

## Minutes

### CENTRAL & SOUTH PLANNING COMMITTEE

Tuesday 14 February 2012



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

	<p><b>Committee Members Present:</b> Councillors John Hensley (Chairman) Judith Cooper (Vice-Chairman) Wayne Bridges Janet Duncan Neil Fyfe Dominic Gilham Brian Stead</p> <p><b>LBH Officers Present:</b> James Rodger – Head of Planning, Consumer Protection, Sport and Green Spaces, Matthew Duigan – Team Leader, Planning Syed Shah – Highways Engineer, Sarah White – Legal Services, Gill Brice – Democratic Services</p> <p><b>Also Present:</b> Councillors George Cooper, Lynne Allen and Peter Curling.</p>	
237.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Robin Sansarpuri with Councillor Buelah East substituting.</p>	
238.	<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 notified.</p>	
239.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS HELD ON 13 DECEMBER 2011, 5 JANUARY AND 24 JANUARY 2012</b> (<i>Agenda Item 3</i>)</p> <p>The minutes of the meetings held on 13 December 2011, 5 January and 24 January 2012 were agreed and signed by the Chairman as a correct record, following the amendments below:-</p> <p>24 January 2012 – Change declaration from Cllr Wayne Bridges to read:</p> <p>‘Cllr Bridges declared a personal interest in Item 9 (9 Baxter Close) as the site was situated in the ward where Cllr Bridges was a Ward Councillor (Hillingdon East).’</p> <p>And record the Labour Groups dissent to the decision made on item 5 – Stockley Park Golf Course.</p>	

240.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>There were no matters notified in advance as urgent.</p>	
241.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items would be heard in Public</p>	
242.	<p><b>LAND EAST OF THE FORMER EMI SITE, BLYTH ROAD, HAYES 51588/APP/2011/2253</b> (<i>Agenda Item 6</i>)</p>	<b>Action by</b>
	<p><b>Demolition of warehouse extension to Apollo House and erection of a part 4, part 5, part 6 and part 7 storey building comprising 132 residential units, cafe (Class A3), community room (Class D2), 5 x workshop units (Class B1, B8 or A2 uses), and associated car parking and landscaping.</b></p> <p>A member raised concerns about the loading and servicing being provided from the highway, which would result in the loss of residents parking bays. Was this felt to be an acceptable situation, as residential properties opposite was old established housing and had no off street parking.</p> <p>Officers advised the committee that a traffic order would ensure that the parking bays would be available for use by residents at evenings and weekends. There would only be a loss of 2 parking spaces and it was felt that the loss was acceptable and would result in a minimal impact to residents. This was a better situation than losing a section of public footway to provide for service and delivery off the highway.</p> <p>Further concerns were raised in relation to the seven storey building closely situated to the locally listed building.</p> <p>Officers advised that the adjacent building was dilapidated and the façade of the building was the only part to be retained as it was listed. The heritage officer was happy with the proposal as the 2 storey element would be adjacent the listed building. The architecture for this proposal was superior to that in previous schemes for this site.</p> <p>A member asked that if the applicant was to sell the site on there would be no way of ensuring that servicing and loading/unloading for the whole development would be provided from within the site in developing of the remainder of the site. Is there anyway that this can be included as part of this application to ensure that is taken forward in the future.</p> <p>The Legal officer advised the Committee that this could be taken into account through the Heads of Terms of the S106 agreement advising that any future owner would be expected to implement the master plan to provide the servicing, loading and unloading from within the site. An informative could also be added.</p>	James Rodger Matt Duigan

Following further discussion officers suggested that as the remainder of the site was within the blue line site, a Grampian condition could be added. The suggested wording for the condition was read out to the committee. The committee thanked officers and agreed that they were happy with the suggested condition. It was also agreed to add an informative referring the applicant to the delivery & servicing of this site.

In answer to an issue raised into in relation to the contributions included as part of the S106 agreement the committee were advised that any expenditure requests would require a Cabinet Member Decision, which would be publicly available. Members could raise any concerns they had in regard to the use of the S106 contributions at that stage.

