

Minutes

## NORTH PLANNING COMMITTEE

6 March 2014

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



HILLINGDON  
LONDON

	<p><b>Committee Members Present:</b> Councillors Eddie Lavery (Chairman) John Morgan (Vice-Chairman) David Allam (Labour Lead) Raymond Graham Michael Markham Carol Melvin David Yarrow Robin Sansarpuri</p> <p><b>LBH Officers Present:</b> James Rodger, Head of Planning Green Spaces and Culture Adrien Waite, Major Applications Planning Manager Syed Shah, Principal Highway Engineer Tim Brown, Legal Advisor Nadia Williams, Democratic Services Officer</p>
168.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were none received.</p>
169.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were none declared.</p>
170.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 11 FEBRUARY 2014 (TO FOLLOW)</b> (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 11 February 2014 were agreed as a correct record.</p>
171.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None were notified in advance or urgent.</p>
172.	<p><b>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</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items marked Part 1 would be considered in Public and items 13, 14 and 15 would be heard in Private.</p>

173.	<p><b>R/O 57 - 59A (FRONTING SHALDON DRIVE), EXMOUTH ROAD, RUISLIP 16124/APP/2013/3540</b> (<i>Agenda Item 6</i>)</p> <p><b>Two-storey, 2 bedroom detached dwelling with associated parking and amenity space, installation of vehicular crossover and cycle store.</b></p> <p>Officers introduced the report.</p> <p>In accordance with the Council's constitution, a representative of the petitioners was invited to address the meeting. The petition representative raised the following points in objection to the proposal:</p> <ul style="list-style-type: none"> <li>• The proposed development was only 15 metres behind the property at No. 59</li> <li>• The scheme was outside of the separation distance of 15 metres rule to which objections were raised, as it was so close</li> <li>• The average length at present was 22 - 24 metres whilst this proposal was only 15 metres</li> <li>• The proposed development would be overbearing with an ugly appearance which would have a detrimental effect on neighbouring properties</li> <li>• The issue of parking would be exacerbated, particularly at the weekend when cars would be parked along the whole way</li> <li>• With footway parking and reduced on-street parking, this could result in the loss of 2/3 parking spaces in the surrounding areas and the problem would be even worse and detrimental to local residents.</li> </ul> <p>The agent/applicant was not present at the meeting.</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 outlined in the officer's report.</b></p>
174.	<p><b>2 LINKSWAY, NORTHWOOD 36910/APP/2013/2338</b> (<i>Agenda Item 7</i>)</p> <p><b>Two-storey, 5 bedroom detached dwelling with habitable roof-space involving demolition of existing dwelling, (Re-consultation on additional information relating to tree protection, internal layouts and additional obscure glazing in the rear elevation).</b></p> <p>In introducing the report, officers explained that the applicant had engaged proactively to address issues from previously withdrawn scheme. All windows were obscured and elevation facing 3 Copse Wood could be closed shut to address issues relating to overlooking. It was noted that the development was solely sited to the north of adjoining properties and therefore would not cause any overlooking to adjoining properties. Officers directed Members to note the changes in the addendum circulated at the meeting.</p> <p>In accordance with the Council's constitution, a representative of the petitioners and the applicant were invited to address the meeting. The petition representative raised the following points in objection to the proposal:</p> <ul style="list-style-type: none"> <li>• This was the third petition that had been raised from a large section of the Copse Wood estate</li> </ul>

- The opposition had been sustained with 69 people signing the current petition against the proposed development
- This scheme would be too big for the plot and the roof would be too high
- The proposed development would destroy the symmetry of the area
- The site was covered by Tree Preservation Order and residents did not feel that adequate arrangements would be made for their protection and long term retention
- Cutting the trees structure would increase the severity of extreme weather
- Questioned why the building foundation was sited in close proximity of the oak trees, which were over 100 years old
- The scheme would be against policy, as features of the development would not be sympathetic with adjoining properties and would be out of character and appearance of the area
- The privacy of residents at 3 Copse Wood Way would be lost (Condition BE24 imposed to protect) but windows could easily be replaced
- The proposal would destroy the symmetry of the area, which was defined by the 2 gate houses marked by the gate leading to Copse Wood estate
- The close proximity and size of the windows would have a detrimental effect on the future development potential of 3 Copse Wood Way
- Urged the Committee to reject the application.

