

## Minutes

### CENTRAL & SOUTH PLANNING COMMITTEE

25 September 2012

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



	<p><b>Committee Members Present:</b> Cllr John Hensley Cllr Patricia Jackson Cllr Wayne Bridges Cllr Dave Allam Cllr Neil Fyfe Cllr Dominic Gilham Cllr Jazz Dhillon Cllr Brian Stead</p> <p><b>LBH Officers Present:</b> James Rodger – Head of Planning Adrien Waite – Major Applications Manager Syed Shah – Principal Highway Engineer Anne Gerzon – Legal Advisor Charles Francis – Democratic Services</p> <p><b>Also Present:</b> Cllr David Yarrow</p>	
118.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Cllr Judith Cooper substitute Cllr Patricia Jackson Cllr Janet Duncan substitute Cllr Jazz Dhillon Cllr Mo Khursheed substitute Cllr Dave Allam</p>	
119.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Cllr Brian Stead declared a non-pecuniary interest in Item 7 as this item was in his ward. Cllr Stead remained in the room and participated in the item. Cllrs Wayne Bridges and Patricia Jackson a declared non-pecuniary interest in Item 15 as the application site was in their ward. Both Councillors left the committee room and did not participate in the item.</p>	
120.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 3</i>)</p> <p>At the beginning of the meeting, the Chairman announced that Item 12 – RAF Uxbridge, Hillingdon Road, Uxbridge - 585/APP/2009/2752 and Item 15 Enforcement report contained in Agenda B were urgent items.</p>	
121.	<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</i></p>	

	<p><i>Item 4)</i></p> <p><i>All items were considered in Public with the exception of Items 12, 13 and 15 which were considered in Private.</i></p>	
122.	<p><b>FORMER NATIONAL AIR TRAFFIC SERVICES, PORTERS WAY, WEST DRAYTON - 5107/APP/2012/1591</b> (<i>Agenda Item 5</i>)</p> <p>Officers introduced the report which concerned the following:</p> <p>Reserved matters (appearance and landscaping) in compliance with conditions 2 and 3 for Phase 2, sixth application (32 residential units and open space) of planning permission ref: 5107/APP/2009/2348 dated 01/10/2010: Proposed mixed-use redevelopment comprising: 773 dwellings; Class D1 Primary Healthcare facility including room for joint community use; Class C2 Nursing Home (up to 3630sqm gea); Classes A1-A3 Shop units to complement Mulberry Parade (up to 185sqm gea, depending on size of Primary Healthcare facility); Class B1 Business units including site management office (up to 185sqm gea); Energy Centre (up to 220sqm gea) with combined heat and power unit; foul water pumping station; associated access roads from Porters Way (and excluding all access including pedestrian and bicycle access from Rutters Close); 1085 car parking spaces; cycle parking; public open space areas; cycleways and footpaths; and landscaping works.</p> <p>In discussing the application Members commented on the height of the proposed balconies and asked officers to provide further clarification about its effectiveness. In response, officers confirmed that the balconies would be 1.4 metres high and its specific role was to provide obscure storage rather than fulfil a privacy role.</p> <p>In relation to the Spring Green amenity space, Members noted that the proposal did not include secure railings around the entire perimeter of the site and concerns were raised about the dog fouling and the likely health implications this might have especially around children's play areas. Officers explained that while the inclusion of railings would have been preferable, their absence was not considered to be sufficiently material to warrant a refusal.</p> <p>It was moved, seconded and on being put to the vote agreed that the application be approved as per the officers report and correction in the addendum.</p> <p><b>Resolved -</b></p> <p><b>That the application be Approved as per officer recommendation, the changes set out in the addendum and the following amendment:</b></p> <p><b>Change reference to '34 car parking spaces' to '54 car parking spaces' within the additional informative on the addendum.</b></p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>

