

Minutes

HILLINGDON PLANNING COMMITTEE

14 March 2024

Meeting held at Committee Room 5 - Civic Centre



	Committee Members Present: Councillors: Farhad Choubedar Darran Davies Elizabeth Garelick Henry Higgins (Chair) Gursharan Mand Jagjit Singh Adam Bennett LBH Officers Present: Eoin Concannon, Area Team Leader Katie Crosbie, Planning Team Leader Ed Laughton, Principal Planning Officer Liz Penny, Democratic Services Officer Haydon Richardson, Principal Planning Officer Dr Alan Tilly, Transport Planning and Development Manager James Walsh, Legal Advisor
58.	APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>) Apologies for absence were received from Councillor Roy Chamdal with Councillor Farhad Choubedar substituting.
59.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>) Councillor Adam Bennett declared a non-pecuniary interest in item 9 (Dyson Drive) as he lived in an adjacent road. He confirmed that he would leave the room while this item was being considered and would not vote on the item.
60.	TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>) RESOLVED: That the minutes of the meeting dated 14 February 2024 be agreed as an accurate record.
61.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>) None.
62.	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>)

	It was confirmed that all items were in Part I and would be considered in public.
63.	32 NORWICH ROAD, NORTHWOOD - 35516/APP/2022/3676 (<i>Agenda Item 6</i>) Demolition of the existing dwelling, and construction of a two and half storey building comprising 3 no. flats with associated car parking, amenity space, and bin and cycle storage. Officers introduced the application noting that the proposed layout was similar to the existing. This was a re-submission following a previously refused application. The new proposal had made substantial amendments to the previously refused application; the number of flats now proposed had reduced from eight to three. The original eight reasons for refusal, which mainly related to overdevelopment of the site, had been addressed in the latest application hence it was recommended for approval. The agent for the application, Mr Joseph Kent, was in attendance and addressed the Committee. Mr Kent noted that he had engaged extensively with the Council to address the concerns previously raised. He was happy with the content of the officer's report and the proposed conditions therein. In response to representations received objecting to the proposal, Mr Kent informed the Committee Members that the proposal complied with parking standards and included provision for cycle parking. There was ample on-street parking in the surrounding area. The proposed development met all planning and building control requirements and would not set a precedent as planning policies restricted the number of properties in an area which could be converted to flats. In response to questions from the Committee, it was confirmed that it was difficult to quantify the amount of parking available in the vicinity of the application site. However, it was noted that there were no parking restrictions in the area and no Parking Management Schemes had been requested which was a good indicator of the absence of parking stress. Members welcomed the progress that had been made with the application and raised no concerns. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed subject to the conditions set out in the officer's report. RESOLVED: That the application be approved subject to the conditions set out in the officer's report.
64.	12 MORELLO AVENUE, HILLINGDON - 77998/APP/2023/2616 (<i>Agenda Item 7</i>) Change of use of a Class C3 dwellinghouse to a Class C4 Small Scale HMO with associated refuse and bike storage. Officers introduced the application which included associated parking and cycle storage. No external changes to the building were proposed. The application was recommended for refusal for four reasons – the proposed layout and size of the bedrooms were more akin to a large HMO which could accommodate up to ten occupants; the proposal would give rise to undue noise and disturbance to

neighbouring residents; the proposed development would fail to provide adequate parking; and the dwelling offered inadequate internal communal space and kitchen area for occupants.

A petition had been received in objection to the application. The lead petitioner was in attendance and addressed the Committee. Concerns highlighted included:

- Morello Avenue was a quiet residential area not suited to an HMO;
- A tree in the lead petitioner's garden had been felled by the applicant against his wishes – this did not bode well in terms of how the HMO would be run; and
- Due to the size of the bedrooms, the proposed HMO had the potential to house considerably more than five people.

With regard to the felling of the tree, it was agreed that officers would be requested to explore this matter further outside of the Committee.

