

Minutes



CENTRAL & South Planning Committee

18 January 2017

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

	<p>Committee Members Present: Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Roy Chamdal, Alan Chapman, Jazz Dhillon, Janet Duncan, Raymond Graham, Manjit Khatra and Brian Stead</p> <p>Ward Councillors in Attendance Councillors Richard Mills and Jan Sweeting</p> <p>LBH Officers Present: Neil Fraser - Democratic Services Officer, Roisin Hogan - Planning Lawyer, James Rodger - Head of Planning and Enforcement, Syed Shah - Principle Highway Engineer, and Meghji Hirani - Planning Contracts and Information</p>
170.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Shehryar Ahmad-Wallana, with Councillor Raymond Graham substituting.</p>
171.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Janet Duncan declared a non-pecuniary interest in respect of Item 7 - Application 24351/APP/2016/1304 - 45 Frays Avenue, in that she lived on the road. Councillor Duncan confirmed that she would leave the room when this application was considered by the Committee.</p>
172.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS (<i>Agenda Item 3</i>)</p> <p>Resolved - that the minutes of the meetings held on 24 November and 13 December be agreed as a correct record.</p>
173.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
174.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items marked Part I would be considered in public, and items marked Part II would be considered in private.</p>

175. **1 COLLINGWOOD ROAD - 57541/APP/2016/2713** (*Agenda Item 6*)

Change of use from single dwelling house (Use Class C3) to 6 person House of Multiple Occupancy (Use Class C4).

Planning permission was sought for a change of use from a single family dwelling house to a house in multiple occupation (Use Class C4) to accommodate 6 persons. The addendum sheet was highlighted. Members were informed that, subject to the imposition of conditions including limiting the occupancy to 6 persons, the development would not result in an unacceptable loss of residential amenity to occupants of neighbouring dwellings. In addition, the proposal did not raise any highway safety concerns, and a site supervision condition was imposed to ensure the proposed use did not have adverse impact on the amenity of neighbours.

The development had been amended through discussion which had resulted in increased lounge space, further cooking and preparation facilities, and had identified sufficient on-site car parking. As a result, the proposal would deliver a standard of accommodation suitable for the purpose applied for, and the application was therefore recommended for approval, subject to an additional condition relating to the provision of a crossover to be implemented prior to occupation, and maintained thereafter.

A petitioner spoke in objection to the application. Concerns highlighted included the potential change of character to the local, family area, the potential for antisocial behaviour due to the nature of the occupants suggested as tenants, parking problems following the proposed increase in occupants within the dwelling, and the suitability of the dwelling for disabled occupants. Antisocial behaviour had previously been seen at the site, following the occupation by a previous tenant, for which the Police had been requested to intervene. Members were informed that many local residents were unhappy with the proposed HMO at the application site.

The applicant addressed the Committee, confirming that significant improvements had been made to the property since purchase, as outlined in the report. Since its purchase, the property had stood empty, with one exception following an approach from the NHS disabled unit to temporarily house a disabled person. Reference was made to previous criminal incidents within and outside the property, and the applicant asserted that these should have no bearing on any decision relating to the future of the property. Members were advised that the applicant would be working with the NHS upon request, potentially to house victims of domestic violence, and that mature and well behaved tenants would be sought. These could include families or students.

Councillor Richard Mills addressed the Committee as Ward councillor for Brunel, on behalf of local residents objecting to the application. Councillor Mills highlighted the proposed increase in occupants from 3 to 6 persons, without a corresponding increase in bathroom facilities. In addition, the living area per person within the property would be significantly reduced, particularly bedroom sizes, and a lack of privacy for a ground floor occupant was cited, as the ground floor bedroom would be opening directly onto the lounge area. There was no provision outlined within the proposal that would accommodate wheelchair users, and an existing sewerage problem would likely be exacerbated by an increase in occupants. A reduction in amenity would be borne out by parking spaces and bin storage being located very close to ground floor bedroom windows, and there were also health and safety concerns for occupants leaving the property. Antisocial behaviour had been seen at the property previously, and there were concerns that potentially volatile tenants could see such behaviour return. The

increase in occupants would also cause parking issues, including the likely parking on yellow lines.