The applicant raised the following points:

- Planning officers covered all objections 18 months ago
- Had moved from building a dream home to converting a home which was old, cold and draughty with very high utility bills
- Had made many mistakes in previous applications and now working with officers to address previous concerns
- Had changed whatever had been asked of him, met all requirements and even more
- The current proposal was within policy
- At the side of No. 3 Copse Wood Way, 1 window was glazed and the other was closed
- Felt that they were entitled to make their home comfortable
- Thanked officers for all the guidance that had been received in putting this proposal forward
- Urged the Committee to approve the application.

It was noted that a Ward Councillor had sent his objection to the proposed development.

With regard to a query raised about the bulk and height of the scheme, officers' view was that the bulk and height of the building was acceptable, as this was a two-storey building with accommodation in the roof-space. The massing was not particularly greater than other properties in the area.

Officers explained that the slot D elevation always made the building look bigger, due to a kink. The proposed building would have traditional chimney and roof form but in terms of height, there was large variation on the estate. Consequently, Members were advised not to judge on just the 2 properties but to look at the whole of the street scene, which varied.

In response to a query raised about symmetry, officers advised that the privacy policy related to overlooking between habitable windows, and in regard to the angular

relationship, which could be obscure glazed and non-opening. It was explained that this could be secured by condition if required and should any enforcement issue arise, action could be taken.

The Committee raised an issue regarding damage to tree root; officers explained that an arboriculture report with full details of how trees would be protected during the construction work had been provided and the Tree Officer was satisfied that the trees with Tree Protection Order (TPO) would be retained.

A Member expressed concerns that 2 rooms had been proposed in the roof-space; a games room and a cinema room which could easily be used as two bedrooms and asked why the application hadn't been shown as 7 bedrooms. Officers advised that in terms of assessing planning obligations, officers assessed only habitable rooms that could be used as a potential bedroom and in this case, would not have a harmful impact as dual rooms.

A Member added that there was a need for the design to fit the context and to this end therefore, the application should be deferred for a site visit.

In answer to a query about the orientation of the proposed building, officers advised that it had been concluded in the report that the 45 degree rule had not been breached (in ensuring the amenity of the adjoining occupiers were protected) and would therefore not be an issue that would justify a refusal.

Officers added however, that this was just outside the 45 degree line.

A Member added that this was a relatively small building and would like to visit the site to ensure a clearer picture of the development proposed on the site.

It was moved, second and agreed that the application be deferred for a site visit and on being put to the vote, was agreed.

**Resolved - That the application be deferred for Members to visit the site.**

175. **20 LINKSWAY, NORTHWOOD 2203/APP/2013/1820** (*Agenda Item 8*)

**Erection of a detached 6 bedroom dwelling with habitable roof-space and basement with associated parking and amenity space including the demolition of the existing detached house, (Resubmission).**

In introducing the report, officers advised that the main concern about the application was related to the impact of the scheme on surface water and ground water levels, as a result of the proposal to lower the basement floor slab level by 400mm down into the ground. It was noted that the applicant had submitted a series of documents and investigations undertaken and the information was uploaded on the Council's website on 14 February 2014 for the public. In addition, a 14 days re-consultation was carried out and no comments were received. Officers did not consider that the proposal resulted in any problems relating to surface water.

In response to a query raised about the expiry date of the re-consultation; officers advised that it ended on 18 February 2014.

It was noted in the officer's report that investigation had been undertaken in April 2012 and in view of the severe weather conditions that had recently been experienced, Members wanted to know whether a more recent investigation had been done.

In accordance with the Council's constitution, a representative of the petitioners and the agent were invited to address the meeting. The petition representative raised the following points in objection to the proposal:

