

## Minutes

### CENTRAL & SOUTH PLANNING COMMITTEE

26 November 2015



HILLINGDON  
LONDON

Meeting held at Committee Room 5 - Civic Centre, High Street

	<p><b>Committee Members Present:</b> Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Tony Burles (In place of Jazz Dhillon), Roy Chamdal, Alan Chapman, Janet Duncan, John Morse (In place of Manjit Khatra) and Brian Stead</p> <p><b>LBH Officers Present:</b> Alex Chrusciak - Planning Services Manager, Meg Hirani - Planning Team Manager, Syed Shah - Principal Highways Engineer, Sarah White - Legal Advisor and Nikki O'Halloran - Democratic Services</p>
134.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillors Jazz Dhillon and Manjit Khatra. Councillors Tony Burles and John Morse were present as their substitutes.</p>
135.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Ian Edwards declared a non-pecuniary interest in Agenda Item 9, as he had liaised with the petitioners, and left the room during the consideration thereof.</p> <p>Councillor Janet Duncan declared a non-pecuniary interest in Agenda Item 7, and left the room during the consideration thereof.</p> <p>Councillor Shehryar Ahmad-Wallana declared a non-pecuniary interest in Agenda Item 7, as he had had contact with parties involved in the petition, and left the room during the consideration thereof.</p>
136.	<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 4</i>)</p> <p>It was noted that all items would be considered in public, with the exception of Agenda Items 15 and 16 which would be considered in private.</p>
137.	<p><b>21 HIGH ROAD, COWLEY, UXBRIDGE - 14200/APP/2015/2979</b> (<i>Agenda Item 5</i>)</p> <p><b>Part two storey, part single storey side/rear extension.</b></p> <p>Officers introduced the report and provided the Committee with an overview of the application.</p>

In accordance with the Council's Constitution, a representative of the petitioners objecting to the proposal addressed the meeting and made the following points:

- It was suggested that the size of the proposed extension was too large and out of character with the area and that it would have an adverse impact on residents, particularly those who were unwell or elderly;
- Petitioners were concerned that the extension would be fully visible from High Road and St Laurence Close and that it would cause loss of light to the property behind. In addition, petitioners suggested that the building would obstruct the clear view from the Close to the Road;
- Concern was expressed that congestion would be caused by the vehicles used by tradesmen during the build if it were approved. Congestion had already been caused by the overspill from the service road and it had caused access difficulties for emergency and refuse collection vehicles. Petitioners believed that the property would become an HMO which was likely to further increase the number of vehicles kept in the road; and
- Additional photographs of the site were circulated to the Committee.

A local Ward Councillor addressed the Committee and made the following points:

- The proposed two storey extension was not in-keeping with the other properties in the road;
- It was overbearing and would have a detrimental effect on the properties on the right hand side of the road, blocking light from the houses behind and from 22 High Road;
- It was noted that a previous application for the site had been refused earlier in the year and that the advice provided by officers to the applicant had not been acted upon;
- It was recognised that, should the property become an HMO, it would require additional planning permission as it fell within a regulated area; and
- The first floor of the building had not been set back which was contrary to the Hillingdon Local Plan.

In relation to the application, officers advised that legislation was in place to deal with the impact of building works outside of planning and that the implementation of Controlled Parking Zones gave the Council certain powers in relation to this. However, it was noted that the proposed building would retain two parking spaces on the property.

With regard to the loss of light, officers advised that the extension would impact on 14 St Laurence Close regarding overlooking habitable room windows and that 9 and 10 St Laurence Close were too far away to be considered.

The previous application considered on 17 February 2015 had proposed a wider extension with the first floor being further forward, in line with the front of the existing property. The applicant had spoken to officers who had advised that a substantial gap would be needed between the proposed extension and the boundary with St Laurence Close. This requirement had not been met in full.

Officers advised that subsequent applications needed only show that they had addressed the reasons for previous refusal. As there were no set measurement, Members considered whether the level of set back was sufficient or whether a greater level was needed to make future applications acceptable. Councillors deemed that the set back from the side was not sufficient and would fail to adequately preserve the openness of the corner.

Subject to an addition to the reason for refusal in relation to there being a lack of sufficient set back from the side boundary, the recommendation for refusal was moved, seconded and, on being put to the vote, was unanimously agreed. The final wording for the amended refusal reason would be agreed in consultation with the Chairman and the Labour Lead.