123.	<p><b>RAF UXBRIDGE, HILLINGDON ROAD, UXBRIDGE - 585/APP/2012/1662</b> (<i>Agenda Item 6</i>)</p> <p>The Committee discussed the application which sought to discharge Condition 43 (Car Park Management Plan) and Condition 48 (Traffic Barrier to Vine Lane) from planning permission reference 585/APP/2009/2752 dated 18 January 2012 for the redevelopment of RAF Uxbridge. In discussing the application, officers brought the Committee's attention to the following four additional in formatives set out in the addendum:</p> <ol style="list-style-type: none"> <li>1. You are advised that in accordance with the details hereby approved access to the fobs for the access barrier shall be strictly controlled by the site manager, with each dwelling within the crescent, curtilage and 4 dwellings in the woods being able to apply for 2 cards. The site manager must also be responsible for the provision of access fobs to the Council's Refuse team and as required by the emergency services.</li> <li>2. You are advised that the Council may be supportive of proposals for the provision yellow lines on St Andrews Road on either side of the Access Barrier. However, any such request would need to be dealt with by the Council's Highways Team.</li> <li>3. You are advised that the traffic barrier must be erected in accordance with the timescales stated by the Local Planning Authority within Condition 48 of application reference 585/APP/2009/2752. You are reminded that this condition was imposed to prevent 'rat running' through the site and therefore, the barrier must be in place in a timely manner to prevent unauthorised through traffic.</li> <li>4. You are advised that this discharge of condition in no way indicates any kind of approval of additional access points into the site.</li> </ol> <p>In discussing the application, it was noted that the outline consent allowed for the creation of a new school in the location of the existing athletics track and stadia to the north west of Hillingdon House. Officers explained that the proposed school would be assessed from an improved junction with the highway of St Andrews Road, with this road connecting to the improved Park Road / Chippendale Way roundabout to the west and Vine Lane to the southeast.</p> <p>Members noted that a condition was imposed on the outline consent to ensure there was a barrier in place to prevent traffic cutting through the site to/from Vine Lane. Members asked officers to provide further details about the location of the barrier and in response, were informed that the position of the barrier had been chosen after an extensive consultation and officers were confident that a sufficient number of warning signs had been erected to provide prior notice of the barrier.</p> <p>It was moved, seconded and on being out to the vote agreed that Delegated Authority granted to the Head of Planning, Sport and Green</p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>
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	<p>Spaces to approve the application subject to details of additional signage being secured and agreed with the Chair and Labour Lead (Cllr Allam).</p> <p><b>Resolved –</b></p> <p><b>Delegated Authority granted to the Head of Planning, Sport and Green Spaces to approve the application subject to details of additional signage being secured and agreed with the Chair and Labour Lead (Cllr Allam).</b></p>	
124.	<p><b>121 MOORFIELD ROAD, UXBRIDGE - 11498/APP/2012/953</b> (Agenda Item 7)</p> <p>Officers introduced the report and drew the Committee’s attention to the changes set out in the Addendum.</p> <p>In discussing the application, Officers confirmed that detailed CCTV diagrams had been provided by the applicant and that the Metropolitan Police were content with these details.</p> <p>In relation to fume extraction, the Committee heard that the Environmental Protection Unit had reviewed the proposals and agreed that this was a high quality system which would meet the planning requirements.</p> <p>It was noted that the report contained a difference of opinion between the Metropolitan Police Crime Prevention Officer and the Safer Neighbourhoods Team regarding the relationship between fast food outlets and the prevalence of anti-social behaviour. However, the Head of Planning confirmed that the views of the Crime Prevention Officer would hold greater weight should there be any future appeal.</p> <p>Members discussed the hours of operation outlined in the report and a number of amendments to the hours of operation were suggested. On being put to the vote there were six votes in favour and one abstention to the officer recommendation for approval.</p> <p><b>Resolved –</b></p> <p><b>That the application be approved as set in the officer report and addendum and the following amendment:</b></p> <p><b>Condition 4 amended to read:</b></p> <p><b>The premises shall only be used for the preparation and sale of food and drink between the hours of 08:00 and 22:00 Mondays to Saturdays, and 10:00 to 20:00 on Sundays, Public and Bank Holidays. In addition the premises may be used for clearing up with only staff on the premises between the hours of 22:00 and 22:30 Mondays to Saturdays, and 20:00 to 20:30 on Sundays, Public and Bank Holidays. There shall be no staff allowed on the premises outside these hours.</b></p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>