Members considered the points raised, and sought clarity on the potential change of character, antisocial behaviour, parking issues, room sizes, provision for wheelchair users, privacy of downstairs occupants, and amenity space.

Members were informed that there were no external changes to the location, and it was not considered that the application would have a detrimental impact on the area's character. With regard to amenity space, privacy, and parking, the proposal met the Council's guidance on minimum standards for a 6 person dwelling. Amenity space would likely have been calculated to exclude the parking spaces; therefore all amenity space was 'useable' space. The front garden was considered to be 'private', whilst the outbuilding seen on the plans would not have been included in the calculations, and conditions were set out to restrict the use of this space.

Gates and walls would ensure ground floor occupant privacy, and whilst parking spaces were located close to some ground floor windows, other windows opened onto the garden space. It was suggested that an extension of the existing crossover, to the adjoining property's crossover, would likely be required to better accommodate resident vehicles.

Members were unconvinced that the amenity space had been calculated correctly, and that the front garden would provide a sufficient level of privacy for occupants. For this reason it was moved that the application be deferred to allow Members to visit the site, and for the planning officers to resolve the uncertainty over the calculations of amenity space. This was seconded, put to a vote, and unanimously approved.

Resolved - That the application be deferred to a future meeting of the Committee, to allow sufficient time for Members to view the site in person, and for Planning officers to resolve uncertainty over useable amenity space.

176. **45 FRAYS AVENUE - 24351/APP/2016/1304** (*Agenda Item 7*)

Two storey, 4-bed detached dwelling with habitable roofspace (incorporating a rear dormer and front/side rooflights), parking and amenity space and installation of vehicular crossover to front, involving demolition of existing bungalow.

Officers introduced the report, confirming that the application had been presented to the Committee on the 13 October 2016, with a recommendation for approval, but was deferred to enable further details to be sought in respect of the impact to the adjoining occupiers and the proposed inset dormer windows.

Since then, the applicant had revised the development by reducing its depth, had replaced the front inset dormer window with a rooflight, and replaced the rear inset dormer window with a more traditional projecting dormer. In addition, the revised plans now accurately showed compliance with the 45 degree rule in relation to windows that serve neighbouring properties. The application was located in an area of special local character, though as there was no cohesion with the design of existing properties within the area, it was felt that the proposed application would have no detrimental impact on the character of the area and the application was therefore recommended for approval.

A petitioner addressed the Committee in objection to the proposal. It was confirmed

that, since the previous Committee meeting, the applicant had worked with local residents to address their points, though concerns remained. These concerns included the potential overdominance and overshadowing in relation to neighbouring properties due to the height and size of the proposed building, as well as the potential for a precedent to be set for future applications in the area, should permission be granted. The proposed height of the building, inclusive of flood prevention foundations, would exceed that of no. 47 Frays Avenue, whilst a kitchen extractor fan would discharge directly into patio doors of no 43 Frays Avenue. The vehicle crossover arrangement to the proposed new garages on the east side of the property would bring vehicle activity close to the living quarters of no. 43, and could result in a loss of green spaces and spoilage of newly created parking zones. For these reasons, it was requested the application be deferred until such time as a site visit could be undertaken to accurately assess the scale and effect of the planning proposal on the local area.

The applicant and agent then addressed the Committee. The applicant confirmed that they understood the local resident's concerns, though these concerns were not shared by all local residents, many of whom understood the family's need for an expanded family home. The agent confirmed that significant work had been undertaken to address the concerns of residents and of the Committee since the last meeting. The footprint of the building was significantly smaller than that of the proposed development previously, in an effort to reduce any overshadowing or overdominance. Overall, it was expected that the final height of the building would be somewhat higher than adjoining properties, though this was not expected to be a material difference, and was still to be determined. The current building line was forward of no. 47, whilst the new property would be set back, into line with the neighbouring property thereby improving the street scene.

