

Minutes

NORTH PLANNING COMMITTEE

19 May 2011

Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Edward Lavery (Chairman) David Allam Jazz Dhillon Michael Markham Carol Melvin David Payne</p> <p>LBH Officers Present: James Rodger (Head of Planning) Meg Hirani (North Team Leader) Syed Shah (Principal Highways Engineer) John Lawson (Principal Tree & Landscape Conservation Officer) Nikki Deol (Planning Lawyer) Charles Francis (Democratic Services Officer)</p> <p>Also Present: Councillor Richard Lewis Alan Edwards (Vice-Chairman of the Standards Committee)</p>	
173.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Cllr Allan Kauffman with Cllr Brian Stead substituting and also Cllr John Morgan with no substitute.</p>	
174.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>	
175.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None</p>	
176.	<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 CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items would be considered in Part 1.</p>	

<p>177.</p>	<p>SOUTH RUISLIP LIBRARY, PLOT B, VICTORIA ROAD, RUISLIP 67080/APP/2010/1420 (<i>Agenda Item 6</i>)</p> <p>Officers drew the Committee’s attention to changes in the Addendum and the amended plans for the development.</p> <p>Officers advised the Committee the proposal was acceptable, living standards met all Council standards and the size and scale of the proposal was in keeping with the surrounding area.</p> <p>A Member asked officers to explain the Statement of Intent mentioned in the report. In response, the Legal officer clarified that the Council could not enter into a Section 106 Agreement with itself as the Local Planning Authority and that the Statement of Intent meant that when the property was sold in the future, there would be a legal requirement for the new owner to enter into a Section 106 Agreement (a statement of intent) with the Local Authority.</p> <p>A Member referred to the comments made by the Urban Design Officer in the report in relation to density and lack of amenity and suggested that the proposal appeared to be an over development of the site. In response, officers explained that the scale and bulk of the design had been reduced and that a number of relatively minor revisions to landscaping, floor plans, design elevations and terraces were significant to the overall design when these were added together. Officers explained that there would be a slight shortfall to the Council’s amenity standards.</p> <p>The recommendation for Approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – The application was Approved with four Members in favour, one against and one abstention for the reasons set out in the officer’s report and Addendum.</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>
<p>178.</p>	<p>LAND FORMING PART OF 104 ABBOTSBURY GARDENS, EASTCOTE 67398/APP/2011/481 (<i>Agenda Item 7</i>)</p> <p>In accordance with the Council’s constitution a representative of the petitioners in objection to the application addressed the meeting.</p> <p>The petitioner made the following points:</p> <ul style="list-style-type: none"> • The proposal would be out of keeping with the surrounding area • The proposal will affect the character of the surrounding gardens • The Dean Estate and surrounding houses benefit from open vistas across green spaces which would be affected • The area surrounding the proposed development was already densely populated and the development would increase overcrowding • The land adjacent to the site includes an oak tree which could be affected by the development • The application did not alter significantly from the previous application 	<p>Action by</p> <p>James Rodger & Meg Hirani</p>

	<p>The agent was not present at the meeting.</p> <p>In discussing the application, the Committee agreed that it (the application) did not alter significantly from the previous application and the Committee were not in favour of back garden development. Members agreed that the proposal would not be in keeping with the street scene and be detrimental to the character of the area.</p> <p>The recommendation for Refusal was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Refused for the reasons set out in the officer’s report.</p>	
179.	<p>LAND FORMING PART OF CARLTON PLACE, RICKMANSWORTH ROAD, NORTHWOOD 67584/APP/2011/232 (Agenda Item 8)</p> <p>In accordance with the Council’s constitution the two representatives of the petitioners in objection to the application addressed the meeting.</p> <p>The petitioners made the following points:</p> <ul style="list-style-type: none"> • The proposal would be an inappropriate business development within the Green Belt • The proposal would cause a lack of amenity to local residents • The development would fail to harmonise with the street scene • The noise from the dogs would disturb neighbours • The proposal would result in smells and animal waste disposal was a health and safety concern • The application states the building would be vandal proof which suggests that the proposal might attract vandalism which might then transfer to neighbouring residential sites • The proposal would increase traffic in the local area. Escaped animals would pose a danger to road users. • The proposed development would cause problems as the Water Board are likely to restrict drainage from the site into the main system. <p>The agent was not present at the meeting.</p> <p>A Ward Councillor addressed the meeting and made the following points:</p> <ul style="list-style-type: none"> • The proposal would be an inappropriate business development within the Green Belt • The proposal would cause a lack of amenity to local residents • The application should be refused. <p>In discussing the application, Members agreed that the application was an inappropriate use of Green Belt for commercial purposes. The Committee expressed concern about the following issues: increased traffic congestion, waste disposal, the creation of a car park and the visual impact this would have on local residents and proposed</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>

