

Minutes



CENTRAL & SOUTH PLANNING COMMITTEE

1 March 2018

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

	<p>Committee Members Present: Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Roy Chamdal, Alan Chapman, Brian Stead, Peter Money and John Morse</p> <p>LBH Officers Present: Meghji Hirani (Planning Contracts & Planning Information), Roisin Hogan (Planning Lawyer), James Rodger (Head of Planning and Enforcement), Luke Taylor (Democratic Services Officer) and Alan Tilly (Transport and Aviation Manager)</p>
	<p>The Chairman noted that Councillor Mo Khursheed, a member of the Committee, had passed away and his funeral took place earlier in the week. The Chairman noted that Councillor Khursheed was a gentleman and an outstanding colleague who was valued by all, and he would be sorely missed by everyone at the Council. The Chairman extended his thoughts and prayers to Councillor Khursheed's family and friends at this difficult time.</p>
191.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
192.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
193.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meeting held on 7 February 2018 were agreed as a correct record.</p>
194.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
195.	<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 all the items on the agenda were Part I, and would therefore be heard in public.</p>

Two-storey side extension, single-storey rear extension, conversion of roof space to habitable use to include three rear and two side rooflights and porch to the front (Retrospective).

This item was considered alongside Item 7.

Officers introduced the application which sought retrospective planning permission for a two-storey side extension, single-storey rear extension and conversion of roof space to habitable use to include rooflights and a porch to the front.

Members heard that two previous applications were approved in 2016, but there were differences between the approved plans and the building work that had now taken place. A first-floor element had been added without planning permission, and this was considered in-fill beneath the roof. There was no change to the appearance of the frontage of the house.

A petitioner spoke in objection to the application, and informed the Committee that he was speaking on behalf of the local residents. The petitioner noted that this was the third occasion he had spoken at a Committee regarding this site, and residents were concerned over the size and bulk of the first application. Members heard that it was the opinion of the local residents that the intended use of the property is as a house of multiple occupancy (HMO), and that this application was a precursor to a further application for a Change of Use. The Committee were informed that neighbours have experienced significant disruption from the building works taking place at the site, including inconsiderate construction, noise pollution at anti-social hours, and parking on neighbouring driveways. The petitioner noted that the application was retrospective, as the current building works were built outside the plans and unapproved, and local residents were concerned about further retrospective applications and a change of use to use the property as an HMO.

The applicant's representative addressed the Committee, and noted that the first-floor element was built as in-fill as the overhang of the roof was not suitable. The roof was built as permitted, but structural works were required as the column supporting the roof on the ground floor was not sufficient. The applicant's representative apologised to Members for the work that took place without the consent of the Committee.

Responding to Councillors' questioning, the applicant's representative confirmed that the first-floor element was necessary, as the roof was too heavy a load for the column to support. Members heard that when the works were carried out, it was decided that the column would not be enough to support the roof and a further floor had to be built for safety reasons, but the applicant's representative was not in attendance or informed of this until it had already been built.

Councillor Raymond Graham, Ward Councillor for Uxbridge North, was in attendance and spoke in support of the petitioners, noting that 29 people had signed the petition and there was a strong sense of feeling in the area about the application. The Committee heard that the building that took place without permission was intentional, and that it has caused problems for the local residents, with the police being called several times to deal with nuisance matters. Furthermore, the site has room for five vehicles to park, and neighbours have reported two metered domestic supplies were added to the property. Councillor Graham confirmed that he wished for the application to be rejected.

The Chairman confirmed that nuisance issues were not planning considerations, and drew the Committee's attention to the officer's report, which noted that "applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case, officers have no indication that this was an intentional breach of planning control".

The Head of Planning and Enforcement confirmed that officers concluded there were no planning considerations to support a refusal, and it was very difficult to prove that this was an intentionally retrospective application. The Legal Officer confirmed that there was evidence to support both claims that this was intentionally and unintentionally retrospective, and as such, it would be difficult to hold up on appeal.

The Committee noted that they understood the local residents' concerns, and heard from Officers that should the application be rejected by the Committee and appealed, it would be the responsibility of the Planning Appeals Inspector to impose conditions. Therefore, a successful appeal might result in some conditions that were suggested by the Council not being enforced.

Members agreed that the Council was in a difficult position, and it was important to ensure that the conditions that were proposed in the officer's report were enforced if possible. Councillors noted that on balance, it appeared that the retrospective application could have been deliberate, but it was not possible to prove this. As such, the Committee agreed that it was constrained by the planning rules and policies, and on this occasion, the application was acceptable in planning terms, and caused little harm or impact to neighbouring amenity. Members agreed that it was vital to ensure condition 5 was enforced, to prevent the dwelling being divided to form additional dwelling units or used in multiple occupancy without further permission from the Committee.

As such, Councillors reluctantly agreed to propose and second the officer's recommendation. Upon being put to a vote, six Members voted in favour of the recommendation, and one Councillor abstained.

RESOLVED: That the application be approved.

197. **12 GROVE WAY, UXBRIDGE - 71844/APP/2018/56** (*Agenda Item 7*)

Details pursuant to condition 5 (Landscaping) of planning permission ref: 71844/APP/2017/329 dated 19/05/2017 (Two-storey side extension, single-storey rear extension, conversion of roof space to habitable use to include three rear rooflights and one side rooflight, and porch to front).

This item was considered alongside Item 6.

Officers introduced the application, which considered details pursuant to landscaping at the site, as the submitted plans do not reflect the details on site as the entire frontage is laid to hardstanding. The lack of soft landscaping and permeability of the paving and boundary treatment were not considered satisfactory by officers, and the proposed was to the detriment of the visual amenity of the street scene and wider area.

Members commented that the landscaping proposed was unacceptable, and as such, moved, seconded and unanimously agreed the officer's recommendation.

RESOLVED: That the application be refused.

198.	<p>141 CHARVILLE LANE, HAYES - 72426/APP/2017/2914 (Agenda Item 8)</p> <p>Erection of two cabins, single-storey workshop building, gate/fence, demolition of existing buildings and change of use from scrapyard (Sui Generis) to car repairs (Use Class B2).</p> <p>Officers introduced the item, which sought planning permission for the erection of two cabins, single-storey workshop building, a gate/fence, the demolition of existing buildings and change of use from scrapyard to car repairs. The application was previously deferred by the Committee, to request further information on a number of elements of the application.</p> <p>The Chairman thanked officers for the additional information that was provided at the start of the officer's report, and the Committee agreed that the questions raised when the application was considered at a previous Committee, have now been answered.</p> <p>Members sought clarification on the change of use, and whether the conditions proposed protect the amenity of local residents. Officers confirmed that conditions 7 and 8 were proposed and can protect the amenity of residents with respect to noise control.</p> <p>The Committee requested that changes to the wording of conditions be made, to state "general noise from the site" in relation to condition 7, and also ensure that "no repairs were made in the open", to further protect local residents' amenity. Councillors agreed that the wording of the conditions be delegated to the Head of Planning and Enforcement.</p> <p>The officer's recommendation was moved and seconded, subject to delegated authority to the Head of Planning and Enforcement to confirm the wording of the conditions, including the additions suggested by the Committee. The recommendation was then put to a vote and unanimously agreed.</p> <p>RESOLVED: That the application be approved, subject to delegated authority to the Head of Planning and Enforcement to confirm the wording of the conditions.</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 7.50 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Luke Taylor on 01895 250 693. 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.