

Minutes



MAJOR Applications Planning Committee

18 August 2021

Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge

	<p>Committee Members Present: Councillors Steve Tuckwell (Chairman), Henry Higgins (Vice-Chairman), Alan Chapman, Philip Corthorne, Janet Duncan (Opposition Lead), Jas Dhot and David Yarrow</p> <p>LBH Officers Present: Glen Egan (Office Managing Partner - Legal Services), Mandip Malhotra (Strategic and Major Applications Manager), Richard Michalski (Highways Officer), Liz Penny (Democratic Services Officer) and James Rodger (Deputy Director of Planning and Regeneration)</p>
23.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
24.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
25.	<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 dated 21 July 2021 be approved as an accurate record.</p>
26.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
27.	<p>TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED IN PUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items were in Part I and would be considered in public.</p>
28.	<p>LAND AT RAINBOW INDUSTRIAL ESTATE, TROUT ROAD, YIEWSLEY - 38058/APP/2021/1327 (<i>Agenda Item 6</i>)</p> <p>Installation of two portacabins and retention of entrance gates and proposed change of use for Use Class Sui Generis including container storage; open and closed storage of building and scaffolding materials; storage of aggregate</p>

materials; vehicle storage and sales for a period of 36 months (part retrospective application).

Officers introduced the application and made a recommendation for refusal. Members heard that this was a retrospective application and there was a chequered history at the site. It was confirmed that the applicant was unwilling to accept the proposed Conditions. It was noted that an additional objection had been received from a neighbour regarding antisocial behaviour, noise and harm at the site. Officers presented a verbal update in relation to corrections to reasons for refusal 1) and 2). It was noted that reason for refusal 1) should read 'users' rather than 'user' and refusal reason 2) should include the phrase 'users of the Canalside Moorings and Towpath'. Informative 1) on page 6 of the agenda pack was highlighted which indicated that the lack of planning permission on site was to be considered by planning enforcement.

Ward Councillor Ahmad-Wallana was in attendance and addressed the Committee on behalf of local residents setting out his reasons for objection to the proposed scheme. Councillor Ahmad-Wallana stated that the application site was in the town centre and in a residential area therefore was not suitable for the proposed use. Members were informed that Trout Road was unsuited to heavy goods vehicles. Moreover, the agreed operating hours were being ignored with work commencing before 07:00 hours and finishing at 22:00 on occasion. One resident had reported that materials had recently been dumped during the night at 02:00 a.m. creating a disturbance while people were trying to sleep. Issues regarding health and safety around the junction were raised noting that there were a school and a nursery in the vicinity of the application site. Additionally, damage to the local environment was cited as a matter of concern – there had been a significant increase in dust in the air which resembled a fog at times.

With regards to Highways, the Deputy Director of Planning and Regeneration informed Members that, given the previous industrial use of the site, it would not be advisable to include highways concerns as a reason for refusal as this would be difficult to defend should the application go to appeal.

Members enquired whether it would be possible to amend Informative 1) to include a stop trading notice but were advised by the Legal Advisor that this would be a Part II matter and could not be considered as part of the current meeting.

Members commented that this was a key site for redevelopment which could potentially enhance life in Yiewsley Town Centre if put to good use. The Committee expressed concern regarding the narrow hump-back bridge in the area. Although it was noted that high levels of HGVs were unlikely to use the bridge at peak times, Members enquired whether a weight restriction could be imposed on the bridge for safety reasons. At the request of the Committee, it was agreed that authority be delegated to the Deputy Director of Planning and Regeneration to add an informative highlighting the need for a weight restriction on the bridge.

Members noted that there were three good reasons for refusal and therefore supported the officer's recommendation. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED:

- 1. That authority be delegated to the Deputy Director of Planning and Regeneration to amend the wording of refusal reason 1 to read 'users' rather than 'user' and to amend reason for refusal 2 to include the phrase 'users of the Canalside Moorings and Towpath';**

2. That authority be delegated to the Deputy Director of Planning and Regeneration to word an informative highlighting the need for a weight restriction on the bridge;
3. That the lack of planning permission on site be followed up by planning enforcement officers; and
4. That the application be refused subject to the agreed amendments to reasons for refusal 1 and 2 and the addition of an informative regarding a weight restriction on the bridge.

29. **SAVAY LAKE, MOORHALL ROAD, HAREFIELD - 41574/APP/2021/720** (*Agenda Item 7*)

Construction of three temporary pedestrian access pontoons with associated fixings, anchoring points and safety rails.

Officers presented the report informing the Committee that, although the application was related to HS2, it was not an HS2 application per se. It was noted that the proposed pontoons would provide temporary access for recreational anglers while construction works for the HS2 Colne Valley Viaduct were underway. Limited information regarding restoration plans had been forthcoming hence the inclusion of Condition 2. The application was recommended for approval for a temporary period.

