

MAJOR Applications Planning Committee

19 June 2019

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

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	Committee Members Present: Councillors Eddie Lavery (Chairman), Janet Duncan, Martin Goddard, John Morse, John Oswell, Henry Higgins, Carol Melvin, Alan Chapman (In place of Steve Tuckwell) and Becky Haggar (In place of Ian Edwards)
	Also in Attendance: Councillors Peter Curling, Ali Milani, Peter Money & June Nelson
	LBH Officers Present: James Rodger (Head of Planning, Transportation and Regeneration), Mandip Malhotra (Strategic and Major Applications Manager), Alan Tilly (Transport and Aviation Manager), Glen Egan (Office Managing Partner - Legal Services) and Neil Fraser (Democratic Services Officer)
15.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies were received from Councillors Edwards and Tuckwell. Councillors Chapman and Haggar were present as their substitutes.
16.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	Councillor Melvin declared a pecuniary interest in respect of item 9: Northwood Recreation Ground, in that she was a member of the club.
	Councillor Melvin declared a non-pecuniary interest in respect of item 10: Northwood College, due to prior involvement.
	Councillor Melvin left the room when the above items were determined.
17.	TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS (Agenda Item 3)
	RESOLVED: That the minutes of the meetings held on 9 May and 15 May 2019 be approved as a correct record.
18.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	The Chairman advised that an urgent item had been added as Agenda B.
19.	TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED

INPUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE

(Agenda Item 5)

It was confirmed that all items were marked as Part I and would therefore be considered in public.

20. MANOR COURT HIGH STREET, HARMONDSWORTH - 27256/APP/2017/3723 (Agenda Item 6)

Alterations and conversion of the Manor Lodge into 2 No. 4-bedroom houses; conversion of the Stable Building into 6 No. 1-bedroom and 2 No. 2-bedroom cottages; conversion of the Office Barn into 1 No. studio flat, 1 No. 1- bedroom flat, 2 No. 2-bedroom houses and 1 No. 3-bedroom house; retention of the Granary Building and conversion to garden store; upgrade of boundary treatments; reinstatement of yard pond, together with associated parking and landscaping. (Application for Listed Building Consent).

Agenda items 6 & 7 were considered together.

Officers introduced the reports and addendum, and advised of the site layout and listed buildings on the site, together with the proposed alterations and retentions. Officers highlighted that reports of anti-social behaviour and issues with refuse were being addressed by the creation of a dedicated bin store area. Vehicle access to the site would remain as existing, with access directly into the Great Barn's car park space, which was to be retained. The applications had been through extensive consultation and a number of objections had been received, including from local residents and the English Heritage Trust, and these objections had been addressed as set out in the report. The officer recommended that the applications be approved.

A petitioner addressed the Committee in objection to the application. Points highlighted included:

- The petitioner was attending the meeting in his capacity as Chairman of the Friends of the Great Barn.
- The Great Barn was afforded the highest level of protection by national policy.
 Historic England stated that all buildings and other structures that pre-dated
 1948 that were within the curtilage of a listed building were to be treated as part
 of that listed building.
- The buildings proposed to be altered as part of the application were within the curtilage of the Great Barn, and should be considered as Grade I buildings.
- The loss of office space was referred to within the report. The new draft London
 Plan stated that change of use from non-residential to residential should only be
 permitted if a satisfactory residential environment could be achieved, met
 demand, and was consistent with other objectives, including the contribution of
 the existing use of those objects. This site did not fall into these categories.
- The site was used for community events, and often attended by coach parties. Coaches parked behind the Barn, without issue.
- When the decision on the proposed 3rd runway at Heathrow was finalised, there was no reason why the existing buildings could not be used as offices. The buildings were currently being used as offices.
- The applications were contrary to the heritage objectives of the Local Plan in protecting conservation.
- No evidence had been submitted that demonstrated more appropriate community or employment uses had been considered before proceeding with a residential scheme, and options were many, including a community hall, library,

- or post office etc. These uses would be subject to lottery funding and grants, which would further help to regenerate this area of Harmondsworth.
- The report stated that access to the site would be from Moor Lane High Street. The land owned by the applicant was not linked to the public highway, and access therefore relied on the stretch of land between the 5 Bells Public House and St Mary's Church. Ownership of this land was unclear, though would appear to be owned by the church, and these ownership and access issues must be resolved before any application could be granted.

