

## Minutes



### CENTRAL & South Planning Committee

16 May 2017

Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge UB8 1U

	<p><b>Committee Members Present:</b> Councillors Ian Edwards (Chairman), Shehryar Ahmad-Wallana, Roy Chamdal, Jazz Dhillon, Brian Stead and Mo Khursheed</p> <p><b>LBH Officers Present:</b> James Rodger - Head of Planning and Enforcement, Meghji Hirani - Planning Contracts &amp; Planning Information, Manmohan Ranger - Highways Advisor, Nicole Cameron - Planning Lawyer and Anisha Teji - Democratic Services Officer</p>
4.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor John Morse with Councillor Jazz Dhillon substituting. Apologies were also received from Councillor Alan Chapman.</p>
5.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Khursheed declared that he was the Ward Councillor for the sites listed in agenda items 9 and 10 and declared a non pecuniary interest in relation to agenda item 12.</p> <p>Councillor Ahmad-Wallana declared a non-pecuniary interest in respect of agenda item 12.</p> <p>Both Councillor Khursheed and Councillor Ahmad - Wallana indicated that they would leave the room during the Committee's discussion of agenda item 12.</p>
6.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes from 12 April 2017 be confirmed as a correct record of the meeting, subject to including the apologies received from Councillor Chamdal.</p>
7.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>The Chairman confirmed that item 12 in Part II had been added to the agenda as an urgent item.</p>
8.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE</b></p>

**CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE** (*Agenda Item 5*)

It was confirmed that items marked Part I would be considered in public, and items marked Part II would be considered in private.

9. **31 MORELLO AVENUE, HILLINGDON - 72026/APP/2017/1064** (*Agenda Item 6*)

Officers introduced the report and provided an overview of the application. The application sought retrospective planning permission for the conversion of a single family dwelling into a six bedroom House in Multiple Occupation (HMO). Officers also highlighted the addendum and made a recommendation for refusal.

A petition had been submitted in objection of the application. In accordance with the Council's Constitution, the petitioner addressed the meeting and made the following points:

- There were two types of residents living in Morello Avenue namely pensioners and young professional families.
- Peace and quiet was very important to the close community and there was a low turnover in the street.
- The type of people attracted to HMOs would not take into account local resident needs, thus resulting in a negative impact on the community.
- The petitioner agreed with the Officer's report.
- The drainage system in the area was old, tired and blocked almost every year. An increase in use would have an impact on the system and would deprive residents from essential services.
- There was a concern that the property could be used by a larger number of people than indicated. This would impact noise levels and the availability of parking.
- It was suggested that there were other properties in the area which were being used as HMOs.

Councillor Richard Mills, Ward Councillor for Brunel, addressed the Committee and made the following points:

- Concerns were raised regarding the size of the kitchen and lounge area which would be shared amongst six people.
- Having the number and different sets of people in the property would be detrimental to the existing residents living adjacent to the property. This would also cause congestion, noise and impact the availability of parking.
- This was a retrospective application and appropriate further action needed to be undertaken to ensure that the property operated as permitted.

At the outset of Members discussion, the Chairman indicated that some of the matters raised by the petitioner would not be taken into account by the committee. The Chairman reminded Members that as a Committee, they would only be allowed to take into account material planning considerations.

Members noted the suggestion that other properties in close vicinity of the premises were being used as HMOs. Members urged the petitioner and local residents to inform local Ward Councillors if properties were being used in this way, so that appropriate action could be taken. This suggestion was also supported by officers.

Members noted that there were a number of issues in this ward relating to the number of HMOs operating. Members commended the conditions in the report and expressed concerns about the number of bedrooms the property would have and the impact this property would cause on local residents.

A motion for the officer's recommendation was moved, seconded, and upon being put to a vote was unanimously agreed.

**RESOLVED: That the application was refused as per the officer's recommendation.**

10. **1 NORMANS CLOSE, HILLINGDON - 62184/APP/2016/4117** (*Agenda Item 7*)

Officers introduced the report and provided an overview of the application. The application sought planning permission for two storey, four bed dwellings with associated parking and amenity space, wall/fence to front, and installation of two vehicle cross over, involving demolition of existing bungalow. Officers highlighted the addendum and made a recommendation for approval.

A petition had been submitted in objection of the application. In accordance with the Council's Constitution, the petitioner addressed the meeting and made the following points:

- The proposed application would cause an unacceptable detrimental impact on the privacy of several local properties. If the proposed development were permitted, it would allow the petitioner's garden and kitchen to be overlooked by at least four first floor windows, thus eradicating privacy.
- The proposed three additional driveways did not match the character of the properties bordering the northern edge of the Close.
- The rear way driveways currently used by local residents on the Close reduced traffic and had benefits for the safety and amenity for its residents. The proposal would negatively affect this.
- The proposal would result in the removal of at least four car parking spaces.
- Normans Close was used by a large number of pedestrians and the proposed developments would increase the risk of harm to them.
- The proposed development would impact the outlook of the building and would remove direct sunlight to properties 2 and 3 Normans Close.

