

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
10 March 2016 (7.30 - 10.15 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace (Vice-Chair), Philippa Crowder, Steven Kelly and +John Crowder

Residents' Group Reg Whitney and +Jody Ganly

East Havering Residents' Group Linda Hawthorn and +Ron Ower

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

Apologies were received for the absence of Councillors Ray Best, Alex Donald and Stephanie Nunn.

+Substitute members: Councillor John Crowder (for Ray Best), Councillor Ron Ower (for Alex Donald) and Councillor Jody Ganly (for Stephanie Nunn).

Councillors Damian White, Darren Wise and David Durant were also present for parts of the meeting.

85 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

410 MINUTES

The minutes of the meeting held on 28 January 2016 were agreed as a correct record and signed by the Chairman.

With the Committee's agreement the following amendment was made to the minutes of the meeting held on 3 December 2015.

Minute 365 was amended to read:

Councillor Chapman concluded by commenting that the proposal would not be suitable in the long term as it would impact on the residential amenity and asked that the Committee considered how this loss of amenity would be resolved for a five year period.

411 **P1407.13 - LAND ADJACENT TO WENNINGTON HALL FARM, RAINHAM**

The application before Members was for progressive mineral extraction together with the subsequent importation of inert materials to restore the land back to existing levels and agricultural use.

The application site covered approximately 26 hectares and was for the extraction of approximately 1.35 million tonnes of sand and gravel over a seven year period. Site restoration would be progressive but would continue for an additional two year period post final extraction.

The application was originally presented to the Committee on the 28 January 2016. Members had resolved to defer the application so that further information could be sought and accordingly with this information to hand the application was being re-presented for determination.

Since the last presentation two additional letters of representation had been received and a letter from John Cruddas MP had been submitted which was read to the Committee.

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response by the applicant's agent.

The objector commented that he was speaking on behalf of the residents of Wennington and that the village was a peaceful and tranquil setting that would be blighted by noise nuisance if the application was approved. The objector also commented that surrounding roads were in a poor state of repair and dirty and that approving the application would only serve to exacerbate the problem.

The applicant's agent responded by commenting that the officer's report showed overwhelming approval of the proposals and that measures would be put in place to minimise the environmental impact the proposal would have on the village these would include noise screening and improved landscaping. The agent concluded that the proposal was in keeping with Green Belt policies.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that the proposal site was formed of good grade agricultural land and was situated close to an eight hundred year old

church. Councillor Durant also commented that whilst Green Belt policies allowed for mineral extraction they did not allow for a processing plant and therefore the proposal fell down as it was not within the specified policies. Councillor Durant continued by commenting that other local authorities had not reached their extraction quotas and had not been penalised for failing to do so. Councillor Durant concluded by commenting that there were already a number of other extraction sites in the area but this proposal was on the doorstep of residents and would harm their amenity.

During the debate Members discussed the impact the proposal would have on the amenity of local residents and on the condition of the surrounding roads.

Members also discussed the fact that other authorities had failed to be penalised for not meeting extraction quotas and the cumulative effect the proposal would have when combined with other extraction sites in the surrounding area.

Members also discussed the possible impact the proposal would have on the proposed Beam Reach development.

The report recommended that planning permission be approved however, following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused on the grounds that:

- The London Borough of Havering had progressed sufficiently against land bank quota in the context of London and environmental considerations for the local community.
- The operational model depended significantly on on-site processing involving imported material and harms the Green Belt both in principle as inappropriate development and through the impact of bunds and machinery on visual amenity and rural setting of Wennington Village.
- Excessive cumulative HGV traffic with associated harm caused by environmental impact including emissions, air quality effects, dust, mud etc.
- Audible effect of plant and machinery harmful to the residential amenity.
- Excessive cumulative impact of HGV traffic on convenience of other road users.

The vote for the resolution to refuse planning permission was carried by 10 votes to 0 with 1 abstention.

Councillor Misir abstained from voting.

412 **P1373.15 - HORNCHURCH COUNTRY PARK DEPOT, SOUTH END ROAD, HORNCHURCH - ENGINEERING EARTHWORKS TO ENLARGE THE EXISTING POND AND CREATE A NEW POND WITHIN THE EXISTING DITCH NETWORK TO IMPROVE FILTRATION AND DRAINAGE AT LAND TO THE NORTH OF HORNCHURCH COUNTRY PARK**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and two additional conditions covering:

- Reed habitat creation and management plan;
- Details of weir structure.

413 **P1439.15 - 110-120 BALGORES LANE, ROMFORD**

The application before Members was for the demolition of the two existing buildings and the re-development of the site for fourteen apartments in three blocks with three floors in each.

