

## Minutes

### BOROUGH PLANNING COMMITTEE

14 February 2023

Meeting held at Committee Room 5 - Civic Centre



	<p><b>Committee Members Present:</b> Councillors Henry Higgins (Chairman) Steve Tuckwell Farhad Choubedar Ekta Gohil Raju Sansarpuri Jagjit Singh Tony Gill</p> <p><b>Officers Present:</b> Roz Johnson, Planning Services Manager Katie Crosbie, Planning Team Leader Haydon Richardson, Principal Planning Officer Noel Kelly, Planning Services Manager Alan Tilly, Transport and Aviation Team Manager Glen Egan, Head of Legal Services (Acting) Ryan Dell, Democratic Services Officer Steve Clarke, Democratic Services Officer</p> <p><b>Ward Councillors Present:</b> Tony Burles (Uxbridge Ward) Peter Smallwood (Ruislip Ward)</p>
76.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Gursharan Mand with Councillor Tony Gill substituting.</p>
77.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
78.	<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 dated 17 January 2023 be approved as an accurate record.</p>
79.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>It was noted that item 8 had been withdrawn by the application ahead of the meeting.</p>

80.	<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 of business were marked Part I and would be considered in public.</p>
81.	<p><b>18 HIGHFIELD ROAD - 1151/APP/2022/113</b> (<i>Agenda Item 6</i>)</p> <p><b>Conversion of garage to habitable use, porch to front, part two storey, part single storey rear extension, part two storey, part single storey side extension and 2 side dormers (retrospective application) installation of a vehicle crossover, boundary treatments and driveway.</b></p> <p>Officers presented the application and noted the part retrospective nature of the application. Planning permission had previously been granted for a near-identical proposal. Key differences included the height of the side and rear extensions, some design changes to a window, the depth of the dormer and the colour of the fenestration.</p> <p>Officers noted that the difference between the previous application and current proposal would not cause harm to the area of special local character or have an impact on neighbouring amenity.</p> <p>A representative of the planning agent addressed the Committee and made the following points:</p> <ul style="list-style-type: none"> <li>• The representative agreed with the recommendations, and they wanted to re-iterate that the application had worked within the rules. They had worked with the planning department and would continue to do so.</li> <li>• The property was on lower ground than the neighbouring properties on either side, the grounds were also sloping backwards and so the impact of the rear extension on neighbouring properties was reduced. The rear extension was of standard height after an error by the architect had been corrected.</li> <li>• Materials had been chosen to be in keeping with the local area, with bricks matching in colour and pattern to the original building.</li> <li>• It was noted that the works were to improve the family's living conditions, and there were no plans for an annex.</li> <li>• It was noted that the applicant/ agent had tried to comply with all relevant regulations and guidelines and had been in consultation with the planning team.</li> </ul> <p>Members noted that a raised patio had already been constructed (post site visit) and the agent's representative noted that the existing patio was unsafe and so it was deemed necessary to construct the new one on safety grounds. Officers clarified that they were confident that there would be no overlooking issues subject to Condition 3.</p> <p>Members asked officers for clarification on the agent's representative's comments regarding the sloping on the site. Officers clarified that there was a slope on the front, and that as the property was sited lower than neighbouring properties, there would be no dominating impact on the street scene. It was noted that the garden sloped down towards the back end of the garden, but that this did not impact on the current application.</p> <p>Members noted their mixed opinions on this application but noted that it was not out-of-sync with the neighbouring properties. The height difference and the slope were noted. The difference between the host dwelling and the extension were noted, while officers</p>

clarified that it was not always possible to get a complete brick match. The potential option of conditioning for brick tinting was noted, although it was also noted that this was expensive. The scale of the difference in bricks being reduced by weather implications over time was noted, however, an exact time from for this was difficult to establish. Brick tinting on only the front was suggested. Members questioned if the new door was in keeping with the conservation area. Officers clarified that a future porch, matching windows and a boundary wall meant that the door was acceptable. It was noted that there was a condition for at least 25% of the front garden to be soft landscaped.

Members further noted that the bricks were acceptable due to the darker windows, especially when viewed from a distance. Reference was made to the application going against Policy DMHD1, and officers clarified that a technical breach was deemed permissible as the application did comply with the intention of the policy and complied with the development plan. Members noted that approval of this application was not a typical Committee response when policy breaches occurred.

A verbal update was given to Condition 3 in relation to the submission of details specifying the depth and height of the proposed terrace, relative to the ground levels of adjoining neighbouring properties and existing boundary treatments. The update was to amend the trigger points in that the details should be submitted within one month of the decision, and implementation within two months of the approval of the details.

