

Minutes



CENTRAL & SOUTH PLANNING COMMITTEE

21 March 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), Shehryar Ahmad-Wallana, Roy Chamdal, Alan Chapman, Jazz Dhillon, Janet Duncan and Brian Stead</p> <p>LBH Officers Present: Meghji Hirani (Planning Contracts & Planning Information), Roisin Hogan (Planning Lawyer), Manmohan Ranger (Transport Consultant), James Rodger (Head of Planning and Enforcement) and Luke Taylor (Democratic Services Officer)</p> <p>Ward Councillors Present: Councillors Judith Cooper and Richard Mills</p>
217.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies of absence were received from Councillor Khatra.</p>
218.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Cllr Edwards disclosed he had received emails regarding Item 6, but had responded by passing these emails onto officers and had no further involvement.</p> <p>Cllr Chamdal confirmed he had also received emails regarding Item 6, but did not respond to the emails and deleted them.</p> <p>Cllr Duncan left the room during the discussion of Item 19, as she had involvement in the case.</p>
219.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>)</p> <p>That the minutes of the meeting held on 2 March 2017 were agreed.</p>
220.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
221.	<p>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 (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items marked Part 1 would be considered in public, and items</p>

marked Part II would be considered in private.

222. **1 COLLINGWOOD ROAD - 57541/APP/2016/2713** (*Agenda Item 6*)

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

Officers introduced the application which sought planning permission for a change of use from a single family dwelling to a house in multiple occupation to accommodate six persons, and noted the addendum. The application was deferred at the meeting on the 18 January 2017 to allow for a site visit and for officers to clarify the provision of amenity space. The site visit took place on 15 March.

A petitioner, objecting to the application, informed the Committee that there was already an HMO in operation nearby which had resulted in anti-social behaviour and criminal damage nearby. There were problems with on-street parking in the area, and this has caused a danger to local residents, and the high wall on the property would also cause danger as people leaving the property would not be able to see what was coming around the corner if they reversed out the property. Furthermore, the siting of the bins on the property would impact on access as the gates would open onto the bins and limit the space available for cars. There was also a concern that children being housed in the property would be given their own room, and not be supervised by parents, while the lounge layout would cause an issue for wheelchair users.

The agent and applicant for the application then spoke to the Committee, and commented that the proposal would comply with HMO standards, as laid out for a six-person property. Concerns of anti-social behaviour would be safeguarded, as guests would be on a short license agreement and could be evicted if they caused any problems. The Committee heard that of the 31 signatures on the petition, nearly half were not nearby neighbouring properties. Responding to questions from the Committee, the applicant confirmed that short license agreements would be suitable for tenants who did not want to be tied down and could be housed at any time, making a six-month lease undesirable. The applicant also confirmed to the Committee that the outbuildings would be demolished as part of the plans.

Councillor Richard Mills, Ward Councillor for Brunel, addressed the Committee and expressed concerns regarding amenity space and parking arrangements. He sought clarification that the parking spaces were not included in the amenity space, and that this amenity space was deemed sufficient for a six-person HMO. Councillor Mills also confirmed that defensive planting was a good idea to help the occupants' privacy, but would this also affect the amenity space provided.

Officers clarified that the parking was not included in the amenity space, and the amenity space would be sufficient, even with the proposed landscaping.

Responding to concerns from the Committee, Planning Officers confirmed that there was not an oversaturation of HMOs in the area, and the Highways Officer confirmed that parking was deemed acceptable as the bins would be offset from the parking space. An informative would be added to the application to ensure that the crossover for the third parking space was acceptable, ensuring a white line was visible on the dangerous corner. Officers also confirmed that concerns about fire risks were covered by legislation outside of the Planning Committee remit, but that the property would have to comply with this legislation or plans would need to be changed and returned to the Committee.

Members sought clarification on whether the short-term nature of the leases meant the property was a hostel, and the Head of Planning and Enforcement confirmed that a robust condition on the application to ensure it was used for Class C4 (HMO) use only would prevent the property being used as a hostel.

Councillors confirmed that the demolition of the outbuildings was necessary to ensure that enough amenity space was available for occupants, and the addition of "including the demolition of outbuildings" would be added to the proposal to ensure this took place.

