

Minutes

NORTH PLANNING COMMITTEE

17 November 2011

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



HILLINGDON
LONDON

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| | <p>Committee Members Present: Councillors Eddie Lavery (Chairman) David Allam Jazz Dhillon Michael Markham Carol Melvin David Payne Brian Stead Josephine Barrett</p> <p>LBH Officers Present: James Rodger (Head of Planning) Meg Hirani (North Team Leader) Sirous Ordoubadi (Principal Highways Engineer) Rory Stracey (Planning Lawyer) Charles Francis (Democratic Services)</p> <p>Also Present: Cllr Henry Higgins Malcolm Ellis (Vice-Chairman, Standards Committee)</p> | |
| 53. | <p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillors Allan Kauffman and John Morgan with Councillors Brian Stead and Josephine Barrett substituting.</p> | |
| 54. | <p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p> | |
| 55. | <p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING - 25 OCTOBER 2011 - TO FOLLOW (<i>Agenda Item 3</i>)</p> <p>Were not available and would be considered at the next meeting.</p> | |
| 56. | <p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p> | |

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| 57. | <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>All items were considered in public with the exception of items 15, 16 and 17 which were considered in private.</p> | |
| 58. | <p>SOUTH RUISLIP LIBRARY, PLOT A, VICTORIA ROAD, RUISLIP - 67080/APP/2010/1419 (<i>Agenda Item 6</i>)</p> <p>The recommendation contained in the report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved –</p> <p>a) That the Statement of Intent to enter into a S106 agreement dated 5th November 2010 be varied as follows:</p> <p>The addition of a further schedule (6) requiring that all 10 residential units as approved are to be delivered as affordable housing.</p> <p>(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land)</p> <p>a) That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:</p> <p>i) The provision of highway improvements along Victoria Road, including right turning lane, reinstatement of the existing access and creation of new access arrangements.</p> <p>ii) The provision of a contribution of £12,311 towards educational facilities.</p> <p>iii) The provision of a contribution of £3,250 towards healthcare facilities.</p> <p>iv) The provision of a contribution of £345 towards local library facilities</p> <p>v) A contribution of £2,500 for every £1 million build cost to provide for construction training.</p> <p>vi) A cash contribution equal to 5% of the total cash contribution to enable the management and monitoring of the requirements of the legal agreement.</p> <p>b) That in respect of the application for planning permission, the applicant meets</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |

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| | <p>the Council's reasonable costs in preparation of the Statement and any abortive work as a result of the agreement not being completed.</p> <p>c) That planning officers be authorised to negotiate and agree details of the proposed Statement.</p> <p>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 and Enforcement, then the application may be referred back to the Committee for determination.</p> <p>e) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of the Statement.</p> | |
| 59. | <p>SOUTH RUISLIP LIBRARY PLOT B, VICTORIA ROAD, RUISLIP - 67080/APP/2010/1420 (<i>Agenda Item 7</i>)</p> <p>The recommendation contained in the report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved –</p> <p>That the Heads of Terms of the S106 agreement as set out in the report to the North Planning Committee of the 19th May 2011 be amended to read as follows:</p> <p>This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land)</p> <p>a) That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:</p> <p>i) The provision of highway improvements along Victoria Road, including right turning lane, reinstatement of the existing access and creation of new access arrangements.</p> <p>ii) The provision of a formula calculation towards educational facilities.</p> <p>iii) The provision of a formula calculation (£216.67 per person) towards healthcare facilities.</p> <p>iv) The provision of a formula calculation (£23 per person) towards local library facilities</p> <p>v) The provision of a formula calculation towards construction training, in line with the SPD, (£2,500 for every £1 million build</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |

