

Minutes



MAJOR APPLICATIONS PLANNING COMMITTEE

09 November 2022

Meeting held at Committee Room 5 - Civic Centre, Uxbridge, UB8 1UW

	<p>Committee Members Present: Councillors Steve Tuckwell (Chairman) Henry Higgins (Vice-Chairman) Adam Bennett Darran Davies Jas Dhot Elizabeth Garelick Tony Gill</p> <p>Ward Councillors Present: Councillors Richard Mills Peter Money June Nelson</p> <p>LBH Officers Present: Mandip Malhotra (Strategic and Major Applications Manager) Alan Tilly (Transport Planning and Development Manager) Glen Egan (Office Managing Partner - Legal Services) Ian Thynne (Planning Specialist Team Manager) Andrew Thornley (Principal Planning Officer) Christopher Brady (Principal Planning Officer) Steve Clarke (Democratic Services Officer)</p>
159.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
160.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
161.	<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 11 October 2022 be approved as a correct record.</p>
162.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>

163.	<p>TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED INPUBLIC 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 would be considered in public.</p>
164.	<p>HS2 RIVER PINN REALIGNMENT - 72870/APP/2022/2692 <i>(Agenda Item 6)</i></p> <p>HS2 request for approval of Plans and Specifications under condition imposed by Schedule 17 to the High Speed Rail (London - West Midlands) Act 2017, relating to a site area of 65,977.4m2 comprising; the realignment of approx. 96m of the River Pinn with associated works including a new footbridge, a flood compensation area, drainage stepped outlets, outfalls, ditches, access stairs and fencing; an attenuation pond for the approved Gatemead Embankment track drainage with an associated road vehicle parking area, access junction and fencing; and two further access junctions for maintenance access with associated access strips and fencing.</p> <p>Officers introduced the application summarising the context of the application and giving an overview of the site. Members were informed that they were considering the proposed building works for the River Pinn footbridge, the earthworks for the River Pinn realignment, security fencing and planting works, and the Gatemead Embankment attenuation pond road vehicle parking area. Members were informed that the application had originally been submitted in 2018 and through negotiations with officers, officers were now happy with the realignment path. The proposed footbridge was to be built by HS2 Limited and eventually passed on to the Council to be maintained by the Council's Green Spaces Team.</p> <p>The Committee were informed that final details regarding the landscaping would be agreed at a later date through the land restoration and bringing into use proposals, that the Environment Agency would sign off the final hydrological impact of the river. Members also heard that works for the additional maintenance access route of Breakspear Road South would come at a later date.</p> <p>The Legal Officer outlined the legislative context for the application and highlighted that a lot of work and negotiation had taken place between officers and the applicant to design a proposal that officers were happy with, emphasising that officers were recommending approval with no additional planning conditions.</p> <p>The Committee thanked officers for the extensive work that had gone into preparing the application for the Committee's determination. Although it was noted that details regarding landscaping would come at a later date, Members sought to ensure that any replacement trees would be mature and therefore would have the ability to effectively soak up flood water.</p> <p>Members also sought clarification on lighting in the area, specifically if a lighting survey had been carried out. Officers informed the Committee that there was no lighting associated with the application, however, discussions were ongoing regarding rights of way in the vicinity and pedestrian lighting would be picked up as part of those further discussions.</p> <p>The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.</p>

RESOLVED: That the application be approved.

165. **THE ELMS - 19758/APP/2021/4628** (*Agenda Item 7*)

Demolition of existing buildings and structures and redevelopment of the site to provide 2,116 sqm of flexible Class E(g)(iii), B2 and B8 use floorspace, along with associated access, servicing areas, car parking and soft landscaping (amended plans received 02.09.22)

Officers introduced the application giving Members an overview of the plans and outlining that the site was situated on green belt land. The Committee were informed that the applicant had worked proactively with officers to reduce the quantity of the development; comparisons between the initial proposals and the refined proposals were shown. Officers noted that there were a number of dilapidated structures currently on site which were considered an eyesore on greenbelt land and that the proposals were deemed to be an improvement to the current condition; further to this it was highlighted that the applicant's fallback position was to operate an open storage facility from within the site which could be undertaken within the existing use class and would not require any planning permission, this scenario was deemed to potentially have a much greater impact on the residential amenities of local residents and the greenbelt.

A verbal update was provided with regard to the revised transport assessment in that, the number of car parking spaces had been reduced from 36 to 31 spaces; as such, a revised masterplan and planting plan would be secured subject to the recommended condition four. Condition four, part 2d, in addition to condition two, would also be amended to reflect the correct number of parking spaces. Members' attention was also drawn to the addendum which included an amendment to the heads of terms in section 13 of the officer report. The application was recommended for approval subject to the conditions outlined in the report.