The agent for the application had submitted a written representation which was read out to the Committee Members. Key points highlighted included:

- Planning officers were thanked for their help and support to date;
- Parking provision had been raised as a concern although officers had advised the agent to amend the plans to include 2 rather than 3 spaces;
- Being akin to a large HMO was purely an assumption – there was no evidence to support this;
- The applicant and agent were willing to be flexible with the design and would be happy to amend the plans to incorporate only living space downstairs and bedrooms upstairs;
- The only reason planning permission had been sought was due to Hillingdon's Article 4 Direction which did not prevent the development but required planning permission to be obtained first from the Council;
- Article 4 was to remove permitted development rights relating to the change of use of a dwelling house into an HMO. The application did not meet any of the criteria for refusal of an HMO – the overcrowding of HMOs did not apply as there were none on Morello Avenue;
- Objections were based on the assumption that 6 or more people would live in the HMO although the application was for a 5 person HMO only;
- Stated refusal reasons were based on taking away the rights of people with lower socioeconomic standing – the application sought to offer more than the minimum space standards required at an affordable price;
- The agent was happy to accept a condition limiting the HMO to 5 people only;
- If the application were to be refused, the applicant and agent would appeal the decision and consider legal action.

Ward Councillor Gohil was in attendance and addressed the Committee in support of the petitioners. Councillor Gohil noted that 12 Morello Avenue was a lovely house in a lovely road with lovely families living there. An HMO which could potentially house up to 10 people was an awful idea. Councillor Gohil noted that the Council's ambition was to build nice family homes and an HMO did not fit into that category. The neighbours had been going through hell with work being carried out at all hours at no.12 and with the uncertainty of what would happen in relation to the application. An additional reason for refusal or strengthening of reason for refusal number 2 was proposed in relation to planning policy which stated that developments should create spaces that were 'safe, inclusive and accessible which promote health and wellbeing.' It was

	agreed that officers would refer to this policy so it appeared in the report. In response to questions from Members, it was confirmed that there were currently no HMOs in the area. Policy allowed for up to 20% of properties to be HMOs but they had to comply with all planning standards. Members sought clarification as to the feasibility of controlling the number of future occupants by way of conditions. It was confirmed that it would not be possible for the local authority to police this going forward. Officers would be obliged to confirm it in writing prior to any inspection of the premises. In response to further questions from the Committee, Members heard that the London Ambulance Service had not been consulted on the application. They were informed that the proposed bedrooms were bigger than a standard double room and could therefore accommodate more than one person. No further concerns were raised. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed. RESOLVED: That the application be refused.
65.	39 PARKFIELD ROAD, ICKENHAM - 24825/APP/2023/81 <i>(Agenda Item 8)</i> Erection of a replacement dwelling. Officers presented the application and highlighted the additional information in the addendum. It was noted that some additional objections had been received in respect of the application, but no new concerns had been raised. Members heard that the large oak tree to the rear of the site was protected by a TPO. There was a mix of housing along Parkfield Road and quite a few replacement buildings including numbers 29, 54 and 55; the principle of replacement dwellings was therefore acceptable. The height and scale of the proposed development was similar to that at number 29. On balance, it was considered that the proposed design of the development would not cause harm to the overall character of the area or to the amenity of the neighbours. The application was recommended for approval. Two petitions had been submitted in objection to the application. The Chair noted that, on this occasion, both petitioners would be permitted to speak for up to 5 minutes each due to some late notification to one of the petitioners regarding the meeting. However, the Chair usually exercised his discretion where there were multiple petitions on the same application and reserved his right to reduce the speaking times. The lead petitioner for the first petition was in attendance and addressed the Committee on behalf of the petitioners. Key points highlighted included: • The new owners had purchased no. 39 Parkfield Road a year previously but had never actually lived at the property. Strangers used the property and came and went at random – it was essentially already an HMO; • It appeared that the property had been purchased as a commercial investment only rather than to be used as a family home; • No. 39 was located between four bungalows with five bungalows opposite and the proposal was not in keeping with the street scene;

- The documents and plans submitted by the applicant were inaccurate;
- Proposed off-street parking provision would be inadequate;
- Planning officers had stated that the proposal complied with BRE guidelines. The consultant had chosen sections which benefited the applicant but the BRE should be considered in its entirety;
- The findings of the daylight / sunlight report were disputed as they vastly underestimated the impact of the construction and the light remaining thereafter. The application site was surrounded by elderly neighbours who needed more light. All windows at no. 41 should be included in the calculations;
- The drawings were inaccurate. The Council should at least independently verify the calculations taking into account all loss of light to all windows and rooms;
- It would not be possible to construct the building as planned – the roof ridge would need to be extended or the velux windows lowered;
- Hidden heights had not been allowed for and would increase the height indicated in the diagrams. The diagrams had been prepared with a lack of care and attention and included inaccuracies e.g. no. 43 had not been drawn to scale;
- Petitioners requested refusal of the application or deferral for a site visit.

