

## Minutes

### BOROUGH PLANNING COMMITTEE

4 October 2022

Meeting held at Committee Room 5 - Civic Centre



	<p><b>Committee Members Present:</b> Councillors Henry Higgins (Chairman) Steve Tuckwell (Vice-Chairman) Farhad Choubedar Gursharan Mand Raju Sansarpuri Jagjit Singh Adam Bennett (In place of Ekta Gohil)</p> <p><b>LBH Officers Present:</b> Neil Fraser, Democratic Services Officer Roz Johnson, Planning Services Manager Alan Tilly, Transport Planning and Development Manager Sehar Arshad, Legal Advisor Nesha Burnham, Principel Planning Officer Fiona Rae, Planning Team Leader</p>
44.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Ekta Gohil. Councillor Adam Bennett was present as substitute.</p>
45.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
46.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meeting held on 07 September 2022 be approved as a correct record.</p>
47.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
48.	<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 CONSIDERED IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items would be considered in public.</p>
49.	<p><b>NEYLAND COURT - 76364/APP/2022/1249</b> (<i>Agenda Item 6</i>)</p>

Officers introduced the application, which proposed the removal of the existing mansard roof, construction of an additional two storeys along with front extensions and external alterations to create an additional 8 units with associated amenity. It was highlighted that reference to parking had been deleted from the proposal description, as the submitted Planning Statement had confirmed that the proposal would be a car-free scheme.

Officers asserted that in the absence of any family sized flats, the proposal had failed to demonstrate that the development would provide a suitable housing mix. It was also felt that the proposed development would be detrimental to the character, appearance and visual amenities of the street scene and the setting of the adjoining Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character.

Additionally, officers advised that the proposed development would cause unacceptable harm to the living conditions of the existing occupiers at Neyland Court, Pembroke House, No. 19 Pembroke Road, and Nos. 4, 6, 6a and 8 Brickwall Lane. The quantity and quality of external amenity space provided was insufficient to serve the sizes and number of existing and proposed flats at the site. As such, the proposed development would provide substandard accommodation, in terms of external amenity space provision. The proposal also failed to demonstrate how it would achieve high standards of fire safety and emergency evacuation arrangements.

The proposed location of the long stay cycle store and refuse/recycling store was deemed unacceptable due to their impact on residential amenities. Given the constrained space on the site, it had not been demonstrated that long stay cycle parking and refuse/recycling storage could be accommodated elsewhere on site without implications for other planning considerations.

It was therefore recommended that the application be refused.

By way of written submission, a petitioner addressed the Committee in objection to the application, making the following points:

- The proposed development failed to appear as a well-integrated development along Pembroke Rd. Due to its location, size, scale, massing, height and design it would result in overdevelopment. It will appear as visually dominant and bulky and would be detrimental to the character of the local area, which was close to a Conservation Area.
- The proposed development will cause unacceptable harm to the living conditions of the existing occupiers at Neyland Court, Pembroke House, No 19 Pembroke Rd and Nos 4,6, 6a and 8 Brickwall Lane due to its impact on residential amenities in terms of loss of outlook, loss of light, over shadowing, sense of enclosure and overbearing impact.
- There is insufficient external amenity space to serve the sizes and number of existing and proposed dwellings at the site and if approved, will result in poor living conditions for both existing and future occupants.
- The application proposed to build balconies which will overhang by 1.5m above the existing front windows and also to move the front doors southwards. Both additions will result in blocking light in habitable rooms, will be overshadowing and overbearing, and will caused a loss of outlook, light, and a sense of enclosure for the existing residents of Neyland Court.
- The planning application proposed to create the refuse/recycling store at the

front outside a bedroom window and against the boundary with no 19 Pembroke Rd. This will result in loss of outlook, loss of privacy, noise and disturbance.