	<p>development adjacent to listed woodland contrary to legislation.</p> <p>Members agreed the proposal did not constitute an outdoor recreational facility and could be classified as either a kennel or a dog training facility.</p> <p>The recommendation for Refusal was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Refused for the reasons set out in the officer’s report.</p>	
180.	<p>186 FIELD END ROAD, EASTCOTE 2294/APP/2011/415 (<i>Agenda Item 9</i>)</p> <p>The recommendation for Approval was moved, seconded and on being put to the vote was approved.</p> <p>Resolved – That the application be Approved as set out in the officer’s report</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>
181.	<p>89-91 JOEL STREET, NORTHWOOD 45536/APP/2010/2946 (<i>Agenda Item 10</i>)</p> <p>In introducing the report, officers drew the Committee’s attention to the amendments in the Addendum.</p> <p>The Committee agreed that the proposal to bring a vacant unit back into use and providing a wider scope to prospective tenants would be beneficial to the area.</p> <p>The recommendation for Approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved as set out in the officer’s report and the Addendum.</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>
182.	<p>157 - 161 HIGH STREET, RUISLIP 64711/APP/2011/214 (<i>Agenda Item 11</i>)</p> <p>The recommendation for Approval was moved, seconded and on being put to the vote was approved.</p> <p>Resolved – That the application be Approved as set out in the officer’s report</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>
183.	<p>157 - 161 HIGH STREET, RUISLIP (<i>Agenda Item 12</i>)</p> <p>The recommendation for Approval was moved, seconded and on being put to the vote was approved.</p> <p>Resolved – That the application be Approved as set out in the</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>

	officer's report	
184.	<p>9A LINKSWAY, NOTHWOOD 7748/TRE/2011/35 (<i>Agenda Item 15</i>)</p> <p>In introducing the report, Officer's drew the Committee's attention to the following points: there was evidence that the tree was responsible for causing structural damage to the chalet bungalow, the scale and cost of repair, the low amenity value of the tree and the slight adverse impact of the tree on the amenity and character of the area.</p> <p>In response to a query about the age of the tree, Officers explained it was difficult to provide an exact figure, but from the size the trunk it was likely to be somewhere between 80 and 100 years old.</p> <p>In accordance with the Council's constitution the representative of the petitioners in objection to the application addressed the meeting.</p> <p>The petitioners made the following points:</p> <ul style="list-style-type: none"> • The tree was healthy and was about 80 to 100 years old. The tree had intrinsic value and was an integral part of the Linksway Avenue. There was no need for it to be felled. • The tree had value by way of its contribution to the estate. The Copsewood Estate was attractive because of the mix of architectural styles as well as the different species of trees. • The proposal to fell the tree was not related to damage to the property. The property was on the market to be sold and it was likely that the current property would be demolished and a bespoke home built in its place. Therefore, the removal of the tree was related to the potential sale rather than for environmental reasons. <p>The agent was not present at the meeting.</p> <p>A Ward Councillor addressed the meeting and made the following points:</p> <ul style="list-style-type: none"> • The Ward Councillor spoke in support of the petitioner • The application should be refused and the tree should not be felled. <p>In discussing the application, Members asked officers to clarify the options which were available to prevent further damage to the property. Officers explained that a root barrier had been considered but site investigations had confirmed that the root systems of the tree were now too close to the foundations of the property to make this viable. An alternative option which officers had considered was massive pruning of the tree by 60% to 70% which would significantly reduce the water demands of the tree but the disadvantage of this action would be the impact this would have on the visual amenity of the tree.</p> <p>Clarification was sought about the canopy of the tree and the distance of the tree trunk from the property. In response, Officers confirmed that despite a distance of about 30 feet, the canopy of the tree still touched</p>	<p>Action by</p> <p>James Rodger & John Lawson</p>

the roof of the property. Members discussed the environmental importance of oak trees and the biodiversity value this species had.

The Legal Officer advised Members that they were required to consider whether any loss or damage was likely to arise if consent was refused and highlighted that the Authority would be liable to pay compensation for any loss or damage as a consequence of its decision unless they were to certify that the tree had an outstanding or special amenity value (Article 5 certification). In this particular case, it was material that as Officers had deemed the tree did not warrant an Article 5 certification, the Legal Officer confirmed that the Authority would be open and might face a claim for compensation if consent was not granted to fell the Oak.

A Member expressed the view that as these cases were exceptional, it was important to take account of the views of experts. In this case the roots of the tree had been responsible for damage to the property as evidenced by the horizontal cracking in the property walls. It was noted that remedial action would be expensive, the tree was not an outstanding specimen and if the tree were felled, then a different variety of tree could be planted as a replacement. Officers stated that in most cases, efforts were made to protect trees but in this particular case, the site had been monitored for 9 months which had resulted in a technical report which recommended the felling of the tree.

The recommendation for Approval was moved, seconded and on being put to the vote was agreed with four Members in favour with two against.

Resolved – That the application be Approved for the reasons set out in the officer’s report.

The meeting, which commenced at 7.00 pm, closed at 8.55 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Charles Francis on 01895 556454. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.