

## Minutes



**NORTH** Planning Committee

**6 December 2016**

**Meeting held at Civic Centre, High Street, Uxbridge UB8 1UW**

	<p><b>Committee Members Present:</b> Councillors Eddie Lavery (Chairman), John Morgan (Vice-Chairman), Jem Duducu, Duncan Flynn, Raymond Graham, Henry Higgins, Manjit Khatra (Labour Lead), John Morse and John Oswell</p> <p><b>LBH Officers Present:</b> Neil Fraser (Democratic Services Officer), Roisin Hogan (Planning Lawyer), James Rodger (Head of Planning and Enforcement), Neil McClellan (Major Applications Team Leader) and Syed Shah (Principle Highway Engineer)</p>
105.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>None.</p>
106.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
107.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS</b> (<i>Agenda Item 3</i>)</p> <p><b>Resolved</b> - The minutes of the previous meetings held on 24 August, 13 September, 4 October and 16 November 2016 were approved as a correct record.</p>
108.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
109.	<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 I would be heard in public, and those marked Part II would be heard in private.</p>
110.	<p><b>54-56 PEMBROKE ROAD - 10793/APP/2016/2624</b> (<i>Agenda Item 6</i>)</p> <p><b>Change of use of ground floor from a residential property (Use Class C3) to a mixed use comprising a Veterinary Clinic (Use Class D1) at ground floor and 1 x 2 bed and 2 x 1 bed self-contained flats (Use Class C3) at first floor involving part two storey, part single storey rear extensions, demolition of element to side and</b></p>

**associated car parking including part of the rear garden.**

Officers introduced the report and highlighted corrections to the stated reasons for refusal and site plans, as set out in the addendum.

A petition in objection to the application had been lodged, and Councillor Riley addressed the Committee on behalf of the lead petitioner, who was not present. Councillor Riley confirmed that the application site was situated within a highly residential area, on a busy major road and bus route, situated close to the Ruislip bus station.

Councillor Riley asserted that the proposed development would have a detrimental impact on family life for residents within the area due to noise, pollution, and danger, with specific reference made to the size of the proposed development, the resultant increase in traffic, and the proposed parking at the rear of the premises. As the nature of the business was that appointments were often brief, there were concerns that the throughput of traffic, seven days a week, would be very high. Residents were also concerned at the potential for disturbance through the night, as clients would be attending the clinic in the event of any emergency.

The size and mass of the development, and the resultant overlooking of neighbouring properties, was cited as concerns, with no mitigation to address these concerns outlined. For these reasons, 58 residents of Pembroke Road had signed a petition in objection to the proposal, and the Councillor therefore requested that the application be refused.

The applicant then addressed the Committee, confirming that the veterinary practice had been operating from the premises since 1946 and therefore required renovation and expansion. However, it was deemed impossible to close the practice whilst the work was conducted, and it was not possible to operate from an alternative location.

As one of the last independent practices in the area, the clinic was competing with several corporate surgeries. The majority of the practice's clients lived within a 2 mile radius, and included a large number of guide dogs and RSPCA cases, with the practise being partnered with RSPCA Hillingdon. Were the practise to close, the charity would no longer be able to offer services within the area, which would further impact upon local residents. In developing no. 54 as proposed, the practice could continue to operate and then move to the new premises, once the development work had been completed.

The applicant confirmed that, as set out in the plans, there would be no change to the residential units available. The extensions would be sloping, with the majority being single storey, and it was asserted that the protection of trees within the area was irrelevant to the Committee's decision, as the practice was free to remove these as they saw fit. Current parking at the premises was inadequate and dangerous, and therefore required expansion to meet client demand and safety. Rear access parking had been cited as a concern, but would only be available during clinic operating hours and would be unavailable after 8pm. The applicant referred to three large residential properties that had been built close to the application site, which had included parking at the rear. Planning permission had been granted for these developments, including the rear parking, and it was suggested that the same decision making criteria should be applied to this application.

The petitioner referenced the 58 signatures received in objection, but confirmed that 828 signatures, together with over 30 letters, had been received in support of the

application. The applicant concluded by asserting that, as a popular and valued service for the community, the practise should be protected, and requested that the Committee visit the site before making a decision.

Members commented that, although they recognised the valued service that the practice provided and sympathised with the applicant, the proposal would have too great a detrimental impact on the quality of life of the local residents, and did not meet the Council's policies. As a result, the Committee moved the officer's recommendation, which was seconded, and when put to a vote, unanimously agreed.