- The application proposed to create the long stay cycle store in the rear garden within 1.9 metres from the nearest habitable room windows, which will result in loss of privacy and will create noise and disturbance for the existing occupiers at Neyland Court.
- The planning officer's report stated that insufficient evidence had been provided to demonstrate that adequate refuse and recycling facilities could be provided for the existing and future occupiers of the proposed development without adversely impacting upon the external amenity space.
- The plans indicated that the habitable rooms will be above existing bedrooms. This is unacceptable as this will create extra noise and inconvenience to existing bedrooms in Neyland Court.
- The proposal failed to demonstrate how the application will achieve the highest standards of fire safety, including construction methods, means of escape, strategy of evacuation and providing suitable access and equipment for firefighting services.
- The proposed development will exceed the Council's maximum density level of units per hectare by 51%.
- The applicant has submitted inaccurate site location plans including several discrepancies which are outlined in the officer's report.

By way of written submission, the agent for the application addressed the Committee, making the following points:

- Anslip UK Limited own the freehold to Pembroke House as well as the freehold to Neyland Court. Similarly, to Pembroke House, the proposal for Neyland Court will create an additional two storeys and external alterations to create a property which is more in keeping and reflective of the character of the local area.
- This form of development would ordinarily be able to apply for permission under Class A: New dwellinghouses on detached blocks of flats. However, given the proximity to RAF Northolt this site would not qualify for this type of application. Nevertheless, the development has still been designed with the requirements of Class A taken into consideration.
- It is not proposed to add any family sized units, but these are not present at Pembroke House either. Family sized units are also preferred to be located on the ground floors but as this is an existing property, this is not viable. All proposed units will meet the minimum internal areas set out in the London Plan (2021).
- The officer's report states that the development will cause unacceptable harm to living conditions of the existing occupiers. This is not understood to be the case. The existing dwellings are to be left existing and the proposed two storeys will not cause any negative impact on the current occupiers in terms of outlook, privacy, or daylight. The engineers advised to locate 10 vertical steel columns, placed between existing apartments, to cause the least amount of visual obstruction.
- The works can be undertaken whilst the existing tenants are in residence, similarly to Pembroke House. The proposal respects the rights of the existing tenants and works would be carried out during normal working hours as provided by Health & Safety Regulations of London Borough of Hillingdon.
- Regarding amenity space, the proposal has been designed to retain the same amount of amenity that currently exists. In addition to this, the proposed flats are to be provided with private amenity space in the form of balconies. The

balconies will be supported by a series of columns and will have a depth of 1.5m. Full height walls will be constructed between adjoining balconies to ensure that there is no overlooking or lack of privacy between balconies. No balconies are proposed to the rear, in order to avoid any overlooking/ loss of privacy to neighbouring rear amenity spaces.

- This therefore increases the overall amenity space for the development without taking any away from the current tenants. Furthermore, the location of the site is within close proximity to public open space such as Shenley Park (0.5 miles) and Church Field Gardens (0.4 miles). It is therefore considered that there is ample amenity both on and off site for all existing and future occupiers.
- The officer's report states that the proposed alterations to the building would be an incongruous form of overdevelopment that would fail to harmonize with the character and architectural composition of the area. The proposal has been designed to take precedence from Pembroke House. The additional storeys will add 5.3m to the existing building height but will remain lower than Pembroke House by 1.5m. This allows the proposed development to sit comfortably within the street scene and still retain the step-down effect from Pembroke House to the properties to the east.
- The proposed architectural style of the building takes precedence from Pembroke House and the removal of the mansard roof and updated façade creates an improved street scene which is considered to have a positive impact on the character of the area. It is proposed to respray existing uPVC windows in an anthracite grey and clad the two stairwell cores in Trespa grey panels or similar, with the two additional floors being finished in an off-white render. These materials also take precedence from nearby properties such as Corinthian Court and The Quadrant.
- Although the Planning officer has raised concerns over refuse and cycle stores, the Highways Authority are satisfied that the proposal complies with planning policies for the above and that the site would be able to achieve a 'car free' form of development.
- Therefore, it is believed that the proposal is in keeping and proportionate to both the application site and the context of the wider area and would provide the existing and future occupiers with ample amenity and good quality living conditions.

