

Minutes

NORTH PLANNING COMMITTEE

20 November 2013

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



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Eddie Lavery (Chairman) John Morgan (Vice-Chairman) David Allam (Labour Lead) Raymond Graham Michael Markham Carol Melvin David Yarrow Robin Sansarpuri</p> <p>LBH Officers Present: James Rodger, Head of Planning, Green Spaces and Culture Matthew Duigan (Planning Service Manager) Syed Shah, Highways Engineer Rory Stracey, Legal Advisor Nadia Williams, Democratic Services Officer</p>
111.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies received.</p>
112.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest declared.</p>
113.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 3</i>)</p> <p>There were no items notified in advance or urgent.</p>
114.	<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 4</i>)</p> <p>It was confirmed that all items marked Part 1 would be considered in public and item 11 Enforcement Report would be heard in Private.</p>
115.	<p>FORMER WINDMILL PUBLIC HOUSE, WINDMILL HILL RUISLIP 11924/APP/2013/1871 (<i>Agenda Item 5</i>)</p> <p>Change of use from A1 (shops) to flexible use permitting A1 (Shops), A2 (Financial and professional services), D1 (non-residential institutions) and D2 (assembly and leisure).</p>

In accordance with the Council's constitution, a representative of the petitioners was invited to address the meeting and as they were unable to attend the meeting, had asked for their submission to be read out. In their submission, the petitioners objecting to the proposed development raised the following points:

- Concerned about contradiction in the operating hours set out in the officer's report, which in part indicated very late opening times.
- Concerned that any extreme late opening hours would have a significant detrimental impact on residents living above the premises.
- Requested the Committee to restrict use as a gymnasium, health centre and dental surgery only and consider the impact late opening hours would have on residents living directly above the premises
- Urged the Committee to consider earlier closing hours to allay concerns about the potential increase in anti-social behaviour.
- Feared that the proposed development would result in additional traffic as well as increased noise, due to users congregating around the vicinity of the building.
- Stated that the flats above the premises were purchased on the basis that the premises would be A1 use only.
- Concerned that a gym in the local area was currently advertising a 24 hour opening times on their website and urged that it was imperative to stop any potential application to extend late opening hours further on this premises.

The agent who was present at the meeting did not wish to address the meeting.

Members discussed the application and expressed concerns about the discrepancies in the opening hours in the officer's report.

The Head of Planning, Green Spaces and Culture advised that the discrepancy in the hours set out in the officer's report would be amended to reflect the hours in Condition 3 (COM 22 – Operating Hours).

The Legal Advisor advised the Committee to amend condition 5 by adding at the end "...and shall thereafter be implemented and maintained after the development."

Members attached an additional condition to safeguard residents' amenity from delivery vehicles loading and unloading.

The recommendation for approval, additional condition and amendment to Condition 5 was moved, seconded and on being put to the vote was agreed.

Resolved – That the application be approved subject to the conditions and informatives set out in the officer's report and additional condition and amended Condition 5 as set out below.

Additional condition

'There shall be no loading or unloading of vehicles, outside the hours of 08.00 hrs and 18.00 hrs Monday to Friday, and between the hours of 08.00 and 13.00 on Saturdays. No loading shall be undertaken on Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved

	<p>UDP Policies (November 2012). ‘</p> <p>Condition 5 amended as follows:</p> <p><i>‘Notwithstanding the details of noise mitigation contained in the acoustic report, reference 4859/AAR submitted with the planning application, details of noise mitigation measures including the LnTw measurements shall be submitted to and approved in writing by the Local Planning Authority prior to the approved use commencing.</i></p> <p><i>There after the development shall be carried out in accordance with the approved details and measures.’</i></p>
116.	<p>82 DUCKS HILL ROAD, NORTHWOOD 39262/APP/2013/2285 (Agenda Item 6)</p> <p>Three storey building to hold 3 x 4-bed self contained supported living flats with associated parking.</p> <p>This application was withdrawn by the applicant.</p>
117.	<p>CHARLES CURRAN HOUSE, BONIFACE ROAD, ICKENHAM 1022/APP/2013/2345 (Agenda Item 7)</p> <p>Conservation Area Consent for the demolition of existing care home.</p> <p>This application was withdrawn by the Head of Planning, Green Spaces and Culture.</p>
118.	<p>CHARLES CURRAN HOUSE, BONIFACE ROAD, ICKENHAM 1022/APP/2013/2347 (Agenda Item 8)</p> <p>Demolition of existing care home and construction of 6 semi-detached 4-bed dwellings, together with associated car parking, landscaping and new pedestrian access.</p> <p>This application was withdrawn by the Head of Planning, Green Spaces and Culture.</p>
119.	<p>73 SWAKELEYS ROAD, ICKENHAM 52680/APP/2013/1396 (Agenda Item 9)</p> <p>Change of use from Use Class A1 (Shops) to Use Class A3 (Cafe) (Resubmission).</p> <p>The Committee amended Condition 4 to include restriction of use on bank holidays.</p> <p>The recommendation for approval and changes to Condition 4 was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be approved, subject to the conditions and informatives set out in the officer’s report and amendment to Condition 4 as follows:</p> <p><i>‘No customers shall be present on the premises, nor shall the premises be used for the preparation or sale of food except between the hours of 0700 hours and 1900 hours Monday to Saturday and 0900 to 1800 hrs on Sundays, Bank and Public Holidays.</i></p>

	<p>REASON</p> <p>To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 and OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).'</p>
120.	<p>GARAGES LAND ADJACENT TO 27 LEES AVENUE, NORTHWOOD 69195/APP/2013/1310 (<i>Agenda Item 10</i>)</p> <p>2 x two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity space and enlargement of vehicular crossover to front, involving demolition of existing garages.</p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <ol style="list-style-type: none"> 1. That delegated powers be given to the Head of Planning, Culture and Green Spaces to grant planning permission, subject to the following: <ol style="list-style-type: none"> i) 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 Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure: <ol style="list-style-type: none"> a) A contribution of £25,593 towards capacity enhancements in local educational establishments made necessary by the development; 2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed. 3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement. 4. 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 report, or any other period deemed appropriate by the Head of Planning, Culture and Green Spaces then delegated authority be granted to the Head of Planning, Culture and Green Spaces to refuse the application for the following reason: <p>'The development has failed to secure obligations relating to capacity enhancements in local educational establishments made necessary by the development. Accordingly, the proposal is contrary to policies R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD.'</p> 5. That subject to the above, the application be deferred for determination by the Head of Planning, Culture 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.

	6. That if the application is approved, the conditions and informatives in the officer's report be imposed.
121.	<p>ENFORCEMENT REPORT (<i>Agenda Item 11</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. The Committee resolved that it was not expedient to take enforcement action.</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 decision 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>
	The meeting, which commenced at 9.25 pm, closed at 9.58 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nadia Williams on 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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