Members enquired whether the lead petitioner had been able to have any open dialogue with the owners. It was confirmed that this had not been possible as the owners did not live at the property, and he had only met them twice.

The second petitioner had submitted a written representation which was read out to the Committee. Key points highlighted included:

- Number 39's design had been modelled on number 29's;
- Small sympathetic developments in Parkfield Road had led an erosion of the street scene. Recent developments had ignored agreed conditions and plans and future developers built even more dominant houses;
- The 'emerging street scene' was wholly unwelcome;
- Parkfield was a majority bungalow street with the four original 2-storey buildings being set in large plots so neighbours could enjoy natural sunlight. Residents had paid a premium for their houses as the bungalows were private, light and sunny at all times;
- The first developments to disrupt the street scene had been 31a and 31b – a visiting Councillor had remarked that the developments should not have been approved;
- Number 43 was then extended with changes to roof pitch, height and inclusion of rear dormer windows which had not been approved. It now cast shadow and overlooked neighbours and was due for planning enforcement investigation;
- Number 29 had been passed on appeal. However, the plans submitted to the planning inspector had been confusing – particularly that showing the street scene which suggested no.29 was the same height as 31a;
- The planning inspector had stated that the roof space at no.29 was not to be habitable and no windows were to be installed. This had been ignored and the roof space housed another bedroom with many windows. The bays at the front had been widened, roof height raised, and the front bay's hipped roof exchanged for gable ends. The result was a large, intimidating building which overlooked neighbours;
- No. 39 had been modelled on this illegal building which was due to be investigated by the Planning Enforcement team;

- Planning permission for no. 39 should be refused or at least delayed pending enforcement investigation at no.29.

Ward Councillor Martin Goddard was in attendance and addressed the Committee Members. Councillor Goddard stated that, given that there appeared to be material doubts about the application, it would not be appropriate to approve it. The doubts related to 1) the accuracy and reliability of the plans, 2) the reliability of the daylight / sunlight assessment and 3) the question as to whether or not the agreed plans for number 29 had been adhered to – this needed to be investigated further. Councillor Goddard was of the opinion that, if the application were not to be refused, the matter should at least be adjourned for a site visit. If the application were to be approved, the addition of further conditions were recommended to ensure the premises could not be used as an HMO, hostel or Airbnb in the future, to restrict further permitted development rights and to ensure set construction hours were adhered to.

In response to questions from the Committee, it was confirmed that officers were happy with the daylight / sunlight report. A professional report funded by the applicant could be arranged if needed. Members were informed that daylight / sunlight reports were carried out by professional experts and were not routinely verified by officers. Officers conducted a site inspection to see the layout of existing buildings and, if any discrepancies were identified, these would be raised with the applicant.

The Committee requested further clarification in relation to the concerns regarding dimensions raised by petitioners. It was confirmed that officers had reviewed all these comments. With regard to the proposed rooflights, it was confirmed that further details would be sought by condition to ensure the siting of the rooflights on the side elevations was consistent across all the drawings. Members were informed that, on average, the proposed doors were approximately 2m in height. Should the overall height of the dwelling be changed, this would require further planning permission. No new dwelling in the roof was proposed so there was no requirement for 2.5m floor to ceiling space - this could be slightly smaller to fit with the depicted height on the plan. It was confirmed that, should the finished development be significantly larger than every other dwelling in the street, this would not be consistent with the plans.

Members raised concerns regarding the potential use as an HMO. Officers advised that this matter had not been addressed in the report as it was considered that the impact would be largely the same whether the development were used as an HMO or a occupied by a larger family.

In reply to further questions from the Committee, Members heard that a planning enforcement investigation had been conducted at number 29 which had revealed that the development had been built in accordance with the agreed plans; no further action had been taken. It was confirmed that the proposed garage was deemed to be large enough to accommodate a car.

Given the speculation regarding the dimensions, the proximity to other properties and concerns regarding the sunlight / daylight report, Members proposed a deferment for a site visit and requested a further daylight / sunlight report approved by a third party.

A deferment for a site visit and a further daylight / sunlight report approved by a third party was moved, seconded and, when put to a vote, agreed with 6 Members voting in favour and one abstention.