Officers confirmed that a number of conditions were required, including conditions to parking, landscaping, outbuilding removal, permitted development rights removal and the removal of the window from the lounge to bedroom. As such, Members moved the officers recommendation, as revised in the addendum, with delegated authority to allow the Chairman and Labour Lead, in conjunction with the Head of Planning and Enforcement, to agree the relevant conditions.

The proposal was seconded, and upon being put to a vote, was unanimously agreed.

- **RESOLVED:** That the application was approved, subject to additional conditions.

223. **3 FIELD WAY - 16250/APP/2016/4408** (*Agenda Item 7*)

Part two-storey, part single-storey rear extension and first-floor side extension.

Officers introduced the report and noted the addendum. The application sought permission for a part two-storey, part single-storey rear extension and first-floor side extension.

A petitioner spoke in objection to the application, confirming that comments in December 2016 regarding the original design led to a reduced depth in the proposal, and they were grateful for these changes, however, the loss of the catslide roof and proposed wall would lead to a loss of daylight and sunlight to the lounge of 1 Field Way. The Committee heard that the proposed extension would open onto windows just a metre from the property, and that the bulk, siting and loss of amenity for 1 Field Way were unacceptable, while the overhang at the gutter meant the property was just 0.5m from the boundary, and would lead to significant overshadowing and set a precedent.

The agent for the application spoke and commented that the property has a lawful development certificate, but the alternative proposal before the Committee was more acceptable and harmonised with the street scene. During the consultation, there was one objection and one letter of support from neighbouring properties. The loss of light to 1 Field Way would affect the side-windows, which were not priority windows and were made of obscured, coloured glass. Therefore the loss of light would be minimal.

Councillor Judith Cooper, Ward Councillor for Uxbridge South, addressed the Committee and informed them that the Field Way was an area of special character and required development to enhance the street scene, not just to remain in keeping with the scene. Councillor Cooper stated that the catslide roof is integral to the development and changing this would impact on neighbouring residents and the street scene.

The Planning Team Leader confirmed that the two windows at 1 Field Way that were to be affected were secondary windows on the side of the house, made from coloured, obscured glass, and the room had primary windows to the front and rear. The

Committee heard that the catslide roof was not necessary to the area of special character, as there was only one other roof of this design in the area.

Councillors commented that they wished to preserve the area of special character, but the application before them was preferable to that under the permitted development plans. Members agreed that the removal of permitted development rights was important to prevent dormers on the property, and stated that change at the property was inevitable, but the current application was preferable to the original plans.

The officers' recommendation, subject to the removal of permitted development rights, was moved, seconded and unanimously agreed upon being put to a vote.

- **RESOLVED:** That the application was approved, subject to the removal of permitted development rights.

224. **BRUNEL UNIVERSITY - 532/APP/2016/4572** (*Agenda Item 8*)

Single-storey rear extension, plant enclosure, vehicle access gates, ramp and new fencing.

Officers introduced the application which sought a rear extension, changes to access, landscaping and new fencing, and highlighted that the proposal would not have any significant impact on the openness of the Green Belt.

Members moved the officer's recommendation, and this was seconded and unanimously agreed when put to a vote.

- **RESOLVED:** That the application was approved.

225. **BRUNEL UNIVERSITY - 532/APP/2016/4568** (*Agenda Item 9*)

Removal of condition 1 (Retention of Structures) of planning permission ref: 532/APP/2013/1586 dated 10/10/2013 (single-storey structure to accommodate three test chambers and associated roof plant for a temporary period of ten years, following demolition of existing building).

Officers introduced the application which sought permission to remove condition 1 of planning permission reference 532/APP/2013/1586 as the building was designed to last as long as other buildings on the site, and it is still in use.

The Committee moved and seconded the officer's recommendation, and when it was put to a vote, it was unanimously agreed.

- **RESOLVED:** That the application was approved.

226. **140 RYEFIELD AVENUE - 29498/APP/2016/3975** (*Agenda Item 10*)

Change of use from retail (use Class A1) to a mixed-use comprising restaurants / hot food takeaway (Use Class A3/A5) involving installation of an extract duct to the side.

Officers introduced the application to the Committee.

Responding to Councillors' concerns, the Planning Team Leader confirmed that the

proposed flue was to the side of the building, adjacent to a residential property, but it discharged 1m above roof level. A condition was also in place regarding the noise of the extract duct.