Members were advised that 78 pro-forma letters of objection and one letter of support had been received.

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response by the applicant's agent.

The objector advised that she was speaking on behalf of the Gidea Park & District Civic Society and commented that over 100 residents had objected to the proposals as they affected the conservation area and were out of keeping with surrounding properties. The objector also commented that the proposal provided insufficient parking and was out of keeping with the streetscene.

The applicant's agent commented that he consulted with the civic society who had wanted only detached homes in the area which had been incorporated into the design of the scheme. The agent stated that the design of the proposed buildings mirrored the design of three detached houses. The applicant also commented that the Council's Heritage Officer supported the proposal and that the design of the buildings sat well within the streetscene.

With its agreement Councillor Damian White addressed the Committee.

Councillor White advised that he was in receipt of a letter from the resident of the neighbouring property in Woodfield Drive who supported the proposal as it would: enhance the site; would be in keeping with the traditional streetscene; remove the prospect of the implementation of a HMO.

During the debate Members discussed the design of the proposed buildings in the streetscene. Members discussed whether the proposed development would improve the area. Members noted that the possible implementation of a HMO should not influence the determination of this application.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission which was carried by 7 votes to 1 with 3 abstentions it was **RESOLVED** that it be delegated to Head of Regulatory Services to grant planning permission contrary to recommendation and subject to prior completion of a legal agreement to secure:

- Education contribution of £78,000.
- Parking permits control.

And subject to planning conditions covering the following subjects plus any other considered necessary by the Head of Regulatory Services:

- Time limit
- Accordance with plans
- External materials
- Construction/demolition methodology
- Construction hours
- Refuse and recycling
- Cycle storage
- Secure by design for external area
- Landscaping
- Parking provision
- Access and pedestrian visibility splays
- Boundary fencing
- Vehicle cleansing
- Noise insulation
- Lighting
- Renewable energy
- Accessibility/access

The vote for the resolution to delegate the granting of planning permission was carried by 7 votes to 1 with 3 abstentions.

Councillors Misir, J.Crowder, P.Crowder, Kelly, Wallace, Martin and Williamson voted for the resolution to delegate the granting of planning permission.

Councillor Hawthorn voted against the resolution to delegate the granting of planning permission.

Councillors Ganly, Ower and Whitney abstained from voting.

414 **P1541.15 - 69 WINGLETYE LANE, HORNCHURCH - CHANGE OF USE OF GROUND FLOOR OF PROPERTY TO D1 USE (DENTAL SURGERY)**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

415 **P1801.15 - 16 HEARN ROAD, ROMFORD**

The application before Members was seeking planning permission for the erection of a detached three-storey residential block containing six one-bedroom flats.

Members noted that the application had been called in by Councillor Frederick Thompson on the grounds that he considered that the proposed development had merit and should be looked on favourably.

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response from the applicant's agent.

The objector commented that the height, bulk and mass of the proposal was visually intrusive on surrounding properties and was an overdevelopment of the site. The objector also commented that there was insufficient parking for the proposed development.

In response the applicant's agent commented that the proposed building was of no greater height than adjacent properties and that the design was sympathetic to the surrounding buildings.

During the debate Members discussed the current dilapidated state of the site and the lack of parking provision proposed in the application.

The report recommended that planning permission be refused however following a motion to defer the consideration of the report which was carried by 7 votes to 4 it was **RESOLVED** that consideration of the report be deferred to allow negotiations between officers and the applicant to see if the applicant could revise the scheme to provide six on-site parking spaces.

The vote for the resolution to defer the consideration of the report was carried by 7 votes to 4.

Councillors Misir, J.Crowder, P.Crowder, Kelly, Wallace, Martin and Williamson voted for the resolution to defer the consideration of the report.

Councillors Ganly, Hawthorn, Ower and Whitney voted against the resolution to defer the consideration of the report.

416 **P1006.15 - MATTHEWS CLOSE, HAROLD WOOD**

The proposal before Members was for the erection of a 3-storey extension to an existing block of flats to provide three additional 1-bedroom apartments.

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response by the applicant's agent.

The objector commented that the proposed extension would be of an overbearing nature which would also lead to a loss of light and privacy for neighbouring residents.

In response the applicant's agent commented that there would be no overlooking from the proposed extension as the windows would be sited on other flanks of the extension away from existing properties.

With its agreement Councillor Darren Wise addressed the Committee.