	RESOLVED: That a decision on the application be deferred to allow Members to conduct a site visit and to request a further daylight / sunlight review.
66.	DYSON DRIVE, UXBRIDGE - 78464/APP/2023/3668 (<i>Agenda Item 9</i>) Alteration to car parking layout. Councillor Adam Bennett had declared a non-pecuniary interest in this item as he lived in an adjacent road. He left the meeting and did not participate in the deliberations and did not vote on this item. Officers presented the report. It was confirmed that the proposal was to formalise the parking arrangements in a private road and provide 8 additional car parking spaces. The additional spaces, in combination with the existing spaces, would exceed the London Plan (2021) maximum car parking standards which sought to reduce vehicle trips and promote sustainable travel modes. Moreover, the design of the proposed new spaces would result in residents existing their vehicles directly onto the shared surface, not a pedestrian footpath, which raised highway safety concerns. The application was recommended for refusal. In terms of liability, it was confirmed that the Council would not be liable in any way as this was a private road. A petition in support of the application had been received. The agent for the application and a petitioner were in attendance and addressed the Committee. Key points highlighted included: • The agent and residents understood the planning policy but felt a commonsense approach was needed; • The site in question was a private cul de sac. The parking spaces already existed and were in use; • Residents in the street had submitted an application to better regulate and manage the parking in Dyson Drive; • Transport Specialists had prepared a transport statement in support of the proposal; • The spaces were already provided on the street but were currently unregulated; formal spaces could be managed better and highways safety would be improved. • 8 house owners had submitted the application – these homes include 14 children under the age of 9. Home owners had chosen to live there as it was a nice safe quiet road; • The resident in attendance had a 3-bed house with only one allocated parking space – this had been a mistake by the developers, and they had now made the land available to rectify the error; • The Council's Highways report findings differed from the findings of the residents' Highways report; • Non-residents often used the parking spaces – sometimes for months on end. Vans parked overnight and this was very disruptive to residents; • If the proposal were agreed, the number of car journeys would be reduced and the street would be safer for residents; • The reason for refusal quoted in the officer's report referenced over-provision of car parking yet no additional spaces were proposed – just better management of existing parking arrangements. Residents were supportive of the proposal.

	In response to queries from the Committee, it was explained that Dyson Drive was a private road. The matter had only been brought to the attention of the Committee due to the submission of a petition. The current parking situation was informal and not consented or regulated by the Council. Formalising it would consent the additional parking. It could set a precedent and would need to be brought in line with the requirements of the London Plan (2021) maximum car parking standards which sought to reduce vehicle trips and promote sustainable travel modes. It was clarified that planning consent was required for the additional parking, but the Council did not own the road therefore could not enforce parking on the site or legally paint lines on the road. Members sympathised with the position of the applicant and petitioners but noted that the Council was limited in what it could do to address the issue. It was suggested that the applicant should lobby the owner of the site to take action. The green spaces at the site could be used for additional parking. Health and safety concerns were of paramount importance. Members enquired whether officers could be requested to work with residents and give them advice. It was confirmed that the residents would need to approach the owner independently. Any proposed alternative parking solution would be brought back to the Planning Committee. The Committee noted the health and safety concerns of officers. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed. RESOLVED: That the application be refused.
67.	LAND AT AUSTIN ROAD, HAYES - 76550/APP/2023/2931 (<i>Agenda Item 10</i>) Section 73 application to vary Condition 3 of application reference 76550/APP/2021/4499 dated 28-09-22 (Hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works) to increase the parapet height by 50cm in the Detailed First Phase. Officers presented the application which comprised a minor material amendment to vary Condition 3 of planning application reference 76550/APP/2021/4499 dated 28/9/22. The current application sought to amend the original consent for the detailed first phase Building A to increase the parapet height by 50cm and was recommended for approval. Members enquired whether it would be possible to condition the colour of the parapet. It was confirmed that a materials condition would be included and the colour would be