**RESOLVED: That, subject to the inclusion of there being insufficient set back from the side boundary, the application be refused for the reasons set out in the officer's report.**

138. **LAND AT REAR OF 15, 16 AND 17 NORTH COMMON ROAD, UXBRIDGE - 61320/APP/2015/2013** (*Agenda Item 6*)

**Demolition of a single garage at 17 North Common Road, construction of a new access road between 16 and 17 North Common Road and the development of a terrace of 3 x 3 bedroom dwellings with associated car parking and amenity area on land to the rear of 15, 16 and 17 North Common Road.**

Officers introduced the report, provided the Committee with an overview of the application and highlighted the information contained on the addendum sheet. There had been 14 letters and one petition in objection, one letter in support and previous applications had been submitted in relation to this site. It was noted that the site plan included on the agenda was incorrect and that the correct version had been included on the slides.

In accordance with the Council's Constitution, a representative of the petitioners objecting to the proposal addressed the meeting and made the following points:

- The plots were small and cramped and the driveway would have a detrimental impact on neighbours;
- Concern was expressed that the application was virtually identical to a previous application determined by the Committee on 29 January 2015 where Members were asked to add over dominance on neighbours as a reason for refusal;
- It was noted that the building would have a ridge height which was ¼m higher than had previously been proposed and that the report advised that the development would encroach on a 45° splay and would not be unduly dominant (therefore was likely to be dominant to a certain degree); and
- Petitioners requested that further reasons for refusal in relation to over dominance and access be included in the same way as they had been when a previous application for the site had been determined.

In relation to the application, the Committee noted that there was little change since the previous application with the exception of the whole building being turned 180°. Concern was expressed that this change had

made the proposal more dominant than it had been before.

Members were advised that the 45° splay was only applied in relation to two storey buildings and, as the development would look out over 170a Harefield Road which was single storey, this would not apply. It was also noted that the proposed development would be approximately 1½m higher than neighbours.

Consideration was given to the access to the proposed new properties. Concern was expressed that taking part of the front garden from 16 North Common Road to provide a passing point could establish a precedent. Officers advised that the development would require three passing points to prevent vehicles from backing out onto North Common Road as the access road was narrow and prohibited two vehicles from passing.

The Committee agreed that the following reasons for refusal be added to those suggested by officers:

- That the proposed development would have a detrimental impact on the neighbouring residential properties; and
- That the proposed development would have a detrimental impact of the proposed passing area to be provided to the front of 16 North Common Road in terms of both residential and visual amenity.

The recommendation for refusal, subject to the inclusion of two additional reasons, was moved, seconded and, on being put to the vote, was unanimously agreed. The final wording for the amended refusal reasons would be agreed in consultation with the Chairman and the Labour Lead.

**RESOLVED: That, subject to the addition of two reasons for refusal, the application be refused for the reasons set out in the officer's report.**

139. **MAKSONS HOUSE, 52 STATION ROAD, WEST DRAYTON - 44606/APP/2015/2367** (*Agenda Item 7*)

**Conversion and extension of existing 2-storey retail unit and offices to create student accommodation comprising 2 cluster flats containing 29 self-contained rooms with ensuites and kitchenettes, plus communal living / dining, kitchen and laundry areas, plus external amenity space, cycle parking and car parking.**

Officers introduced the report, provided the Committee with an overview of the application and highlighted the extensive information contained on the addendum sheet. Members were advised that there had been 11 letters and a petition in support of the application and nine letters in objection. It was noted that officers had concerns in relation to the quality of the accommodation provided.

In accordance with the Council's Constitution, a representative of the petitioners supporting the proposal addressed the meeting and made the following points:

- The applicant had withdrawn three previous applications for the site before they had been considered but that these should be a material consideration;

- The Council had refused to accommodate listed building modifications and, as such, the proposal had incorporated the least acceptable modification of the fabric of the building;
- There was a lack of quality student accommodation in the area as much of the existing accommodation was in converted houses;
- The officer who was recommending refusal of the application had previously advised that the proposal would be acceptable 'in principle and in broad terms'. In addition, officers had previously misread the plans submitted as the sills were higher on the outside of the property than on the inside;
- There had been no emphasis on views or outlook and the Council had not previously requested a noise survey assessment until now;
- The three bedrooms located at the undercroft would have roof lights; and
- Retailers depended on a mix of retail and residential units and it was suggested that the real issue was about the type of accommodation rather than the standard.

