

Minutes

Borough Planning Committee
Tuesday, 7 December 2021
Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge



	<p>Committee Members Present: Councillors Henry Higgins (Chairman), John Morgan (Vice-Chairman), Shehryar Ahmad-Wallana, Mohinder Birah, Nicola Brightman, Allan Kauffman and John Morse (Opposition Lead)</p> <p>Ward Councillors Present: Councillor David Yarrow (Uxbridge North) and Councillor June Nelson (Heathrow Villages)</p> <p>LBH Officers Present: Katie Crosbie (Planning Team Leader), Kerrie Munro (Planning Lawyer), Anisha Teji (Democratic Services Officer), Alan Tilly (Transport Planning and Development Team Manager), Neshia Burnham (Principal Planning Officer) and Roz Johnson (Planning Services Manager)</p>
1.	<p>APOLOGIES FOR ABSENCE</p> <p>None.</p>
2.	<p>ELECTION OF VICE CHAIRMAN</p> <p>RESOLVED: That Councillor Steve Tuckwell be elected as Vice Chairman for the Committee.</p>
3.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</p> <p>Councillor Mohinder Birah declared a non-pecuniary interest in agenda item 10 – 14 – 16 Hall Lane, Harlington (70943/APP/2021/2779) as he had prior involvement with residents regarding the site. He did not vote and left the room during discussion of the item.</p>
4.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</p> <p>RESOLVED: That the minutes of the meeting on 2 November 2021 be approved as an accurate record.</p>
5.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</p> <p>It was noted that agenda item 7: 16 Shelley Lane Harefield (59830/APP/2021/3184) had been withdrawn from the agenda prior to the meeting.</p>

6.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THE ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE</p> <p>It was confirmed that all items were marked Part I and would be considered in public.</p>
7.	<p>16 SHELLEY LANE, HAREFIELD, HAREFIELD - 59830/APP/2021/3184</p> <p>It was noted that, at the request of the applicant, agenda item 7: 16 Shelley Lane Harefield (59830/APP/2021/3184) had been withdrawn from the agenda prior to the meeting.</p>
8.	<p>169 JOEL STREET, EASTCOTE PINNER - 22642/APP/2021/1965</p> <p>Demolition of the existing dwelling and erection of a part one, part two, and part three-storey building comprising 8 flats (1 x studio, 4 x 1-bed, 2 x 2-bed and 1 x 3-bed) with 4 parking spaces</p> <p>Officers introduced the application and made a recommendation for refusal</p> <p>By way of written submission, a petitioner in objection of the proposed development addressed the Committee. It was noted that the site started as a two-bedroom detached house and there had been two further planning applications over the years. It was submitted that the concerns raised regarding lack of parking and increased congestion had not been addressed. The proposed development included a plan to erect 12 properties with potentially 24 people living there. Nearby flats at 192 Joel Street had sufficient parking spaces and the need to park on Joel Street was therefore mitigated. It was reiterated that parking and congestion were significant concerns for residents with spaces being used by people who attended the gym in the nursery limiting the amount of available parking for residents. Spaces were also being used by companies parking their lorries and commuters using Northwood Hills Station. More residents would increase the level of traffic in the area. The residents from Middleton Drive and Wyevale Close had both indicated that their roads were at full capacity. There was a lack of visibility caused by vehicles parked on Joel Street and the bus stop opposite Middleton Drive also added to the chaos. The proposed increase in the number of people living in the area would put a strain on local amenities and the shared amenity at the back of property would cause noise and disturbance to neighbouring properties. Overall, the proposal was not in keeping with neighbouring properties.</p> <p>The agent/applicant for the application was not in attendance.</p> <p>The Committee was informed that Councillor Duncan Flynn and Councillor Jonathan Bianco, Ward Councillors for Northwood Hills had communicated their support for the officer's recommendations.</p> <p>In response to Member questions regarding policy H10 and small developments, it was confirmed that there was a family dwelling as a replacement so there was generally a mix. Members questioned whether the shortfall of parking spaces and amenity spaces could formulate additional refusal reasons. Officers considered that the level of parking was acceptable taking into account the Lonson Plan Maximum</p>