The agent for the applications addressed the Committee. Points highlighted included:

- Careful consideration had been given to the application site's location within a conservation area and several listed buildings.
- Conclusions reached confirmed that the applications accorded with the development plan and the NPPF as sustainable development.
- Lengthy conversations with the Council, particularly planning conservation officers, had resulted in several amendments to the scheme, including a reduction in density from that originally proposed.
- The scheme also incorporated amendments following discussions with third parties such as English Heritage, the Harmondsworth Conservation Area Advisory Panel, Historic England, and others.
- The proposed use was less intensive than existing use, and would enhance the setting of the listed buildings and conservation area.
- The scheme would result in a reduction in traffic, and there was no highway objection or issue with access from a legal perspective.
- The proposal to convert use to residential provided a sustainable future for these buildings, and would contribute to the village through the introduction of new families and local residents. The site would have minimal impact on the Barn, its use as community asset or its setting. Access to the Barn would be maintained.
- The residential scheme would remove the existing HMO which had previously been deemed unacceptable to local residents.
- The proposal would provide a range of family homes and cottages within an enhanced setting.

Members sought clarity on who owned the access route as outlined by the petitioner, as well as how the existing buildings were to be used, and where residents would park. The agent confirmed that the client owned the whole site and access was within the title, but the Great Barn had a comprehensive right of way to the Barn. In addition, the agent confirmed that the buildings on site were high quality and would be re-used. Parking provision fully complied with standards, and residents parking would be in front of the office barn.

Councillor Peter Money addressed the Committee as Ward Councillor for Heathrow Villages. Points highlighted included:

- The Ward Councillor shared the concerns of the residents in relation to the use of the site and its impact on the conservation area and grade I listed building.
- The Great Barn was a tourist attraction and source of great pride to the residents.
- Due to the scale of the development it was reasonable to expect it to have a significant detrimental impact on the environment and setting of the listed buildings.
- The existing HMO had caused significant issues, and as a result residents did not have much faith in the existing landowner.
- Access to the site had not been properly considered. Having to pass through a

narrow gap at the 5 Bells Pub was inconvenient to the pub, and an increase in residents to the area would result in increased parking in and around the pub. Residents did not feel that a parking management scheme could overcome these issues.

The Ward Councillor objected to the scheme.

Officers clarified that the applicant had marketed the vacant office buildings, without success. Officers had since reviewed the potential loss of employment but were comfortable that the proposals were acceptable.

The Committee discussed the applications. Members requested that, if the application were to be approved, that a condition be added to confirm a dedicated area for tree planting and requested that discussions be held with the relevant officers regarding further landscaping.

Some Members suggested that the change of use from B1 should be considered, and that some office space should be retained on site. Officers advised that Members would have to argue that the change of use to residential was harmful to the setting of the Grade I listed building, or was harmful in some other way.

Members requested clarity on the access to the site, which was claimed to be unregistered land, and whether the appropriate notices had been served regarding the land. The Legal Advisor confirmed that if the land was unregistered, it would be incumbent on the applicant to carry out the planning permission and satisfy the Land Registry. Disputes over land ownership were not a matter for the Committee to consider.

Members referred to the site's PTAL value, which was rated as 'poor', so there would be a strong reliance on private cars for trip making. Currently, with the existing HMO, when unable to park on site there was parking overspill into the pub and village. It was therefore felt that two additional parking spaces would not be enough.

Officers referenced conditions 19 and 20, which sought to control access and parking on site. Previous issues observed showed that people were parking on the site without permission, which had resulted in parking displacement into the village. The intention of condition 19 was to make enforcement easier, to ensure that only people with permission would be parking on the site. It was suggested that delegated authority be given to the Head of Planning and Enforcement, in conjunction with the Legal Advisor, to ensure that conditions 19 and 20 were as robustly worded as possible.