Councillor Wise commented that he had been contacted by local residents who had concerns regarding the proposal as they felt it would lead to overlooking and a loss of amenity for existing residents. Councillor Wise also commented that the proposal was an overdevelopment of the site and would lead to an overspill of parking. Councillor Wise concluded by commenting that an independent tree survey had concluded that the affected tree was in a good condition and that he believed the proposal to be a contravention of planning policy DC2.

During a brief debate Members discussed the possible loss of amenity to existing residents, possible parking overspill and the overdevelopment of the site.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused on the following grounds:

- Overdevelopment of the site due to excessive density, overbearing built form and insufficient amenity space.
- Impact on outlook and amenity of neighbouring Matthew Close residents.
- Loss of tree and impact on visual amenity.
- Failure to secure a legal agreement for an education contribution.

The vote for the resolution to refuse the granting of planning permission was carried by 9 votes to 2.

Councillors Kelly and Wallace voted against the resolution to refuse the granting of planning permission.

417 **P1453.15 - 20 FARM ROAD, RAINHAM**

Consideration of the application was deferred at officer's request to allow officers to re-present the proposal which would include the analysis of a recent planning appeal dismissal.

418 **P1790.15 - 151 BALGORES LANE, ROMFORD - DEMOLITION OF AN EXISTING DWELLING AND CONSTRUCTION OF A NEW BLOCK CONTAINING NINE FLATS**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £9,700 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £48,000 to be used for educational purposes.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 10 votes to 0 with 1 abstention.

Councillor Ganly abstained from voting.

419 **P1468.15 - 36 HIGH STREET, ROMFORD - CHANGE OF USE FROM A DROP-IN SUPPORT FACILITY FOR THE ELDERLY TO CLASS D1 AN ADULT SUBSTANCE MISUSE CENTRE**

The Committee considered the report and without debate **RESOLVED** that planning permission be approved subject to the conditions as set out in the report.

420 **P1154.15 - CROWN PUBLIC HOUSE, LONDON ROAD, ROMFORD**

The proposal before Members was for the change of use and part demolition of an existing public house and new construction to provide twenty four apartments with associated amenity and car parking.

The application was originally presented to the Regulatory Services Committee meeting of 1 October 2015 with a recommendation for approval. It was deferred in order to negotiate with the applicant a revision to the scheme to meet the required PTAL parking standard provision either by providing more on-site parking or by reducing the number of units. The applicant had declined to increase the amount of parking spaces as the alternatives would raise other issues relating to insufficient amenity space provision and impact on amenity. The full statement received from the applicant was contained in the report.

During a brief debate Members again questioned the lack of parking provision contained within the proposal and the possible overdevelopment of the site and felt that a reduction in the total number of flats as opposed to loss of amenity space should have been proposed by the applicant.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 9 votes to 1 with 1 abstention it was **RESOLVED** that planning permission be refused on the following grounds:

- Insufficient on-site parking leading to a loss of amenity for local areas through parking congestion.
- Harm to amenities of future occupiers resulting from the cramped, excessively dense development of site.
- The failure to secure a legal agreement for education contributions.

The vote for the resolution to refuse the granting of planning permission was carried by 9 votes to 1 with 1 abstention.

Councillor Misir voted against the resolution to refuse the granting of planning permission.

Councillor J.Crowder abstained from voting.

421 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS**

The Committee considered a report that updated Members on the position of legal agreements and planning obligations. This related to approval of various types of application for planning permission decided by the Committee that could be subject to prior completion or a planning obligation.

This was obtained pursuant to Section 106 of the Town and Country Planning Acts.

The report also updated the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2016.

The Committee **NOTED** the report and the information contained therein.

422 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS**

The report accompanied a schedule of appeals and a schedule of appeal decisions, received between 13 November 2015 and 19 February 2016.

The report detailed that 42 new appeals had been received since the last meeting of the Monitoring Committee in December 2015.

The Committee **NOTED** the report and the results of the appeal decisions received.

423 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in December 2015.

Schedule A showed notices currently with the Secretary of State for the Environment (the Planning Inspectorate being the executive agency) awaiting appeal determination.

Schedule B showed current notices outstanding, awaiting service, compliance, etc. with up-dated information from staff on particular notices.

The Committee **NOTED** the information in the report.

424 **PROSECUTIONS UPDATE**

The report updated the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service.

The Committee **NOTED** the report.

425 **SCHEDULE OF COMPLAINTS**

Members had previously been emailed a schedule which listed the complaints received by the Planning Control Service regarding alleged

planning contraventions for the period 13 November 2015 to 19 February 2016.

The Committee **NOTED** the report and **AGREED** the actions of the Service.

426 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

Chairman