

Minutes

BOROUGH PLANNING COMMITTEE

15 February 2022

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



	<p>Committee Members Present: Councillors Henry Higgins (Chairman) Steve Tuckwell (Vice-Chairman) Shehryar Ahmad-Wallana Nicola Brightman Jazz Dhillon Allan Kauffman John Morse (Opposition Lead)</p> <p>Also Present: Ward Cllr Heena Makwana</p> <p>LBH Officers Present: Neil Fraser, Democratic Services Officer Roz Johnson, Planning Services Manager Kerrie Munro Alan Tilly, Transport Planning and Development Manager Katie Crosbie, Planning Team Leader Fiona Rae, Planning Team Leader</p>
30.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>None.</p>
31.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
32.	<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 11 January 2022 be approved as a correct record.</p>
33.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
34.	<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 (<i>Agenda Item 5</i>)</p>

It was confirmed that all items would be considered in public.

35. **59 ELM AVENUE - 60130/APP/2021/4249** (*Agenda Item 6*)

Officers introduced the report and highlighted the addendum. The planning history regarding the development was set out, together with the outcome of previous appeals. Officers confirmed that, since the dismissed Appeal Decision relating to planning application reference 60130/APP/2020/4166, the housing mix had been revised to include 1 x three-bedroom unit, thereby addressing the Inspector's one concern.

Therefore, and taking into consideration the Inspector's decision, officers considered that there was no objection, in principle, to the creation of additional residential units in land use terms. The proposed siting, size, scale and height was not considered to unduly impact the residential amenities of neighbouring occupiers, nor would the proposal generate such a significant increase in demand for road parking that its effects would result in harm to highway safety. On this basis, the application was recommended for approval, subject to amendment to Condition 20 to ensure pedestrian safety by raising kerb heights to prohibit vehicles overrunning the pavement at the junction.

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

- This was the third application for development of this site, with the previous two applications refused, and it was felt that the application should be treated as a standalone application.
- The officer's report inferred support from the Inspector on matters where no comment had been issued.
- Residents had concerns over the height and density of the development, locations of windows and their impact on the privacy of neighbours, its impact on the character of the area, and its potential harm to highways safety.
- The development would require vehicles to manoeuvre from the parking spaces into a busy road, contributing to congestion and potential danger.
- Accident figures quoted in the report were not relevant, as the previous owner of the property did not drive.
- The proposal failed to provide the required accessibility measures, particularly for wheelchair users.
- The design was of poor quality, with substandard access and a lack of energy sustainability.

By way of written submission, the agent for the applicant addressed the Committee. Key points highlighted included:

- Regarding Appeal Decision 3273062, for a similar development, the Appeal was dismissed for lack of a 3-bedroom dwelling though the Appeal Inspector determined that all other matters were found to be acceptable.
- The application included almost all of the same dwelling numbers, siting, design, scale, amenity, living spaces, external garden and parking spaces as the Appeal Scheme, with the only changes relating to a modification of the ground floor footprint with a 1.2m rear depth addition and inclusion of a 3-bedroom dwelling to address the Appeal Inspectors remaining concern.
- The modest ground floor rear addition would not be of a scale that would result

in a scheme materially different to the one determined by the Appeal Inspector in terms of scale, siting, character or harm to adjoining properties.

- The applicant considered the present application to have addressed the Appeal Decision shortfall and requests members to grant approval, subject to conditions.

Ward Councillor Makwana addressed the Committee. Key points highlighted included:

- The Ward Councillor supported the resident objections.
- Due to its size and scale, the proposed development failed to harmonize and would cause harm to the street scene.
- The report appeared to acknowledge that the proposed development would cause an element of harm, seen through the imposition of 21 conditions.
- The proposal would result in potential danger to pedestrians and vehicles. The construction of the development would further intensify such issues during the building phase.

Officers addressed the points raised by the petitioner and Ward Councillor. Regarding height, officers considered the elevations of the proposed development versus neighbouring properties, as set out on the revised plans, to be acceptable.