By way of written submission, Ward Councillor Peter Smallwood addressed the Committee in objection to the application, making the following points:

- The proposal is completely out of character with the surrounding architecture. It is bulky, and not in character to the adjoining conservation area.
- The application has no regard for multiple neighbouring properties and will impact their light, privacy and standard of living. There is a potential that the standard of living for those currently occupying Neyland Court will be made worse.
- Turning circles and vehicular access are insufficient.
- The bin stores and cycle racks are proposed to be located outside people's bedroom windows.
- The proposal fails to address Ruislip's need for affordable family homes.
- The proposal is a potential fire risk.

By way of written submission, Ward Councillor Philip Corthorne addressed the Committee in objection to the application, making the following points:

- The case officer recommendations as set out in the report are wholly supported.
- There is considerable strength of local feeling against the proposal, which is felt to be at odds with Hillingdon Local Plan Policies, including BE1, because of its location, height massing and density. It would be incongruous in its setting, and a detriment to the street scene in Pembroke Road and Brickwall Lane.
- The proposal's impact on residential amenity is completely unacceptable, including the loss of garden and amenity space. The plans as set out by the applicant are full of inaccuracies and distortions, including the vehicle turning arrangements to the rear, which as set out would be unworkable in practice, as well as the bin and cycle store arrangements. The proposal also appears to lack any disabled access arrangements.

The Committee sought clarity on whether the nearby office block undermined the refusal reason regarding character and appearance of the street scene. In response, officers advised that as the street progressed to residential buildings, these became much lower in height, and therefore the refusal reason was felt to be strongly relevant. Regarding a query on the lack of family units, officers advised that the applicant had not provided any suitable justification for the lack of such units.

The Committee supported the officer's recommendation, and highlighted the impact on street scene, the lack of suitable amenity, and the concerns over fire safety. The recommendation was moved, seconded, and when put to a vote, unanimously agreed.

**RESOLVED: That the application be refused.**

50. **51 PEMBROKE ROAD - 68788/APP/2022/1728** (*Agenda Item 7*)

Officers introduced the application which proposed a two-storey side and rear extension and conversion of the roof space to habitable use to include 4 rear and 3 front rooflights to allow for the conversion of the dwelling house into 2 x 2-bed and 2 x 1-bed self-contained flats with associated parking and amenity space.

Officers confirmed that the current application was a re-submission of an identical scheme which was previously approved under application reference 68788/APP/2019/2659. The previous permission had lapsed on 3rd October 2022; hence the submission of the current application.

The proposed introduction of a flatted development at the site had already been established through the granting of planning permission ref. 68788/APP/2019/2659. There was no objection, in principle, to the creation of flats at the site in land use terms. It was noted that the proposal would not provide any family sized units (i.e. dwellings with three or more bedrooms). However, this would be no different to the scheme approved under planning permission 68788/APP/2019/2659. It would therefore be unreasonable to introduce this matter as a ground for refusal under the current application.

Having regard to the planning permission ref. 68788/APP/2019/2659, it was considered that the proposal would not cause harm to the character and appearance of the host dwelling or surrounding area. The proposal would not adversely impact on the living conditions of neighbouring occupiers, and would afford future occupiers with a high standard of internal and external living accommodation.

The application has been reviewed by the Highway Authority who were satisfied that

the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns.

The addendum was highlighted, which set out the officer's response to an additional representation received from the Ruislip Residents Association which challenged the proposal in respect of Policy DMH 4(i) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

It was therefore recommended that the application be approved, subject to conditions.