Members sought clarity on the entrance door and walls of unit no. 15, following English Heritage Trust's stated concerns as set out in the report. Officers confirmed that all of the relevant land was within the applicant's ownership, and there was a physical entrance to the building.

The officer's recommendation relating to agenda item 6, application ref. 27256/APP/2017/3723, was moved, seconded, and when put to a vote, agreed by a vote of 5 to 3.

The officer's recommendation relating to agenda item 7, application ref. 27256/APP/2017/3721, inclusive of the Head of Planning being delegated authority to amend the wording of conditions relating to tree planting, access and parking, was moved, seconded, and when put to a vote, agreed by a vote of 5 to 3.

RESOLVED:

- 1. That application ref. 27256/APP/2017/3723 be approved; and
- 2. That application ref. 27256/APP/2017/37231 be approved, subject to conditions.

21. MANOR COURT HIGH STREET, HARMONDSWORTH - 27256/APP/2017/3721 (Agenda Item 7)

Alterations and conversion of the Manor Lodge into 2 No. 4-bedroom houses; conversion of the Stable Building into 6 No. 1-bedroom and 2 No. 2-bedroom cottages; conversion of the Office Barn into 1 No. studio flat, 1 No. 1- bedroom flat, 2 No. 2-bedroom houses and 1 No. 3-bedroom house; retention of the Granary Building and conversion to garden store; upgrade of boundary treatments; reinstatement of yard pond, together with associated parking and landscaping.

The item was considered with agenda item 6.

22. CHAILEY INDUSTRIAL ESTATE, PUMP LANE HAYES - 2102/APP/2018/4231 (Agenda Item 8)

Redevelopment of the site to provide three buildings ranging from 2 to 10 storeys in height delivering 331 residential units and 710 sq.m of ground floor commercial floorspace (Use Classes A1, A2, A3, B1, D1 or D2), including the provision of private and communal amenity areas, child play space, car parking, secure cycle parking, refuse storage areas and other associated development (AMENDED MAY 2019).

Officers introduced the report, and confirmed that the application had been deferred from a previous Committee meeting to allow for a site visit which had taken place on Friday 14 June 2019. The amendments to the scheme following the last meeting were summarised within the report and addendum. The addendum set out amendments to the Heads of Terms, including 35% of affordable housing and the prohibition of parking permits for future owners/occupiers (excluding blue badges).

By way of a verbal update, the officer proposed that condition 4 be amended to mandate a brick construction material.

Issues of overlooking had been resolved via the re-siting of a staircase and the setting of homes further away from nearby residential properties, together with the installation of a non-synthetic exclusion zone. Concerns over size and bulk had also been addressed following a reduction in the size of the development. A framework delivery and service management plan had been provided, which focussed on ensuring that refuse arrangements met requirements. Management of the commercial property was deemed satisfactory. In addition, the applicant was proposing to install higher acoustic fencing.

In response to questions raised at the site visit, the officer confirmed that the building line was coming forward slightly, into line with the industrial building line and the demise of no. 37's site boundary. The separation distance to 19 Chalfont Road was confirmed as 27 metres, and distances to other properties on Chalfont road had been improved.

The scheme sought to focus the majority of site A's height away from existing developments, with the expectation that site B would be released from commercial use

for residential use, for delivery of a more cohesive development between the two sites.

For these reasons, the application was recommended for approval.

A petitioner addressed the Committee in objection to the application. Points raised included:

- The development would result in increased pedestrians and vehicles, which would have a detrimental impact on air quality for residents, in what was already an air quality focussed area.
- The size and scale of the proposal was not in keeping with the context and character of the local area. The proposed scheme was greater than the Council's recommendation of 110 units per hectare.
- Hayes needed low-density family housing. The scheme would not meet this demand. Hillingdon was ahead of its housing targets, so this scheme was not needed.
- The proposal made insufficient provision for parking, adding to pressure on local roads.
- Traffic would increase congestion in the area. There was no impact assessment included within the officer's report.
- The development was subject to the common risks of fire associated with highrise buildings.
- The development would have a negative, divisive impact on the character of the local area.
- Residents were against opening up roads to vehicles and cyclists, due to concerns over safety, privacy, noise levels and refuse.
- If the development were to be approved, the following conditions were suggested:
 - Amendment to the size and scale of the development to allow for houses rather than flats;
 - o Maintaining the closure of Chalfont Road and Little Road;
 - S106 monies must be used to benefit Haves residents:
 - Hours of business must be restricted so that they were not within antisocial hours.