- Before the widespread buildings of vast basements in Hillingdon, houses generally had footings of about 1 or 2 metres depth, which largely did not cause concern to neighbouring properties
- Large basement buildings were now being approved consistently by Committee and the Building Control Department was now being expected to deal with issues relating to ground level building, as they had done in the past without seeing the impact on or getting input from the neighbours
- Large residential basement buildings in particular were of huge importance to neighbours for reasons associated with drainage, construction and damage
- The Committee must take immediate steps to change this, where large residential basement were concerned and not assume that the public would not understand the detail
- Asked the Committee to allow public input into the detailed considerations of the this planning application before and after approval, as these were crucial matters, which would affect people's lives and properties and should not be kept secret to the Building Control Department
- The basements were built to last for over 100 years, so if it took a few more weeks to allow for public scrutiny and representation, then so be it
- Suggested that the Council and the Committee had the power to allow this but questioned whether they would care to
- Questioned why the proposed drawings, which showed a clear two level basement drawings were not made publicly available to show what was on the lower of the two basement levels
- The size of the westerly face of the proposed basement was now 53% larger than that previously approved
- The Ground Investigation Report referred to a single level basement to a depth of 3.5metres where as the proposed double basement was stated in the report as 7.6metres deep
- Questioned whether this important report and its conclusions should now be re-evaluated
- The data included in the report clearly showed that water was present below a depth of 3.7meters when it was taken at the existing house from borehole (BH1)
- The presence of water below this depth to 7.6metres was crucial to the likelihood of the basement to deflect water running down the Copse Wood slope towards neighbouring properties.
- Urged the Committee to refuse the application on the basis that this huge double level basement on sub-soil and underground water movements in the area had not be properly evaluated
- Suggested that the Committee should prevent the public from being excluded to detailed underground design considerations, normally reserved exclusively for Building Control. In particular, those that usually threatened to undermine neighbouring properties as it would give neighbours the opportunity to pick-up on any error that may have been overlooked by Building Control on work submitted by overworked "experts."

The agent/consultant raised the following points:

- It had taken 18 months to develop this application with high financial commitment

- It had been proposed to just tweak the scheme, however, this had warranted a new planning application
- Two planning consent already existed, which were slightly different to the application that was currently in front of the Committee
- The two consent already included double basements and the current application was just seeking to broaden the second consent basement by 400mm
- Detailed ground water investigation report, flood risk report and structural report had been submitted and reviewed by officers and conditions had been recommended to sustain water impact
- Site investigation was undertaken in April 2013 in 4 boreholes lasting 5 minutes at three depths and one of which was at 20m; all were dry
- Water had been added to the borehole to aid drilling
- The current proposal was asking to increase the depth of the basement by 400mm and to extend the basement to 7.6m deep
- The proposed development was not in an area with a potential for ground water and it was found that water levels were at their highest in April 2013 when the investigations were carried out
- Run-off water would be separated with current best practice and the risk of flooding had been identified in accordance with Sustainable Water Management.

In answer to a query raised about the ground water investigation report in 2013, which suggested that water existed in the BH; the agent responded that at the stage they were involved, the building was just a single-storey and water had been added to the BH to see how much water would move within that BH and the investigations had been undertaken at 7.6m.

Officers confirmed that the BHs had been made in April 2013.

It was also confirmed that the change in the depth of the basement was 400mm and that the previously approved basement was greater than one-storey deep. Officers confirmed the dimensions of the upper basement level shown on the proposed drawing with those in the corresponding plan for the approved scheme. The dimensions being compared were pointed out on the PowerPoint.

The Chairman stated that this was a two-storey building where the applicant was seeking to increase the depth of the basement by 400mm.

The Legal Advisor advised that although Building Control fell outside the Planning Committee's jurisdiction, the scheme would have to be built according to approved plans and if the development was not built to the approved plans, it would be a matter for the Council's Planning Enforcement Team.

The Legal Advisor added that it would be within the discretion of Members to resolve that certain conditions be brought back to Committee to be discharged but would need to be mindful of the practicalities of that change.

It was highlighted that the Council's Flood Water Management Officer was satisfied with the application, subject to the provision of Sustainable Water Management (Condition 9); acknowledged that the officer had also looked at ground investigation reports provided by experts, and even though Members had not seen these reports, members were satisfied that the Council's officers had. The Committee also accepted