	<p>standards and the considerations set out in the report. Although most of the amenity space was not private, an on balance assessment had been applied. The application had been recommended for refusal on the basis that the balconies were out of character with the area and asking for additional amenity space would result in larger balconies.</p> <p>In light of the good, comprehensive and robust report, the officer's recommendation was moved, seconded, and unanimously agreed.</p> <p>RESOLVED: That the application be refused as per officer's recommendation</p>
<p>9.</p>	<p>47 FAIRFIELD ROAD, UXBRIDGE - 21763/APP/2021/2568</p> <p>Erection of a new residential building including duplex basement, first and roof accommodation for one replacement dwelling and 5 new dwellings with associated parking, cycle store and bin store including the demolition of the existing house</p> <p>Officers introduced the application and made a recommendation for refusal.</p> <p>The petitioner, agent nor applicant were in attendance.</p> <p>It was noted that this site was in an area of good local character and had been subject to appeals.</p> <p>The Planning Services Manager advised the Committee that an appeal had been lodged against non – determination and Member's vote would be made as if the application was going to be determined. The report and resolution would be sent to the planning inspector as part of the Council's statement of case.</p> <p>The officer's recommendation was moved, seconded, and unanimously agreed.</p> <p>RESOLVED: That had an appeal against non-determination not been received, the application would have been refused as per the officer's recommendation.</p>
<p>10.</p>	<p>14 - 16 HALL LANE, HARLINGTON - 70943/APP/2021/2779</p> <p>Proposed 2 new dwellings to the rear of the application site 14 - 16 Hall Lane</p> <p>Officers introduced the application and made a recommendation for refused.</p> <p>A petitioner in objection of the application addressed the Committee and noted that their garden backed onto the proposed site. Concerns were raised about the potential noise disruption, the protection of wildlife and trees and how resources would be able to access the site during construction works. Concerns were raised about parking and how emergency vehicles would be able to access the lane if the construction commenced.</p> <p>The applicant for the application addressed the Committee and referred to photographs that had been circulated prior to the meeting. The applicant was a neighbourhood watch champion, an active member of the community and would not</p>

have put forward an unsuitable application. It was noted that some residents had subsequently contacted the applicant to show their support despite signing the petition. It was submitted that the petition was not up to date. The Council had a presumption against back land development, approval had been given in other cases previously. It was noted that Hall Lane uniquely had excessively long gardens and, since ownership of the property, the full extent of the gardens were not used often being left overgrown or as a rubbish ground. It was submitted that despite repeated requests it had been difficult to contact planning officers to discuss and make any changes to the application. Details of the scheme were reiterated to the Committee and it was highlighted that the proposed scheme complied with both space, privacy, light and amenity standards. The proposed development was in keeping with the local character and had been sympathetically designed with the bungalows at Cheviot Close. The Committee was urged to consider the points raised.

Councillor June Nelson, Ward Councillor for Heathrow Villages addressed the Committee and supported the local residents. It was submitted that objectors would be most affected by the development and it was in a conservation area. 53 residents supported the petitions and objected to the proposed development. Although the garden was long, the site was small and narrow and concerns regarding accessibility for emergency vehicles were raised. The proposed plan was not adequate for the development.

In response to Member questions regarding access, it was confirmed that access had been incorporated into the refusal reasons. Although this site was not shown to be in a designated conservation area, there was still a concern regarding the impact on the character and appearance of the area. It was noted that were policies against back land developments.

Councillor Allan Kauffman left the room during the discussion of this item and did not take part in the vote.

Due to a lack of accessibility, poor quality living conditions and unacceptable harm to the character, the officer's recommendation was moved, seconded, and unanimously agreed.

RESOLVED: That the application be refused as per officer's recommendation

11. 51 SWEETCROFT LANE, HILLINGDON - 33932/APP/2021/1920

Erection of 2 x two-storey, 4-bedroom detached dwellings, associated parking and amenity space and installation of vehicular crossovers

Officers introduced the application, highlighted the addendum and made a recommendation for approval. This item was deferred for a site visit at the meeting on 2 November 2021 and the site visit took place on 26 November 2021.

The petitioner presented additional/supporting information to assist with their speaking time. The Legal Adviser explained that the late information had not been provided within the Council's time frame on documentation submission for planning meetings and may therefore cause prejudice to all parties. The Committee and officers had not had an opportunity to review the information prior to the meeting. It

was advised that the representation was also dense in literature and would have been difficult to digest in such a short space of time. The Legal Adviser confirmed that the same case would have applied if the agent/applicant had submitted information at this late stage. It was noted that the petitioner made reference to documentation that was submitted at the Committee meeting on 2 November 2021 and felt disadvantaged that this was not made available on the presentation screen. (On that occasion, the documentation was circulated to Members prior to the meeting and hard copies were also made available for Members at the meeting). Ultimately, the Legal Advisor advised that it was the Chairman's discretion.