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

82. **RUISLIP TELEPHONE EXCHANGE - 10105/APP/2021/4537** (*Agenda Item 7*)

**Proposed upgrade of existing stub pole on the roof top including replacement antennae, cabinets and ancillary apparatus.**

Officers presented the application and noted that this location fell within a conservation area. Officers also clarified that no interference would be made with TV frequencies as a result of this application. Reference was made to Condition 3 with regards to the control of site noise.

The Chairman permitted a resident to address the Committee in place of the lead petitioner, who was not in attendance. The resident made the following points:

- There were no satisfactory considerations given to the concerns raised by objectors.
- The site was very visible to neighbouring homes.
- Reference was made to a prior occasion where trees were planted by residents to block the view of the site, which were subsequently made to be removed as they compromised an adjoining wall.

Members asked about any consultation residents had had, and the resident clarified that they had had about a seven-to-10-day period of consultation after they were informed of the application just before Christmas.

Councillor Smallwood attended as Ruislip Ward Councillor and noted that they were disappointed that the applicant had put the wrong scheme in and noted the near-total lack of consultation. The visual implications were noted given the lack of screening, and reference was made to policy DMHB 21 – Telecommunications – it was noted that there would not be a small impact if numerous small additional amendments were made, and that proposals would build up within conservation areas. No reference had been made

to alternative sites (DMHB 4 – Conservation), and overall, it was noted that this was a disappointing application.

A statement was submitted by Councillor Corthorne as Ruislip Ward Councillor, which made the following points:

- Noted the officer recommendation for approval.
- The officer report conceded that there would be an impact on the conservation area and noted that there already was an impact from the existing stub pole. In the event of this application being approved, the visual impact would be worsened.
- The benefits did not outweigh the harm, especially given the suggestion of alternative sites.
- There were public concerns about health impacts, although the science behind this had not yet come to a satisfactory conclusion.
- It was questioned if there was any requirement for independent verification of the applicant's assertion that the proposal complied with ICNIRP Guidelines.
- There had been a lack of engagement over this application and alternatives sites, as well as incomplete documents.
- It was noted that while TV interference may not be a planning consideration in itself, a good developer would pick this up and address it.

Officers noted that a lack of public consultation by the applicant/ agent was not a sustainable reason for refusal, but the Planning department had carried out its own consultation.

Reference was made to paragraph 115 of the NPPF (National Planning Policy Framework) in relation to using existing masts for new telecommunications applications, and a lack of evidence of the applicant having considered alternatives sites was noted. It was noted that the benefits outweighed the harm. Reference was made to the 'chipping away' of numerous applications within conservation areas, although officers noted that they had to judge each individual application on its own merits. It was noted here that telecommunications applications were not always accepted, and that there were no valid health concerns related to this application as the application complied with the relevant certification. It was noted that the Committee would write to the applicant to note its disapproval around the lack of consultation.

Members asked officers to further clarify the concerns of residents and Ward Councillors in relation to the visual impact and the benefits outweighing the harm. Officers referred to paragraph 7.08 of the report which noted that the proposal was considered to be acceptable with regards to its impact on neighbour amenity – the view from neighbouring properties would be affected, but this was not a material planning consideration. Outlook was noted, but given the distance, this would not have an undue detrimental effect that would warrant refusal. With regards to the benefits outweighing the harm, there was no mathematical calculation for this, but it was noted that the move towards 5G capabilities was necessary.

Members referenced consultations and the outcome of them. Reference was made to section 6 of the report – consultations, and officers noted that there was a petition submitted in objection with 23 signatures.

Members noted that the 'harm' was already existing as the original stub pole was already in place. It was noted that 5G connectivity was desired even in conservation areas. It was noted that alternatives to this application (for example a 20-meter monopole) would be worse than the current application. Future incremental additions were again noted,