The agent for the application addressed the Committee. Points highlighted included:

- The applicant had made a number of changes following feedback, including a reduction in height and the loss of two units, and design changes to allay concerns regarding overlooking.
- Regarding the petitioner's concerns over density, the London Plan set out a requirement for quality design in terms of amenity provision, separation between buildings/windows etc., for which the scheme was within Council policy.
- The scheme proposed the same number of spaces with a reduction in units, when compared to the original proposal, which would have a positive impact on air quality.
- Access to the site would be dealt with by condition, as suggested by officers.
- The scheme's refuse strategy was deemed acceptable by officers.
- Fire strategy was linked to materials, and the applicant was happy to abide by the officers' recommendation for brick construction to be conditioned.
- Regarding air quality, the applicant was undertaking a number of measures to help, including limiting private cars, a travel plan, contributions to local bus services, opening of pedestrian routes and a comprehensive planting scheme.

Members asked whether the applicant was proposing to install electric charging spots. The agent confirmed that both active and passive charging points would be installed. Peter Curling addressed the Committee as Ward Councillor for Townfield. Points highlighted included:

- Concerns highlighted at the pervious committee meeting had not been properly addressed.
- A reduction in 2 units versus the original scheme not sufficient.
- The scheme was an overdevelopment of the site. The industrial site was released for housing at a rate of 110 units per hectare, and this development was for 184 units.
- Traffic implications, particularly when considering the proximity of the Southall gasworks site, was a concern.
- The development was not in keeping with the character of the area and would be visually intrusive.
- The GLA made reference to combined heat and power, which required further clarity.

The Chairman made a number of points for clarity. With reference to previous discussions regarding the housing mix, 3-bed houses were deemed to be family housing, and the Council's housing team had not made any objections to the mix. Regarding the petitioner's comments regarding Hillingdon being in excess of its housing targets, the targets within the new London plan were significantly higher. The standard approach to issues of density was to consider density on its impact to the scheme itself.

In response to Councillor Curling's request for further information on the proposed combined heat and power strategy, officers confirmed that the GLA was seeking to apply emerging polices that had not yet been adopted, upon developments that were at current planning application stage. Officers were confident that the scheme was in accordance with current policies, and suggested that it was for the GLA to determine at stage 2 whether the application would need to be called in, on the grounds that it was not meeting emerging energy policies.

Members discussed the application, with some asserting that the scheme was an overdevelopment of the site, based on its size, bulk and height. The number of lifts was felt to be insufficient for a building of this height. Amenity space was felt to be of poor quality due to overshadowing. It was felt that the design was out of character for the local area, did not meet current 3 and 4 bed housing need, parking was insufficient, and the scheme would have a detrimental impact on traffic and congestion.

With regard to air quality, Members highlighted that the site was within a Hayes Focus Area, which specified that actions to achieve significant improvements in air quality should be prioritised.

Councillor Morse raised number of further points which he felt were grounds for refusal:

- The Tall Building Policy 7.7 stated that schemes such as this were only to be considered in areas where the local character would not be affected;
- The proposed development was a juxtaposition to the local suburban area and end of town code conditions due to a significant increase in scale;
- Policy H5 required the Council to encourage new homes for larger families, and the site was not located within a town centre;
- The development was contrary to Policy BE13 which required new

- developments to harmonize with the local area;
- Policy 3.5 of the London Plan (2016) and Policy BE19 stated that the design of all new buildings should enhance the quality, amenity and character of the local area, and this development did not enhance the area;
- The development contravened Policy 6.13 of the London Plan section B, which stated that where existing transport was insufficient for travel generated, and no firm plans existed for an increase in capacity to cater for this, boroughs should ensure the developments were phased;
- The number of car parking spaces proposed did not meet requirement 441 and did not accord with UDP standards or emerging London Plan Part 2 PMT6 policy;
- Seven residences on Little Road would be affected by overdominance;
- The development contravened Draft Policy SA 22 which stated that the site should be released for development at a density of 110 units per hectare;

