visitors to the football club and gym. A recent funeral procession, leading to the cemetery, had held up traffic in the area for half an hour, due to the volume of guest vehicles attending. Mourners had abandoned their vehicles wherever they chose, without consideration for others.

The commercial space was not required and not welcome as this would cause further issues with parking. It was naïve for the proposal to assume that any visitors would cycle to a commercial space and not require vehicular parking: what about lorries unloading deliveries? This space would be put to better use by allocating further parking for the residents, to lessen the impact on the immediate neighbourhood.

A further contentious issue was the commotion and noise of constructing the new build. Many residents now worked from home daily and there were concerns around disruption to working days. In Watkins Close, residents already contended with trains and whistles, traffic and sirens coming from both sides; they would now have to cope with construction disturbance too.

The fact that there are less than ten dwellings had been noted as this avoided the necessity for affordable housing. It was understood that it was all about profit, but those profiting did not have to live with the results. It was quite clear that these flats, once built, would be sold off to property investors who would then be able to charge increasingly unachievable rents to professional medium-to-high earners. The only conclusion was that this building would not benefit local people in any way. Allocated parking spaces would probably be sold at a premium and those unlucky tenants who rented an apartment without parking would be the ones fighting with current residents for spaces.

The objectors to this development in current form were not gullible enough to believe that their objection would overturn this proposal; they were of the view that this construction will go ahead in some form but requested that further consideration be taken into the impact to the surrounding area.

A representative of the applicant attended and addressed the Committee.

The applicant had had to submit an appeal for non-determination on this scheme and contractually they had had no choice but to do this. The principal issue was that the applicant had already been through two rounds of pre-application that had lasted the length of 2021 and then the application was submitted in August 2022 following that extensive pre-application and meetings

with Transport for London (TfL). At this point, 18 months had already passed and then no response had been received from officers between August 2022 and February 2023, when the appeal was then submitted. The representative noted that that this was a tough time to be a planning officer but with the contractual situation that the applicant was in in respect of purchasing the land, there was no choice but to submit this appeal for non-determination.

Had the feedback on the overlooking and the daylight/ sunlight comments been received by the applicant sooner in the process, they would have been happy to make any amendments that were necessary. When it was confirmed that this item was coming to the Committee, the applicant had sought to get a daylight and sunlight report commissioned which was not a validation requirement, nor was it asked for a pre-application stage or application stage. However, the applicant commissioned one and had it done as quickly as possible. The consultant who had carried it out concluded that the standards for all of the flats far exceeded what was required. On the point of overlooking, one of the balconies was a secondary balcony that was serving a bedroom, so the main balcony sat on Pinner Road, and this was the balcony that was serving a living space. Therefore, the secondary balcony was a nice-to-have rather than a need-to-have.

The applicant was anticipating a planning condition that would require boundary treatments; a landscaping condition and a 1.8 meter high privacy screen on the secondary balcony to protect the privacy of residents.

There was a 12 meter gap and to provide a privacy screen in between the two for a balcony that was not the primary amenity space for the flat would have been acceptable by way of a planning condition and something that would be expressed to the planning inspector.

The appeal was now running which meant that the Committee were unable to make a decision, however a positive steer from the Committee would enable this to move forward. The applicant would be happy to withdraw the appeal on the basis of moving forward with a new application.

Officers clarified that the daylight and sunlight report had been submitted the previous evening, and this application could not be considered by the Committee as it was now with the planning inspector. Officers had carried out a cursory review of it and there were concerns raised with regards to baseline assumptions that had informed the analysis as well as a lack of detailed inputs so officers were still confident in reason for refusal number one. However, in preparing the appeal documents, officers would consider it further as although it was not part of the current application, the planning inspectorate was likely to ask for the Local Planning Authority's view on it. In that regard, officers asked that should any amendment be required to the wording of condition one that this be delegated to the Area Planning Service Manager and the Committee Chairman to consider.

In relation to the condition for the opposing balconies, officers would not consider this acceptable because if there was a 1.8 meter high screening, this would likely impact the outlook from that room as well as potentially loss of light and so it may affect the daylight/ sunlight assessment.

In relation to the applicant's point about progression, that would be a discussion that could be had after the Committee and Members' determination. It was clarified that

when an application was appealed because it has not been determined, the decision on the application was taken out of the Council's hands. Therefore, officers' recommendations were what would be presented to the Planning Inspector. In terms of the current application, officers were recommending refusal and so Members would either agree or disagree and that would be the argument presented to the Planning Inspector. It was further clarified that having reviewed the daylight/ sunlight report, there were still concerns over the application and so it was maintained that the reasons for refusal were still valid. The Council as Planning Authority would have to prepare an appeal statement to answer any questions that the Planning Inspector may have.

Members asked if there had been any speed or traffic surveys completed within the last 12 months. Officers confirmed that the application was supported by a transport statement but that did not include any traffic flow details.

Members asked whether it would be possible to condition for vehicle type at the retail unit. It was clarified that this could not be included at this point as the officers' recommendation was for refusal. However, this could be included within the appeal statement.

Officers asked about emergency vehicle access to the proposed development and the adequacy of this. Officers noted that the issue of fire safety was covered within the report as part of a suggestive condition. As part of the Council support statement, officers would recommend a fire safety report to be submitted as part of a condition which should include details to do with emergency vehicle access arrangements in the event of fire.

Members noted that Transport for London (TfL) had advised to reduce the number of parking spaces from eight to seven. Members asked if those seven spaces would be just for residents of the flats or if there would be one for the commercial properties. Members also asked what the arrangements would be for deliveries and waste collection. Officers noted that this had been carefully considered by the Highways Team, and this was covered within section six of the report. The proposed car parking spaces were solely for the future occupiers of the flats. It was emphasised that the retail unit was only 140 square meters. The Highways Team were satisfied that this unit did not require on-site parking provision. In terms of deliveries, what would have been requested and would be presented as part of a suggestive condition was a delivery servicing plan which would include restrictions as to when delivery vehicles can access the site and this was to minimise any issues with traffic and congestion.

Officers' recommendations were moved, seconded and when put to a vote, unanimously agreed.

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

22. **28 WEST WALK, HAYES - 71945/APP/2023/855 - HAYES TOWN** (*Agenda Item 9*)

**Erection of a part double storey and part single storey extension to the side and rear of the dwelling with side roof light. Erection of front porch with new front door and amendments to fenestration. Erection of outbuilding to rear garden.**

Officers introduced the application.

A written representation was received from the agent.

The applicant and agent had obtained advise from the Planning Department and amendments had been made to the original proposal to now fully comply with the Council policy as guided by the Planning Department Officers.

The agent would be grateful if Members of the Planning Committee, who were considering this application tonight, could be made aware aware of these amendments, and that the application now complied with all Council Policies.

Members asked about adding a construction management plan as the road was very narrow. Officers clarified that there were concerns over how reasonable such a condition would be on a small development. An informative could be added in terms of deliveries. There were standard informatives that could be included about construction times, which were managed by separate environmental legislation, and there was also an informative about damage to highways and the requirement to repair it.

Officers' recommendations were moved, seconded and when put to a vote, agreed.

**RESOLVED: That the application be approved**

The meeting, which commenced at 7.00 pm, closed at 8.40 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Ryan Dell at [democratic@hillington.gov.uk](mailto:democratic@hillington.gov.uk). Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.