	<p>and it was further noted that any refusal may be judged unreasonable on appeal. Members and officers concurred that an appeal against unreasonable rejection was likely to be lost.</p> <p>Reference was made to the addendum which requested delegated powers in relation to outstanding consultations with the Ministry of Defence Safeguarding team.</p> <p><b>RESOLVED: That the application be approved.</b></p>
83.	<p><b>LAND ADJACENT TO 10 KENT CLOSE &amp; 5 FAIRLIGHT DRIVE, KENT CLOSE 75553/APP/2022/1890</b> (<i>Agenda Item 8</i>)</p> <p><b>Erection of a single family dwelling house with associated works.</b></p> <p>It was noted that this application was withdrawn by the applicant ahead of the meeting.</p> <p><b>RESOLVED: That this item was withdrawn by the applicant ahead of the meeting.</b></p>
84.	<p><b>72 HAREFIELD ROAD - 25767/APP/2022/3190</b> (<i>Agenda Item 9</i>)</p> <p><b>Demolition of existing dwelling and erection of building to provide 2 x 1-bed, 6 x 2-bed, 1 x 3-bed flats with associated parking and amenity space</b></p> <p>Officers presented the application. It was noted that the Committee was not deciding this application – it was a non-determination appeal. A late request had been made by the applicant to submit updated plans, but this request was denied due to its lateness. Two previous applications had been made at the site, both of which had been refused, one of which was also dismissed on appeal. It was noted via the addendum that refusal reason 4 (loss of trees) was removed as a reason for refusal as the issues could be overcome through conditions. This left three reasons for refusal: bulk size, impact on neighbouring amenities, and level of amenity provided for future residents.</p> <p>The lead petitioner was in attendance and addressed the Committee, making the following points:</p> <ul style="list-style-type: none"> <li>• They were grateful for the officer recommendation for refusal, noting that signatories of the petition had been living in the area for between 10-40 years.</li> <li>• It was important that visual amenities were not impaired in the area.</li> <li>• The negative impact in terms of noise, air and visual pollution was noted.</li> <li>• The Council was applauded for ‘Putting Our Residents First’ with the recommendation for refusal.</li> <li>• It was noted that this stretch of road was narrow, and current parking lead to traffic using one side of the road, which posed a danger to drivers and pedestrians.</li> <li>• The proposed car park would cause noise and air pollution due to being situated on the other side of a fence to a garden, and being located in the middle of a green space would lead to more parking on other local roads.</li> <li>• This application represented over-development of a small site with the potential for over-occupancy and was not in keeping with the street scene.</li> <li>• The lack of garden space and creation of balconies meant that there would be noise issues, blocking of light, and issues of the balconies overlooking gardens.</li> </ul> <p>Councillor Burles attended as Uxbridge Ward Councillor and addressed the Committee, making the following points:</p>

- This application had evoked an emotional response from the local residents.
- It was suggested that this land should be used for a house, not a block of flats – this was over-development.
- There would be loss of privacy, a lack of amenities/ garden space/ parking, issues of pollution and road access.
- Grateful for the officer’s recommendation for refusal.

Councillor Burrows submitted a written statement as Uxbridge Ward Councillor, making the following points

- Opposition to the application was noted.
- This application was not very different from previously refused applications.
- This was over-development, which would have a harmful effect on neighbours and the street scene, including the preservation of trees.
- It was out of character with the rest of Harefield Road and there would be a lack of parking available.
- Requested that the Committee uphold the officer recommendation for refusal.

Members thanked officers for the report and noted that applications on this site had previously been refused, amended and refused again, before an appeal was also dismissed. It was questioned if the lack of car parking could be added as an additional refusal reason. Officers clarified that the level of car park was similar to the previous schemes and so there were no grounds for adding this as an additional reason for refusal. Officers further clarified that there were 13 car parking spaces proposed, while 13.5 spaces was the maximum permitted under the London Plan.

Members questioned the highways impact, and whether an adverse effect on highways could be added as an additional refusal reason. Offices clarified that 13 occupied car parking spaces would add 5 cars as trips to the network, and so there were no concerns over this.

Members asked about fire safety access and whether this could be added as an additional reason for refusal. Officers clarified that fire safety was covered on page 78 of the agenda. The alternative provision of sprinklers was noted. It was further noted that a fire safety condition could be added in the event of the application being approved.

Members noted that this was over-development and noted the non-attendance of the applicant/ agent. It was noted that granting this application would not be ‘Putting Our Residents First’.

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

85. **53-55 THE BROADWAY, JOEL STREET - 5564/APP/2022/2355** (*Agenda Item 10*)

**Change of use of undercroft to provide a wheelchair accessible self-contained residential unit with associated external alterations/ works including disabled parking bay.**

Officers introduced the report. Members noted the proposed disabled parking bay and that this application would benefit residents.

Officers noted that there was an addendum, which noted the removal of the condition for the development to be permit free. A verbal update was given to disregard the comments in the addendum following further clarification from the Highways team.

	<b>RESOLVED: That the application be approved, subject to S106.</b>
	The meeting, which commenced at 7.00 pm, closed at 8.23 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Ryan Dell on [rdell@hillington.gov.uk](mailto:rdell@hillington.gov.uk). Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.