	<p><b>REASON</b>  <b>To safeguard the amenity of the occupiers and nearby properties, in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Policies September 2007)</b></p>	
125.	<p><b>17 MAYLANDS DRIVE, UXBRIDGE - 65665/APP/2012/1543</b> (<i>Agenda Item 8</i>)</p> <p><b>Part two storey, part single storey side and rear extensions, front porch and conversion of roof space to habitable use to include 4 x side roof lights (Resubmission)</b></p> <p>Officers introduced the report and drew the Committee's attention to the changes set out in the Addendum.</p> <p>In accordance with the Council's constitution, a representative of the petition received in objection to the application was invited to address the meeting.</p> <p>The petitioner made the following points:</p> <ul style="list-style-type: none"> <li>• All properties had garages to the rear which had ensured there was a pleasing layout to the street scene.</li> <li>• A side extension would ruin the appearance and layout of the street scene.</li> <li>• The proposed development would not harmonise with an area of special local character.</li> <li>• There would be a 1 metre height difference in the height between the proposal and surrounding properties.</li> <li>• The proposed development would be intrusive</li> </ul> <p>The agent made the following points:</p> <ul style="list-style-type: none"> <li>• In relation to the 1 meter height differential, it noted that this was permissible under permitted development</li> <li>• The proposal had been considerably reduced in size from a previous application</li> <li>• The agent had tried to liaise with local residents in an attempt to reach a compromise.</li> <li>• Local residents had raised concerns that the proposal would be used as a Home of Multiple Occupation. However, these fears were unfounded.</li> <li>• The homes located close by to the proposal were not a uniform design and the homes were of mixed design</li> <li>• The applicant' property was different as it was located on a hillside.</li> </ul> <p>A ward Councillor attended the meeting and made the following points:</p> <ul style="list-style-type: none"> <li>• The ward Councillor had visited the application site and stated that in his opinion, the proposed development would result in a loss of light to number 15.</li> <li>• The Ward Councillor requested that the item be deferred for a site visit and for the impact of the proposal on numbers 15 and 19 to be determined</li> </ul>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>

	<ul style="list-style-type: none"> <li>• The ward Councillor supported the concerns raised by the petitioners.</li> </ul> <p>In response to Member's questions about overshadowing and whether a shadow diagram had been produced, officers confirmed that a diagram had not been produced but that the application had been assessed in accordance with the Council's guidance. In relation to the proposal harmonising in an area of special local character, Officers referred to the comments of the Urban Design and Conservation officer which mainly related to the size and design of the front porch. In discussing the application, the Committee agreed that the proposal should be deferred for a site visit and that officers be requested to produce a shadow diagram to assist their deliberations.</p> <p>The recommendation for approval was overturned and on being put to the vote it was agreed by 5 votes in favour, with 2 abstentions to defer the item for a site visit and for shadow diagrams to be produced.</p> <p><b>Resolved –</b></p> <p><b>That the application be deferred for a site visit and for a shadow diagram to be produced.</b></p>	
126.	<p><b>103 PARK ROAD, UXBRIDGE - 32648/APP/2012/1609</b> (<i>Agenda Item 9</i>)</p> <p>Officers introduced the report and drew the Committee's attention to the changes set out in the Addendum.</p> <p>In accordance with the Council's constitution, a representative of the petition received in objection to the application was invited to address the meeting.</p> <p>The petitioner made the following points:</p> <ul style="list-style-type: none"> <li>• A change of use from a sandwich bar to a take away was granted in 2011.</li> <li>• The take away did not complement or improve the character of the area</li> <li>• The take away was located in a residential area and already caused disturbance from car door slamming, vehicular movements and any extension to the hours of operation would exacerbate these issues</li> <li>• The already was insufficient parking in the area, and any extension would increase the amount of displaced parking</li> <li>• Residents were already affected by cooking smells and this would only worsen if an extension to operating hours was approved</li> <li>• An argument that if the additional hours were not granted, this would affect the profitability of the business were not planning grounds</li> <li>• Littering was an issue which would worsen if additional hours were granted</li> </ul>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>

	<p>The agent made the following points:</p> <ul style="list-style-type: none"> <li>• The business had been closed for 3 months and was a seasonal business</li> <li>• If pollution and cooking smells were an issue then the application would not have been granted in the first place</li> <li>• The agent was not aware of any reports of anti-social behaviour locally</li> <li>• The shop owner had a good relationship with the local Neighbourhood Watch scheme</li> <li>• There were no parking spaces associated with the business and this was reliant on passing trade</li> <li>• The applicant had taken advice from the Local Authority about monitoring the local environment and had followed the suggestions provided</li> </ul> <p>In discussing the application, the agent confirmed that the business was predominantly reliant on trade from a local college. Officers confirmed that the application for an extension to the opening hours could not be supported unless the flues were changed to mitigate the impact caused by cooking smells. The Committee agreed that the usage of the take away had to be sensitive to local residents and proper CCTV and extraction facilities were required. Based on the proposals set out in the officer report and the reasons highlighted by the petitioner and the agent the Committee agreed that the application should be refused.</p> <p>It was moved, seconded and on being put to the vote that the officer recommendation of refusal be agreed.</p> <p><b>Resolved –</b></p> <p><b>That the application be Refused as per the officers' recommendation and addendum and the following amendment to the addendum:</b></p> <p><b>Replace word 'consideration' with 'considering' in the additional informative.</b></p>	
127.	<p><b>LAND ADJACENT TO THE NORTHERN PART OF THE FORMER CAPE BOARDS SITE, IVER LANE, COWLEY - 68381/APP/2012/449</b> <i>(Agenda Item 10)</i></p> <p>Officers introduced the report which concerned a change of use of land to Class B8 (storage and distribution) to allow the open temporary storage of cars.</p> <p>The Committee asked for further clarification to be provided about the whether or not the site was located in a flood zone. Officers confirmed that according to the Council's GIS system, the site was in a flood zone but that this differed from the views of the Environment Agency.</p> <p>In discussing the application, the Committee noted that the report had</p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>