In response to concerns that the development was not in keeping with the area, officers highlighted a 14-story building that was visible across the locality. Regarding highways and parking concerns, officers had to refer to the national policy framework which stated that development should only be refused on highways grounds if there was an unacceptable impact on highways safety or the residual cumulative impact on the road network would be severe. In addition, officers had been in regular dialogue with the applicant regarding increasing parking provision on site.

With regard to amenity space, officers highlighted that contributions for off-site improvements had been secured, and there was a significant quantum of open space to serve the development and wider area, which was deemed to be acceptable. In reference to the number of lifts within the building, it was confirmed that there were two lifts on site.

Regarding 3 and 4-bed houses, the Council's policy team considered that the offer put forward was acceptable. Officers had attempted to ensure that the character of the area would not be negatively affected, including mandating the use of brick construction materials in various colours, and ensuring that the buildings abutting Chalfont Road and Little Road were no higher than existing buildings.

The site had a PTAL rating of 2-3, which was considered moderate. Access to the rear of the site was for pedestrians and cyclists only, via the use of a chicane that was wide enough for a mobility scooter and nothing bigger. Access for emergency vehicles was via a separate gate system that was yet to be approved, and it was suggested that the Head of Planning be delegated authority to strengthen condition 20 which dealt with access matters.

Other Members highlighted that it was likely that the proposal's unit mix was predicated on economic viability. In addition, it was felt that the applicant had tried to mitigate issues and concerns, and on this basis the officer's recommendation was moved, subject to amendment to conditions 4 and 20 as outlined. This was seconded, and when put to a vote, agreed by a vote of 5 to 3.

RESOLVED: That the application be approved, subject to conditions.

23. NORTHWOOD RECREATION GROUND, CHESTNUT AVENUE NORTHWOOD - 23172/APP/2019/922 (Agenda Item 9)

Proposed side extension and installation of ramp

Members considered the application, which was recommended for approval.

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

RESOLVED: That the application be approved.

24. NORTHWOOD COLLEGE EDUCATIONAL FOUNDATION, MAXWELL ROAD NORTHWOOD - 2082/APP/2018/3819 (Agenda Item 10)

The erection of a 4-storey block to accommodate a new science and sixth form centre, and the re-surfacing of the play space fronting Vincent House to facilitate car parking with associated works

Officers introduced the report and addendum, highlighting that the application had been deferred from a previous Committee meeting to allow for a site visit, which took place on Friday 14 June 2019. Officers confirmed that revisions relating to the scheme's design had been submitted by the applicant, and included change of materials, roof design, and the link to the nearby locally listed building.

In addition, the applicant had circulated details of the community benefits that they felt would result from the development. However, some of the purported benefits were policy requirements, for example employment generation.

It was confirmed that, in line with NPPF guidance, the Committee must determine whether the application would promote sufficient public benefits to outweigh any potential harm to the area. It was felt that the potential public benefits did not outweigh the harm caused by the development, which included concerns over size, scale, bulk, height, design, proximity to listed buildings and impact on traffic and highways. For these reasons, the application was recommended for refusal.

A petitioner addressed the Committee in support of the application. Points raised included:

- At the site visit, comparison was made to the emerging TfL scheme at Northwood Station. To confirm, the school's scheme was discrete in size and scope, and had support from residents, the residents association, Councillors and the local MP. The TfL scheme was located in a prominent location, whereas the proposed science building within a school site setting on a secondary road.
- The need for the new building was immediate, and without the building all science facilities would need to be removed from the campus.
- Following meetings with Council planning officers, a number of amendments had been made to the design of the scheme, in order to make the project more palatable to Members.
- Regarding the height and mass of the science building, the road was on a
 gradient, and so the ground floor would actually sit below the level of the road.
 The height of the building was similar to that of the adjacent building and the
 recessed top floor could not be seen from the road.
- The building was not out of keeping with the local area.
- The building was needed to promote science within the school and address the gender imbalance that existed within stem related fields.
- The building could not be any smaller, as the current design showed science classes to be 10sqm smaller than recommended by the DfE.