**Resolved** - That the application was refused.

111. **46 THE DRIVE - 65098/APP/2016/3555** (*Agenda Item 7*)

**Erection of detached three storey building with basement level to create nine self contained flats with associated landscaping works following demolition of existing building containing three self contained flats.**

Officers introduced the report, confirming that 1 response in support, and 27 responses objecting to the proposed development, had been received. The objections primarily referred to concerns over the impact of the development on the visual amenity of the area and on neighbours. A petition of objection, totalling 84 signatures, had also been received.

As it was considered that the proposed development would result in a loss of privacy, daylight, outlook, and a detrimental sense of enclosure to neighbouring properties, and would offer substandard residential accommodation for future occupiers, officers recommended that the application be refused.

A petitioner representing local residents spoke in objection to the application. It was put to the Committee that the existing building was of local historical and architectural significance, and the proposed development was not in keeping with the character of the local area. The size and location of the proposed development would dominate the lower part of the road, and would significantly detract from the street scene, whilst there would be a detrimental impact on the privacy and light amenity of neighbouring properties. The loss of green and garden space would likely increase surface water and the risk of flooding. Currently, overflow from the nearby golf course resulted in cars parked on both sides of the road, and there were concerns that such parking issues would be exacerbated, should the approval be granted. For these reasons, it was requested that the Committee refuse the application.

The Committee considered the matter, and moved the officer's recommendation. This was seconded, put to a vote, and unanimously approved.

**Resolved** - That the application was refused.

112. **46 BURLINGTON CLOSE - 70066/APP/2016/3364** (*Agenda Item 8*)

**Conversion of roofspace to habitable use to include a rear dormer, 4 front rooflights and conversion of roof from half-hip to gable end to both sides and single storey rear extension**

Officers introduced the application and highlighted the addendum, confirming that reason for refusal number 2 should be deleted from the officer's report. It was confirmed that the application had been deferred from the previous meeting to provide

further information regarding the planning status of the roof conversion at 5 Burlington Close.

The Committee was advised that a certificate of lawfulness had been granted for 5 Burlington close in 2015. The dormer erected at no. 5 was of a similar size to that of the proposed conversion at no. 46. Officers had reviewed the work completed at no. 5 and judged that the visual impact was restricted, due to the configuration of the street scene and the property's position relative to neighbouring properties. However, the proposed conversion at no. 46 was not constrained due to neighbouring properties and therefore would be visible to a much larger number of properties, and therefore was considered to cause a greater level of visual harm. Officers therefore recommended that the application be refused.

There was a petition in objection to the application, and the lead petitioner addressed the Committee, citing the dominant appearance of the proposal, overdevelopment of the site, concerns regarding parking and emergency services access, loss of privacy for neighbouring dwellings and the detrimental impact on the surrounding area as reasons for their objection.

The applicant then spoke to the Committee confirming there was also a petition in support of the application. The applicant made reference to the extension at 5 Burlington Close, for which planning permission had been granted, and confirmed that their own proposed extension was of a similar shape and size. Referring to an appeal decision in the Officer's report, it was suggested that the reason for refusal citing the outcome of an inspection was immaterial, as it was referring to a single inspection that took place over 20 years previously. In contrast, the applicant referred to a number of more recent cases that had been granted planning permission on appeal.

The applicant concluded by stating that, according to the Officer's report, it was considered that there would be no significant increase in overshadowing, loss of sunlight, visual intrusion, overdominance or loss of privacy, and that the application was in compliance with various planning policies. Considering the above, the applicant urged the Committee to approve the application.

It was the Committee's view that the application should be refused, as it was not in compliance with the Local Plan and was out of character with the local street scene. In addition, it was felt that Officers had demonstrated that the application was sufficiently different to that of 5 Burlington Close, and there was additional concern that in approving the application, a precedent for future applications within the area would be set.

The Officer's recommendation was moved, seconded, put to a vote, and unanimously agreed.

**Resolved** - That the application was refused.

113. **235 TOLCARNE DRIVE - 64250/APP/2016/3211** (*Agenda Item 9*)

**Conversion of roofspace to habitable use to include a rear dormer, 2 front rooflight and conversion of roof from half-hip to gable end with a new gable end window.**

Officers introduced the application and highlighted the addendum. As there were no concerns regarding loss of privacy, overbearing, design, or character, it was recommended that the application be approved.

There was a petition in objection to the application, and the lead petitioner addressed the Committee, stating that the proposal failed to harmonise with the architectural composition of the original building and would be detrimental to the character, appearance and visual amenity of the street scene and surrounding area. In addition, there were concerns regarding loss of privacy for neighbouring dwellings and the potential precedent for similar future applications within the surrounding area. For these reasons, it was requested that the Committee refuse the application.

The applicant then spoke to the Committee, confirming that there was also a petition in support of the application which included support from residents of the immediate local area. The Committee was advised that the proposed extension was to increase living space to accommodate the applicant's growing family. The proposal was for a conversion rather than an extension, and would not extend beyond the original layout of the property, unlike previously approved extensions at neighbouring properties. The applicant concluded by requesting that the Committee approve the application.

