

## Minutes

### BOROUGH PLANNING COMMITTEE

24 May 2022

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



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|    | <p><b>Committee Members Present:</b><br/>Councillors Henry Higgins (Chairman)<br/>Steve Tuckwell (Vice-Chairman)<br/>Shehryar Ahmad-Wallana<br/>Farhad Choubedar<br/>Gursharan Mand<br/>Raju Sansarpuri<br/>Jagjit Singh</p> <p><b>LBH Officers Present:</b><br/>Roz Johnson, Planning Service Manager<br/>Katie Crosbie, Planning Team Leader<br/>Nesha Burnham, Principal Planning Officer<br/>Alan Tilly, Transport Planning and Development Manager<br/>Kerrie Munro, Planning Lawyer<br/>Steve Clarke, Democratic Services Officer</p> |
| 3. | <p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillor Gohil with Councillor Ahmad-Wallana substituting.</p>   |
| 4. | <p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b><br/>(<i>Agenda Item 2</i>)</p> <p>Councillor Tuckwell declared a non-pecuniary interest in agenda item 11 as he had an interest in a property on Norwich Road and had absented himself from an associated application on a previous occasion; he withdrew from the meeting for this item and did not participate in the vote.</p>  |
| 5. | <p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meetings held on 06 April and 12 May 2022 be approved as a correct record.</p>  |
| 6. | <p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>The Chairman highlighted that Item 8 had been withdrawn from the meeting's agenda.</p>   |
| 7. | <p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THE ITEMS MARKED PART II WILL BE</b></p>   |

**CONSIDERED IN PRIVATE** (*Agenda Item 5*)

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

8. **5-6 FIRS WALK - 30837/APP/2021/2577** (*Agenda Item 6*)

**Reserved matters (landscaping, layout, scale and appearance) in compliance with Condition 1 of Inspector's Decision Letter dated 01/02/2021, Appeal Reference: APP/R5510/W/20/3253781 (LPA Ref: 30837/APP/2019/3096) (Erection of 3 x 4-bed dwellings with associated parking and amenity space and installation of vehicular crossover)**

Officers introduced the application and delivered a presentation to the Committee. It was highlighted that the principle of development had already been established at appeal by the Secretary of State and therefore the matters in front of the Committee for consideration were those of layout, scale, appearance and landscaping. Following negotiations between the applicant and officers, revised drawings of the proposals had been submitted to address concerns raised by the Council's Conservation Officer and Landscape Officer associated with the front protrusion of the dwellings, the bulk of the crown roof profiles on plots 2 and 3, alterations to the front elevations of plots 2 and 3, a reduction to the front projection of plot 1, the removal of proposed Tuscan porches, and changes to the external finishes on plots 1 and 3. Officers were satisfied that the proposed amendments had satisfactorily addressed the points raised by the Inspector in the appeal decision. Officers recommended that the application be approved subject to the proposed conditions within the officer's report. Members' attention was also drawn to the addendum which clarified that the planning obligations had been secured as part of the Unilateral Undertaking secured as part of the outline consent.

It was noted that the dwelling on plot 1 would be accessed of Firs Walk and the dwellings on plots 2 and 3 would be accessed from Foxdell. Officers highlighted that the proposed access matters could not be reconsidered as part of this reserved matters application due to these being improved and determined by the Inspector at appeal.

It was also highlighted that the Dene Road Area of Special Local Character (ASLC) was situated to the north of the site and the application site itself did not come under the ASLC. The site was not covered by a Tree Protection Order although it was noted that the rear boundaries of No.6 and No.5 adjoined TPO 260 and TPO 481 respectively. An arboricultural impact assessment, method statement, tree constraints plan and tree plan had been submitted with the application with the Council's Landscape Officer raising no objections. 15 new trees would be planted which would help to soften and integrate the site into the surrounding context.

Officers noted that, in light of the amendments made to the scheme, the overall layout, appearance and landscaping of the development would be of a high quality and would not cause harm to the character and appearance of the local area. The proposals were therefore deemed to be in accordance with policies DMHB1, DMHB 5, DMHB 11 and DMHB 12 of the Local Plan, and policies D1, D3, D4 and HC1 of the London Plan.

In terms of impact on neighbouring properties, it was noted that there would a separation distance of approximately 7 metres between No. 4 Firs Walk and the nearest proposed dwelling on plot 1. It was acknowledged that the rear building line on the proposed plot 3, would project beyond it's nearest dwelling, No 13 Foxdell, by approximately 1 metre; however, there would be a separation distance of

approximately 4.7 metres and it was deemed that the 45 degree 'line of sight' rule would not be breached by this.

