

Re Minutes

BOROUGH PLANNING COMMITTEE

8 December 2022

Meeting held at Committee Room 5 - Civic Centre



	Committee Members Present: Councillors Henry Higgins (Chairman), Steve Tuckwell (Vice-Chairman), Farhad Choubedar, Ekta Gohil, Gursharan Mand, Raju Sansarpuri and Jagjit Singh LBH Officers Present: Roz Johnson - Planning Services Manager, Fiona Rae - Planning Team Leader, Nesha Burnham - Principal Planning Officer, Anisha Teji - Democratic Services Officer, Glen Egan- Head of Legal Services (Acting) and Alan Tilly - Transport Planning and Development Manager Ward Councillors Present: Councillor Roy Chamdal (Colham and Cowley) Councillor Kaushik Banerjee (Ickenham and South Harefield)
63.	APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>) There were no apologies for absence.
64.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>) Councillor Henry Higgins declared a pecuniary interest in agenda item 13: 57 Tudor Way, Hillingdon East – 20951/APP/2022/1228) as he knew one of the objectors. He did not vote and left the room during discussion of the item.
65.	MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>) RESOLVED: That the minutes from the meeting on 1 November 2022 be approved.
66.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>) None.
67.	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 would be heard in Part I.
68.	42 PIELD HEATH ROAD - 17611/APP/2022/993 (<i>Agenda Item 6</i>) Demolition of a two-storey bed and breakfast, and the erection of a three-storey

residential development comprising of seven flats, alterations to existing drop kerb, all associated external works and landscaping.

Officers introduced the application and made a recommendation for refusal.

A petitioner in objection of the proposed development addressed the Committee and referred to slides that were circulated to Members and officers prior to the meeting. It was submitted that the application should be refused due to parking issues and risks to children, risks to pedestrians and cyclists, pollution, over dominance and loss of privacy. The development only provided five car parking spaces for seven flats and there were concerns that this would cause additional parking pressures in the area. Further, the proposed increase in vehicular movement would cause a risk to families and children crossing roads. It was submitted that Pield Heath Road was already a busy road and questions were raised about where delivery vehicles would park without presenting a risk to pedestrians and cyclist. The development would cause more congestion and pollution and there was no reference made to energy efficient resources in the application. The petitioner highlighted photographs that demonstrated overdominance due to the proposal's bulk, size and mass. It was noted that the development would detrimentally impact neighbouring properties and would cause a loss of privacy and light.

The agent for the application was not in attendance.

Councillor Roy Chamdal , Ward Councillor for Colham and Cowley addressed the Committee and supported the residents' petition and reasons for objection. It was submitted that this was a 'horrible' application and there had been no regard for planning law or community parking. There had been recent development in the area that offered no parking and this had caused issues further down the line.

The Committee noted that there were five strong refusal reasons in the report and that a legal agreement had not yet been reached restricting residents from applying for a parking permit to join the street's parking management scheme, which would cause further parking stress. There were also concerns regarding the cross over and Members considered that the proposed development was out of character due to its bulk and scale.

RESOLVED: That the application be refused as per officer recommendation.

69. **10 ST LUKE CLOSE - 36391/APP/2022/2104** (*Agenda Item 7*)

Erection of a two-storey side/rear extension and a single storey rear extension. Roof light located on rear roof slope with the demolition of outbuildings.

Officers introduced the application and made a recommendation for approval. It was noted that this application had been deferred from the Committee meeting on 1 November 2022 to allow a Member site visit to take place.

A petitioner in objection of the proposed development addressed the Committee and thanked Members and officers for attending the site visit. It was highlighted that the proposal was not policy compliant and any additional builds would lead to overcrowding. It was submitted that the proposal differed from the side extension at number 15 as a two-storey rear extension was also being proposed in this application and number 15 did not have this. This would be the first rear extension to be cited at the floor level and would spoil the straight terrace line. There was therefore no

relevance in citing number 15 in the proposal. Concerns were raised regarding parking pressures and the potential for this development to be used as a home of multiple occupancy (HMO) in the future. Since the site visit, the Committee was informed that the second petition produced 27 signatures and there was strong objection from residents. The Committee was asked to refuse the application.