- The glazed link to the adjacent listed building, this was required for access to toilets.
- A site feasibility study showed that the only suitable position for the science building was in the proposed location.
- Planning officers had confirmed that the proposal would result in less than substantial harm to the conservation area. Regarding the NPPF test regarding public benefits, these benefits were discussed at the Committee meeting held on 15 May 2019.
- The majority of the school pupils were residents of the Borough, and the school as aiming to deliver a well-rounded curriculum to the girls at the school.

Members sought further clarity on a number of points. In response to questions, the petitioner confirmed that the site would also be used for community events and 6th Form areas. In addition, it was confirmed that there was an objection from the local History Society, while the residents association had neither objected to the scheme nor offered support.

Officers confirmed that, as set out in the addendum, the Council's access officers had raised concerns that opportunities had not been taken to promote wider accessibility at the site, which was felt to diminish the wider public benefit argument. In addition, it was highlighted that the petitioner's comments on the TfL site were not relevant, as that scheme was not referenced within the officer's report.

Members discussed the application. Some Members felt that the need for the school outweighed the harm it would cause. Other Members felt that, while the need for the building was understood, concerns remained over the size, scale, bulk and height of the building itself. As such, it was felt that the scheme was not in keeping with the character of the local area and that the potential public benefits did not outweigh the harm to the area.

Members asserted that there were no planning grounds that could disagree with the officer's recommendation, and on this basis, the officer's recommendation was moved, seconded, and when put to a vote, agreed by a vote of 6 to 1.

RESOLVED: That the application be refused.

25. PYLON FARM, NEWYEARS GREEN LANE HAREFIELD - 12579/APP/2018/2062 (Agenda Item 11)

Change of use of redundant equestrian (former agricultural) buildings to B1 (light industrial) and B8 (storage) use with parking for up to 32 vehicles and associated landscaping (Retrospective application).

Officers introduced the report and addendum. It was confirmed that the site had been in operation for some time, and conditions were proposed to ensure that use of the site would not be intensified. The scheme met the NPPF test for re-using buildings within a Green Belt, and the proposal would also include a formalised parking arrangement to address previously haphazard parking. The application was therefore recommended for approval.

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

RESOLVED: That the application be approved.

26. PHASE 3C, ST ANDREWS PARK, HILLINGDON ROAD UXBRIDGE - 585/APP/2018/4168 (Agenda Item 12)

Modification of the s.106 obligation planning application reference 585/APP/2009/2752 Redevelopment of Former RAF Uxbridge to include the following amendments:(a) Definitions in Clause 1 (Interpretation) – Affordable Housing Provider and Registered Social Landlord (b) Effect of the Agreement - Clause 2.4.1; and (c)The mortgagee in possession clause -The Affordable Housing Schedule (Schedule 4 Paragraph 12.1 and 12.2) as previously varied.

Officers introduced the report, and confirmed that the application was a clerical change to the S106 agreement, and was therefore recommended for approval.

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

RESOLVED: That the application be approved.

27. STANFORD HOUSE, 9 NESTLES AVENUE HAYES - 51175/APP/2018/4260 (Agenda Item 13)

Demolition of existing building and redevelopment to provide a building up to 10 storeys, with 868 sq.m of commercial or community space (Use Class B1 or D1) at ground floor level and 81 (44 x 1-bed, 28×2 -bed and 9×3 -bed) residential units to the upper floors, with associated landscaping, access, car parking and cycle parking.

Officers introduced the report, and confirmed that the site was directly adjacent to the Nestle site. The proposed scheme was felt to be overdevelopment of the site and would compromise surrounding sites, and so was recommended for refusal.

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

RESOLVED: That the application be refused.

The meeting, which commenced at 6.00 pm, closed at 8.21 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser on 01895 250692. 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.