The Committee considered the matter and moved the officer recommendation. This was seconded, and when put to a vote, unanimously agreed.

**Resolved** - That the application was approved.

114. **2 LINKSWAY - 36910/APP/2016/3323** (*Agenda Item 10*)

**Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front dormer and 2 new gable end windows to front (Part Retrospective)**

Officers introduced the report, informing the Committee that the site had a long planning history, and that the application in question was for retrospective planning permission for alterations to the 'as built' scheme, made without permission. The addendum was highlighted, wherein it confirmed that revised plans had been received from the architect that showed a reduced eave height of 9m, rather than 9.5m, and that this remained higher than previously approved plans.

The main issues for consideration by the Committee were confirmed to be the effect of the alterations on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, and the impact on the residential amenity of neighbouring dwellings. The Officer recommendation was that the application be refused.

The applicant then spoke to the Committee, confirming that there was also a petition in support of the application. The Committee was advised that the alterations to the approved plans were necessary following professional advice, and due to family circumstances that necessitated having the work completed before the end of the year. It was the applicant's intention to seek retrospective planning permission for these alterations. The applicant suggested that the house, as built, was of a lower height than that of previously approved applications, and concluded by requesting that the Committee approve the application.

The Committee was mindful that the applicant had constructed the property outside of the approved plans, and moved the officer recommendation. This was seconded, and when put to a vote, unanimously agreed.

	<p><b>Resolved</b> - That the application was refused.</p>
115.	<p><b>18 HIGH STREET - 15618/APP/2016/3285</b> (<i>Agenda Item 11</i>)</p> <p><b>Change of use from cafe/bistro (Use Class A3) to bar and craft beer shop (Use Class A4)</b></p> <p>Officers introduced the report and highlighted the addendum. Officers recommended that the application be approved.</p> <p>The officer recommendation was moved, seconded, put to a vote, and unanimously agreed.</p> <p><b>Resolved</b> - That the application was approved.</p>
116.	<p><b>22 HIGH STREET - 10250/APP/2016/2839</b> (<i>Agenda Item 12</i>)</p> <p><b>Change of use from retail (Use Class A1) to use as a Beauty Treatment/Nail Bar (Sui Generis)</b></p> <p>Officers introduced the report and recommended that the application be approved.</p> <p>The officer's recommendation was moved, seconded, put to a vote, and unanimously agreed.</p> <p><b>Resolved</b> - That the application was approved.</p>
117.	<p><b>THE OLD WORKHOUSE, DUCKS HILL ROAD - 8378/APP/20016/2495 (FULL)</b> (<i>Agenda Item 13</i>)</p> <p><b>Erection of a detached building for use as horse stables with traditional hay bale storage in the roof space and garages for vehicles (involving demolition of existing sheds).</b></p> <p>Officers introduced the report, highlighting Condition 6, and the requirement for soft and hard landscaping.</p> <p>The officer recommendation was moved, seconded, put to a vote, and unanimously agreed.</p> <p><b>Resolved</b> - That the application was approved.</p>
118.	<p><b>THE OLD WORKHOUSE, DUCKS HILL ROAD - 8378/APP/2016/2705 (LBC)</b> (<i>Agenda Item 14</i>)</p> <p><b>Erection of a detached building for use as horse stables with traditional hay bale storage in the roof space and garages for vehicles, involving demolition of existing sheds (Application for Listed Building Consent).</b></p> <p>Officers introduced the report and recommended that the application be approved.</p> <p>The officer's recommendation was moved, seconded, put to a vote, and unanimously agreed.</p> <p><b>Resolved</b> - That the application was approved.</p>

119.	<p><b>2 RESERVOIR ROAD - 7112/APP/2016/856</b> (<i>Agenda Item 15</i>)</p> <p><b>Change of use to car wash and valeting.</b></p> <p>Officers introduced the report, confirming that as previous concerns over noise had been addressed, the recommendation was that application be approved.</p> <p>The Committee sought clarity over how waste water would be managed, and how the site would be used. Officers confirmed that Condition 6 covered the management of waste water, and that unlike previous applications which included additional uses such as tyre fitting, the proposal before the Committee was for use as a car wash only.</p> <p>Members moved the officer recommendation, which was seconded, put to a vote, and unanimously agreed.</p> <p><b>Resolved</b> - That the application was approved.</p>
120.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 16</i>)</p> <p><b>RESOLVED</b></p> <p><b>1. That the enforcement action as recommended in the officer’s report 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 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
	<p>The meeting, which commenced at 7.00 pm, closed at 8.25 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser Democratic Services on 01895 250692. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

**The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.**