Officers asked that condition 34 be amended to remove reference to a Hotel. An additional 2 conditions added to i) ensure removal of the emergency vehicle crossovers shown on the plan and ii) servicing from Blyth Road to be temporary for 5 years iii) condition on obscure glazed screen to balconies being deleted, as this had already been included. The amendments and additional conditions were agreed by the committee.

The recommendation was moved, seconded and on being put to the vote was agreed.

#### **Resolved**

**That subject to the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, delegated powers be given to the Head of Planning, Consumer Protection, Sport and Green Spaces to grant planning permission, subject to any relevant amendments agreed by the Head of Planning, Consumer Protection, Sport and Green Spaces and also those requested by the Greater London Authority and the following:**

**A. That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:**

**i) Employment generating initiatives and employment protection measures to include a minimum of the following obligations:**

**a) An obligation that no less than 90% of net lettable floorspace in the existing Shipping Building (former Mercury) and Record Store (former Phoenix) can be used for Class B1 purposes;**

**b) To expend no less than £800,000 on physical improvements to, and equipment of, existing employment buildings on the wider site prior to any occupation of the proposed Gatefold Building;**

**c) To convert the existing marketing suite on Blyth Road into incubator start-up units and to offer these at no more than 50% of open market rental prior to commencement of the Gatefold Building;**

**d) To offer the 4no. incubator units on the ground floor of the Gatefold Building at no more than 50% of open market rental.**

**ii) Transport: a S278 and or s38 agreement shall be entered into to cover any and all highways works required as a result of this application, including any amendments required to adopted or draft PMAs as a result of the proposals.**

**iii) Travel Plan: the submission of a Travel Plan prepared in accordance with the TfL guidance including the implementation of a traffic management scheme, and a £20,000 compliance bond.**

**iv) Affordable Housing: at least 12% of the scheme delivered as affordable housing, by habitable room.**

**v) Education: a contribution in the sum of £417,480 based upon child occupancy in the residential units.**

**vi) Health: a contribution in the sum of £52,130.80 based upon occupancy of the residential units.**

**vii) Public Realm: a contribution in the sum of £100,000. With £30,000 of this sum dedicated to an initial upgrade of the pedestrian subway.**

**viii) Libraries Contribution: a contribution in the sum of £5,533.80 equal to £23 per person.**

**ix) Community Facilities: a contribution in the sum of £30,000 towards community facilities within the locality, or an in-kind facility located on the site and not less than 92sqm gross internal area.**

**x) Construction Training: either an in-kind scheme or a financial contribution secured towards training schemes. If a financial contribution is delivered then it should be in line with the formula of £2,500 for every £1 million build cost + number of units/160 x £71,675.**

**xi) Air Quality: a contribution in the sum of £25,000 towards air quality initiatives in the area.**

**xii) Project Management and Monitoring: a contribution equal to 5% of the total cash contributions secured under s106 to enable the management and monitoring of the resulting agreement.**

**xiii) Carry out a PERS audit in the vicinity of the site and complete any necessary works identified in the Audit before first occupation of the development**

**B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and any abortive work as a result of the agreement not being completed.**

**C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.**

**D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this Committee resolution, or any other period deemed appropriate by the Head of Planning, Consumer Protection, Sport and Green Spaces, then the application will be referred back to the Committee for determination.**

**E) That subject to the above, the application be deferred for determination by the Head of Planning, Consumer Protection, Sport and Green Spaces under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.**

**F) That if the application is approved, the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting, be imposed subject to any changes negotiated by the Head of Planning, Consumer Protection, Sport and Green Spaces prior to issuing the decision. Condition 34 was amended and an 2 additional conditions and an informative added as follows:-**