By way of written submission, the applicant for the application addressed the Committee. It was submitted that the planning application had been made in good faith to increase the size of a family home. The existing house was situated on a large plot of land providing a substantial total of 366m² of garden and parking amenities. The applicant intended to build on 50m² of this outside space, a small part which is otherwise unused. The extension had been designed very carefully, mindful of the relevant planning policies and the neighbour's amenities. The proposal was supported by planning officers and provided an opportunity to renovate the existing house, bringing it up to date with current building regulations, and making it more sustainable.

Councillor Roy Chamdal , Ward Councillor for Colham and Cowley addressed the Committee and supported the residents' two petitions which totalled 82 signatures. It was highlighted that the development was not policy compliant and therefore caused harm. The application was inconsiderate of neighbours, and it was noted that planning law had changed considerably in the last 35 years.

The Chairman reminded Members that the any reference to HMOs with Article 4 in the area was irrelevant and asked Members to consider the application before the Committee.

The Committee thanked officers for arranging the Member site visit and considered it to be worthwhile. It was noted that the application deviated from planning policy however there were material planning considerations that had been taken into account and this had created an on-balance decision.

The Committee took the view that the development was overly wide, not subordinate to number 10 and contrary to policy. The impact on the street scene was also considered and the 1.3m difference was too far out. Parking issues were also a concern.

The Planning Services Manager advised the Committee that a planning judgement needed to be made after considering all of the factors. The proportions of the extension were noted however this needed to be balanced against the character and appearance of the area. There was no harm from the proposed extension and the Committee was informed that this could not be defended at appeal.

The Head of Legal Services (Acting) advised Members that if the Committee was minded to refuse the application then clear reasons needed to be given on what constituted the planning harm.

The Committee was mindful of the relationship between the dwelling and proposed extension, the fact that it was overly wide, contrary to policy and the direct impact on the neighbouring property. Based on the bulk, width, scale and failure to be subordinate which caused harm to the host dwelling, the Committee decided to refuse the application. Members were also mindful of setting any precedent in the area.

A motion to overturn the officer's recommendation was moved and seconded and when put to a vote, there were three votes in favour and four abstentions.

	RESOVLED: That the application be refused.
70.	R/O 25-31 WARREN ROAD - 77265/APP/2022/2845 (<i>Agenda Item 8</i>) Erection of 4 no. two storey, detached houses, with habitable accommodation in roof space, garage and associated landscaping, parking and installation of vehicular crossover. Officers introduced the application, highlighted the addendum and made a recommendation for approval. A petitioner in objection of the proposed development addressed the Committee and referred to photographs that were circulated to Members and officers prior to the meeting. It was noted that the petition had 58 signatures and there had been 28 letters of objection. The Committee was referred to policy DMH6 and the report which stated that there was a presumption against the loss of gardens due to the need to main local character, amenity space and biodiversity. In exceptional cases a limited scale of back land development may be acceptable. It was submitted that exceptional was not defined by planning law and this development did not amount to exceptional. Haythop Drive which was a long access road and there were concerns regarding its use as an access road for major development. The road was only 4.8m wide and it would be difficult for large vehicles such as HGVs to access the road particularly when there were cars parked. It was submitted that there could be a danger to residents as there was no pavements in parts of the road and no barriers to traffic. There was also a serious concern that the construction would cause disturbance to properties and the development was not policy complaint. In response to Member questions, it was confirmed that the photographs showed the narrowness of the road and the main issue was using the access road during the construction period which could take up to a period of 12 months. The agent for the application addressed the Committee and outlined the proposal. It was noted that this proposal formed the last phase of a development that started in 1987 and the houses built were deemed acceptable. The report was comprehensive, covered all aspects and concluded that the application complied fully with national and local planning policies in terms of character, impact on neighbours, highways and tress. The development was acceptable, and existing properties had already been built on Haythrop Drive and former rear gardens of Warren Road and Woodstock Drive. The proposal had been designed taking into consideration height and massind and it was concluded that there would be no harm caused to the character and appearance of the area. The development would deliver high quality housing which would widen the choice of family housing in the Borough in accordance with all policies and guidance. Councillor Kaushik Banerjee, Ward Councillor for Ickenham and South Harefield addressed the Committee and supported the points raised by the petitioner. It was submitted that this application was back land development, the application should be considered in accordance with current planning policy and a precedent had been set 30 years ago. The distance of 21m between the properties in terms of distance breached planning policy and it was requested that a construction management plan be considered to safeguard residents. Further to the Chairman's clarification on whether emergency vehicles would be able to adequately access the road, it was confirmed that the road was be 4.8 metres wide which was the minimum width requirement.

