

## Minutes



**NORTH Planning Committee**

**22 January 2020**

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

	<p><b>Committee Members Present:</b> Councillors Eddie Lavery (Chairman), Duncan Flynn (Vice-Chairman), Jas Dhot, Martin Goddard, Becky Haggard, Henry Higgins, Carol Melvin, John Oswell and Raju Sansarpuri</p> <p><b>LBH Officers Present:</b> Meghji Hirani (Planning Contracts &amp; Planning Information), Richard Michalski (Highways Officer), Kerrie Munro (Legal Officer), Liz Penny (Democratic Services Officer) and James Rodger (Head of Planning, Transportation and Regeneration)</p>
106.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
107.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
108.	<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 of the meeting dated 18 December 2019 be approved as an accurate record.</p>
109.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
110.	<p><b>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</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that the items of business marked Part I (items 1 to 9) would be considered in public and the items marked Part II (items 10 and 11) would be considered in private.</p>
111.	<p><b>7 HEDGESIDE ROAD, NORTHWOOD - 38605/APP/2019/2718</b> (<i>Agenda Item 6</i>)</p> <p><b>Single storey outbuilding to be used as an outhouse.</b></p> <p>Officers introduced the report and recommended that the application be approved.</p>

Members were informed that retrospective planning permission was being sought for the erection of a 34 sqm single storey outbuilding (50 sqm including the canopy). It was noted that the outbuilding was located on a sizeable plot therefore the impact on neighbouring properties was deemed to be acceptable.

A petitioner spoke in objection to the application. It was claimed that the outbuilding breached six Council policy guidelines.

- the materials utilised to construct the outbuilding were not similar to the main building and were therefore out of character;
- the outbuilding had a toilet area therefore its use was not ancillary to the main building;
- doors and windows should face the main house – a small window to the rear of the outbuilding was in breach of guidelines;
- according to policy the maximum height of a verandah should be 30cm – in this case it was 58cm high and the overall height of the structure was 3.2m which was in breach of policy;
- outbuildings should not exceed 30 sqm – this one was approximately 33 sqm in size;
- the outbuilding was located in a raised area of the garden and the neighbouring house was lower therefore its first floor bedroom windows were directly overlooked – this was an invasion of privacy and the hedges between the houses were not an adequate screen;

In response to the objections raised, it was claimed that policy did not dictate that materials used for an outbuilding had to match the existing house. Moreover, it was considered that the amenity of neighbours would not be compromised in this case and the footprint of the development was deemed to be proportionate to the dwelling house. The Committee was informed that there was no evidence to suggest the outbuilding would be used for independent accommodation – it was currently being used as storage. With regards to overlooking, distances were considered to be acceptable and all guidelines had been adhered to.

Members requested further clarification regarding the height of the outbuilding and were informed that it reached a height of 3.2m maximum which was 200mm above what was generally considered acceptable; however, this alone would not stand up as a reason for refusal should the matter go to appeal. In response to the Committees' questions, it was confirmed that the Council's record in winning appeals relating to oversized outbuildings was limited. Councillors expressed concern regarding the possible future removal of the hedgerow screening but were advised that it would not be possible to enforce hedgerow retention. However, a Condition could be added to ensure that no further windows or doors were added to the outbuilding in the future. At the request of Councillors, it was agreed that officers would explore the existence of a 'hidden door' which did not appear on the agreed plans. If necessary, officers would insist that this be removed as it was not shown on the plans.

The officer's recommendation was moved, seconded and agreed subject to additional Conditions, with 7 Members voting in favour and 1 abstention.

**RESOLVED That:**

- 1) The application be approved subject to the Conditions in the report;**
- 2) Delegated authority be granted to the Head of Planning and Enforcement to word a Condition ensuring that no further windows or doors are added**

to the outbuilding;  
3) Officers explore the existence of a 'hidden door' not indicated on the agreed plans.

112. **LAND TO REAR OF 18 MOOR PARK ROAD, NORTHWOOD - 74971/APP/2019/3169**  
(Agenda Item 7)

**The erection of a new pair of semi-detached dwellings, together with the formation of two new vehicle crossovers onto Grove Road.**

Officers introduced the application which was recommended for refusal. Members were informed that the development was deemed to be unacceptable as it was not in keeping with the historic character of the area. The proposal failed to provide adequate parking provision or amenity space and failed to make adequate provision for the retention and protection of off site trees. It was noted that references to some old UDP policies needed to be deleted.

A petitioner spoke in objection to the application. Key points highlighted included:

- The development would be in direct contravention of policy;
- The proposed development would harm the street scene and the amenity of adjoining properties;
- No mitigation could make the development acceptable;
- Policy DMH6 of the Local Plan Part 2 covered garden and backland development and clearly stated that local character should be maintained. Limited development of backland could be acceptable in certain circumstances but should not be excessive in terms of mass and scale and neighbouring amenity should be maintained;
- The proposed development was excessive in size and would be out of character with existing houses and gardens in the surrounding locality;
- There were no other semi-detached houses in the area; the proposed development would appear cramped and would be harmful to the local area as a whole by failing to conserve the character and setting;
- The Hillingdon Local Plan, point 537, states that 'the Council is seeking to ensure that all new development compliments and, where possible, improves the character of the area in which it is proposed';
- If approved, the development could set a precedent for the future.

It was agreed that authority be granted to the Head of Planning to tidy up the report by removing references to old UDP policies. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED That:**

1. the application be refused;
2. delegated authority be granted to the Head of Planning to remove references to old UDP policies.