**Amend condition 34 by removing the word hotel**

**Additional condition**

**The servicing of the development from Blyth Road is restricted to a temporary 5 year period (from first occupation of the development) after which a scheme must be submitted to and approved by the Planning Authority, which shall provide for servicing of the site from an alternative location within the wider 'Old Vinyl Factory' site identified and encompassed within the Blue Line site boundary on Plan No. 0147 P\_0001 Rev 00.**

**REASON**

**In the interests of highways and pedestrian safety and to comply with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).**

**Additional Condition**

**The development hereby approved shall not be commenced until revised drawings showing removal of the proposed emergency access/crossover and associated road markings on Blyth Road have been submitted to and approved in writing by the Local Planning Authority. There after the development shall be carried out in accordance with the approved plans.**

**REASON**

**In the interests of highways and pedestrian safety and to comply with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).**

<p>243.</p>	<p><b>PRONTO INDUSTRIAL ESTATE &amp; 585 - 591 UXBRIDGE ROAD, HAYES 4404/APP/2011/2079</b> (<i>Agenda Item 7</i>)</p> <p><b>Application to replace an extant planning permission ref: 4404/APP/2008/3558 dated 23/03/2009; Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.</b></p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p> <p><b>Resolved –</b></p> <p><b>a. That the application be determined by the Head of Planning, Consumer Protection, Sport and Green Spaces under delegated powers, subject to the completion of a deed of variation to the Section 106 Agreement dated 23 March 2009 accompanying planning permission ref. 4404/APP/2008/3558 to provide for the following obligations:</b></p> <ul style="list-style-type: none"> <li><b>(i) Travel plans to be prepared in accordance with TFL guidance and implemented for the light industrial and the residential components of the development.</b></li> <li><b>(ii) The provision of a contribution of £19,571 towards educational facilities (inflation adjusted to account for the retail price index since March 2009).</b></li> <li><b>(iii) The provision of a contribution of £11,844.95 towards health care facilities (inflation adjusted to account for the retail price index since March 2009).</b></li> <li><b>(iv) The provision of a contribution of £10,000 toward community facilities (inflation adjusted to account for the retail price index since March 2009).</b></li> <li><b>(v) The provision of a contribution of £1,486 towards local library facilities (inflation adjusted to account for the retail price index since March 2009).</b></li> <li><b>(vi) A contribution of £2,500 for every £1 million build cost to provide for construction training.</b></li> <li><b>(vii) The provision of a pedestrian access to Rosedale Park, including the provision of access control and CCTV provision.</b></li> <li><b>(viii) A cash contribution equal to 5% of the total cash contribution to enable the management and monitoring of the requirements of the legal agreement.</b></li> </ul> <p><b>b. That the applicant meets the Council's reasonable costs in the preparation of the deed of variation to the Section 106 agreement and any abortive work as a result of the deed not being completed.</b></p> <p><b>c. That the officers be authorised to negotiate and agree detailed terms of the proposed deed of variation.</b></p>	<p><b>Action by</b></p> <p>James Rodger Matt Duigan</p>
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	<p>d. That the application is reported back to the Planning Committee, if the Section 106 agreement is not completed within a period of 6 months from the date of Committee consideration.</p> <p>e. That if the application is approved, the conditions set out in the officer's report and addendum sheet circulated at the meeting be attached.</p>	
244.	<p><b>UNIT F, PROLOGIS DISTRIBUTION PARK, STOCKLEY PARK 68137/APP/2011/2564 (Agenda Item 8)</b></p> <p><b>Alterations to existing elevations, boundary treatment and landscaping, installation of external plant and associated screening, alterations to access and car parking arrangements, including installation of gate house and gates in connection with use as a Class B8 data centre.</b></p> <p>A member raised concerns in relation to the acoustic fence that was to be erected would this be visible from the residential properties opposite this site.</p> <p>Officers advised the committee that planting was well advanced on the site and together with the bunding residents would not be able to see the acoustic fence.</p> <p>In answer to an issue raised in relation to delivery hours officers advised that the site was part of a large industrial site so no restriction on delivery hours was required.</p> <p>Officers asked for condition 8 to be deleted and condition 16 amended to remove the reference to a Hotel. The committee agreed to the request for condition 8 to be deleted and for condition 16 to be amended.</p> <p>The recommendation for approval with condition 8 deleted and condition 16 amended was moved, seconded and on being put to the vote was agreed.</p> <p><b>Resolved – That the application be approved subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting, with condition 8 deleted and condition 16 amended to delete reference to a Hotel .</b></p>	<p><b>Action by</b></p> <p>James Rodger Matt Duigan</p>
245.	<p><b>16 NORTH COMMON ROAD, UXBRIDGE 4942/APP/2011/2045 (Agenda Item 9)</b></p> <p><b>Two storey building to form 3 x 3 bed terrace dwellings with new access way, car parking and amenity space, involving the demolition of existing outbuilding/garage at 17 North Common Road.</b></p> <p>Officers introduced the report and advised that as the application had been appealed for non-determination the recommendation needed to be changed to reflect this as follows:</p>	<p><b>Action by</b></p> <p>James Rodger Matt Duigan</p>