	agreed at a later date. The Committee welcomed the project and did not object to the minor amendment. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed subject to the conditions set out in the officer's report. RESOLVED: That the application be approved, subject to the conditions set out in the officer's report.
68.	HIGH VIEW FARM, HAREFIELD - 39755/APP/2023/652 (<i>Agenda Item 11</i>) Regularisation of the existing green waste composting operations and proposed extension to the green waste open windrow compost maturation yard, construction of a storage container, site offices, welfare building, weighbridge/weighbridge offices, 2 no. leachate holding tanks, 2 no. 180kW generator sets, landscaping and areas of ecological enhancement, including a change of use of the land from pasture to a waste management use. Officers presented the application which sought to regularise the buildings and infrastructure on the existing site of the green waste composting operations and extend the maturation yard to the north and east. The Central Government move to process more green waste was noted and the application was recommended for approval. Members sought clarification as to the future use of the biodiversity area near the woodland. It was confirmed that a scrub area was proposed. In response to further questions from the Committee, it was confirmed that the proposal would not result in increased vehicle movements and the tonnage would remain unchanged. The Committee noted that green composting was important and much needed. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed subject to referral to the Secretary of State and the Mayor of London . RESOLVED: That the application be approved subject to referral to the Secretary of State and the Mayor of London.
69.	GARAGE COURT R/O 66-74 FARMLANDS, JOEL STREET, EASTCOTE - 77586/APP/2023/2460 (<i>Agenda Item 12</i>) Demolition of existing single-storey garages and the construction of 4no. 2-bedroom, two-storey houses with associated car parking and landscaping. Officers presented the application noting that officers were happy with the proposal in terms of its design, living conditions, impact on the street scene and effect on the amenity of neighbours. Highways officers had raised no concerns, the proposed parking at the site was acceptable and tree protection and landscaping conditions had been added. The application was recommended for approval. Members sought further clarification in respect of access arrangements and enquired whether the new development would have a separate street address. It was agreed that officers would follow this up with the Street Naming and Numbering Team.

	In response to further queries from Members, it was confirmed that the current garages were in a state of disrepair and were not in use. Members welcomed the proposal to remove the redundant garages and create new attractive mews-style homes in their place. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed subject to the conditions set out in the officer's report. RESOLVED: That the application be approved subject to the conditions set out in the officer's report.
70.	YEADING INFANT SCHOOL, YEADING - 17997/APP/2023/3294 (<i>Agenda Item 13</i>) Demolition of existing single storey buildings and the erection of a new single storey kitchen and dining hall facility with associated external works. Officers presented the application and informed the Committee that the existing café was in a state of disrepair. The proposal would result in no loss of play space at the school. The proposed new building would be more energy efficient, better insulated and would offer improved dining facilities. It was considered that there would be no harm to the appearance of the building or to the amenity of neighbours. Members sought clarification regarding the waste removal and delivery times as set out in the Construction Management Plan, noting that deliveries between the hours of 09:30 and 15:30 were proposed. Officers were requested to ensure that deliveries did not coincide with school closure times, so children were able to leave the school safely. It was agreed that delegated authority be granted to the Area Service Planning Manager, in consultation with the Chair and the Labour Lead, to amend the delivery times in the Construction Management Plan to ensure they did not compromise safety at school closing times. With regard to asbestos, Members were informed that this came under separate legislation. It was agreed that delegated authority be granted to the Area Service Planning Manager to add an informative in relation to asbestos management. The Committee welcomed the proposal and raised no further concerns. The officer's recommendation, subject to the conditions in the officer's report, the agreed amendment to the delivery times and the addition of an informative in relation to asbestos, was moved, seconded and, when put to a vote, unanimously agreed. RESOLVED: 1. That the application be approved subject to the conditions set out in the officer's report; 2. That delegated authority be granted to the Area Service Planning Manager, in consultation with the Chair and the Labour Lead, to amend the delivery times in the Construction Management Plan to ensure they do not compromise safety at school closing times; and 3. That delegated authority be granted to the Area Service Planning Manager to add an informative in relation to asbestos management.

71.	GARAGES TO REAR OF 15 ASH GROVE - 77939/APP/2023/2448 (<i>Agenda Item 14</i>) Demolition of four existing garages and erection of two terrace dwellings (1x2 bed and 1x3 bed) over two storeys with associated car parking spaces and private gardens. Officers presented the application and highlighted the additional information in the addendum. It was noted that, at present, parking in the area was erratic and hazardous. The proposal would alleviate this issue. Members heard that the current garages were sub-standard and unoccupied and adequate street parking was available in surrounding roads. The application was recommended for approval. In response to questions from the Committee, it was confirmed that a business was being run from the main road - Ash Grove which was exacerbating parking stress in the area. Enforcement officers were already aware of this. Members were advised that the new development would form part of Ash Grove therefore would have the same street name. The Committee was advised that none of the garages was currently in use. Members raised no further concerns or queries. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed subject to the addendum and the conditions in the report. RESOLVED: That the application be approved subject to the information in the addendum and the conditions set out in the officer's report.
	The meeting, which commenced at 7.00 pm, closed at 9.36 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on epenny@hillingdon.gov.uk Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.