Members sought reassurance that the mesh used on the side of the pontoons would not be harmful to wildlife and requested the addition of a Condition to cover this. Moreover, Councillors sought further reassurance that the pontoons would blend in and be in keeping with the natural environment of the Green Belt. It was therefore agreed that authority be delegated to the Deputy Director of Planning and Regeneration to word a Condition to minimise the impact of the meshing on local wildlife and to ensure the colour scheme was in keeping with the natural environment.

The Committee enquired whether it would be possible to amend Condition 2 to include a specific time limit rather than stating that the pontoons were to be removed 'as soon as reasonably practicable'. It was confirmed that the current proposed wording was preferable due to the requirements of Highways / HS2 legislation. However, at the request of Members, it was agreed that authority be delegated to the Deputy Director of Planning and Regeneration and the Legal Officer to amend the wording of Condition 2 to make it shorter, more robust and enforceable.

Furthermore, at the request of Members, it was agreed that authority be delegated to the Deputy Director of Planning and Regeneration to amend Condition 4 to include a maintenance regime in respect of the pontoons.

Officers raised no further queries or concerns and were in support of the application. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED:

1. That authority be delegated to the Deputy Director of Planning and Regeneration and the Legal Officer to amend the wording of Condition 2 to make it shorter, robust and enforceable;

2. That authority be delegated to the Deputy Director of Planning and Regeneration to word a Condition to minimise the impact of the meshing on local wildlife and to ensure the colour scheme is in keeping with the natural environment;
3. That authority be delegated to the Deputy Director of Planning and Regeneration to amend Condition 4 to include a maintenance regime in respect of the pontoons; and
4. That the application be approved subject to the agreed re-wording of Condition 2 and the addition of a Condition in relation to the meshing and colour scheme.

30. **WATERSIDE HOUSE, OXFORD ROAD, UXBRIDGE - 40050/APP/2021/1916**
(Agenda Item 8)

Construction of two additional storeys measuring 6.6m maximum height (18.7m above ground level) to provide 31 residential units (Application for Prior Approval under Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended))

Officers introduced agenda items 8 (Waterside) and 9 (Riverside) jointly as the proposed developments were almost identical. The applications sought prior approval for the creation of two additional storeys to provide 31 units at each site (62 units in total). It was confirmed that both applications had met the criteria under GDPO (General Permitted Development Order). A financial contribution of £20,553 had been agreed to resurface the footway on both sides of the bridge on Oxford Road. Members were informed that one of the developments would pay the full financial contribution; it would not be paid in instalments. It was also confirmed that South Buckinghamshire had raised no objections to the schemes. The applications were recommended for approval.

The Deputy Director of Planning and Regeneration informed the Committee that such applications were rare since there were few locations where the prior approval could be applied. There were no grounds for refusal and it was not possible to request affordable housing in this case.

With regards to fire safety, Members enquired whether the Council could insist on sprinklers in the top two storeys of the developments. It was confirmed that it was not possible to condition this due to the prior approval situation. However, given the height of the developments, it was anticipated that building control would capture the necessary elements of fire safety.

In response to their request for Condition 4 to be strengthened to ensure materials were in accordance with British Standards, Members were advised that this would not be possible since the wording of conditions had to comply with legislation. It was therefore agreed that authority be delegated to the Deputy Director of Planning and Regeneration to draft an informative to ensure developers used building materials which met the required British safety Standards.

No further queries or concerns were raised. The officer's recommendation was moved, seconded and, when put to a vote, approved with 5 Members voting in favour and one abstention.

RESOLVED:

1. That authority be delegated to the Deputy Director of Planning and Regeneration to word an additional informative to ensure building materials meet the required safety standards; and
2. That the application be approved + Section 106 subject to the addition of the agreed informative.

31. **RIVERVIEW HOUSE, OXFORD ROAD, UXBRIDGE - 40050/APP/2021/2467**
(Agenda Item 9)

Construction of two additional storeys measuring 6.6m maximum height (18.7m above ground level) to provide 31 residential units (Application for Prior Approval under Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended))

Agenda item 9 was discussed in conjunction with agenda item 8. The minutes for both items have been recorded under agenda item 8.

RESOLVED:

1. That authority be delegated to the Deputy Director of Planning and Regeneration to word an additional informative to ensure building materials meet the required safety standards; and
2. That the application be approved + Section 106 subject to the addition of the agreed informative.

The meeting, which commenced at 6.00 pm, closed at 7.03 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on 01895 250636 or epenny@hillingdon.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.