*'That had an appeal against non determination not been received the application would have been refused for the following reasons'*

In accordance with the Council's constitution two representatives of the 3 petitions received objecting to the proposal addressed the meeting. The agent was not present at the meeting.

The petitioner objecting made the following comments:-

- 170A Harefield Road would be most affected by the proposal.
- There was insufficient distance between 170A and the proposed development.
- The proposal would be over dominant, visually intrusive and result in a loss of amenity.
- The rear garden of 16 North Common Road sloped down to 170A Harefield Road.
- The report was misleading in relation to previous applications as this was the eleventh application in 6 years.
- The proposal was overdevelopment and cramped and would be detrimental to the North Uxbridge Local Character.
- The proposed parking was next to the sitting out area of the adjoining property. This would cause noise and disturbance during the summer.
- Welcomed the officer recommendation for refusal.
- The proposed access between two houses would have a major impact on the amenity of those properties.
- The access does not provide for delivery or refuse vehicles.
- The proposed parking at the front & rear of the site would result in a sub standard design serving 4 properties.
- Suggested that an additional reason for refusal should be added to include reference to the refuse collection and to address the unsatisfactory road design.

In answer to the issues raised in relation to the additional reason for refusal officers advised that where a previous refusal had not historically considered the issues this would not be carried forward. On appeal an Inspector may consider this to be unreasonable and unlikely to support this view and there may be costs given against the Council.

A member asked for officers to confirm the elevation issues raised and if this was the case this needed to be included in the report.

Officers advised that the 21 and 15 metre rule had taken on board the changes of level on the site. Issues of size, bulk, design and proximity had been included in reason for refusal 2.

It was asked for reason for refusal 2 to be strengthened by adding the words 'and change of levels' after proximity in the first line of the reason for refusal 2. This change was agreed by the committee.

A member asked that as the petitioners had raised the concerns about repeat application, could officers provide any help to residents on this issue.



