

At a meeting of the West Area Committee (Planning) held on Thursday, 7 May 2009 at 7:30 pm in Feltham Library.

Present:

Councillor Hills (Vice-Chair, in the Chair)

Councillors Bowen, Harris, Howliston, Hutchison, Jabbal, Drew Morgan-Watts, Nakamura, Stewart, Virk, Williams and Wilson.

Apologies for Absence

Councillors Cooper, Andy Morgan-Watts and Pitt.

91. Declarations of Interest

The following declarations of interest were made:

Item 5 – Budgens 507 – 511 Staines Road

Councillor Howliston was aware of the case and would not vote on this item. He had been contacted extensively by the occupant of a neighbouring property.

Item 6 – 39 Orchard Avenue

Councillors Hills, Howliston, Virk, Drew Morgan-Watts, Harris, Stewart, Nakamura and Williams had been contacted on this item, but held no predetermined view.

92. Minutes

The minutes of the meeting 9 April 2009 were agreed.

93. Matters Arising

Minute 81 - Matters Arising, Feltham Skills Centre

Councillor Bowen said that SDC had had a difficult decision on this item last night, but it was his view that the correct decision had been reached. He also noted the benefits which the skills centre would bring to education in the West Area. He requested that the West Area Monitoring Committee be kept informed of the implementation of this permission. Cllr Hills mentioned that improving education was priority one of the West Area Plan.

Minute 82 – Highways Planned Maintenance Programme 2009-10

Councillor Hills asked Ward Councillors to respond to Munawar Ahmed on roads in Wards which would benefit from Micro-Asphalt surfacing, as had been agreed at the last meeting. In light of this request Councillor Harris suggested Vernon Road, Feltham West, and Councillors Stewart and Williams said that they were happy with the previous recommendation of Queens Road, Hanworth Park.

Councillor Bowen mentioned that he felt the debate at the previous meeting had been for the benefit of the whole West Area, and was objective in attempting to identify the most appropriate roads for re-surfacing across the West Area. He noted, however, that the footways on Fern Grove were not as bad as the Committee had believed. He had asked the highways department to prepare a report on the defect level, so that the correct decision could be taken, taking into account further relevant information.

Resolved –

That relevant officers, subject to consultation with the Chair, be authorised to alter the second footway priority should the level of defects be significantly lower than other footways which could be re-paved within the area committees budget.

The motion was proposed by Councillor Bowen and Seconded by Councillor Hills.

For	Councillors Bowen, Hills, Howliston, Virk, Drew Morgan-Watts, Hutchison, Wilson, Jabbal, Harris, Stewart, Nakamura, Williams.	12
Against	None	0
Abstain	None	0

94. 39 Orchard Avenue

See Report of Director of Environment, Agenda Item 6, the Affidavit of Mohinder Vikram Pal, Builder responsible for Works, (tabled at the meeting), and the letter dated 15 October 2008 from G. Singh, Owner of Property) co-signed by Z. Saeed, K. Stevens and P. Giles, neighbours (tabled at the meeting).

With the permission of the Chair messieurs Gill and Stevens addressed the committee. Following comments from the committee, Mr Gill apologised for disturbing Councillors on the recent bank holiday. Mr Gill said that responses from the planning department had been slow and had caused him some difficulties. He stated that the porch and canopy had existed for a very long time, certainly more than 4 years. He stated that whilst the structure had been repaired in July 2007 it was not altered sufficiently to require planning permission. Mr Stevens said that a canopy had existed on the front of the property since 1981 when he had first moved to the adjoining property 41 Orchard Avenue.

In response to questions from Councillors, Mr Gill informed the meeting that:

- Changes to the porch involved a change of door, tiles and the introduction of a pillar.
- He did not have with him any photographs of the property before the work took place.

In response to questions from Councillors, Jimmy Walsh, Legal Adviser, advised that refurbishment was not always sufficient to invalidate the four year rule. He noted, however, that the enforcement officer considered that the porch was different from that which had preceded it and was an entirely new structure. He noted that the Council had contradictory evidence to that of Mr Gill regarding the age of the canopy. He said that there was a photograph of a canopy at the property in 2004, and he had been advised by the enforcement officer that this showed a different canopy.

Resolved –

That consideration of enforcement at 39 Orchard Avenue be deferred to allow officers to firstly give full consideration to the Affidavit of Mr Mohinder Vikram Pal and also find and supply the committee with relevant images of the structure previous to its refurbishment.

The motion was proposed by Councillor Bowen, and seconded by Councillor Nakamura.

For	Councillors Bowen, Hills, Howliston, Virk, Drew Morgan-Watts, Hutchison, Wilson, Jabbal, Harris, Stewart, Nakamura, Williams.	12
Against	None	0
Abstain	None	0

95. 49 Winchester Road

See Report of the Director of Environment, Agenda Item 3

Shane Baker, Planning Officer, summarised the report, saying that it was a full application for a two storey side and single storey rear extension, as well as the addition of a pitched roof to an existing bay window and a porch. He said that the plans met the Council’s residential extension guidelines. There had been one objection from a neighbour regarding loss of light and overlooking. Officers did not consider that these issues warranted refusal of the application as despite some light reduction to 47 Winchester Road, no habitable rooms at first floor level were affected as the only flank windows were to a bathroom and stair landing, whilst at ground floor level the neighbour’s rooms would receive daylight from other unaffected windows. There would be no flank windows to the extension so the existing level of privacy of neighbours would be maintained.

