

Minutes



NORTH Planning Committee

12 July 2018

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

	<p>Committee Members Present:</p> <p>Councillors Eddie Lavery (Chairman), Duncan Flynn (Vice-Chairman), Scott Farley, Becky Haggar, Henry Higgins, John Oswell, Robin Sansarpuri, Steve Tuckwell and Nicola Brightman</p> <p>LBH Officers Present:</p> <p>James Rodger (Head of Planning, Transportation and Regeneration), Matt Kolaszewski (Planning Team Leader), Glen Egan (Legal Advisor), Richard Michalski (Highways Engineer), Liz Penny (Democratic Services Officer) and Kerrie Munro (Planning Lawyer)</p>
35.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Devi Radia with Councillor Nicola Brightman substituting.</p>
36.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
37.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 19 June 2018 were approved as an accurate record.</p> <p>RESOLVED: That the minutes of the meeting on 19 June 2018 were agreed as a correct record.</p>
38.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
39.	<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 the items of business marked Part I would be heard in public and the items of business marked Part II would be considered in private.</p>

40.

GATEHURST GATE END, NORTHWOOD - 5761/APP/2018/886 (*Agenda Item 6*)

Officers introduced the report and highlighted the information in the addendum. The application sought approval of details pursuant to discharge condition 7 (Landscaping Scheme) relating to a planning application dated 20/01/2016. Additional correspondence objecting to the proposals had been received and had been circulated to Members prior to the meeting. A key issue raised had regard to the permeability of the paving used. The Council's tree officer and landscaping officers had assessed the application and raised no objection regarding the extent of the hardscaping providing it was correctly installed and permeable. Members were advised that the second to last paragraph in the addendum was incorrect and should be disregarded. The Committee was informed that the paving works had been carried out since the application came in. The objection received related to the permeability of the paving; however, having visited the site, the Council's landscaping officer believed it to be permeable. The application was therefore recommended for approval.

A petitioner spoke on behalf of the Gateshill Residents' Association Committee in objection to the application and expressed concern regarding the health of the oak tree covered by TPO 169. Members were informed that the application was part-retrospective since the hard landscaping had already been done; however, the minimum 25% soft landscaping had yet to be completed. Permission had been granted for extensive building work at the property in 2012 and an arboricultural report had been submitted by the applicant as part of this process. A tree protection area around the TPO oak tree had been agreed. The arboricultural report had stated that the driveway would be retained or replaced by a permeable material suitable for use in a root protection area. The petitioner stated that the developer had in reality paved over 85% of the root protection area with non-permeable blocks which contravened the Council's own paving front gardens guidance sheet. Photos had previously been submitted to the Council which indicated that the blocks used were non-permeable. In addition to this, Councillors were advised that no arrangements had been made for water to be collected and directed to a permeable area; surface water was directed straight into the drains away from the tree. This not only deprived the tree of water, but also contributed to the risk of flooding further down the road.

The applicant's representative addressed the Committee and informed Members that the previous building team had not built the house in accordance with the building inspector's requirements. The current building team had therefore been requested to take over the work. The driveway had, naively, been constructed using block paving as the builders were unaware of the landscaping rules. They were subsequently made aware of the 25% soft landscaping requirement and were advised by the GRA of the need to install drainage which they did. A landscape artist was instructed to check the 25% requirement and it came out to be about 28%. Members were advised that the GRA visited the site and approved of the work.

Members requested confirmation that the paving installed was permeable and were informed that $\frac{3}{4}$ of it was. The left side of the previous drive had been solid concrete with tarmac over the top. Members enquired as to whether the applicant's representative had spoken directly to the Council's officers who visited the site and were informed that he had not.

Councillors also asked for confirmation that the work would meet the Council's definition of permeable had it been carried out as specified by the applicant's representative, and were advised that this would be the case. Members also requested clarification as to where the water was being discharged to and were informed that the

water ran into a gully which would lead to a manhole; this was deemed to be acceptable.

Members were reminded that they were being requested to discharge the condition only. If it were to transpire at a later date that the work had not been carried out in accordance with the Council's policy, this would be a matter for the enforcement team.

The Head of Planning and Enforcement stated that the plans were acceptable but required an annotation to clarify that the plans being approved were for a permeable surface. Enforcement action could subsequently be undertaken should this requirement not be adhered to. Members expressed concern regarding the longer term effect on the tree should it transpire that the landscaping work had not been carried out correctly and were reminded that this would be a separate enforcement issue. Members also enquired whether the tree had been damaged due to the concrete base which had previously been in place and were reminded that the landscape officer had raised no concerns regarding the condition of the tree.

Members commented that the officer comments regarding the enforcement report should be included in the addendum sheet and the situation should be kept under active review, particularly in view of the current hot weather being experienced.

The officer's recommendation was moved, seconded and, when put to a vote, seven Members voted in favour with one abstention.

RESOLVED: 1) That the application be approved;

2) That authority be delegated to the Head of Planning to annotate the plans as discussed to ensure the permeability of the landscaping.

41. **LAND AT LITTLE ACRE - 70058/APP/2018/296** (*Agenda Item 7*)

Officers introduced the report and highlighted the addendum. The application sought retrospective planning permission to regularise the proposal as carried out for the erection of a single storey building for use as stabling and a tackroom / feedstore, with 2 parking spaces involving the demolition of an existing timber shelter. The report indicated that there was a need for breeding mares and stallions to be accommodated in a separate location to the other horses. A new plan had been submitted which replaced the previous one. The application was recommended for approval.

Members noted that the proposed development was appropriate and compliant. The Committee requested clarification regarding the movement of horses between the two sites both at present and in the future; they were advised that any increase would be minimal.

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

RESOLVED: That the application was approved.

42. **NINE ACRES, ASPREY LANE - 34289/APP/2018/1452** (*Agenda Item 8*)

Officers introduced the report and highlighted the information in the addendum. The application sought to retain the part two storey, part single storey side / rear extension and increase the height of the roof ridge. The proposal also included alterations to the

roof, involving removal of the two rear gable windows and one rear dormer window, and replacement with new windows within the rear gable ends and a new velux window; the latter to be glazed with obscured glass. It was recommended that the application be approved.

Members noted that, following an inspector's report which objected to the windows in the gable and dormer, the submitted plans had been altered and the proposed Church-style windows had been replaced with standard ones.

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

RESOLVED: That the application was approved.

43. **ENFORCEMENT REPORT** (*Agenda Item 9*)

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 the 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).

44. **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 the 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).

45. **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 the 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).

46. **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 the 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).

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

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 the 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 7.46 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on 01895 250185 . 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.