The Chairman noted that the timeframes for additional/ supporting information had not been complied with and that the item had been deferred at the previous meeting. The Chairman therefore disallowed this information.

A petitioner in objection of the application addressed the Committee and referred to the (PTAL) rating of the site. It was explained that 51 Sweetcroft Lane was one of six properties and was adequately serviced by long access driveways. Granting access via Portman Gardens would result in even greater reliance on motor vehicles as future residents would have to walk even further to reach the main road or access public transport. This would erode the current (PTAL) rating of the site. It was highlighted that the Urban Design and Conservation Officer had commented that the proposed demolition of the existing property and subdivision of the site would continue the erosion of the ASLC's original plan and would be an extension of Portman Gardens establishing an unwelcome precedent. In terms of the strip of land between the end of Portman Gardens and 51 Sweetcroft Lane, it was noted that the petitioner had been in contact with Berkeley Homes, the original developer, and they had confirmed that they owned the land. This contravened the officer's report. Even if the Council was authorised to grant access to the land, it was questioned whether it would be authorised to remove the tree belonging to Berkley Homes.

The petitioner referred to the case of *London Borough of Southwark v Transport for London 2018*. It was submitted that the Council had never maintained the strip of land and residents had considered it to be a non-maintained highway. Concerns were raised about parking vehicle movements, peak traffic periods and restrictive covenants of some residential properties in Portman Gardens. The petitioner summarised that the residents did not want access via Portman Gardens, there were legal issues involved and there was adequate access to the property via Sweetcroft Lane. The environmental impacts and precedents being set had been considered and it was requested that the views of residents were put before any commercial enterprises.

The architects for the application addressed the Committee and noted that planning permission was sought to provide two detached family dwellings to replace the existing dilapidated dwelling. Policies encouraged the effective use of land and the use of previously developed vacant land to maximise development potential. The development gave support to housing provision to meet and exceed the Council's minimum requirements. Concerns raised had been addressed in terms of the quantum, design and layout and the impact on local character had been considered. There had been amendments to the roof form, windows, removal of balconies and the existing narrow and long access from Sweetcroft Lane would be closed. New access would be provided by extending the existing highway at Portman Gardens. It had

been confirmed that the principle of the new access car parking, cycle parking and servicing were all acceptable and raised no safety concerns. It was reiterated that the proposed development met much needed family homes and was sympathetic to the character of the area. It respected the historic character and appearance of the ASLC. Policies had been met in respect of floor standards and there would be a landscape buffer in the side elevation. It was noted that there were also no issues of loss of privacy and daylight to neighbouring properties.

During Member questions to the architect regarding the non-maintained highway, it was confirmed that the applicant's solicitors had checked that it was adopted land between the site and Portman Gardens.

Councillor David Yarrow, Ward Councillor for Uxbridge North addressed the Committee and supported the points raised by the petitioner. This was an emotive application and impacted the lives of the residents of Portman Gardens. Councillor Yarrow reiterated that this was a quiet cul de sac. It was noted that the application had been put before the Committee three times, rejected twice and deferred for a site visit and the appeal had been dismissed. Councillor Yarrow fully supported the petitioners and comments outlined. Disappointment was expressed at the fact that not all Committee attended the site visit. The Council opposed garden grabs and it was questioned why this was going to be approved. It was submitted that once Portman Gardens became a through road, a precedent would be set. The Committee was urged to put Hillingdon's residents first. This application had to be rejected on the grounds of using Portman Gardens as an entry point and further legal clarification was sought on the adopted highways.

Prior to Member discussion, officers referred the Committee to DMH 6, Part 2 of the Hillingdon Local Plan. It was advised that the DMH 6, Part 2 of the Hillingdon Local Plan was directly applicable to garden or back land development and long access roads between dwellings would not normally be acceptable. Although the petitioner's point had been taken into consideration, the access at Portman Gardens was more appropriate and there were no sustainable grounds to refuse on this basis.

In relation to the impact on the area of special local character, officers advised that this was a matter for Member determination on the level of harm. Officer considered that the previous reasons for refusal had been overcome. It was noted that land ownership was not a material planning consideration and a construction management plan had been requested as part of condition 10. This would limit the impact of construction works on residents.