Councillor Jan Sweeting addressed the Committee as Ward councillor for West Drayton, on behalf of residents objecting to the proposal. Residents requested the Committee clarify why Members had not visited the site, why the application had been previously put forward for approval when in breach of the 45 degree rule, and what was the final maximum height of the building? Councillor Sweeting concluded by stating that previous applications in the area had been refused due to height, and requested that the application be deferred to that Members could visit the site before making a final decision.

The Chairman then read a statement on behalf of Councillor Dominic Gilham, Ward Councillor for West Drayton, in support of the application. Councillor Gilham confirmed that the applicant had worked with both planning officers and local residents to overcome their concerns. As a result, the total floor plan at the rear of the property had been reduced to minimise any shading issues. The plans showed a building no higher than the neighbouring property, without the balcony concern raised previously. The proposal was a quality build for a family home that would enhance the street scene of the road, and it was therefore requested that the Committee approve the application.

Members sought clarity on the points raised above. Officers confirmed that with regard to the proposed amendments to the building line and vehicle crossover, the setting back of the property, together with the landscaping proposed, would improve the visual amenity of the street scene. In relation to the 45 degree angle and the previous recommendation for approval, this was due to an error in assessing the impact of the first floor windows.

The size of the proposed bedrooms, and relevant parking provision, met the Council's minimum standards. With regard to the extractor, such matters were not normally subject to conditions, but if the Committee felt strongly, the extractor could be relocated

to another part of the building.

The maximum height of the building was still to be finalised, though it was not expected to be materially different to that of the plans brought before the Committee. Officers confirmed that if material changes were proposed, then the application would need to be brought back to the Committee for further approval. However, the Committee could approve the application with the inclusion of a further condition limiting the maximum height of the building, relevant to that of neighbouring properties. It was suggested that authority be delegated to the Head of Planning to agree this height restriction.

Members discussed the proposed site visit, but felt that this was not necessary in this instance. Members were minded to approve the application, subject to the suggested height restriction. Approval, subject to conditions, was therefore moved, seconded, and when put to a vote, unanimously approved.

Resolved - (a) That the application be approved; and
(b) That the Head of Planning be delegated authority to add a condition setting out the maximum building height, relevant to neighbouring properties.

177. **203 PARK ROAD - 19088/APP/2016/2395** (*Agenda Item 14*)

Single storey detached outbuilding to rear for use as an ancillary granny annex

The Chairman confirmed that all Committee members had received an email that had raised an issue relating to the application that was not a material planning issue, and which therefore carried no weight.

Officers confirmed that application was deferred at the meeting of 13 October 2016 for the submission of revised plans, as the originally submitted plans showed trees on the land adjacent to the proposed building and it was not clear how these would be affected, alongside concerns around the size and height of the building and the impact this would have on neighbours.

Revised plans had been submitted, but as these failed to address all concerns raised previously, it was recommended that the application be refused.

The officer recommendation was moved, seconded, and when put to a vote, unanimously approved.

Resolved - That the application be refused.

178. **UNIT 116, INTU UXBRIDGE, HIGH STREET - 54171/APP/2016/3897** (*Agenda Item 15*)

Change of use of part of Unit 116 from retail (Class A1) to restaurant/Cafe (Class A3) to create four Class A3 units with High Street frontage, as well as external alterations

Planning permission was sought for change of use of part of Unit 116, Intu, which is currently occupied by Debenhams which falls within use class A1 (retail) to use class A3 (food and drink). An informative, as set out on the addendum, was highlighted.

As the proposed change of use would not result in demonstrable harm to the existing

retail shopping provision and the benefits to the vitality of the centre would outweigh any harm, it was recommended that planning consent be granted.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be approved.

179. **BRUNEL UNIVERSITY - 532/APP/2016/3943** (*Agenda Item 8*)

Erection of a conservatory to Elliott Jaques Building.