On density, while it was accepted that the development would contribute to a higher density than that recommended within the Hillingdon Local Plan, the context of the overall proposal, together with the decision of the Inspector, meant that the proposal was felt to be acceptable.

On accessibility, the Council's accessibility officer had deemed the scheme to be acceptable, while the accessibility policy allowed for further flexibility to adapt the property in the future, in line with accessibility standards.

Regarding construction, condition 4 set out the requirement for the applicant to submit a construction management plan, that officers would review, to ensure minimal impact on neighbours.

On traffic congestion and highways safety, the Transport officer advised that based on the lighting, road markings, and speed limit currently in place, together with the low occurrences of road traffic accidents, safety was not a material concern.

The Committee was advised that the proposed new vehicle crossover would be set back 5m from the junction with Oak Grove, in line with Council guidelines, and as per amendment to condition 20 as set out, would also prohibit vehicles from overrunning pavements.

The Legal advisor confirmed that the Committee should have due regard to the Inspector's decision, and set out the implications for the Council should the Committee be minded to refuse the application.

The Committee voiced their concerns over the design of the proposed development, including its size, scale and prominence, its impact on the street scene, and its potential for harm to pedestrians and motorists. However, the Committee was mindful of the Inspector's decision relating to previous reasons for refusal. The Committee suggested that the vehicle crossover should be filled in as well as built up, though with space for pedestrian/wheelchair access, prior to the start of main construction.

The officer's recommendation, inclusive of the change to condition 20 and the infilling of the vehicle crossover, was moved, seconded, and when put to a vote, agreed by 4 votes in favour (with two abstentions).

RESOLVED: That the application be approved, subject to an additional condition relating to junction kerb heights.

36. **WYLDEWOODE, 25 THE AVENUE - 13305/APP/2021/1007** (*Agenda Item 7*)

Officers introduced the report and addendum, highlighting that Planning permission had been refused in November 2020 for a redevelopment scheme to provide four terraced dwellings on the site (ref. 13305/APP/2020/2670). This application sought to address the three reasons for refusal relating to the impact on the character and appearance of the area, the impact on the amenity of neighbouring residents and impact of the proposed landscaping scheme on site.

Officers considered that the reasons for refusal had, on balance, been addressed, with the new scheme successfully breaking the bulk and scale of development on the site with a revised design which responds to its context. The new scheme also changed the relationship to near neighbours and now retained a 45-degree angle to windows. The new scheme also proposed a markedly different landscaping scheme to the front. On this basis, the application was recommended for approval.

By way of written submission, a petitioner addressed the Committee in objection to the application. Key points included:

- The petitioner and their neighbours were concerned that the application was recommended for approval.
- Paragraph 7.08 of the report stated that the new building was nearly 2m below No 21 The Avenue. From a detailed ground survey, prepared for the first proposal circa 2001, it showed that the ground level around No 21 was 67.76 AOD and the level in the grounds of No 25, near the western boundary, was 66.38 AOD. Thus, the level difference was 1.38m, which was substantially less than the 2.0m stated in the report.
- From drawing no 5802 A100, the proposed development still appeared to cross the 45-degree line. Based on the information above, it was possible that the flat roof extension of the ground floor could be higher than the top of the fence between No 21 and 25, and further consideration should be given to the relationship between No 21 The Avenue and the proposed new development.

The agent on behalf of the application addressed the Committee. Key points included:

- The design of the new proposal was congruent with the other buildings in the road and the overall street scene.
- Depth had been reduced, while elevations versus ground level would have a negligible impact on neighbouring properties.
- The proposal addressed the prior concerns of the Committee and officers, and the previous reasons for refusal.
- The proposal would provide much needed family homes within the area.

Officers responded to points made by the petitioner. Officers confirmed that drawing no 5802 A100 had been revised to ensure compliance with the 45-degree line, by

reducing the depth of the proposed buildings on site. Regarding the proposed levels on site and the perceived inaccuracies, Officers confirmed that whilst the level change was about 1.4m from ground level to ground level, the drop from cill height to cill height was much more generous, at almost 2m. This was shown on the slides to Committee in detail. Officers also confirmed the distance between flank walls, and the distance between No.21 and the new rear projection, and stated that, on balance, the overall impact on neighbouring properties was deemed acceptable.