In response to questions from Councillors, Shane Baker confirmed that: the number of bedrooms would not change; there was no planning related requirement for additional parking; adding a condition to restrict the number of bedrooms would be unenforceable.

Shane Baker noted that there were two errors in the drawings that would need correction before planning permission was granted, as the proposed elevations showed there were flank windows but the floor plans did not, and the roofline of the side extension was incorrectly drawn.

Councillor Drew Morgan-Watts commented that he would not be happy if his house lost light, even if the rooms did not lose their amenity.

Resolved –

That officers be authorised under delegated authority to grant permission for the proposed extension at 49 Winchester Road, subject to the receipt of amended plans to correct delete flank windows and correctly show the roof of the side extension, and subject to the conditions recommended in the report.

Councillor Jabbal proposed the motion and Councillor Howliston seconded it.

For	Councillors Bowen, Hills, Howliston, Hutchison, Wilson, Jabbal, Harris, Williams.	8
Against	Councillors Nakamura, Stewart, Virk and Drew Morgan-Watts	4
Abstain	None	0

96. 81 Harlington Road West

See Report of the Director of Environment, Agenda Item 4

Councillor Bowen note that his house was shown on the map presented to the Committee but advised that he did not feel he had a personal interest due to local road layout. Jimmy Walsh, Legal Adviser agreed that there was no need for Councillor Bowen to leave the room on this ground.

Shane Baker, Planning Officer, summarised the report, saying that it was a full application for a single storey side extension. The extension would be set back 1 metre from the main front wall of the house in accordance with the Residential Extension Guidelines. It would be set in by 0.1m from the side boundary and was to have a roof that sloped down so it was lowest

closest to the boundary.

One objection had been received, however, it was considered that the loss of light would be minimal noting the height of the existing boundary fence, which was approximately 1.8 metres above ground level, the set in of the extension and that it sloped down so it was lowest closest to the boundary.

Councillors questioned whether the extension fitted into the street scene. Shane Baker said that the officers did not consider the street scene to be a problem, as it was a modest extension set back 1m from the front of the original house.

Resolved –

That the application for a single storey side extension at 81 Harlington Road West be approved subject to the conditions in the report.

The motion was proposed by Councillor Stewart and seconded by Councillor Nakamura.

For	Councillors Hills, Howliston, Drew Morgan-Watts, Hutchison, Harris, Stewart, Nakamura, Williams.	8
Against	Councillors Bowen, Jabbal, Virk and Wilson.	4
Abstain	None	0

97. Budgens 507-511 Staines Road

Councillor Howliston declared a personal interest in this item and would not vote.

See Report of the Director of Environment, Agenda item 5.

Shane Baker, Planning Officer, summarised the report saying that Budgens had been operating a car wash in its car park. He mentioned that this was causing harm to neighbouring properties and that complaints about the use as a car wash had been received. Two noise abatement notices had been served on the car wash previously. An e-mail had been received from the owner saying that attempts were being made to mitigate the impact of the car wash and also that there would be a planning application being submitted for use of the area as a car wash.

Councillor Hutchison asked whether the car wash would be able to continue to operate with buckets and sponges as opposed to jet washers, if the enforcement notice was served. Shane Baker said this would be a matter of fact and degree depending on the scale and intensity of activity. If this was not significant, and was considered ancillary to the main existing use then Budgens may be able to do so.

Resolved –

That it being considered expedient, having regard to the provisions of the Unitary Development Plan, and all material considerations, authority be granted for:

a) All necessary steps to be taken for the preparation, issue and service of an enforcement notice in relation to 507 – 511 Staines Road requiring within three calendar months:

- i) Cessation of the use of the car park as a car wash.
- ii) Removal of all signage and car wash related equipment.

iii) Removal of all resultant debris; and for

b) The institution of any necessary legal proceedings in the event of non-compliance with the above enforcement notice, pursuant to Section 179 of the Town and Country Planning Act 1990; and

c) The carrying out of works in default under Section 178 of the Act in the event of noncompliance with the enforcement notice, including the recovery of the Council's costs in carrying out such work.

The motion was proposed by Councillor Jabbal and seconded by Councillor Wilson.

For	Councillors Bowen, Hills, Virk, Drew Morgan-Watts, Hutchison, Wilson, Jabbal, Harris, Stewart, Nakamura, Williams.	11
Against	None	0
Abstain	Howliston	1

98. Planning Enforcement 2008-2009 Review

See Report of the Director of Environment, Agenda Item 7 addendum report.

Councillors congratulated the enforcement team on their work, and discussed the high quality of reports which they had seen, and the high success rate of cases in the West Area. It was also noted that no notices issued in the West Area had been successfully appealed.

The report was noted.

Resolved –

That enforcement officers be congratulated on their good work.

99. Delegated Decisions

See report of the Director of Environment, Agenda item 8

Councillor Hutchison asked why application P/2009/0388 (Lidl advert) had been refused. Shane Baker, Planning Officer, was to respond to Cllr Hutchison on this.

Councillor Drew Morgan-Watts noted that the report needed further work in some areas, as had been reported at previous meetings.

The report was noted.

100. Any Other Business

Councillor Jabbal raised a question about a takeaway on Hampton Road West. The rear car park had been bricked up and this varied from the permission granted. Officers would report the issue to the enforcement section.

The meeting finished at 8:40 pm.

The minute taker at this meeting was Ainsley Gilbert