

Minutes

## NORTH PLANNING COMMITTEE

24 June 2014

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



HILLINGDON  
LONDON

	<p><b>Committee Members Present:</b></p> <p>Councillors John Morgan (Vice-Chairman), Peter Curling (Labour Lead), Duncan Flynn, Raymond Graham, Henry Higgins, John Morse, Jas Dhot and David Yarrow</p> <p><b>LBH Officers Present:</b></p> <p>Matt Duigan - Planning Services Manager, Adrien Waite - Major Applications Manager, Syed Shah - Principal Highways Engineer, Sarah White - Legal Adviser, Gill Oswell - Democratic Services</p>
3.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Eddie Lavery with Councillor Alan Champman substituting.</p>
4.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Henry Higgins declared a non-pecuniary interest in Item 15 a part 2 report. As he had previously made a complaint about the site.</p>
5.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 25 MARCH 2014</b> (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 25 March 2014 were agreed as a correct record.</p>
6.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 15 APRIL 2014</b> (<i>Agenda Item 4</i>)</p> <p>The minutes of the meeting held on 15 April 2014 were agreed as a correct record.</p>
7.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 5 JUNE 2014</b> (<i>Agenda Item 5</i>)</p> <p>The minutes of the meeting held on 5 June 2014 were agreed as a correct record.</p>
8.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 6</i>)</p> <p>There were no items notified in advance or urgent.</p>

9.	<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 7</i>)</p> <p>It was confirmed that all items marked Part 1 would be discussed in public and all items marked Part 2 would be discussed in private.</p>
10.	<p><b>226 SWAKELEYS ROAD, ICKENHAM - 21277/APP/2014/889</b> (<i>Agenda Item 8</i>)</p> <p><b><i>Two storey building to include habitable roofspace to provide 2 x 1-bed, 3 x 2-bed and 4 x 3-bed self contained flats with associated parking and amenity space involving installation of crossover to front and demolition of existing dwelling house.</i></b></p> <p>Prior to the consideration of this item officers asked the committee for delegated power to be given to Head of Planning, Green Spaces and Culture to all the applications on the agenda with a recommendation for a S106 agreement to amend the resolution in consultation with Legal Services as a S106 if not signed by the 31 July 2014 would be subject to a Community infrastructure Levy and not require a S106 agreement.</p> <p>The Committee agreed to delegate the amended wording to the resolution on applications where the recommendation was for a S106 agreement.</p> <p>Officers introduced the report setting out a brief summary of the application.</p> <p>The recommendation as amended was moved, seconded and on being put to the vote was agreed.</p> <p><b>Resolved</b></p> <p><b>That the Council enters in to an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:</b></p> <p><b>i) A contribution of £20,454 for capacity enhancements in local schools;</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 legal Agreement(s) and any abortive work as a result of the agreement not being completed.</b></p> <p><b>C) That officer be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.</b></p> <p><b>D) That if any of the heads of terms set out above have not been agreed and the legal agreement has not been finalised before the 31 of July 2014, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture, then the application be refused for the following reason:</b></p> <p><b>'The development is likely to give rise to a significant number of children of school age that would require additional educational provision, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered and the applicants are not willing to enter into or provide any such agreement, to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two -</b></p>

	<p><b>Saved UDP Policies (November 2012) and the Council's Planning Obligations, Supplementary Planning Document (July 2009)</b></p> <p><b>E) 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 with the applicant.</b></p> <p><b>F) That if the application is approved, the conditions set out in the officers report and the addendum sheet circulated at the meeting be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.</b></p>
11.	<p><b>46 DAWLISH DRIVE, RUISLIP - 49706/APP/2014/707 (Agenda Item 9)</b></p> <p><b><i>Single storey front extension involving conversion of garage to habitable room (Part Retrospective).</i></b></p> <p>Officers introduced the report giving a brief summary of the application.</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 set out in the officers report.</b></p>
12.	<p><b>LAND ADJACENT TO 51 AND 53 PEMBROKE ROAD, RUISLIP - 66982/APP/2014/475 (Agenda Item 10)</b></p> <p><b><i>Two storey, 3-bed attached dwelling with associated parking and amenity space involving alteration to existing roof of No.51 installation of bin store and cycle store and alterations to existing vehicular crossover.</i></b></p> <p>Officers introduced the report giving a brief summary of the application and that the road was a mix of detached and semi-detached properties. Officer reminded the Committee of the need to give delegated authority to officers to amend the resolution to include information on the Community Infrastructure Levy.</p> <p>In answer to an issue raised in relation to the parking, officers advised the Committee that the red line of the site included the frontage of No.53 Pembroke Road to enable 2 parking spaces to be provided for each property. The members were referred to condition 13, which sets out the requirement for the parking to be retained.</p> <p>The Legal adviser informed the Committee that the site was owned by one person and the legal agreement would bind any successors to the title.</p> <p>The recommendation with the amended resolution was moved, seconded and on being put to the vote was agreed.</p> <p><b>Resolved -</b></p> <p><b>2.1 That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:</b></p>

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:

a) A legal agreement that the land to the rear of the application site and No.53 Pembroke Road remains within the curtilage of that dwelling and any future residential development on this land is prohibited.

2.2 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.

2.3 That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

2.4 That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 31st July 2014, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture then delegated authority be granted to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:

'The development has failed to secure obligations relating to prevention of future subdivision of the plot leading to potentially harmful inappropriate development of residential gardens. Given that the application site (as shown on the submitted plans) does not encompass the entirety of the residential gardens and in the absence of a legal agreement to secure the retention of these gardens the grant of planning permission could be seen to establish separate planning units which would be detrimental to the urban grain and character of the area overall. Accordingly, the proposal is contrary to policy BE1 of the Hillingdon Local Plan: Part One - Saved UDP Policies (November 2012), policy 5.3 and paragraph 3.4 of the London Plan and the Mayor's Housing Supplementary Planning Guidance.'