20:35 - Councillor Janet Duncan returned to the room prior to the officer introducing the report.

Planning permission was sought for the erection of a conservatory to the Elliot Jacques Building. Officers confirmed that whilst the site was within the Green Belt area, the development would have no impact on the Green Belt.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be approved.

180. **BRUNEL UNIVERSITY - 532/APP/2016/3946** (*Agenda Item 9*)

Erection of a conservatory to Bishop Hall Building.

Planning permission was sought for the erection of a conservatory to the Bishop Hall Building. Officers confirmed that whilst the site was within the Green Belt area, the development would have no impact on the Green Belt.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be approved.

181. **SHELL SERVICE STATION, HARMONDSWORTH ROAD - 62937/ADV/2016/87**
(*Agenda Item 10*)

Installation of 5 x non illuminated fascia signs.

Planning permission was sought for the installation of five non illuminated fascia signs at the existing Shell Service Station located on the corner of Harmondsworth Road with Holloway Lane. Officers confirmed that whilst the site was within the metropolitan Green Belt area, the development would have no impact on the Green Belt.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be approved.

182. **SHELL SERVICE STATION, HARMONDSWORTH ROAD - 62937/APP/2016/3566**
(*Agenda Item 11*)

Installation of ATM unit. (Retrospective)

Retrospective planning permission was sought for the installation of an ATM machine at the existing Shell Service Station located on the corner of Harmondsworth Road with Holloway Lane. Officers confirmed that whilst the site was within the metropolitan Green Belt area, the development would have no impact on the Green Belt, visual amenity of the application property and street scene, and would not cause a loss of residential amenity or highway safety.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be approved.

183. **HILLINGDON ABBOTS RFC, GAINSBOROUGH ROAD - 72365/APP/2016/4158**
(Agenda Item 12)

Extension to changing rooms

Planning permission was sought for the erection of an extension to the changing rooms. Officers confirmed that the proposed extension was acceptable in regards to size, height and design, and would not cause harm to the character and appearance of the existing building, or to the visual amenity of the surrounding Green Belt. The extension to the changing rooms would not impact on the street scene and would not impact on residential amenity.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be approved.

184. **210 CENTRAL AVENUE - 71772/APP/2016/2019** (Agenda Item 13)

Single storey side/rear extension, first floor rear extension, conversion of roofspace to habitable use to include a rear dormer and conversion of roof from hip to gable end and conversion of dwelling to 2 x 3-bed flats with associated amenity space.

Officers highlighted the reasons for refusal as set out on the report.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be refused.

185. **98 COWLEY ROAD - 8504/APP/2016/3871** (Agenda Item 16)

Change of use from Use Class A1 (Shops) to Use Class A5 (Hot Food Takeaways) involving alterations to elevations

Planning permission was sought for the change of use from retail (Use Class A1) to hot food takeaway (Use Class A5). It was considered that the proposal would not harm the visual amenity of the site or its wider setting, nor, subject to considerations requiring the submission and approval of details relating to the proposed flue and any plant and

the restriction of operation hours, would it cause harm to the amenity of nearby residents. Accordingly, it was recommended that the application be approved.

The officer's recommendation was moved, seconded, and unanimously agreed by the Committee upon being put to a vote.

Resolved - That the application be approved.

186. **ENFORCEMENT REPORT** (*Agenda Item 17*)

RESOLVED:

1. That the enforcement action as recommended in the officer's report was agreed.
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.

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).

187. **ENFORCEMENT REPORT** (*Agenda Item 18*)

Councillor Jazz Dhillon confirmed that as he had reported the site for enforcement, he would not be voting on the item.

RESOLVED:

2. That the enforcement action as recommended in the officer's report was agreed.
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.

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).

188. **ENFORCEMENT REPORT** (*Agenda Item 19*)

RESOLVED:

3. That the enforcement action as recommended in the officer's report was agreed.

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.

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 8.55 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser 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.