The Chairman read out an email that had been received from a Ward Councillor in objection to the application who noted:

- The Ward Councillor had not received any positive comments from the many residents and retailers that he had spoken to regarding the change from retail to residential use;
- The report did not fully take into account that the proposal was within the Yiewsley/West Drayton primary shopping frontage and, as such, the loss of retail space that would occur if a solely residential application was granted would have a detrimental effect on the High Street; and
- It was paramount for the Committee to consider policy S6 Change of Use of Shops - safeguarding the amenities of shopping areas when considering any application of this type.

In relation to the application, the Committee was aware that there was a Londonwide policy to provide more student accommodation and it was suggested that a condition be applied to ensure that the accommodation was solely for student use. Members were advised that, if approved, this would be undertaken as part of a legal agreement and that the applicant had already offered a unilateral undertaking.

It was suggested that the applicant had recognised that there was not enough light at the back so had incorporated roof lights and, with the raised floor, the sill was higher than anticipated. Furthermore, as the premises had not been used as a retail outlet for some time, it was thought that the development would not give rise to a loss of retail space in the area.

Concern was expressed that the quality and size of the communal space did not provide proof that this would be adequate for 29 students. In addition, it was suggested that it could still be used as a retail space. As there were no Ward Councillors present, it suggested that valuable information about how to progress was missing but that there was no evidence to suggest that the proposal would not be suitable for students.

It was noted that a change of use application would need to follow.

Subject to receipt of a s106 agreement or a unilateral undertaking and the agreement of any conditions, a recommendation for approval was moved, seconded and, on being put to the vote, was agreed.

**RESOLVED: That the application be approved subject to:**

- 1. receipt of a s106 agreement or unilateral undertaking to restrict the use of the building to student accommodation only; and**
- 2. the imposition of any conditions necessary to bring forward the application as per the proposals and ensure future compliance. Final wording for these conditions to be agreed in consultation with the Chairman and the Labour Lead.**

140. **THE NAGS HEAD PH, FALLING LANE, YIEWSLEY - 43301/APP/2015/3538** (*Agenda Item 8*)

**Change of use from public house (Use Class A4) to residential (Use Class C3), demolition of existing rear extensions, erection of full height infill rear extension and conversion of part of roof space, involving installation of 3 front dormers, 3 rear dormers and 4 side dormers, to create 5 x 2 bed flats and 1 x 1 bed flat with 5 associated parking spaces including car port to rear and double stack car parking, alteration of vehicular crossover and installation of bin and cycle stores.**

Officers introduced the report and provided the Committee with an overview of the application.

In accordance with the Council's Constitution, a representative of the petitioners supporting the proposal addressed the meeting and made the following points:

- Although the applicant had been persuaded to install velux roof lights, their preference had been for a total of ten dormers even though there were bungalows within the vicinity with front facing dormer windows;
- It was noted that the existing buildings on the opposite side of the road were different and, although the proposal was of a different size and scale to those around it, so too was Stockley Academy (which was sited a little way along the same road); and
- There were a number of properties on the Cowley Mill site which had odd front dormers which illustrated the fact that these could be agreed for one-off situations.

In relation to the application, the Committee was aware that this building was a former public house that was sited next to a parade of shops. It was agreed that the use of the building for flats was an acceptable idea but that dormers in the roof would unacceptably change the scale of the building.