The Committee supported the officers recommendation, though suggested that condition 7, landscaping, be amended to mandate the planting of carbon absorbing trees.

The officer's recommendation, inclusive of the amendment to condition 7, was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved, subject to amendment to the landscaping condition relating to the use of carbon absorbing trees.*

*Councillor Kauffman was not present for the entirety of the presentation, and therefore did not take part in discussion or the vote on the item.

37. **22 FRINGEWOOD CLOSE - 42066/APP/2021/4244** (*Agenda Item 8*)

Officers introduced the report. Officers asserted that the proposed annexe would provide a self-contained residential unit, thus creating a new planning unit, capable of functioning independently from the main dwelling. The proposed annexe was felt to provide the future occupier with a substandard form of accommodation, in terms of external space provision and unacceptably undermine the size, quality and functionality of the existing external amenity space provision. Additionally, the proposal would adversely impact on the character and appearance of the area, and the residential amenities of neighbouring occupiers.

Officers advised that the limited evidence submitted to demonstrate that there was an essential requirement for the proposed self-contained annexe on personal medical grounds was not considered to outweigh the harm identified. As such, the proposal conflicted with the Development Plan and the application was therefore recommended for refusal.

A petitioner in support of the application addressed the Committee. Key points included:

- 27 local residents had signed the petition in support of the applicant, who required the annexe for use by their elderly mother.
- The applicant's mother had serious health issues and limited quality of living due to her inability to navigate stairs at her current property.
- Local residents did not feel that the proposed annexe would adversely impact on their properties, with sufficient gaps present from the annexe to neighbours.
- There was no breach of the 45-degree line, with the property screened by trees and not visible from Ducks Hill Road.
- Other extensions permitted in the road were substantially higher than the annexe proposed.

The applicant addressed the Committee. Key points included:

- The applicant required the annexe to allow their elderly mother to enjoy a higher quality of independent living in her latter years.
- The applicant's mother had health issues, could no longer safely navigate stairs, and had experienced falls. The annexe would therefore be more suitable and allowed for use of a wheelchair.
- The ground floor level of the annexe would allow for the occupant to safely enjoy the garden without having to climb to a higher level.
- The local General Practitioner had submitted a letter in support of the annexe as an aid to better physical and mental health on behalf of the applicant's mother.
- Local residents were in support of the proposal.
- It was the applicant's intention in future years to move into the annexe with his wife and allow his children to live in the main house.
- Owing to the special personal circumstances, the application should be approved.

The Chairman confirmed that Ward Councillor Melvin had voiced her support for the application outside of the meeting.

The Committee was sympathetic to the applicant's personal circumstances but agreed with the officer's recommendation to refuse due to the refusal reasons set out in the report, with particularly concerns relating to the proposed size and scale of the annexe building.

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

RESOLVED: That the application be refused.

38. **WOODLANDS, 5 THE DRIVE, ICKENHAM - 56190/APP/2021/2737** (*Agenda Item 9*)

Officers introduced the report. Officers considered that, as the application sought to demolish the current building and replace it with a building of similar scale, this constituted appropriate development within the Green Belt. Subject to planning conditions, the development was also considered acceptable with regard to its impact on the character of the area, street scene, highway network, waste, landscaping, access, flooding and contaminated land. Consultees had also raised no objections. Accordingly, the application was recommended for approval.

The Committee supported the officer's recommendation, but suggested that conditions be amended to mandate the planting of carbon absorbing trees, and the securing of appropriate energy/sustainability measures, in order to support the Council's work to address climate change.

The officer's recommendation, inclusive of the amendments to conditions as set out, was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved, subject to additional conditions relating to the use of carbon absorbing trees, and sustainability/energy.

The meeting, which commenced at 6.00 pm, closed at 7.39 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.