A petition had been received objecting to the application. By way of written submission, the petitioners highlighted a number of concerns, including:

- That their statement had the support of the Dene Road Residents Association and the Northwood Residents Association.
- The Dene Road area had been recognised as an Area of Outstanding Local Character and multiple applications in recent years had resulted in an overcrowded street scene on Foxdell.
- The proposals had significantly more bulk than existing buildings on the street due to the shape of the proposed roofs; this was a detriment to the visual amenity, character and appearance of the area.
- The rear elevations of plots 2 and 3 protruded beyond the established building line of the rear of the houses on the south side of Firs Walk and Foxdell causing light issues, particularly for No. 13 Foxdell.
- Concerns were raised as to the potential for environmental damage to trees following the felling of three trees shortly before an associated 2018 planning application was submitted.
- The application history for the development had previously seen the Council refuse similar iterations of the scheme and petitioners were shocked to see that this application had been recommended for approval.
- The highway status of Foxdell was raised as an issue associated with the proposed development in that, the public highway status of Foxdell was subject to a dispute. If the section of road was deemed not to be public highway, there would be no public right of way access to the proposed development.

The agent for the application was present at the meeting and addressed the Committee in response to the petitioners' remarks. Key points of their address included:

- The site benefited from already having obtained outline planning permission awarded by the Planning Inspectorate under appeal; this permission included details surrounding highways access.
- The scheme had been revised to account for officers, and the Inspector's, comments. The revisions included a flush front build line with neighbouring properties on Foxdell and Firs Walk, reduced bulk and scale of the dwellings, changed roof materials to keep in context with local character, and a greater amount of soft landscaping to the front.
- The provision of 3 family-sized houses would contribute to meeting an identified need for 3 or more-bedroom houses in the Borough.
- Amenity space would be well in excess of requirements.

Officers reiterated that the principle of the development, and the access arrangements, had been approved by the Planning Inspectorate and were not matters that the Committee could consider as part of this reserved matters application. By way of clarification, the Chairman highlighted that the Committee had previously refused an associated outline planning permission application for this development; that decision had subsequently been overturned by the Secretary of State effectively giving permission for the development to go ahead.

Members thanked officers for the report and presentation and were encouraged by the revisions made to the scheme in reducing its bulk and impact on the street scene.

Concerns remained around the impact of sunlight issues on neighbouring properties; officers noted that there would be an impact on the evening sunlight levels of neighbouring occupiers but it was deemed to be a minor and acceptable impact by both officers and the Inspector.

It was highlighted that a number of conditions had been proposed within the officer's report including the submission of a construction management plan which would include measures to be taken by the developer to minimise pollution and disturbance during construction. Regarding landscaping, officers also confirmed that a planting schedule had been submitted and secured as part of the approved drawings. A further condition proposed within the report was the removal of permitted development rights ensuring any changes to the properties in future would require explicit planning permission. The Committee agreed that the proposed conditions were robust.

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

**RESOLVED: That the application be approved, as per the officer's recommendation.**

9. **78 HIGH STREET - 32265/APP/2022/579** (*Agenda Item 7*)

**Demolition of existing buildings and erection of new 1.5 storey building containing 2 dwellings, parking and associated facilities**

Officers introduced the item and highlighted that the application was a resubmission following the refusal of a previous application at the Minor Applications Planning Committee in September 2021. It was noted that the application form stated that permission was being sought for 3 dwellings, however the submitted drawings showed proposals for 2 semi-detached dwellings; it was confirmed that officers had assessed the application based on the submitted drawings of 2 semi-detached dwellings.

Officers recommended that the application be refused and had given 7 reasons for refusal in their report. Members' attention was drawn to the addendum whereby the second refusal reason had been amended to include reference to perceive "and actual" loss of privacy for neighbouring residential occupiers. Officers deemed that the attempted revisions made by the applicant since the previous application was refused had not satisfactorily addressed their concerns.

A petition had been received objecting to the application. By way of written submission, the petitioners highlighted their reasons for submitting a petition in objection, including:

- That they were the tenant of the shop at 78 High Street, to the front of the site, as well as the tenant of the flat above.
- There would be an adverse impact on neighbouring residential occupiers as a result of the proposals.
- The development would offer sub-standard accommodation for future occupiers, and
- That there would be an adverse impact on the surrounding Area of Special Local Character.
- They were in agreement with officer's reasons for recommending refusal of the application.