A petition had been submitted objecting to the application. One of the petition organisers was present and addressed the Committee, key points raised in their address included:

- 50 residents had signed the petition objecting to the application in the space of two days.
- Petitioners believed the application had not been assessed on a holistic manner.
- Residents were not necessarily against the development of the site but they were objecting to the industrial scale commercial development proposed and sought a more locally serving development.
- Concerns were raised regarding the potential for increased traffic to the site, including HGVs.
- Petitioners stated that resident consultation was poor with little engagement.
- Concerns were raised regarding a lack of satisfactory screening between the site and a number of adjacent residential properties, 389 High Street was specifically highlighted and appropriate screening was requested, should the application be approved.
- It was highlighted that residents of High Street had, on their deeds, access to park outside the access to the site. Should the application go ahead as proposed this would also add to existing parking pressures locally.
- The bus stop opposite the site access point was highlighted as a potential choke point when buses stop and other vehicles attempt access or egress to and from the site.

- Concerns were raised regarding the potential for light pollution impacting neighbouring properties from the security lighting on site.
- Petitioners requested some potential conditions, should the development go ahead, these included site operation hours of 08:00 to 17:00 Monday to Friday, 09:00 to 12:00 Saturday and no operation on Sunday, a restriction on the size of vehicles accessing the site to 3.5 tonnes, appropriate screening should be introduced not just between the site and the greenbelt but between the site and the adjacent residential properties.

The agent for the application as also present and addressed the Committee. Key points raised in their address included:

- It was stated that the officer report was robust and comprehensive, and the applicant was happy to see a recommendation for approval considering the extensive work that had gone into the scheme to reduce floor space, plant an additional 76 trees and hedgerows, and a improve the layout of the site.
- The proposals would replace the existing dilapidated building on site with new higher quality structures which were fit for purpose meeting modern standards and designed for local small scale businesses and providing around 50 local jobs.
- The development would reduce the built footprint on site and introduce significant screening both to the greenbelt and to neighbouring residential properties.
- In relation to transport, the development would reduce trip level generation compared to the current on site capability through the currently established use.
- It was highlighted that the officer report had noted that any 3rd party parking in the forecourt of the access area was unlawful and this would not be a reason for resisting the scheme. The freeholder who owns the land did not allow parking, however this was not enforced against which is why vehicles were currently parking there, however, should the development go ahead, this would be enforced against.
- With regard to noise concerns it was highlighted that the site was already occupied by established industrial and distribution uses, the new development would be to a higher specification with better acoustic insulation.

In response to questions from the Committee, the agent confirmed that the development would be replicating the current use class of the site. It was also clarified that the current operational hours of the site were unrestricted. Members queried the types of businesses that would be occupying the site, the agent informed Members that the nature of the site was to support small and medium sized local businesses but that there was no specific user in mind to support flexibility in line with Council policy. In terms of transport access, the agent highlighted that measures would be put in place to improve access arrangements including widening the crossover onto High Street.

Members sought clarification with regard to the screening to the boundary of the site, particularly where concerning the boundary with neighbouring residential properties. The agent noted that the current plan was indicative and that there was scope for additional screening along the boundary in question.

Ward Councillor for Heathrow Villages, Councillor June Nelson, was present and addressed the Committee. Key points of their address included:

- The Ward Councillor was in complete support of the petitioners .

- There was contention regarding access to parking on the forecourt area. The residents had deeds outlining their lawful right to park in this area, therefore it was stated that residents using this area to park was not illegal.
- Although the sites operational hours were currently unrestricted, businesses currently used the site from 08:00 to 17:00 hours.
- Vans were currently the largest vehicles accessing the site and there were concerns that HGVs would accessing the site should the development be approved. This would lead to increased congestion on High Street.
- The Ward Councillor was supportive of development on the site, however the proposed designs were not deemed acceptable.

Officers responded to a number of points raised by the petitioner and the agent. With regard to hours of operation it was noted that it would be extremely difficult to impose a restriction on the operating hours considering the site was not currently under any such restrictions. In terms of screening, officers noted that condition four could be amended to improve screening along the southern boundary, potentially to include a green wall. Residents' concerns regarding vehicles waiting on High Street to access the site were alleviated by the internal site layout in which there was room for vehicles to both access the site and manoeuvre in order to leave in a forward gear.

On the matter of access arrangements, officers clarified that the existing access arrangements on site were inadequate and that the proposed development would improve this. It was stated that no HGVs would be expected on site, however Ordinary Goods Vehicles (OGVs) would be expected, Members sought to impose a condition to that effect in order to give residents peace of mind that HGVs would not be accessing the site.

With regard to the dispute over the use of the forecourt area for parking, the Committee were advised that normally land disputes were not planning matters for the consideration of the Committee. There was a dispute between the residents and the landowner and it was the landowner's responsibility to ensure that they were sure of their grounds in order to make the development operational. The Committee were advised not to dwell on the parking dispute in their consideration of the application.

Members raised concerns regarding noise mitigation from the types of businesses that would be occupying the site. Officers highlighted that under the site's current use class, it could be fully operational with no noise mitigation measures imposed, therefore, by virtue of the application introducing buildings to the site, it would improve the acoustic mitigation of the site when in operation. It was also noted that the applicant's fall-back position was for an open storage facility whereby there would be no noise mitigation and therefore would be more likely to be detrimental to residents.

On the matter of waste removal from the site, the Committee were minded to amend condition 17 to restrict the hours of waste removal to 08:00 to 18:00 hours to ensure waste removal was carried out at unsociable hours.