2.5 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.

2.6 That if the application is approved, the conditions and informatives set out in the officers report and addendum sheet circulated at the meeting be imposed.

13. **13 AND LAND FORMING PART OF 13, LINKSWAY, NORTHWOOD - 53509/APP/2014/722** (*Agenda Item 11*)

***Two storey, 6-bed, detached dwelling with habitable roofspace and basement with associated parking and amenity space involving installation of vehicular crossover to front, relocation of existing crossover and relocation of existing detached garage.***

Officers introduced the report giving a brief summary of the application informing the Committee that this was identical to a previous permission and there had been no changes to policies or circumstances since the previous decision. Officer reminded the Committee of the need to give delegated authority to officers to amend the resolution to include information on the Community Infrastructure Levy.

The recommendation with the amended resolution to be added 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:**

**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:**

**i) A contribution of £12,796 for capacity enhancements in local schools;**

**B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal Agreement(s) and any abortive work as a result of the agreement not being completed.**

**C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.**

**D) That if any of the heads of terms set out above have not been agreed and the 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, Green Spaces and Culture , then the application be refused for the following reason:**

**'The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered and the applicants are not willing to enter into or provide any such agreement, to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).'**

**E) 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 with the applicant.**

**F) That if the application is approved, the conditions and informatives set out in the officers report and the addendum sheet circulated at the meeting be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.**

**14. 43 HARLYN DRIVE, NORTHWOOD - 69719/APP/2014/1104 (Agenda Item 12)**

***Single storey rear extension and conversion of roof space to habitable use to include rear dormer with Juliette balcony, 3 front rooflights and conversion of roof from hip to gable end and additional hardstanding to front.***

Officers introduced the report giving a brief summary of the application, and advised the Committee that this application overcame the previous reasons for refusal. The application now provided sufficient parking and there was no longer a bedroom on the ground floor and the rear extension had been reduced.

	<p>Officers suggested that condition 2 be amended to include 'that that utility room shall not be used as a habitable room' this would ensure that this could be enforced. The amendment to condition 2 was agreed by the Committee.</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 officers report and Condition 2 being amended to include 'that the utility room shall not be used as a habitable room.'</b></p>
15.	<p><b>10 HILLSIDE RISE, NORTHWOOD - 69492/APP/2014/168</b> (<i>Agenda Item 13</i>)</p> <p><b><i>Demolition of existing attached garage and erection of single storey side/rear extension to include habitable roofspace, conversion of existing roofspace to habitable use to include a front dormer and 8 side rooflights, porch to front and alterations to side elevations.</i></b></p> <p>Officers introduced the report giving a brief summary of the report and the main issues were in relation to the character and appearance and neighbour amenity. The Committee were informed that to overcome the objections to the application a number of amendment had been made, which had resulted in the application being recommended for approval.</p> <p>A copy of correspondence received from an objector had been provided to Committee members, which was seeking deferral of the application to enable a site visit to take place</p> <p>A Ward Councillor addressed the meeting and made the following points:-</p> <ul style="list-style-type: none"> <li>• This application had been amended to overcome concerns of the neighbouring occupiers.</li> <li>• The area was unusual as it was on a hill and the issue was around the levels and the topography of the area.</li> <li>• The applicant had made efforts to amend the application, which had resulted in the current application.</li> <li>• The accommodation did not meet modern living standards.</li> <li>• Urged the Committee to support the officer's recommendation.</li> </ul> <p>In answer to a question raised in relation to objections from No 12 Hillside Rise officer's advised that because of the levels the proposal would not impact on this property. The application meets our guidance and the 45° angle had not been breached.</p> <p>The recommendation 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>
16.	<p><b>THE FERNS, WITHY LANE, RUISLIP - 6885/APP/2014/987</b> (<i>Agenda Item 14</i>)</p> <p><b><i>2 x two storey, 2-bed, semi-detached dwellings with associated parking and</i></b></p>

***amenity space and installation of vehicular crossover to front involving demolition of existing Use Class B2 building.***

Officers introduced the report giving a brief summary of the application informing the Committee that one parking space had been provided for each dwelling. Officer reminded the Committee of the need to amend the resolution to include information on the Community Infrastructure Levy.

A member asked whether this was felt to be a suitable site for residential dwellings.

Officers advised that a contamination remediation scheme was required by Condition 14 to ensure the land was safe for residential use.

The recommendation as amended 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:**

**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:**

**i) A contribution of £5,081 for capacity enhancements in local schools;**

**B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal Agreement(s) and any abortive work as a result of the agreement not being completed.**

**C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.**

**D) That if any of the heads of terms set out above have not been agreed and the legal agreement has not been finalised before the 31st of July 2014, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture , then the application be refused for the following reason:**

**'The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered and the applicants are not willing to enter into or provide any such agreement, to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).'**

**E) 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 with the applicant.**

**F) That if the application is approved, the conditions set out in the officers report**

	<b>and addendum sheet circulated at the meeting be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.</b>
17.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 15</i>)</p> <p>1. That the enforcement actions as recommended in the officer's report was 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>
18.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 16</i>)</p> <p>1. That the enforcement actions as recommended in the officer's report was 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>
	The meeting, which commenced at 7.00 pm, closed at 8.20 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Oswell on Democratic Services Officer 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.