A petitioner addressed the Committee in objection to the application, making the following points:

- The application would result in significant loss of light to neighbours, which would negatively impact occupiers wellbeing, as well as their ability to work;
- The proposal (including installation of roof terraces), would result in a loss of privacy due to overlooking;
- Noise would increase;
- Parking and amenity provision was insufficient;
- Car use would be hazardous due to a lack of room to manoeuvre;
- Traffic congestion would increase, and could potentially increase accidents and road rage incidents;
- The area was already highly congested, with bus drivers regularly complaining of issues;
- The application would increase air pollution in an area that was already heavily polluted;
- Police regularly attended the area to respond to crime, and the application would exacerbate this;
- Trees had previously been removed by the applicant.

The agent for the application addressed the Committee, making the following points:

- The application complied with all relevant current policies;
- Since the previous application's consent, policies had not materially changed to now allow for a refusal;
- No roof terraces were proposed.

By way of written submission, Ward Councillor Philip Corthorne addressed the Committee, making the following points:

- There is strong local opposition to the application.
- The principle of this flatted development is understood to have been established in a 2019 planning consent.
- It is requested that the Committee consider whether the rule of a maximum of 10% flatted development, which has been established via past Planning Inspector decisions in adjoining Kingsend, applies in Pembroke Road. And if so, whether subsequent flatted development which has been constructed following the 2019 consent, including Corinthian Court, takes the totality of such development in Pembroke Road over 10% and makes a further consent at this location contrary to policy.

Officers responded to the petitioner's and Committee's comments, confirming that the proposal's impact on amenity had been considered and there was felt to be insufficient

grounds to sustain a refusal on this basis. Rear windows were confirmed to exist already, the parking provision was in fact higher than usual, and impact on congestion was considered acceptable. Impact on air quality and noise was covered by condition 4, which mandated a construction management plan to minimise such issues. A refusal based on loss of privacy/light through the side windows was considered unsustainable at appeal, and the 45 degree guidelines were being adhered to. Any noise due to increased visitors was felt to be typical for a residential area.

The Committee supported the officer's recommendation, and highlighted that due to the previous consent, there was little scope to suggest a refusal. The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

**RESOLVED: That the application be approved.**

51. **18 IVER LANE - 19016/APP/2022/1277** (*Agenda Item 8*)

Officers introduced the application which sought permission to replace a single storey, detached dwelling with a new building comprising 5 flats.

Officers advised that there was no objection, in principle, to the creation of additional residential units in this location in land use terms. However, due to its scale, depth, bulk, massing and design, the proposal would fail to integrate with the established character and appearance of the area, subsequently resulting in an incongruous and unduly dominant form of development, which would harm the visual amenities and character of the area, including the setting of the adjacent Cowley Lock Conservation Area.

The proposal would also cause harm to the amenities of the occupiers of 16 Iver Lane, causing a harmful sense of enclosure, loss of outlook and loss of privacy.

No legal agreement as in place to prohibit future residents of the proposed development from applying to join the Council's on street parking management scheme. In the absence of such an agreement, the Council's parking management scheme is likely to be overutilised, leading to more roadside parking, congestion and reduced highway safety for all.

The development also fails to provide a suitable housing mix and to clearly demonstrate that future occupiers would be provided with high quality internal spaces, with sufficient levels of privacy and adequate head height.

For these reasons the proposal was considered to be contrary to policies as detailed in the report, and it was therefore recommended that the application be refused.

A petitioner addressed the Committee in objection to the application, making the following points:

- The application would cause of loss of privacy to neighbours, particularly due to overlooking of gardens;
- Current parking and traffic congestion issues would be exacerbated;

By way of written submission, Ward Councillor Keith Burrows advised that he echoed the objections of residents and supported the refusal of the application.

The Committee supported the officer's recommendation for the reasons set out in the

	report. The recommendation was moved, seconded, and when put to a vote, unanimously agreed.  <b>RESOLVED: That the application be refused.</b>
	<b>ADDENDUM</b>
	The meeting, which commenced at 7.00 pm, closed at 8.07 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.