The agent for the application addressed the meeting and made the following points:

- Throughout this application, extensive discussion had taken place with officers at the Council to ensure that a high quality and well designed house was developed.
- Initially the applicant and agent had made an application to develop three properties, but this reduced to two in accordance with advice from officers.
- The proposed development met local plan policy in terms of design, amenity space and density.
- These were the types of sites that would meet current housing needs.
- The dwellings were set back a significant distance from Normans Close to ensure that the open character of the junction remained.
- Although there would be some disturbances for a short period during building works, the agent and applicant would adhere to the best practices to ensure minimal disruption. Contact details for site managers would be made available to residents to ensure clear lines of communication.

Councillor Richard Mills, Ward Councillor for Brunel, addressed the Committee and spoke in support of the residents. He highlighted the residents' concerns about their privacy, potential lack of light, overlooking and the availability of parking.

In response to matters raised by Members, officers confirmed that:

- From the plans before there would be no intrusion to 3 Normans close.
- The distance to protect against invasion of privacy and the proposed development met the 21 metre policy. The distance was also acceptable in relation to overlooking standards.
- The outlook for the property would change but the Council's standards of outlook and loss of sunlight were being met. In meeting these standards, officer concluded that these considerations would not negatively impact local residents.
- Although there would be a loss of one car parking space and a slight reduction in another car parking space, space would still be available. Members made the point that this loss in car parking would be significant to the residents as parking may be difficult in this area. The plans before the committee were compliant with standards.
- In relation to character, the standards in relation to the distance of the building were being met. The size of the proposed dwelling was not a reason to refuse the application as there were a variety of different size properties in the area.

Members commented that this was an emotional proposed development as residents had lived in the area for a long time. However, Members considered the proposed developed met the Council's standards and policies and on balance considered it to be a decent proposal. Members considered tightening the wording in condition 11.

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

**RESOLVED: That the Committee approve the application with amendments to condition 11.**

11. **12 GROVE WAY, UXBRIDGE - 71844/APP/2017/329** (*Agenda Item 8*)

Officers introduced the application and provided an overview of the application. The application sought planning permission for a two storey side extension, single storey rear extension, conversion of roof space to habitable use to include three rear roof lights and one side roof light and porch to front.

A petition had been submitted in objection of the application. In accordance with the Council's Constitution, the petitioner addressed the meeting and made the following points:

- There were concerns that the occupier initially had the intention to build the house with multiple occupancy. The petitioner was not convinced that this was the outcome or attention.
- Concerns were raised about the fact that it was a six bed room property and only had two bathroom facilities.
- Some of the changes proposed exceeded the building recommendations made particularly in relation to the roof line, the rear extension and rear garden.

The agent for the application addressed the meeting and made the following points:

- The property would be used as a family home and not as a HMO as suggested.

- Concerns have been raised about highways safety but builders would ensure that deliveries were controlled in a timely way.

Members enquired why the additional developments on the property exceeded maximum height, and the agent explained that the case officer said it was acceptable. The agent explained that if amendments needed to be made this could be achieved. Members accepted the agent's assertion that the property would not be used as a HMO.

Councillor Raymond Graham, Ward Councillor for Uxbridge North, addressed the Committee in writing and commented that the proposed development was an overdevelopment which would lead to an exacerbation of street parking problem. The proposed development was out of keeping with the existing immediate area and street scene and agreed with the petitioner concerns that this may become a HMO. He urged the Committee to keep the property as a single family dwelling house within the C3 use Class.

Members considered the conditions suggested in the report and considered that the conditions were strong. The Legal Advisor also advised that the conditions were strong and if breached the Council had power to enforce them.

Officers assured Members that the current amendments were minor changes which could take place. Further, there was no impact on adjoining occupiers. Members also noted that the agent were willing to make any amendments.

A motion for the officer's recommendation was moved, seconded, and upon being put to a vote there were five in favour and one abstention.

**RESOLVED: That the Committee approve the application, with the amendments.**

12. **10 CLAYTON ROAD, HAYES - 72438/APP/2016/4505** (*Agenda Item 9*)

Officers introduced the report and provided an overview of the application. The application sought planning permission for the change of use from retail to car hire/mini cab office. Officers requested that condition five be deleted to strengthen condition four and made a recommendation for approval.

Members raised concerns about the level of traffic congestion, impact on parking and enquired how the condition would be policed. Officers advised that action would be taken against any breaches reported.

The Legal Advisor advised Members that although condition four may be difficult to police it would not be impossible. The Council has a planning enforcement team who can link vehicles to the company, observe those who may be committing breaches of the condition and take the necessary enforcement action against those who commit breaches.

Members considered that condition four ought to include and reflect residential amenity of the people living above the property.

A motion for the officer's recommendation, subject to amendments, was moved, seconded, and upon being put to a vote there were five in favour and one against.

**RESOLVED:**

**That the Committee:**

**1) Approve the application and;**

**2) delegate authority to the Head of Planning, to strengthen the wording of condition four to include residential amenity factors.**

**13. ENFORCEMENT REPORT (Agenda Item 10)**

**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).*

**14. ENFORCEMENT REPORT (Agenda Item 11)**

**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).*

**15. ENFORCEMENT REPORT (Agenda Item 12)**

**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).*

The meeting, which commenced at 7pm, closed at 9.27 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. 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.**