

Minutes



CENTRAL & South Planning Committee

1 October 2020

Meeting held at VIRTUAL - Live on the Council's YouTube channel: Hillingdon London

	<p>Committee Members Present: Councillors Steve Tuckwell (Chairman), Alan Chapman (Vice-Chairman), Shehryar Ahmad-Wallana, Mohinder Birah, Nicola Brightman, Roy Chamdal, Farhad Choubedar and Janet Duncan (Opposition Lead)</p> <p>LBH Officers Present: James Rodger (Head of Planning, Transportation and Regeneration), Neil Fraser (Democratic Services Officer), Meghji Hirani (Planning Contracts & Planning Information), Kerrie Munro (Legal Advisor), Alan Tilly (Transport, Planning and Development Manager) and Sophie Coughlan (Arboricultural Manager)</p>
99.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Dhillon.</p>
100.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
101.	<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 03 September 2020 be approved as a correct record.</p>
102.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
103.	<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 Items 1-12 would be considered in public, and Item 13 would be considered in private.</p>
104.	<p>3 CEDAR COURT, VINE LANE - 75470/TRE/2020/59 (<i>Agenda Item 6</i>)</p> <p>Officers introduced the application and highlighted paragraph 6.1 of the report, which set out the rationale for the recommendation to refuse the application. The Committee was advised that the relevant tests to determine whether the tree was decayed and/or</p>

dangerous had not been carried out by the applicant, and without such evidence, officers could not justify the removal of a tree that had such a significant impact on the visual amenity of the street scene.

By way of written submission, petitioners objecting to the application made a number of points, including:

- The tree had a Tree Protection Order (TPO) on it, which meant it should be protected.
- The tree was located in a conservation area.
- The tree was a rare example of its kind, seemed healthy, and brought pleasure to nearby residents who admired its beauty.
- It would appear that the application seeking to remove the tree was based on the inconvenience of sweeping up its leaves during the winter months.
- The residents at 3 Cedars Court knew there was a huge tree in the garden before they decided to live there.
- The tree provided a home to many birds, the numbers of which had fallen due to a loss of habitat.
- In light of global warming, it was irresponsible to cut down a tree of this size. Replacement by small saplings would not make up for the loss.
- There had been too many large, healthy trees cut down in the Borough over the last few years because they were 'in the way'.

By way of written submission, the applicant made a number of points, including:

- A proper assessment by Council officers had not been conducted, as no detailed observation was performed. Due to the current pandemic, the officer observed from a distance and did not realise the depth of the decay.
- Supplied photographic evidence showed the depth of the tree decay, which was getting worse, and was jeopardising the lives of three people directly, and others via the car park next to the property.

By way of written submission, Ward Councillor Ray Graham made a number of points in support of the petitioners, including:

- The tree was a rare example of an Indian Bean Tree that was subject to a TPO and was situated in the Hillingdon Conservation Area.

The Committee discussed the application, and sought clarity from officers on whether the tree was felt to pose a danger to residents and the wider public. Officers advised that, without the results of resistograph or picus tests carried out by qualified tree consultants, officers could not confirm whether the tree was dangerous. Such tests would show the extent of the decay in the tree vs. the remaining 'good wood', and would also allow for consultants to advise on the potential for treatments to extend the life of the tree.

The Committee was informed that the applicant had, in their application, referred to advice from three separate companies that the tree was decayed and required felling. Officers highlighted that these companies were not qualified tree consultants focused on the health of the tree, and were instead tree surgeons quoting for the felling of the tree. It was confirmed that officers generally placed greater weight on the advice of tree consultants over tree surgeons, as consultants were more highly qualified.

The Committee agreed that the applicant had not provided sufficient evidence, by way of the aforementioned tests, to allow for their application to be approved. With this in mind, Members moved the officer's recommendation to refuse the application, though suggested that the included informative be amended to provide clear advice to the applicant on how to carry out the required testing through registered and accredited tree consultants. This was seconded, and when put to a vote, unanimously agreed.

RESOLVED:

- 1. That the application be refused; and**
- 2. That the wording of the suggested informative be amended to provide the applicant with advice on relevant next steps.**

105. **8 NORTHFIELD PARADE, STATION ROAD - 2053/APP/2020/1968** (*Agenda Item 7*)

Officers introduced the application, highlighting that the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force on the 1st September 2020. Under this amendment, Use Classes that were formally under A1: Retail, A2: Financial and Professional Services, A3: Cafes and Restaurants and B1: Offices were now within the same use class, to be treated as Class E. Hot Food Takeaway's were formally Class A5 but would now be treated as Sui-Generis. However, as this application had been submitted prior to this amendment, the application was to be determined under the prior use classifications.

