

Minutes

CENTRAL & SOUTH PLANNING COMMITTEE

4 September 2013

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



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors John Hensley (Chairman) Judith Cooper (Vice-Chairman) Wayne Bridges Dominic Gilham Brian Stead Mo Khursheed (Labour Lead) Janet Duncan</p> <p>Officers Present: James Rodger, Head of Planning, Sports and Green Spaces Matthew Duigan, Planning Service Manager Syed Shah, Principal Highway Engineer Tim Brown, Legal Advisor Charles Francis, Democratic Services</p>	
71.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Neil Fyfe, no substitute.</p>	
72.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Dominic Gilham declared a pecuniary interest in item 9. He left the room and did not participate in the item.</p> <p>Councillor Mo Khursheed declared a non-pecuniary interest in item 8. He participated in the item.</p>	
73.	<p>TO SIGN AND RECEIVE THE MINUTES OF 13 AUGUST 2013 (<i>Agenda Item 3</i>)</p> <p>Were agreed as an accurate record.</p>	
74.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>	
75.	<p>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 (<i>Agenda</i></p>	

	<p><i>Item 5)</i></p> <p>All items were considered in Part 1 with the exception of items 10, 11, 12 and 13.</p>	
76.	<p>17 MAYLANDS DRIVE, UXBRIDGE - 65665/APP/2013/1348 (<i>Agenda Item 6)</i></p> <p>In accordance with the Council's constitution a representative of the petition received in support of the proposal was invited to address the meeting. The following points were raised:</p> <ul style="list-style-type: none"> • The patio was in keeping with local residences and addressed privacy issues. • The outbuilding was in keeping with other garages in the local area. • The outbuilding had no impact and would not be rented out for living accommodation. • A garden fenced had been erected to enhance privacy. • The ground level had not been raised at the boundaries. • The development was in keeping with the local area. • Advice had been sought from the Planning Department and the Planning Enforcement Team and both Departments could have done more to assist the applicant. • Enforcement officers had not measured correctly when they had assessed his property. • The plans which suggested that one of the upstairs rooms was a bedroom was incorrect. This was a bathroom and not a bedroom. <p>In discussing the application, Members enquired about the discrepancies in the levels, overlooking issues and access to the outbuilding. In response, officers confirmed that they had measured the levels and disagreed with the measurements provided by the applicant. However, officers were confident that they had interpreted the applicants' plans correctly and had taken accurate measurements. Officers confirmed that they believed that patio, walls and garden levels contributed to a degree of overlooking which meant that there was an issue of overlooking/loss of privacy to kitchen (of No. 19) over boundary fences. With regards to access to the outbuilding, Officers confirmed that access was provided by an alleyway which measured 1 metre in width.</p> <p>On balance, Members agreed that the proposal should be refused for the reasons listed in the officer report and specifically that the size, scale and bulk of the development was inappropriate for the character of the area. Members also had serious concerns about the degree of overlooking. As a result, the Committee agreed to amend refusal reason 2 as follows:</p> <p>"The outbuilding and rear garden patio as extended, when considered in conjunction with other works carried out to the application property, results in a significant cumulative increase in the built up appearance of this site and furthermore by reason</p>	<p>Action by</p> <p>James Rodger & Matt Dugan</p>

	<p>of their proximity to the boundary, and height of the patio, would be over dominant, visually intrusive and enable overlooking. This would significantly reduce the standard of amenities, (daylight, sunlight and privacy) currently enjoyed by the occupants of Nos. 15 and 19 May lands Drive. The development is therefore contrary to Policies BE1, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part One - Strategic Policies & Part Two - Saved Unitary Development Plan Policies (November 2012)."</p> <p>It was moved, seconded and on being put to the vote was agreed that the application be refused.</p> <p>Resolved –</p> <p>That the application be unanimously refused for the reasons set out in the officer report including the amendment to refusal reason 2 set out above.</p>	
77.	<p>103 PARK ROAD, UXBRIDGE - 32648/APP/2013/1142 (<i>Agenda Item 7</i>)</p> <p>In accordance with the Council's constitution a representative of the petition received in objection of the proposal was invited to address the meeting. The following points were raised:</p> <ul style="list-style-type: none"> • The Take a Way was situated in a residential area and as a result had caused nuisance through noise and disturbance mainly arising from gatherings of youths outside the premises until 2300 hours most days • The Take a Way had caused nuisance to local people from cooking smells emanating from the premises. • The Take a Way had generated disturbance from noise arising from deliveries and a recent refurbishment. • The Take a Way did not blend in with the local area and was incongruous with 100 year old cottages • The Take a Way was associated with local parking problems and there had been several cases of inconsiderate parking when customers had parked across the drive ways of local residents. • The amount of local litter had increased since the Take a Way had opened which had increased the risk of vermin. • The Take a Way was detrimental to the area and had a negative impact on local property prices. <p>The agent raised the following points:</p> <ul style="list-style-type: none"> • The applicant had installed sound insulation to reduce noise and disturbance to local residents and this work had been checked by Council officers. • The applicant had provided assurances that no amplified music would be played at the premises. • In relation to waste and disposal, the applicant already complied with existing regulations and a collection regime was already in place. • The business would no longer be viable if the hours of operation 	<p>Action by</p> <p>James Rodger & Matt Dugan</p>