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

**RESOLVED: That the application be refused for the reasons set out in the officer's report.**

**CHAIRMAN LEFT THE ROOM. VICE CHAIRMAN TOOK THE CHAIR.**

141.	<p><b>70 YEW AVENUE, YIEWSLEY - 3068/APP/2015/2821</b> (<i>Agenda Item 9</i>)</p> <p><b>Single storey detached outbuilding to rear for use as a gym and playroom with associated landscaping (Part Retrospective).</b></p> <p>Officers introduced the report and provided the Committee with an overview of the application and advised that the officer's recommendation for refusal was on the same grounds as had been put forward in relation to the previous application.</p> <p>In accordance with the Council's Constitution, a representative of the petitioners objecting to the proposal addressed the meeting and made the following points:</p> <ul style="list-style-type: none"> <li>• The outbuilding overlooked 16 Poplar Avenue and, as such, petitioners opposed the building being permitted to stay;</li> <li>• Petitioners' objections applied the same now as they had previously; and</li> <li>• It was noted that an obscure window from a shower room on the side of the outbuilding overlooked 16 Poplar Avenue, enabling those at 70 Yew Avenue to look over a 6ft fence into the neighbouring garden.</li> </ul> <p>In relation to the application, the Committee believed that residents would not expect a habited room at the bottom of a neighbour's garden and that the height difference caused these neighbours a loss of privacy. It was noted that this had not previously been included in the reasons for refusal as the ground floor was permitted development. Members requested that the reason for refusal 1 include a reference to overlooking and loss of privacy for the properties in Popular Avenue.</p> <p>The recommendation for refusal, subject to an amendment to refusal 1, was moved, seconded and, on being put to the vote, was unanimously agreed. The final wording for the amended refusal reasons would be agreed in consultation with the Chairman and the Labour Lead.</p> <p><b>RESOLVED: That, subject to the amendment of refusal 1, the application be refused for the reasons set out in the officer's report.</b></p>
	<p><b>CHAIRMAN RETURNED TO THE ROOM AND TOOK THE CHAIR.</b></p>
142.	<p><b>JUNCTION OF BOTWELL LANE/BARRA HALL CIRCUS, HAYES - 65881/APP/2015/3748</b> (<i>Agenda Item 10</i>)</p> <p><b>Replacement of existing 14m high telecommunications street pole with a new 16m high telecommunications street pole and removal of existing equipment cabinet (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for determination as to whether prior approval is required for siting and appearance).</b></p> <p>Officers introduced the report giving a brief summary of the application. The recommendation for approval was moved, seconded and, on being put to the vote, was unanimously agreed.</p> <p><b>RESOLVED: That the application be approved subject to the conditions and</b></p>

	<b>informatives set out in the officer's report.</b>
143.	<p><b>103 PARK LANE, HAYES - 54558/APP/2015/3207</b> (<i>Agenda Item 11</i>)</p> <p><b>Car port to side/rear.</b></p> <p>Officers introduced the report giving a brief summary of the application and advised that it was being considered by the Committee as the application had been submitted by a Hillingdon Councillor. The recommendation for approval was moved, seconded and, on being put to the vote, was unanimously 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>
144.	<p><b>45A MIDHURST GARDENS, HILLINGDON - 365/APP/2015/3595</b> (<i>Agenda Item 12</i>)</p> <p><b>Two storey, 2-bed, attached dwelling with associated parking and amenity space and installation of crossover to front involving demolition of existing garage (Resubmission).</b></p> <p>Officers introduced the report giving a brief summary of the application and advised that applications on the site had previously been refused three times. It was noted that the size of the proposal did not comply with national standards and that the increased size closed the gap between the properties. The proposal impacted on size, scale and bulk.</p> <p>The recommendation for refusal was moved, seconded and, on being put to the vote, was unanimously agreed.</p> <p><b>RESOLVED: That the application be refused for the reasons set out in the officer's report.</b></p>
145.	<p><b>280 HIGH STREET, UXBRIDGE - 59263/APP/2015/3372</b> (<i>Agenda Item 13</i>)</p> <p><b>Installation of new shop front.</b></p> <p>Officers introduced the report giving a brief summary of the application which would see the removal of an unauthorised shop front. The recommendation for approval was moved, seconded and, on being put to the vote, was unanimously 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>
146.	<p><b>LAND AT GRASS VERGE OPPOSITE COMET WAREHOUSE, CYGNET WAY, HAYES - 62224/APP/2015/3990</b> (<i>Agenda Item 14</i>)</p> <p><b>Replacement of existing 15m high telecommunications column with 17.5m high telecommunications column (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for determination as to whether prior approval is required for siting and appearance).</b></p> <p>Officers introduced the report giving a brief summary of the application. It was</p>



noted that, although there was currently no mast in situ, it was more difficult to refuse an application based on the cabinet alone. However, there were currently a large number of cabinets at the site being considered. The recommendation for approval was moved, seconded and, on being put to the vote, was unanimously agreed.

**RESOLVED: That the application be approved subject to the conditions and informatives set out in the officer's report.**

147. **ENFORCEMENT REPORT** (*Agenda Item 15*)

**RESOLVED: That:**

1. the enforcement action, as recommended in the officer's report, be agreed; and
2. the Committee releases its 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.

*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).*

148. **ENFORCEMENT REPORT** (*Agenda Item 16*)

**RESOLVED: That:**

1. the enforcement action, as recommended in the officer's report, be agreed; and
2. the Committee releases its 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.

*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).*

The meeting, which commenced at 7.00 pm, closed at 9.21 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nikki O'Halloran on 01895 250472. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