Officers advised that the area would retain sufficient provision of retail locations, bolstered by the nearby large supermarket, and therefore the application was recommended for approval.

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

RESOLVED: That the application be approved.

106. **36 COLDHARBOUR LANE, HAYES - 44065/APP/2020/209** (*Agenda Item 8*)

Officers introduced the report, and highlighted that, since the submission of the application, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 had come into force, which now gave greater flexibility for uses to change without the need for planning permission. As such, going forward it was considered that the policy requirement to ensure that at least 70% of the Primary Retail Frontage be retained for retail purposes would be more difficult to apply. However, as the application had been submitted prior to this amendment, the application would be considered under the previous policy.

Overall, the application was not considered to be harmful to the vitality of Hayes Town Centre, and was not considered to have a negative impact upon the appearance of the street scene, residential amenity or traffic generation. The application was therefore recommended for approval.

Members discussed the application and were supportive of the recommendation, though suggested that a condition be added to confirm the development's obligations regarding air extraction, noise, and odour.

Members moved the officer's recommendation, with the additional condition. This was seconded, and when put to a vote, unanimously agreed.

RESOLVED:

- 1. That the application be approved; and**
- 2. That a condition on air extraction, noise and odour be included.**

107. **42A WINDSOR STREET, UXBRIDGE - 48534/APP/2020/1353** (*Agenda Item 9*)

Officers introduced the applications set out in items 9, 10, 11 and 12, as they all concerned the same location. Members were advised that while all applications would be presented together, each application would require separate votes in order to be determined.

Officers advised that items 9 and 10 comprised a planning application for the conversion of upper floors from offices, to provide 2 x 1-bed maisonettes and 2 x 1-bed flats, and an associated listed building consent. The applications were confirmed to fully comply with Council standards and policies, and were not considered to result in any substantial harm. As such, the applications were recommended for approval.

Items 11 and 12 were confirmed as a requested change of use of upper floors to provide 2 x 1-bed and 1 x 2-bed maisonettes, and an associated listed building consent. The applications were considered to have limited impact on the external view of the property, and the new rooms were deemed to be of generous size. The applications were therefore recommended for approval.

The Committee discussed the applications to be determined, and supported the officer's recommendations. However, Members suggested the addition of a condition relating to management of refuse and the proposed bin store.

The officer's recommendation relating to item 9, inclusive of the suggested condition relating to refuse management, was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED:

- 1. That the application be approved; and**
- 2. That a condition relating to management of refuse and the bin store be included.**

108. **42A WINDSOR STREET, UXBRIDGE - 48534/APP/2020/1354** (*Agenda Item 10*)

Officers introduced the application together with items 9, 11 and 12, though each application was determined by a separate vote.

The officer's recommendation relating to item 10 was moved, seconded and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved.

109. **42A WINDSOR STREET, UXBRIDGE - 48534/APP/2020/1400** (*Agenda Item 11*)

Officers introduced the application together with items 9, 10 and 12, though each application was determined by a separate vote.

Officers advised that the condition relating to management of refuse and the bin store,

	<p>as outlined in the minutes of item 9, would also be applied to this application.</p> <p>The officer's recommendation relating to item 11, inclusive of the condition relating to management of refuse and the bin store, was moved, seconded and when put to a vote, unanimously agreed.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the application be approved; and 2. That a condition relating to management of refuse and the bin store be included.
110.	<p>42A WINDSOR STREET, UXBRIDGE - 48534/APP/2020/1401 (<i>Agenda Item 12</i>)</p> <p>Officers introduced the application together with items 9, 10 and 11, though each application was determined by a separate vote.</p> <p>The officer's recommendation relating to item 12 was moved, seconded and when put to a vote, unanimously agreed.</p> <p>RESOLVED: That the application be approved.</p>
111.	<p>ENFORCEMENT REPORT (<i>Agenda Item 13</i>)</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the enforcement action, as recommended in the officer's report, was agreed; and, 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 it issuing the formal breach of condition notice to the individual concerned. <p>This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and paragraphs 1, 2 & 7 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and that the public interest in withholding the information outweighs the public interest in disclosing it.</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 8.22 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on Telephone 01895 250636 - email (recommended) democratic@hillington.gov.uk. 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.