	It was noted that the main concerns raised were regarding traffic during the construction period and clarification was sought from officers. It was acknowledged that it would be inconvenient for neighbouring properties during the construction period of the development however this would not form a sound reason to refuse planning permission as the inconvenience and disturbance would be temporary. It was also reiterated that the width of the road was deemed acceptable and there were no safety grounds for refusal. There was a thorough construction management condition in the report. It was acknowledged in the report that this was back land development however factors such as amenity, value for the garden space, concerns about vehicle access and the impact on neighbours had been considered. After taking into account all the factors, it was concluded that the proposal complied with the exceptionality test. The planning history for the case was also outlined for the Committee. Although there was a construction plan condition proposed and the works would be temporary, the Committee sympathised with residents. It was queried whether any other measures could be added to safeguard resident interests and it was confirmed that the condition could be amended to request that the developer provided details about the size of vehicles and times that would attend the site. The officer's recommendation, inclusive of strengthening condition 4 to include further information regarding the size of vehicles and times they would access the site, was moved, seconded, and when put to a vote, was unanimously agreed. RESOLVED: That the application be approved as per officer recommendation subject to strengthening condition 4 relating to the Construction Management Plan and changes in the addendum.
71.	LAND AT LONGFORD CLOSE - 77102/APP/2022/647 (<i>Agenda Item 9</i>) Erection of a two storey dwelling comprising two 1-bedroom flats. Officers introduced the application and made a recommendation for approval. Neither the petitioner organiser nor applicant were in attendance. There were also no Ward Councillors present. The Committee noted that there had been two pre-approved planning applications however welcomed the additional homes in the London Borough of Hillingdon. The officer's recommendation was moved, seconded and unanimously agreed. RESOLVED: That the application be approved as per officer recommendation
72.	14 HIGH STREET - 47647/APP/2022/2552 (<i>Agenda Item 10</i>) Application for planning permission for the permanent retention of the existing outdoor seating area at the rear of the coffee shop and replacing existing fence and floor, previously approved under planning application reference number 47647/APP/2020/2017 Officers introduced the application, highlighted the addendum and made a

	recommendation for approval. A petition in support of the application had been submitted and the petition organiser was not in attendance. There were no Ward Councillors present. Further to Committee clarification request, officers confirmed that details were being secured on the material of the York stone paving to preserve the conservation area. RESOLVED: That the application be approved as per officer recommendation subject to the amendments in the addendum.
73.	AXIS HOUSE, 242 BATH ROAD - 43794/APP/2022/2500 (<i>Agenda Item 11</i>) Change of use of parking spaces from residential use to a paying public car park. Officers introduced the application, highlighted the addendum and made a recommendation for refusal. The Committee was concerned about the proposed impact on local residents and noted the three strong refusal reasons including disturbance to residents, traffic congestion and pollution. The officer's recommendation was moved, seconded and unanimously agreed. RESOLVED: That the application be refused as per officer's recommendation and changes in the addendum.
74.	6 GLEBE AVENUE - 2015/APP/2022/1894 (<i>Agenda Item 12</i>) Subdivision of premises into two to provide one barber shop (Class E) and one beauty salon (Sui Generis), and alterations to shopfronts including the installation of a canopy (retrospective application) Officers introduced the application, highlighted the addendum and made a recommendation for approval. The Committee considered that this application supported small businesses and provided benefits to the community. The officer's recommendation was moved, seconded and unanimously agreed. RESOLVED: That the application be approval as per officer's recommendation.
75.	57 TUDOR WAY - 20951/APP/2022/1228 (<i>Agenda Item 13</i>) Erection of a single storey side extension and a part single, part double storey rear extension. Councillor Higgins left the room during this item as he had declared a pecuniary interest. Officers introduced the application and made a recommendation for approval. The Committee noted that the application and plans had been amended to meet policy requirements. The officer's recommendation was moved, seconded and unanimously

	agreed. RESOLVED: That the application be approval as per officer's recommendation.
	The meeting, which commenced at 7.00 pm, closed at 8.50 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on ateji@hillingdon.gov.uk or 01895 277655 . 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.