	<p>omitted specific operational details of what the site would be used for and also what arrangements were in place should there be localised flooding. The Committee requested that two additional informatives be added to the refusal reasons cited in the officer report. It was moved, seconded and on being put to the voter that the application be refused for the reasons set out in the officer report, addendum and the addition of two further informatives.</p> <p><b>Resolved –</b></p> <p><b>That the application be Refused as set out in the report and addendum and the following additional informatives:</b></p> <p><b>'The Council would expect any resubmission to be accompanied by details relating to operational detail of the site including the source of vehicles to be stored at the site, the intended length of time for their storage at the site and in respect of highways and transportation matters.'</b></p> <p><b>'The Council would expect any resubmission to be accompanied by a Flood Evacuation Plan, and would encourage the applicant to discuss the details of such a plan with the Council's Floods and Drainage Specialist and the Environment Agency prior to making any such submission.'</b></p>	
128.	<p><b>62 THE GREENWAY, UXBRIDGE -20576/APP/2012/673</b> (<i>Agenda Item 11</i>)</p> <p>Officers introduced the report which concerned a change of use from unauthorised Use Class C3 (self contained flats) to Use Class C1 (Hotels) for use as bed and breakfast accommodation (Part Retrospective).</p> <p>It was moved, seconded and on being put to the vote agreed that the application be refused for the reasons set out in the officer report.</p> <p><b>Resolved –</b></p> <p><b>That the application be refused for the reasons set out in the report.</b></p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>
129.	<p><b>RAF UXBRIDGE, HILLINGDON ROAD, UXBRIDGE, 585/APP/2009/2752</b> (<i>Agenda Item 12</i>)</p> <p>Officers introduced the report which concerned a Deed of Variation to be made to the original S.106 legal agreement, altering the phasing and timing of delivery of the planning obligations, specifically:</p> <p>ai) Alter phasing to allow the Primary School and dwellings to the</p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>



	<p>northeast of the site to be brought forward from Phase 4 to Phase 1;</p> <p>ii) Require the off site highway works to the Chippendale Way Roundabout and the new road linking this to the school to be completed prior to the school opening;</p> <p>iii) Alter the timing for the developer to pay the first instalment of the Education contribution;</p> <p>iv) Alter the planning obligation relating to tree protection to allow the developer to discharge the arboricultural survey on a phase by phase basis.</p> <p>b) That officers be authorised to negotiate and agree the detailed terms of the agreement.</p> <p>c) That the owner meets the Council's reasonable costs in the preparation of the Deed of Variation and any abortive work as a result of the agreement not being completed.</p> <p>It was moved, seconded and on being put to the vote agreed that the officer recommendation be approved.</p> <p><b>Resolved –</b></p> <p><b>That the application be Approved in accordance with the officer report</b></p>	
130.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 13</i>)</p> <p><i>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</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><b>Resolved –</b></p> <p><b>1. That the enforcement actions as recommended in the officer's report be agreed.</b></p> <p><b>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.</b></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</i></p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>

	<p><i>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>	
131.	<p><b>ENFORCEMENT REPORT</b> (Agenda Item 14)</p> <p><i>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</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><b>Resolved –</b></p> <p><b>1. That the enforcement actions as recommended in the officer's report be agreed.</b></p> <p><b>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.</b></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><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</p>
132.	<p><b>ENFORCEMENT REPORT</b> (Agenda Item 15)</p> <p><i>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>	<p><b>Action by</b></p> <p>James Rodger &amp; Adrien Waite</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><b>Resolved –</b></p> <p><b>1. That the enforcement actions as recommended in the officer's report be agreed.</b></p> <p><b>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.</b></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>The meeting, which commenced at 7pm , closed at 9:10.</p>	

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.