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| | <p>cost + 31 (number of units) /160 x £71,675 = total contribution).</p> <p>vi) A cash contribution equal to 5% of the total cash contribution to enable the management and monitoring of the requirements of the legal agreement.</p> <p>b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Statement and any abortive work as a result of the agreement not being completed.</p> <p>c) That planning officers be authorised to negotiate and agree details of the proposed Statement.</p> <p>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, then the application may be referred back to the Committee for determination.</p> <p>e) That no planning permission be approved until the statement of intent concerning application reference 67080/APP/2010/1419 has been varied as per the decision of the North Planning Committee of the 17th November 2011.</p> <p>f) That subject to the above, the application be deferred for determination by the Head of Planning under delegated powers, subject to the completion of the Statement.</p> | |
| 60. | <p>LAND ADJOINING 12 GLADSDALE DRIVE, EASTCOTE - 65761/APP/2011/1645 (<i>Agenda Item 8</i>)</p> <p>In accordance with the Council's constitution a representative of the petitioners addressed the meeting.</p> <p>The petitioner made the following points:-</p> <ul style="list-style-type: none"> • The proposal was a blatant case of garden grabbing • The proposal was an over development of the site • land had always been part of the Green Belt land, adjacent to No.12 • The proposal did not incorporate sufficient amenity space • Destruction to greenbelt meadow trees would lead to the destruction of wildlife habitat • The proposal would destroy the character of the road and lead to the loss of a front garden • There was no automatic right to build a dwelling on the land and the application was one of several which had been submitted by the developer to try and achieve his goal little by little. <p>The agent did not attend the meeting.</p> <p>Members agreed the application represented a prime example of creeping development and on these grounds supported the officer recommendation for refusal.</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |

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| | <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 as per the officer’s report</p> | |
| 61. | <p>LAND AT CROWS NEST FARM, BREAKSPEAR ROAD SOUTH, HAREFIELD - 1113/APP/2011/1020 (<i>Agenda Item 9</i>)</p> <p>A Ward Councillor addressed the meeting on behalf of the petitioners (in support).</p> <p>The Councillor made the following points:</p> <ul style="list-style-type: none"> • The protection of Green Belt land is very important but special circumstances exist in this case which mean the officer recommendation for refusal should be overturned. • The site currently services a number of West London waste sites, various local garden centres and the Ruislip Crematorium and so is a valuable local resource • The proposal was situated within a concreted area of the existing development which meant there would be no additional encroachment to the Green Belt. • The proposal will enable the woodchip to remain dry and therefore would increase the productivity of the site <p>Members asked officers to clarify the exact nature of the application. Having heard the proposal would enclose an existing storage area, Members agreed there were several special reasons for the officers recommendation for refusal to be overturned.</p> <p>Members agreed the proposal would improve the visual amenity of the site, ensure it provided a product of local need and also make the production of bio-mass material more efficient by ensuring raw materials were kept dry. It was also noted the applicant had been providing a composting service for a number of years on the site.</p> <p>It was proposed and seconded and on being out to the vote, unanimously agreed the officer recommendation for refusal should be overturned and the application be approved.</p> <p>Resolved –</p> <p>That the recommendation be overturned and the application be Approved. That the reasons for overturning the officer recommendation for refusal be agreed by the Chairman and Labour Lead outside the meeting</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |
| 62. | <p>39 HIGHFIELD DRIVE, ICKENHAM - 67201/APP/2010/1803 (<i>Agenda Item 10</i>)</p> <p>This application was withdrawn from the agenda by the Head of Planning, Consumer Protection, Sport and Green Spaces</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |

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| 63. | <p>85 HALLOWELL ROAD, NORTHWOOD - 40255/APP/2011/1961 (Agenda Item 11)</p> <p>In accordance with the Council's constitution a representative of the petitioners addressed the meeting.</p> <p>The petitioner made the following points:-</p> <ul style="list-style-type: none"> • The current height of this build looks like a watch tower and results in loss of privacy; • The proposal is an eyesore and far removed from the original plans; • The raised roof level has already obscured the view from the upper room of our house and has created an eyesore • The raised roof level is not in keeping with the cottages in the Area of Special Local Character. • The view along the line of houses from a residents back garden is impaired by the style and size of this extension • The work which has been undertaken has been done with complete disregard for planning rules • The applicant did not consult neighbours • The building is visually overbearing, an inappropriate design, would destroy the character of a beautiful part of Northwood. <p>The applicant addressed the meeting and made the following points:</p> <ul style="list-style-type: none"> • Planning officers had advised him to apply for Permitted Development Rights and as soon as this had been received building works began • When a complaint about the building works was received two to three weeks into the build, an Enforcement officer investigated and the applicant was advised to contact a Planning Officer • Initially the applicant had sought to extend his property and replicate the visual characteristics of surrounding properties. Unfortunately none of the designs submitted met his needs and none of the designs were carbon efficient. • The proposed design would complement existing properties within the Conservation Area. • The proposed design would meet sustainability targets. • The proposed design took account of flooding concerns and incorporated under croft void areas which would increase drainage <p>Members supported the officer recommendation for refusal.</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 as per the officer's report</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |
| 64. | <p>87 HALLOWELL ROAD, NORTHWOOD - 19363/APP/2011/1963 (Agenda Item 12)</p> <p>In accordance with the Council's constitution a representative of the</p> | <p>Action by</p> <p>James</p> |