The Committee considered that the site visit was useful and residents' concerns were acknowledged. Questions were raised about the access road on Sweetcroft Lane and safeguarding any future extension of Portman Gardens. It was confirmed that the existing access on top of Sweetcroft Lane would be closed and the redundant crossover would be reinstated as a footway. A condition had been proposed to agree a landscaping scheme and a maintenance condition needed to be provided for a minimum period of five years. In terms of future application, Members were advised that every application was determined on its own merits. It was noted that there were a number of Tree Protection Orders that would make it more challenging to develop land further.

	<p>The Chairman reiterated that the application before the Committee had to be considered.</p> <p>The Tree Officer's comments were highlighted to the Committee and it was noted that condition three had been amended via the addendum to strengthen and safeguard the offsite trees.</p> <p>The Committee was mindful that the properties would only be built once the developer had acquired the strip of land.</p> <p>The Committee considered that there were no planning considerations to refuse this application, the application was policy compliant, heavily conditioned and there had been a strengthening of condition 3. It was unlikely that Portman Gardens would be extended further because of the presence of Tree Protection Orders. As such, the officer's recommendation was moved, seconded, and unanimously agreed.</p> <p>RESOLVED: That the application be approved as per officer's recommendation and the additional information in the addendum.</p>
<p>12.</p>	<p>57 NEWDIGATE ROAD, HAREFIELD - 76008/APP/2021/2764</p> <p>Retention of dormer window and single storey rear extension</p> <p>Officers introduced the application, highlighted the addendum and made a recommendation for refusal.</p> <p>Councillor Jane Palmer, Ward Councillor for Harefield sent representations to the Chairman prior to the meeting confirming her agreement with the officer's report and reasons for refusal.</p> <p>It was noted that an enforcement investigation was ongoing alongside the planning application.</p> <p>Members commented that it was a good report and the officer's recommendation was moved, seconded and unanimously agreed.</p> <p>RESOLVED: That the application be refused as per officer's recommendation and the additional information in the addendum.</p>
<p>13.</p>	<p>OLD ORCHARD LODGE PARK LANE, HAREFIELD - 69790/APP/2021/2451</p> <p>Erection of a two storey, detached dwelling house with habitable basement space with associated parking and landscaping</p> <p>Officers introduced the application and made a recommendation for approval.</p> <p>During Member discussions, it was noted that that applicant had demolished the existing outbuilding at the site and provided photographic evidence of the work completed. Officers were of the view that the previous 2016 permission had been implemented. It was confirmed that that the impact of the basement was covered by condition 7 and sound insulation of the building was covered by condition 19. The</p>

	<p>Committee was pleased to see that there was no additional stress on parking and trees were also protected.</p> <p>The officer's recommendation was moved, seconded and unanimously agreed.</p> <p>RESOLVED: That the application be approved as per officer's recommendation.</p>
14.	<p>WILLOWSEA FARMKENNELS SPOUT LANE NORTH STANWELL MOOR - 55936/APP/2021/2751</p> <p>Alteration, extension, refurbishment and change of use of existing commercial buildings to create a Remote Internal Temporary Storage Facility</p> <p>Officers introduced the application and made a recommendation for approval.</p> <p>It was clarified that this application was a permanent consent. Although there was some concern about the development being on a greenbelt, it was explained that the development was modest in appearance. After considering the harm and taking into account very special circumstances it was concluded that the harm to the greenbelt was outweighed.</p> <p>The officer's recommendation was moved and agreed with five votes in favour and one abstention.</p> <p>RESOLVED: That the application be approved as per officer's recommendation.</p>
15.	<p>1 - 3 BAKERS ROAD, UXBRIDGE - 72219/APP/2021/1535</p> <p>Change of use of first floor from gymnasium to 1 x 2-bed and 1 x 1-bed self-contained flats (Use Class C3)</p> <p>Officers introduced the application and section 106 and made a recommendation for approval.</p> <p>During Member discussions, it was noted that an offsite affordable contribution had been included as part of the application.</p> <p>The officer's recommendation was moved, seconded and unanimously agreed.</p> <p>RESOLVED: That the application be approved subject to S106 agreement.</p>
16.	<p>7 SWAKELEYS DRIVE - TPO 791</p> <p>Officers introduced the TPO 791 and made a recommendation for confirmation.</p> <p>The officer's recommendation was moved, seconded and unanimously agreed.</p> <p>RESOLVED: That TPO 791 be confirmed.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on Telephone 01895 277655 - Email: ateji@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.