	<p>that issues regarding the basement had been fully covered by the Flood Water Management Officer and noted that investigation had been carried out during a normal winter.</p> <p>In expressing sympathy for the petitioners, a Member added that there needed to be closer liaison between Building Regulations and Planning.</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 officer’s report.</b></p>
176.	<p><b>1A RAVENSWOOD PARK, NORTHWOOD 40455/APP/2013/3472 (Agenda Item 9)</b></p> <p><b>Two-storey 3 x bedroom detached dwelling with habitable roof-space and installation of vehicular crossover, involving demolition of existing shed.</b></p> <p>This application was withdrawn from the agenda by officers.</p>
177.	<p><b>12 HARVIL ROAD, ICKENHAM 12371/APP/2013/3554 (Agenda Item 10)</b></p> <p><b>Erection of a two-storey, 4 bedroom dwelling house with associated parking, amenity space landscaping and boundary treatments, (Part-Retrospective).</b></p> <p>Officers introduced the report and directed Members to note the changes in the addendum circulated at the meeting.</p> <p>In accordance with the Council’s constitution, a representative of the petitioners and the agent address the meeting.</p> <p>The petition representative raised the following points in objection to the proposal:</p> <ul style="list-style-type: none"> <li>• Confirmed that they were Speaking on behalf of the Ickenham Residents Association</li> <li>• The proposal had caused substantial worry and anger to neighbours</li> <li>• Stressed that the Association was not objecting to the scheme but was however seeking binding conditions to ensure that any future combined changes would be enforced</li> <li>• There was currently a huge corrugated plastic sheeting and scaffolding on the site, which had been in place since September 2013, which was very annoying</li> <li>• Suggested that it was vital for conditions imposing time limits of work to commence within 2 months and completed within 6 months of the grant of this application</li> <li>• The proposal should be built in accordance with approved plans with no additional windows or doors</li> <li>• Expressed concerns about the safety of the Oak tree, which was protected by a TPO, as little regard was shown during the original development where virtually all trees were torn down</li> <li>• Landscaping should be undertaken in strict accordance with approved details, as past evidence had shown that owners had little interest in the garden</li> <li>• Residents were particularly anxious for the Council to exercise strict control over this proposal</li> </ul>

- Highlighted that this application had only been submitted due to the vigilance and fortitude of neighbours.

The agent raised the following points:

- Had recently been involved in the case and had tried to bring issues to a mutual end
- The application was made in 2009 and had inherited the case
- Had engaged in extensive discussion with planning officers last year and had met with principal objectors, to try and constitute a dialogue and to listen, ascertain and understand residents' concerns
- Had reassured residents that the landscape consultant and agricultural consultant had been instructed to get the right results and they had confirmed that they would undertake works in accordance with approved in plans.

The Chairman added that planning conditions had been ignored in previous decisions and the key would be in ensuring that planning conditions were delivered and strictly adhered to.

Officers explained that the current submitted plans addressed all issues that had been raised in the pre-application process, which was partly reflected in the fact that no petition objecting to the application had been received. Members were advised that the conditions imposed on the proposal should achieve their objectives.

The recommendation for approval 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 the addendum.**

178. **110 GREEN LANE, NORTHWOOD 46543/APP/2013/3568** (*Agenda Item 11*)

**Demolition of existing property and outbuildings, and erection of 7 x two bedroom flats, with associated access, parking and landscaping.**

Officers introduced the report and directed Members to note the changes in the addendum circulated at the meeting. The Committee was informed that there was an extant consent for a 6 unit scheme on the site, which was similar to the current proposal.

The wording in the recommendation was amended to read 'Head of Planning, Green Spaces and Culture' and not 'Director of Planning and Community Services'.

Members noted that future occupiers would be aware that there would be no parking spaces provided.

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

**Resolved**

**That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:**

**A) That the Council enters into an agreement with the applicant under Section**



	<p><b>106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:</b></p> <p><b>1. Education: a contribution in the sum of £8,169.</b></p> <p><b>2. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.</b></p> <p><b>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.</b></p> <p><b>C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.</b></p> <p><b>D) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture 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.</b></p> <p><b>E) That if the application is approved, the conditions and informatives in the officer's report be imposed and changes in the addendum.</b></p>
179.	<p><b>120 FORE STREET, EASTCOTE 55197/APP/2013/3769</b> (<i>Agenda Item 12</i>)</p> <p><b>Single storey front and side extension.</b></p> <p>Officers introduced the report.</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 outlined in the officer's report.</b></p>
180.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 13</i>)</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The recommendation contained 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 recommendation in the officer's report and as amended by the committee was agreed.</b></p> <p><b>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.</b></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</i></p>

	<p><i>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>
181.	<p><b>ENFORCEMENT REPORT</b> (Agenda Item 14)</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The recommendation contained 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 and as amended by the committee was agreed.</b></p> <p><b>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.</b></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>
182.	<p><b>ENFORCEMENT REPORT</b> (Agenda Item 15)</p> <p>Officers introduced the report and outlined details of the application.</p> <p>The recommendation contained 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 and as amended by the committee was agreed.</b></p> <p><b>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.</b></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>

The meeting, which commenced at 8.06 pm, closed at 10.00 pm.
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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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