Members moved, seconded and unanimously agreed the officers' recommendation.

- **RESOLVED:** That the application was approved.

227. **GRANGE HOUSE, 9 GRANGE ROAD - 1489/APP/2016/4156** (*Agenda Item 11*)

Change of use from a dwellinghouse (Use Class C3) to a twelve-person House of Multiple Occupation (Sui Generis) with alterations to front and internally.

Officers introduced the application which sought a change of use from dwellinghouse to sui generis to create a seven-bed, 12-person HMO with alterations to front and internally.

Members expressed concern that the application exceeds the policy on maximum occupants at an HMO.

The Head of Planning and Enforcement confirmed that the Planning Committee were unable to refuse the application due to it only providing one kitchen, as this was covered under other legislation, and Planning Committee's do not have this authority.

The Committee agreed that the application was an over-intensification of the site, and a proposal to refuse the application on the grounds of over-intensification of the site and noise disturbance was moved.

The motion to refuse the application was seconded, and upon being put to a vote, unanimously agreed.

- **RESOLVED:** That the application was refused.

228. **6 HAMILTON ROAD - 5670/APP/2017/42** (*Agenda Item 12*)

Two-storey side extension, single-storey front extension, single-storey rear extension and conversion of roof space to habitable use to include a rear dormer.

Officers introduced the application and noted the addendum.

A petitioner spoke in objection to the application, commenting that the layout of side windows was common in the road, and while residents expected reasonable development on the road and would support a well-designed home at the site, this was not happening. As such, the petitioner requested the Committee support the officers' recommendation.

Councillor Cooper, Ward Councillor for Uxbridge South, commented that the application had caused the local residents a lot of distress and urged the Committee to refuse the application.

Members commented that the area was an area of special local character, and the side windows on properties in the area are common and a feature of that character.

The officer's recommendation then was moved, seconded, and unanimously agreed.

- **RESOLVED:** That the application was refused.

229. **48 WALLINGFORD ROAD - 71488/APP/2015/4721** (*Agenda Item 13*)

Erection of two detached buildings to accommodate a storage depot and ancillary office (Use Class B8).

Officers introduced the report and noted the addendum.

Members expressed concern about future use of the site intensifying and resulting in an increase of night-time vehicle use. It was proposed that a condition be added to restrict the use of HGVs and night-time vehicles should the need arise.

The Committee proposed to move the officers' recommendation, with delegated authority to the Chairman and the Labour Lead Member to agree a condition prohibiting night time vehicle traffic movements. This proposal was seconded and unanimously agreed.

- **RESOLVED:** That the application was approved.

230. **FOOTPATH OPPOSITE 35 FALLING LANE - 72106/APP/2017/464** (*Agenda Item 14*)

Installation of 12.5m high telecommunications monopole and associated works (Application for prior approval under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015).

Officers introduced the report to the Committee, noting the conditions on landscaping and removing permitted development rights for additional cabinets.

Members moved, seconded and unanimously agreed the officers' recommendation.

- **RESOLVED:** That the application was approved.

231. **LESSER BARN, HUBBARDS CLOSE - 5971/APP/2016/3922** (*Agenda Item 15*)

Rebuilding or existing barn with internal and external alterations to create two three-bedroom dwellings with associated parking and landscaping.

Officers introduced the application which sought planning permission for the rebuilding and conversion of the Grade II Listed Lesser Barn into two three-bedroom residential units.

It was confirmed that this application was a re-submission of the 2012 approved application 5971/APP/2011/2438, which has since expired. As such, Members proposed to defer the application to clarify the legal position on a listed building application that was linked to an application which had expired.

The proposal was moved, seconded, and unanimously agreed when put to a vote.

- **RESOLVED:** That the application was deferred.

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

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).

233. **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).

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

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).

235.	<p>ENFORCEMENT REPORT (<i>Agenda Item 19</i>)</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 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. <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(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
236.	<p>ENFORCEMENT REPORT (<i>Agenda Item 20</i>)</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 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. <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(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
237.	<p>ENFORCEMENT REPORT (<i>Agenda Item 21</i>)</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the enforcement action was agreed, and delegated authority given to the Head of Planning and Building Control to confirm the enforcement action needed at the property. 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><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</i></p>

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 9.12 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Luke Taylor on 01895 250693. 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.