113. **17 ELGOOD AVENUE, NORTHWOOD HILLS - 9106/APP/2019/1070** (Agenda Item 8)

**Part two-storey, part single storey side/rear extension, raising of ridge height and conversion of roof space to habitable use to include a rear dormer, 4 side roof lights, 1 front roof light and creation of basement.**

Officers presented the report and highlighted the information in the addendum. The application was recommended for approval. It was noted that planning permission for the extensions had been granted in November 2018 but the request to build the basement was new. In relation to the basement, it was confirmed that a full flood risk assessment had been submitted by the applicant and reviewed by Council officers. No objections had been raised. It was considered that the development would not impact negatively on adjacent properties and would not harm the appearance of the area. The proposed development complied with the Council's basement policy.

A petitioner representing the Gate Hill Residents' Association spoke in objection to the application. Key points highlighted included:

- The width of the basement (approximately 85 sqm) would exceed the full width of the property; this was contrary to the Council's basement policy;
- The two light wells to the side of the property were contrary to policy which stated that 'basement light wells will not be acceptable at the front or side of a property'. Said light wells would be contrary to the established character of the Gate Hill Farm Estate;
- In relation to the impact on the neighbour at no.19, the excavation works were likely to damage the screening hedge between the two properties thereby harming the amenity of no.19;
- The separate external side entrance to access the basement was a cause for concern as the basement could potentially be used as, or adapted to, a fully self-contained unit. No Condition had been proposed to ensure this would not happen in the future.
- A surface water and flood risk assessment had been prepared by Ambiental Environmental but no specific site investigation had been provided to it on the geology and infiltration potential. Moreover, the ground investigation study referred to was not conducted specifically on the site in question but was conducted on a lower nearby property;
- The excavation works could result in the undermining of foundations to nearby properties;
- A site specific new report was requested.

The agent spoke in support of the application. Key points raised included:-

- The house was one of the smallest on the estate and the living room was particularly small;
- Even with the addition of the extensions agreed by planning in 2018, space would still be tight therefore a rear-facing basement was proposed;
- The basement would not be vast and the side entrance was purely a means of escape to comply with building regulations – a sub-let was not planned;
- The basement area would be used as a family living space incorporating TV area, children's play area and small utility;
- Neighbours to both sides were consulted but no.15 had been empty for 2 years;
- The extensions would go ahead with or without the basement. Steps would be taken to minimize the impact on neighbours;
- Ambiental Environmental were world renowned experts and their flood report had been accepted by the planning authority;
- The site from which data was taken was only 35 feet away so still relevant and was lower so the water table at the actual site would be better;
- No problems for the water table were noted;
- Structural engineers had been appointed and would submit detailed designs to

the Council as required if the application was approved;

- The basement width was 9.3m and there was no risk to the hedge as it would be 3m away from it;
- The light wells would not be incongruous;
- A petition in support of the application had been put together in 24 hours.

Members enquired whether structural drawings could have been submitted to officers before the Committee took place. It was confirmed that these were expensive but would be produced if permission was granted. It was expected that a Condition would be added to show that the information was sound.

Ward Councillor Morgan spoke in objection to the application highlighting concerns regarding the width of the proposed basement, which was wider than the foundations of the house – was in contravention of Local Plan Part 2 policy. It was claimed that the side lights were also in contravention of new basement policy. Refusal was requested.

The Head of Planning was requested to comment on the claims regarding the Local Plan Part 2. Members were informed that the policy regarding Basement Developments was set out on page 41 of the agenda pack. Many of the petitioners' and Ward Councillor's statements related to the information in the policy preamble rather than to the policy itself. It was confirmed that, in this case, the proposed basement met the criteria in the policy. Flood and Water Management issues would be resolved through Conditions, as could the requirement for a ground instability report.

Councillors requested that, in future, a full structural report and drawings be submitted to the Committee prior to the planning meeting where possible. The Head of Planning commented that this was not standard practice as stability reports were expensive and would only be requested once planning permission had been granted. Members requested clarification regarding the large number of Conditions set out in the report. It was explained that five or six Conditions was not considered excessive – in this case there were also two unique Conditions regarding trees.

Committee Members commented that they preferred to have as much evidence as possible to enable them to make informed decisions. It was agreed that delegated authority would be granted to the Head of Planning to draft an additional Condition regarding ground stability.

The officer's recommendation was moved, seconded and, when put to a vote, agreed with 6 Members voting in favour and 2 abstentions.

**RESOLVED That:**

- 1) The application be approved;**
- 2) Delegated authority be granted to the Head of Planning to word an additional Condition relating to ground stability.**

114. **73 RYEFIELD CRESCENT, NORTHWOOD HILLS - 70141/APP/2019/3098** (*Agenda Item 9*)

**External changes to fenestration to front and rear elevations.**

Officers presented the report and highlighted the additional plan in the addendum. It was considered that the proposed alterations to the façade would have an acceptable impact on the appearance of the building and the visual amenities of the surrounding area. Minor changes were being proposed and the application was recommended for

	<p>approval.</p> <p>Councillors raised no concerns regarding this application.</p> <p>The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.</p> <p><b>RESOLVED That: the application be approved.</b></p>
115.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 10</i>)</p> <p><b>This item was withdrawn by the Head of Planning prior to commencement of the meeting.</b></p>
116.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 11</i>)</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li><b>1. That the enforcement action, as recommended in the officer's report, be agreed; and,</b></li> <li><b>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 purpose of it issuing the formal breach of condition notice to the individual concerned.</b></li> </ol> <p><i>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).</i></p>
	<p>The meeting, which commenced at 7.01 pm, closed at 8.23 pm.</p>

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.**