The Committee agreed that some development was required for the site, particularly

the rear of the site which was in disrepair, but indicated that the proposals in front of them were not a suitable form of development.

Members highlighted the unacceptable layout with specific reference to the refuse store arrangements whereby the adjacent occupier would need to walk past their neighbour's ground floor window to access the refuse store. Officers noted that refusal reason 3, by way of it mentioning a contrived layout, went some way in addressing the concerns around refuse storage arrangements, however officers were happy to amend the reason to include specific reference to refuse arrangements.

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

**RESOLVED:**

- 1) That the application be refused;**
- 2) That refusal reason 2 be amended as per the addendum; and**
- 3) That refusal reason 3 be amended to include specific reference to the unacceptable refuse storage arrangements.**

10. **2 GATEHILL ROAD - 10808/APP/2022/630** (*Agenda Item 8*)

This item had been withdrawn prior to the meeting.

11. **143 HIGH STREET - 24082/APP/2021/4438** (*Agenda Item 9*)

**Change of use from Use Class E (Commercial, Business and Service) to a Nail Parlour (Sui Generis)**

Officers introduced the application highlighting that the site was situated within the Ruislip Village Conservation Area. The proposed change of use to a nail parlour was considered to be complimentary to the variety of shops and services in the parade and was deemed to not result in an excessive cluster or overconcentration of nail parlours in the town centre. Officer's recommended that the application be approved subject to the conditions detailed within the officer's report.

A petition had been submitted objecting to the application; the lead petitioner was present and addressed the Committee. Key points included:

- The proposed change of use would lead to an overconcentration of nail salons on Ruislip High Street.
- The application was sited directly across the street from the petitioner's own nail salon which had been in business since 2003; the addition of a new nail salon, when there were already a number of similar establishments within the vicinity, would have a detrimental effect on business.
- There was insufficient footfall along Ruislip High Street to accommodate for a further nail salon, especially in the wake of the Covid-19 pandemic which had dramatically impacted business.

The agent for the application had submitted a written statement which was read out for the Committee. Key points raised included:

- Ruislip High Street was a versatile and vibrant retail location with an array of business and often multiple establishments operating similar completing businesses successfully.
- The primary concerns raised by the petitioners pertained to the opening of a competing business within the same vicinity which was not deemed a material planning matter.
- It was the applicants right to choose a suitable location to start their new business.

The Committee sympathised with the petitioner and their situation however it was understood that the primary concerns raised in their petition were not material planning matters and therefore could not be considered when determining the application before them. Members noted that there were 7 vacant units along Ruislip High Street and the Committee were in a position to improve the vibrancy of the shopping parade.

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

**RESOLVED: That the application be approved, as per the officer's recommendation.**

12. **WYNNSTAY HIGH ROAD - 9292/APP/2021/4393** (*Agenda Item 10*)

**Part single, part two-storey rear extension (following demolition of rear conservatory); replacement of front garage door with window; new first floor windows on front and rear elevations; new ground and first floor side elevation windows; and rear patio**

Officers introduced the application noting that an application for a rear extension had previously been refused due to its scale and design; however, it was highlighted that the previous design differed significantly from the application in front of Members for determination. The revised proposals were deemed to mitigate any impact upon neighbouring residents. It was highlighted that the site was close to but not within the Eastcote Village Conservation Area. The application was recommended for approval.

The Chairman noted that the application had been called in by a local Ward Councillor to be determined by the Committee. Members expressed their support for the proposals in light of the changes made since the previously refused application and saw no reason not to approve.

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

**RESOLVED: That the application be approved, as per the officer's recommendation.**

13. **32 NORWICH ROAD - TPO 794** (*Agenda Item 11*)

Before the commencement of this item, Councillor Tuckwell removed himself from the room. Councillor Tuckwell did not take part in the vote on this item.

Officers introduced the item noting that the silver birch tree in question was highly visible from Cranbourne Road and significantly contributed to the amenity and arboreal character of the area. Officers recommended that the Tree Protection Order be

confirmed.

Members were in agreement with the officer's report. The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

**RESOLVED: That the TPO be confirmed.**

The meeting, which commenced at 7.00 pm, closed at 8.32 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Steve Clarke on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.