Members discussed the Active Travel Zone contribution of £83k and sought a way of improving pedestrian safety around the access area. The Committee were minded to add a condition to secure a speed table as a betterment for the safety of pedestrians.

Officers noted that condition 20 would seek a revised energy strategy which would be expected to encompass photovoltaic solar panels in addition to electric vehicle charge points on site.

The Committee noted that, very often, dilapidated sites such as this were turned into housing, therefore to have a site being used for local business with local workers it could have a real benefit for the area.

The officer's recommendation, in addition to the amendments discussed, was moved, seconded, and when put to a vote, unanimously approved.

RESOLVED:

- 1) That the application be approved;
- 2) That a condition be added restricting the size of vehicle that can access the site, the wording of which was delegated to officers;
- 3) That condition four be strengthened to improve screening, the wording of which was delegated to officers;
- 4) That a condition be added to ensure there was no idling within the confines of the site, the wording of which was delegated to officers;
- 5) That a condition be added to secure the betterment of pedestrian safety around the access area, the wording of which was delegated to officers;
- 6) That condition 17 be amended to restrict the hours of waste collection to 08:00 to 18:00 hours.

166. **PADDINGTON PACKET BOAT PUBLIC HOUSE - 1058/APP/2021/3423** (*Agenda Item 8*)

Demolition of the public house (Sui Generis) and erection of purpose-built student accommodation (Sui Generis) and associated common areas and facilities, landscaping, amenity space, bicycle and motorcycle parking, and refuse storage.

Officers introduced the application noting that the current building was deteriorating and had been vacant since 2018, the building was becoming increasingly dilapidated. The proposals would meet a local need for student accommodation, and it was deemed that student accommodation was an appropriate use of the site. A major benefit of the proposals was that they would provide affordable accommodation, affixing rental prices and allowing a diverse range of people to attend university. Members' attention was drawn to the addendum which featured amendments to section two and paragraph 14 of section 7.07 of the officer report. The application was recommended for approval subject to the planning conditions highlighted in the report.

Officers informed the Committee that a 2019 request to have the existing building locally listed was unsuccessful, due to the deterioration of the building, it was no longer proposed for locally listed status.

The Committee were generally supportive of the application although noted that it was a shame to see the loss of a unique public house building with sentimental community value, however it was understood that, due to the dilapidated nature of the building and the lack of market interest, there was no realistic prospect of the building being used in future as a public house again.

Members raised concerns regarding the potential for excessive noise emanating from the amenity area should the students on site host parties. Officers mentioned that the requirement for a management plan could be imposed in an effort to ensure neighbouring residents were not negatively impacted by the use of the proposed amenity space.

The Committee discussed the on site motorcycle parking availability of three spaces and suggested that this may be better served by local cycle hire bicycles which were frequently used by students at Brunel University. Officers noted that the scheme had a policy compliant level of cycle parking on site and that, should there be a need for less motorcycle and more bicycle parking, this could be reviewed through the car park management plan. There was also a limited need for a cycle hire docking station due to the proximity between the site and Brunel University.

Officers clarified that the application was for purpose built student accommodation and therefore any future change of use would not be permissible unless granted by the local planning authority.

The Committee raised concerns regarding the pick up and drop off of students at the start and end of the academic year and that, with 61 occupants and limited parking availability, this could cause an unprecedented level of congestion should students be dropped off and picked up at similar times. Officers highlighted that the pick up and drop off of students would be controlled so as to minimise congestion at the start and end of semesters. In addition to this, a contribution would be received from the developer for a prospective parking management scheme, should there be resident appetite for such a scheme.

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.

167. **14-18 PIELD HEATH ROAD & 2 PIELD HEATH AVE - 76760/APP/2022/1889**
(Agenda Item 9)

Demolition of three dwellings and one Bed and Breakfast, and the subsequent erection of a care home.

Officers introduced the application and gave an overview of the site and proposals. Members' attention was drawn to the addendum which featured the recommendation for an additional planning condition regarding the mitigation of overheating impacts to residents in the event of more extreme heat events. The application was recommended for approval.

The Committee raised concerns regarding the size and scale of the development, particularly its elevations in relation to adjoining properties. Officers highlighted that through the application process, the building roof heights had been lowered to aid in relation to neighbouring properties, it was also noted that neighbouring properties predominantly utilised their roof space for additional living space.

Members queried the demolition and construction management logistics plan noting that Pield Heath Road was known to become very congested at times and there didn't appear to be any restrictions on construction site delivery times, this could pose a further congestion risk considering the site's proximity to Hillingdon Hospital. Officers noted that the hours of construction would form a part of the demolition and construction management logistics plan, Members sought to ensure that construction was in accordance with the code of considerate construction practice.

	<p>The Committee discussed the possibility of deferring determination of the application for a site visit to ascertain the relationship between the proposed development and the surrounding properties. This was moved, seconded, and when put to a vote, agreed with five votes for, one vote against, and one abstention.</p> <p>RESOLVED: That determination of the application be deferred for a site visit.</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 9.24 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Steve Clarke on 01895 250693 or email (recommended): democratic@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.