

## Minutes

### NORTH PLANNING COMMITTEE

5 August 2015

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



	<p><b>MEMBERS PRESENT:</b></p> <p>Councillors: Eddie Lavery (Chairman), John Morgan (Vice-Chairman), Peter Curling (Labour Lead), Jem Duducu, Duncan Flynn Raymond Graham, Carol Melvin, John Morse and John Oswell.</p>
	<p><b>LBH OFFICERS PRESENT:</b></p> <p>Alex Chrusciak (Planning Service Manager), Syed Shah (Highway Engineer), Adrien Waite (Major Applications Manager), Tim Brown (Legal advisor) and Jon Pitt (Democratic Services Officer).</p>
47.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>No apologies for absence were received.</p>
48.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
49.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING ON 23 JUNE 2015</b> (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 23 June 2015 were agreed as a correct record.</p>
50.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>The Chairman informed Members that item number 7 on the agenda in relation to 54-64 The Broadway, Joel Street, Northwood had been withdrawn by the applicant and had, therefore, been removed from the agenda.</p>
51.	<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 all items would be considered in Part 1 public.</p>

52. **LANGSIDE, LARKSWOOD RISE, EASTCOTE - 68232/APP/2015/1899**  
(Agenda Item 6)

**Application in relation to a two storey detached property located on the south western side of Larkswood Rise, a cul-de-sac. The application sought planning consent for the conversion of a garage to habitable use, involving the replacement of a garage door with a window.**

Officers introduced the report and outlined details of the application. There had been two previous applications in relation to the property and it was noted that the application under consideration was solely in relation to the conversion of a garage to habitable accommodation. Any enforcement issues in relation to the current or previous applications would need to be considered separately.

The property was on the boundary of the Conservation Area. Officers considered that the proposals were of acceptable appearance and that parking provision would be adequate. The application was recommended for approval on that basis.

In accordance with the Council's constitution, a representative of the petitioners objecting the proposals addressed the meeting.

The petitioner objecting to the proposals made the following points:

- The application under consideration was the third that had been submitted for the premises within a sixth month period and it was questioned whether there should be a limit on the number of applications that could be submitted.
- Previous work undertaken at the property had not been in accordance with the approved plans and retrospective applications had not been submitted to cover this. There were also concerns that future work may not keep to plan.
- Some construction work to convert the garage to habitable accommodation had already taken place, even though the application had not yet been approved.
- Photos provided by the petitioner did not match photos in the officer reports.
- The appearance of the property and the conversion of a garage to accommodation space would not be in keeping with other properties in the street.
- Construction that had taken place to date was having an adverse affect on neighbouring properties including loss of privacy, loss of light and in one case, loss of communications signals.
- The application should be considered as part of a larger single application rather than separate applications being considered for each element of the work.
- Work at the property should be stopped and a full assessment of its impact undertaken.

A representative of the applicant raised the following points:

- The application under consideration was for the conversion of a garage to habitable accommodation and the replacement of the

garage door with a window.

- The garage was not large enough for a car to be parked in it and had been used for storage for the previous five years.
- The application under consideration was considered to be in keeping with the area and would not have a detrimental effect on neighbouring properties.
- There were currently two off road parking spaces at the property which would be retained under the proposals.

The Chairman confirmed that the Committee was required to consider the application to convert the garage to habitable living space on its merits. Any issues in relation to other applications or possible enforcement activity at the property were not relevant and therefore, could not be considered. It was also noted that the application was just outside the Conservation Area and that there was no limit on the number of planning applications that could be submitted in relation to an individual property.

Members expressed concern that the plans did not match the current appearance of the building. The plans showed a sloping roof, when in fact, the roof formed a straight line. It was considered that the plans could not be approved until the Committee had the correct plans. Officers advised that the Committee was in possession of the correct plans as these were correct as of the date on which the planning officer visited the property. Any work undertaken at the site not in accordance with current or previously submitted plans was likely to be the subject of enforcement investigation. This would be considered separately and was not relevant to the Committee's determination of the current application.

The legal advisor confirmed that the Committee should consider the plans before them and that any enforcement action in relation to this or previous applications was a separate matter.

A recommendation for approval was moved, seconded and on being put to the vote was rejected by four votes to three.

The Chairman advised that he could see no clear justification on planning grounds for the Committee to overturn the officer recommendation for approval. It was considered that if the application went to appeal, it was likely that the appeal inspector would overturn the refusal and award costs. The members of the Committee, therefore, needed to make a clear case on valid planning grounds of their reason for refusal.

The legal advisor stated that there was a duty on public bodies to provide valid reasons for decisions taken and confirmed that members needed to provide valid reasons for refusal.

There was further discussion by the Committee and although concerns remained that some of the work undertaken at the property did not appear to be in accordance with the plans, no valid reason could be identified for refusing the application.

A second vote was held, upon which the recommendation for approval was moved, seconded and approved by six votes to one, with one abstention being recorded.

	<b>Resolved - That the application be approved as per the Officer's report.</b>
53.	<p><b>54 - 64 THE BROADWAY, JOEL STREET, NORTHWOOD - 63833/APP/2015/1485</b> (<i>Agenda Item 7</i>)</p> <p>The item was withdrawn from the agenda at the request of the applicant.</p>
54.	<p><b>27D FRITHWOOD AVENUE, NORTHWOOD - 70710/APP/2015/2041</b> (<i>Agenda Item 8</i>)</p> <p><b>Erection of a two storey side extension at a modern two-storey detached property.</b></p> <p>Officers introduced the report and outlined details of the application. It was noted that the property was in a small residential cul-de-sac and that some redesign had taken place compared to the originally submitted plans.</p> <p>The recommendation for approval was moved, seconded and on being put to vote was agreed unanimously.</p> <p><b>Resolved - That the application be approved as per the Officer's report.</b></p>
	The meeting, which commenced at 7.00 pm, closed at 7.45 pm.

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