

Minutes



NORTH Planning Committee

24 October 2018

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

	<p>Committee Members Present: Councillors Eddie Lavery (Chairman), Duncan Flynn (Vice-Chairman), Scott Farley, Henry Higgins, John Oswell, Devi Radia, Robin Sansarpuri, Steve Tuckwell and Nicola Brightman</p> <p>LBH Officers Present: Richard Michalski, James Rodger (Head of Planning and Enforcement) and Nicole Cameron (Legal Advisor) and Liz Penny (Democratic Services Officer)</p>
91.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Becky Haggar with Councillor Nicola Brightman substituting.</p>
92.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
93.	<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 on 2 October 2018 be approved as an accurate record.</p>
94.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
95.	<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 1 would be considered in public and the items marked Part II would be considered in private.</p>
96.	<p>11 WOODGATE CRESCENT - 61044/APP/2018/1825 (<i>Agenda Item 6</i>)</p> <p>New retaining walls to rear and sides and levelling of garden, involving demolition of existing retaining walls (retrospective)</p> <p>Officers presented the application which sought permission to build new retaining walls</p>

to the rear and sides and to level the garden, involving demolition of the existing retaining walls (retrospective). Members were advised that this item had been deferred at the 3 September Committee meeting pending the provision of more detail. Councillors were reminded that the application pertained to the retaining wall and garden only as the other alterations had already been granted planning permission. It was confirmed that there was an area of Green Belt to the rear of the site.

A petitioner spoke on behalf of the Gatehill Residents Association in objection to the application. Additional photos had been received and circulated to Councillors prior to commencement of the meeting. Concerns and comments from petitioners included:-

- The application had caused damage to neighbours and was contrary to policy;
- Re. policy BE38, the applicant had previously submitted a Design and Access Statement which discussed the importance of landscaping; this policy had then been ignored;
- In the Green Belt woodland to the rear of the site was an oak tree located 1.5m from the pile wall. It had a diameter of 1.1m with a root protection area of approximately 13m reaching beyond the wall and into the garden area much of which had been concreted over. The pile wall and the removal of the clay soil had taken place within the root protection area and the tree was showing signs of damage with funghi growing at its base;
- With regards to flooding, Woodgate Crescent was at the top of a steep hill and there was a slope from the woodland at the rear down to the house. There was a further drop in level from the house to the road. The builder had reportedly admitted that the wall had passed through the water table and altered the natural water courses in the clay soil. This had caused water to run from the application site downhill to the neighbour's property causing significant damage. It was felt that the solution of diverting the water into public drains was unacceptable and added to the risk of flooding. It was also contrary to local and national policy. No drainage solutions had been suggested in the plans despite the flooding and damage caused.
- The submitted photos showed drainage pipes which had been buried under concrete. They also showed cracks which had appeared in the resin surface and in the wall.
- Petitioners were pleased that the case officer had discussed the application with the Council's tree and flooding officers and asked that the applicant be asked to take measures to address policy breaches.

Members requested clarification regarding the alleged damage to the neighbouring property. It was confirmed that the damage consisted of cracks in the paving, a rotting fence and water pouring down the garden.

The Head of Planning confirmed that informative number three should read A, B or C rather than A, B and C. It was agreed that delegated authority be given to the Head of Planning to address this error.

Members expressed concern regarding the impingement of the tree's root protection area which was known to be extremely damaging. Members were troubled by the Tree and Landscape Officer's comments in the report and expressed further concern regarding flooding issues and soil structure in the local area.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed. It was agreed that the Head of Planning would refer the concerns raised to planning enforcement.

RESOLVED That: the application be refused and authority be delegated to the Head of Planning to amend Informative 3 as discussed.

97. **22 BREAKSPEAR ROAD SOUTH - 51947/APP/2018/2469** (*Agenda Item 7*)

Single storey rear extension, first floor rear/side extension with habitable roof space with enlargement of existing dormer and 6 x side roof lights, creation of basement, conversion of garage to habitable use to include alterations to front elevation, porch to front and single storey outbuilding to rear for use as a gym.

Officers presented the report. Councillors were advised that the application site comprised a two-storey detached house on Breakspear Road South. The properties fronting Breakspear Road South had a staggered formation, such that the application site sat behind no. 20 to the south by approximately seven metres and forward of no. 24 to the north by approximately 7 metres. It was considered that the proposed scheme was excessively bulky and would be out of keeping with the street scene. It was therefore recommended for refusal.

A petitioner spoke in objection to the application. It was confirmed that 22 Breakspear Road South had been rented out for a number of years and had fallen into disrepair with the garden neglected and overgrown. The property had boarded windows and appeared to have been empty since the previous tenants moved out in the spring. The Residents' Association had expressed concern regarding the fact that plans for such extensive renovation work were lacking in dimensions, the construction of the basement could endanger neighbouring properties and the provision of services in the outbuilding could lead to problems in the future were it to be used as separate accommodation. The planning report addressed many of the local residents' concerns and the petitioners concurred with the findings stated in the report 'the scheme is considered to be bulky and excessive in scale, resulting in a development which would be out of keeping with the general pattern of development within the area. In addition it would be harmful to the amenity of neighbouring properties by virtue of loss of outlook, loss of sunlight and overbearing impact. It is also likely to result in a detrimental sense of enclosure to neighbouring properties'. Residents were also concerned that the proposed development which would leave little remaining garden would be less of a family home and would be more suitable for an HMO in the future; this would have an impact on noise, traffic and parking. Petitioners highlighted the confusing nature of the plans submitted and felt there were also some inaccuracies therein.

Members welcomed the mention of the basement in the report as an additional reason for refusal.

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

RESOLVED That: the application be refused.

98. **31 FRITHWOOD AVENUE - 8032/APP/2018/2140** (*Agenda Item 8*)

Change of use of the building from Use Class C1 (Hotels - currently a 12-bedroom bed and breakfast) to Use Class C2 (Residential Institution - 8-bedroom care home), involving a part two-storey, part single storey rear extension and enlargement of roofspace.

Officers presented the report and highlighted the letter from the planning agent in the

addendum. Members were informed that a similar application had been received in March 2018. It was felt that the current application did not adequately address the previous reasons for refusal. Moreover, the proposed extension, by reason of its size, scale and bulk, would not be visually subordinate to the original building, would not respect the composition of the original building and would result in a further loss of garden openness at the rear of the site. Officers recommended that the application be refused.

Members agreed that the proposed development was still excessively large. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED That: the application be refused.

99. **MOUNT VERNON HOSPITAL - 3807/APP/2018/3026** (*Agenda Item 9*)

The retention of the existing electronic communications installation on a permanent basis.

Members felt that a presentation by officers was unnecessary in this case as it was very straightforward.

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

RESOLVED That: the application be approved subject to conditions.

100. **SECTION 106 QUARTERLY MONITORING REPORT** (*Agenda Item 10*)

RESOLVED That: the report be noted.

101. **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).

102. **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).

103. **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 7.30 pm, closed at 8.04 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.