	<p>Officers advised that the Council can decline an application if it was similar in nature to one that had been refused or dismissed on appeal in the last 2 years. There was certain criteria to be considered when declining an application as if an applicant had shown that they were seeking to overcome the reasons for refusal, if this was not validated there could be serious implications for the Council.</p> <p><b>Resolved – That the application would have been Refused had an appeal against non-determination not been received for the reasons set out in the officer’s report with reason for refusal 2 being amended by adding the words ‘and change of levels’ after ‘proximity’.</b></p>	
246.	<p><b>UNIT 4A, SWALLOWFIELD WAY, HAYES 35696/APP/2011/2260</b> <i>(Agenda Item 10)</i></p> <p><b>Change of use from Use Class B1c/B8 (Light Industry/ Storage and Distribution) to Use Class B1c/B2/B8 (Light Industry/ General Industry/ Storage and Distribution) for use as an MOT Testing Centre to include new customer entrance, alterations to elevations, installation of perimeter fence with gates and car wash and jet to rear.</b></p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p><b>Resolved – That the application be approved, subject to the conditions and informatives set out in the officers report.</b></p>	<p><b>Action by</b></p> <p>James Rodger Matt Duigan</p>
247.	<p><b>PREMIER TRAVEL INN, SHEPISTON LANE, HAYES</b> <b>46138/APP/2011/2360</b> <i>(Agenda Item 11)</i></p> <p><b>Alterations to existing car park to provide an additional 33 x car parking spaces and 2 x coach parking spaces.</b></p> <p>The committee raised concerns about there being no details provided in relation to landscaping. Members felt that as this was such a sensitive site located in the Green Belt. The Committee asked that a plan showing the detailed landscaping be provided before a decision was made on the application.</p> <p>It was moved and seconded that the application be deferred to enable a plan showing the detailed landscaping proposed; on being put to the vote deferral was agreed.</p> <p><b>Resolved – That the application be deferred for detailed plans to be provided showing the proposed landscaping scheme.</b></p>	<p><b>Action by</b></p> <p>James Rodger</p>
248.	<p><b>MINET COUNTRY PARK, SPRINGFIELD ROAD, HAYES</b> <b>49962/APP/2011/1309</b> <i>(Agenda Item 12)</i></p>	<p><b>Action by</b></p>
	<p><b>Two short linking sections to the Cycle Circuit and single storey detached hut, involving demolition of existing temporary hut.</b></p>	<p>James Rodger Matt Duigan</p>

	<p>Officers advised the committee that condition 5 was to be removed as plans had been submitted that covered this.</p> <p>The recommendation for approval with condition 5 deleted was moved, seconded and on being put to the vote and agreed.</p> <p><b>Resolved – That the application be approved subject to the conditions set out in the officer’s report, with the exception of condition 5, which was deleted.</b></p>	
249.	<p><b>15B STATION ROAD, HAYES 17297/APP/2011/2231</b> (<i>Agenda Item 13</i>)</p> <p><b>Change of Use from Use Class B8 (Storage and Distribution) to Use Class A1 (Shops) covered car park to retail shop.</b></p> <p>The Ward Councillor addressed the meeting making the following points:</p> <ul style="list-style-type: none"> <li>• Had been a Ward Councillor for this area since 1994.</li> <li>• The residents that lived above these premises had suffered as a result of the use currently in operation.</li> <li>• In 1996/67 a gate was provided to the alleyway that accessed this site by the Anti Social Behaviour Team, the gate was often left open after being locked.</li> <li>• When the gate was left open and rough sleepers used it at night.</li> <li>• There was other unsocial behaviour taking place in the alley way.</li> <li>• The alley way was being used as an extension to the retail use with items for sale being displayed.</li> <li>• The owner had been asked to stop, without success.</li> <li>• A wooden structure had been erected this had been reported to the Anti Social Behaviour Team.</li> <li>• If there was a fire the residents would not be able to escape</li> <li>• There was no access to this site from Pump Lane.</li> <li>• This was not suitable accommodation for our residents and would ask the committee to agree the officer recommendation for refusal.</li> <li>• There was no access onto Pump Lane.</li> </ul> <p>The committee raised concerns about the application and asked officers to make enforcement a priority in this case; this should include the access to the retail use currently in operation.</p> <p><b>Resolved – That the application be refused for the reasons set out in the officer’s report.</b></p>	<p><b>Action by</b></p> <p>James Rodger Matt Duigan</p>
250.	<p><b>50 BRANDVILLE ROAD, WEST DRAYTON</b> <b>47093/APP/2011/1337</b> (<i>Agenda Item 14</i>)</p>	<p><b>Action by</b></p>
	<p><b>First floor rear extension and alterations to roof from hip to gable end.</b></p>	<p>James Rodger Matt Duigan</p>

	<p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed.</p> <p><b>Resolved – That the application be refused for the reasons set out in the officer’s report.</b></p>	
	<p>The meeting, which commenced at 7.00 pm, closed at 9.40 pm.</p>	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Brice on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.