	<p>were not extended further as per the application.</p> <ul style="list-style-type: none"> If the hours of operation were extended, this would provide employment opportunities for up to an additional four members of staff. <p>The Committee agreed that the proposed increase in opening hours would be detrimental to the residential amenities of local residents due to increased noise and disturbance. 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>Resolved –</p> <p>That the application be unanimously refused.</p>	
78.	<p>843 UXBRIDGE ROAD, HAYES - 630/APP/2013/1190 (<i>Agenda Item 8</i>)</p> <p>Officers introduced the report and highlighted the changes as set out in the addendum.</p> <p>In accordance with the Council’s constitution a representative of the petition received in support of the proposal was invited to address the meeting. The following points were raised:</p> <ul style="list-style-type: none"> A petition consisting of approximately 300 signatures had been raised in support of the application. The Momtaz Shisha cafe premises were popular locally and other local business had benefited from the trade it attracted. There already was a canopy on the premises when it was purchased. The canopies in use to the rear of the premises did not require separate planning permission. There were a number of empty shops locally. If the retrospective permission was not granted, it would mean there would be a further empty shop front. The business provided employment for 5 members of staff. Local residents had provided positive feedback. The applicant had spent a considerable amount of capital improving the premises. <p>The applicant and the agent were the same person.</p> <p>In discussing the application, Members asked about the number of canopies and when these were folded back after use. Further enquiries concerned the current parking arrangements, hours of operation of the business and the number of customers the premises served in a typical day of trading. In response, the applicant informed the Committee that there were 3 canopies in operation and these were typically folded back between 11:30pm and 12:00pm. The applicant confirmed that most customers travelled by foot or by train and so parking issues did not usually arise. However, it was highlighted that there were 25 car</p>	<p>Action by</p> <p>James Rodger & Matt Dugan</p>

	<p>parking spaces on the parade of shops should these be required. The applicant also confirmed that the busiest time of day was between 5pm and 8pm and the premises served 25 to 30 people at peak periods.</p> <p>In discussing the application, Members agreed that the proposal would erode the retail function and attractiveness of the area, harming the vitality and Viability of the parade to the detriment of the Local Community. In addition, the proposal would result in an over intensification of the site and generate unacceptable levels of noise and general disturbance to the detriment of the amenities of nearby residents.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was unanimously agreed.</p> <p>Resolved - That the application be refused as per the officer report and addendum sheet.</p>	
79.	<p>24 RUFFLE CLOSE, WEST DRAYTON - 69256/APP/2013/1601 <i>(Agenda Item 9)</i></p> <p>Officers introduced the report and highlighted the changes set out in the addendum.</p> <p>It was moved, seconded and on being put to the vote agreed that the application be approved as per the officer report and addendum.</p> <p>Resolved –</p> <p>That the application be approved as per the officer report and addendum sheet.</p>	<p>Action by</p> <p>James Rodger & Matt Dugan</p>
80.	<p>ENFORCEMENT REPORT <i>(Agenda Item 10)</i></p> <p>The recommendations as set out in the officer’s report was moved seconded and on being put to the vote were 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 resolved 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</i></p>	<p>Action by</p> <p>James Rodger & Matt Dugan</p>

	<p><i>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>	
81.	<p>ENFORCEMENT REPORT (<i>Agenda Item 11</i>)</p> <p>The recommendations as set out in the officer's report was moved seconded and on being put to the vote were 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 resolved 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 & Matt Dugan</p>
82.	<p>ENFORCEMENT REPORT (<i>Agenda Item 12</i>)</p> <p>The recommendations as set out in the officer's report was moved seconded and on being put to the vote were 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 resolved 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 & Matt Dugan</p>

83.	<p>ENFORCEMENT REPORT (<i>Agenda Item 13</i>)</p> <p>The recommendations as set out in the officer's report was moved seconded and on being put to the vote were 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 resolved 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 & Matt Dugan</p>
<p>The meeting, which commenced at 7.00 pm, closed at 8.30 pm.</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.