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| | <p>petitioners addressed the meeting.</p> <p>The petitioner made the following points:-</p> <ul style="list-style-type: none"> • The current height of this build looks like a watch tower and results in loss of privacy; • The proposal is an eyesore and far removed from the original plans; • The raised roof level has already obscured the view from the upper room of our house and has created an eyesore • The raised roof level is not in keeping with the cottages in the Area of Special Local Character. • The view along the line of houses from a residents back garden is impaired by the style and size of this extension • The work which has been undertaken has been done with complete disregard for planning rules • The applicant did not consult neighbours • The building is visually overbearing, an inappropriate design, would destroy the character of a beautiful part of Northwood. <p>The applicant addressed the meeting and made the following points:</p> <ul style="list-style-type: none"> • Planning officers had advised him to apply for Permitted Development Rights and as soon as this had been received building works began • When a complaint about the building works was received two to three weeks into the build, an Enforcement officer investigated and the applicant was advised to contact a Planning Officer • Initially the applicant had sought to extend his property and replicate the visual characteristics of surrounding properties. Unfortunately none of the designs submitted met his needs and none of the designs were carbon efficient. • The proposed design would complement existing properties within the Conservation Area. • The proposed design would meet sustainability targets. • The proposed design took account of flooding concerns and incorporated under croft void areas which would increase drainage <p>Members supported the officer recommendation for refusal.</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 as per the officer’s report</p> | <p>Rodger & Meg Hirani</p> |
| <p>65.</p> | <p>439 VICTORIA ROAD, RUISLIP - 67990/APP/2011/1964 (<i>Agenda Item 13</i>)</p> <p>This application was withdrawn from the agenda by the applicant.</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |

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| 66. | <p>LAND BETWEEN RUGBY CLUB AND SACRED HEART SCHOOL, WEST END ROAD, RUISLIP - 68092/APP/2011/2408 (<i>Agenda Item 14</i>)</p> <p>At the beginning of the item the Planning Officer introduced the report and drew the Committee's attention to the recommendation to delete condition 10 as set out in the Addendum.</p> <p>A number of different views both in support and in objection to the application were raised and included the following:</p> <p>The site was situated on derelict land and was already in use as dropping off point for children to go to school. Special circumstances concerning child safety existed in this particular case.</p> <p>The site was effectively a car park within the Green Belt and did not represent an appropriate form of development. Pick up and collection times from school meant roads were congested across the Borough and this was not a special case.</p> <p>With reference to disabled parking for the application site, the Committee agreed that 2 disabled car parking spaces, rather than 5 would be sufficient and agreed to amend condition 9 to this effect.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed with four votes in favour, two against and one abstention.</p> <p>Resolved –</p> <p>That the Application be Approved with the changes set out in the addendum and amendment to condition 9 to provide 2 disabled parking spaces.</p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |
| 67. | <p>ENFORCEMENT REPORT (<i>Agenda Item 15</i>)</p> <p>The recommendation set out in the officer's report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved –</p> <p>1. That the enforcement actions as recommended in the officer's report and compliance period being changed by the committee was agreed.</p> <p>2. That the Committee resolve to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order</i></p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |

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| | <i>or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i> | |
| 68. | <p>ENFORCEMENT REPORT (Agenda Item 16)</p> <p>The recommendation set out in the officer's report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved –</p> <p>1. That the enforcement actions as recommended in the officer's report be agreed.</p> <p>2. That the Committee resolve to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |
| 69. | <p>ENFORCEMENT REPORT (Agenda Item 17)</p> <p>The recommendation set out in the officer's report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved –</p> <p>1. That the enforcement actions as recommended in the officer's report be agreed.</p> <p>2. That the Committee resolve to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p> | <p>Action by</p> <p>James Rodger & Meg Hirani</p> |

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| 70. | ANY ITEMS TRANSFERRED FROM PART 1 (<i>Agenda Item 18</i>) None | |
| 71. | ANY OTHER BUSINESS IN PART 2 (<i>Agenda Item 19</i>) None | |
| The meeting, which commenced at 6.00 pm, closed at 8.34 pm. | | |

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