

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
25 August 2016 (7.30 - 11.15 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace, Ray Best, Steven Kelly and +John Crowder

Residents' Group Stephanie Nunn and Reg Whitney

East Havering Residents' Group Alex Donald (Vice-Chair) and Linda Hawthorn

UKIP Group +Lawrence Webb

Independent Residents Group Graham Williamson

Apologies were received for the absence of Councillors Michael White and Phil Martin.

+Substitute members: Councillor John Crowder (for Michael White) and Councillor Lawrence Webb (for Phil Martin).

Councillors Jason Frost, Viddy Persaud, Jody Ganly, Julie Wilkes, John Mylod, Phil Martin, John Glanville and Michael Deon Burton were also present for parts of the meeting.

80 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.

60 DISCLOSURE OF INTERESTS

Councillor Alex Donald declared a personal interest in application P0909.16 Councillor Donald advised that he was a resident on part of the application site.

61 **MINUTES**

The minutes of the meeting held on 4 August 2016 were agreed as a correct record and signed by the Chairman.

62 **P0722.16 - CROW METALS, JUTSUMS LANE, ROMFORD**

The application had previously been reported to Members at the last meeting of the Committee on 4 August 2016. Members resolved to defer determination to allow additional information to be presented. Members had requested further information on the site yard and whether the proposed office would have any impact on the internal vehicle circulation.

Members noted that the application had been called-in by Councillor Viddy Persaud on the grounds that the site and use caused numerous problems to nearby residents including, but not limited to, parking issues in Crow Lane and Jutsums Lane; and general amenity impact.

With its agreement Councillor Viddy Persaud addressed the Committee.

Councillor Persaud commented that there had previously been concerns from officers in 2011 around noise pollution, planning permission had been granted with conditions, at the time there had been assurances from the applicant that lorries would enter the site from Jutsums Lane and depart using Crow Lane. Since those conditions had been added several other businesses had started operating on the site including a skip hire company, a car wash, car sales, a gym and a burger bar all of which had no planning permission. Councillor Persaud also commented that lorries were now forced to park illegally outside of the site and lorry movements were commencing from as early as 5am and the business operating from 7am despite the business being conditioned to operate between the hours of 8am until 6pm. Councillor Persaud advised that the application proposed showed that the business was now expanding upwards as it had exceeded the ground space available and asked that the Committee refused planning permission.

During the debate Members discussed concerns regarding the extent of unrelated breaches to planning permission that were continuing on the site and asked that consideration be given by officers to ensuring that prompt enforcement action be taken.

Members also sought and received clarification of the distance between the application site and neighbouring residential properties and also discussed the merits of installing double yellow lines in the roads serving the application site.

It was **RESOLVED** that planning permission be granted 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 1.

Councillor Wallace voted against the resolution to grant planning permission.

63 P0325.16 - 31 HIGH STREET, HORNCHURCH

The application before Members was for the demolition of the former Mecca bingo hall.

The application was deferred at the Committee meeting on 30 June 2016 in order for the applicant to explore the potential for adjusting the demolition proposal, with Members placing particular emphasis on examining the scope of retaining the front facade of the building. An update was given in the report.

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 social media site set up to campaign for the building to be preserved had now received over 900 likes and that the supermarket who had purchased the site had done likewise in Harold Hill in 2014 and still no supermarket had been built on the site. The objector also commented that there had been interest shown by Everyman Cinemas in retaining the site in its original form and re-establishing an entertainment venue for use by the public.

In response the applicant's agent commented that there were currently no discount food stores in the Hornchurch area and that for the applicant to deliver discounts to customers then their stores needed to be in a generic layout that prohibited altering existing buildings. The agent concluded by commenting that the proposal would be providing forty jobs, which would pay, above the national wage and that the supermarket would benefit the residents of Hornchurch.

With its agreement Councillor John Mylod addressed the Committee.

Councillor Mylod commented that several concerns had been raised by residents that the demolition of the site was being applied for before a planning application had been submitted. A planning application meeting was due to take place the following week and it was felt prudent that consideration of the item be deferred until after the application meeting to allow residents to see what was planned for the site.

During the debate Members discussed the substance of the Everyman Cinemas interest in the application site and the fact that no recognised heritage bodies had stepped forward in an attempt to save the building in its current form.

Members also sought and received clarification on the consequences of deferral and refusal of the application.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

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

Councillor Hawthorn voted against the resolution to grant planning permission.

Councillors Webb, Whitney and Williamson abstained from voting.

64 **P0922.15 - DOVERS CORNER, NEW ROAD, RAINHAM - DEMOLITION OF EXISTING STRUCTURES AND THE PHASED REDEVELOPMENT TO PROVIDE 396 RESIDENTIAL DWELLINGS, CAR PARKING, BICYCLE PARKING, SUBSTATION, PUBLIC OPEN SPACE AND PEDESTRIAN/CYCLE INFRASTRUCTURE WORKS AND IMPROVEMENTS AT DOVERS CORNER INDUSTRIAL ESTATE, RAINHAM TRADING ESTATE AND BOOMES INDUSTRIAL ESTATE, NEW ROAD, RAINHAM**

Consideration of the item was deferred at officer's request to enable officers to receive clarification of affordable housing matters.

Members noted the deferral would give them an opportunity to highlight any material issues they felt were not addressed within the published report and that any such comments should be drawn to officers attention promptly.

A vote for a motion that the report was considered at the meeting was lost by 3 votes to 8.

It was **RESOLVED** that consideration of the item be deferred for the reason above.

The vote for the resolution for the deferral of the item was carried by 8 votes to 3.

Councillors Misir, Best, Crowder, Kelly, Wallace, Donald, Hawthorn and Whitney voted for the resolution to defer consideration of the item.

Councillors Nunn, Webb and Williamson voted against the resolution to defer consideration of the item.

65 **P0489.16 - 25-29 MARKET PLACE, ROMFORD**

The application before members was for a part change of use and conversion of ground, first and second floor retail floorspace, third floor extension, and elevational changes to accommodate an 85 bedroom hotel including a restaurant at 25-29 Market Place, Romford.

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 building proposed would overlook neighbouring properties and the courtyard situated below leading to a loss of privacy and amenity. The objector also commented that there would be an elevated noise disruption both during construction and when in operational use.

In response the applicant's agent commented that the proposal would bring back into use the existing upper retail floors and that consultations had taken place with officers regarding the extension and officers had supported the additional massing to the building.

During the debate Members sought and received clarification of the proposed fenestration and delivery arrangements to the building.

Members also discussed the proposed drop off facilities and how the proposal would sit within existing structures in the area.

The report recommended that planning permission be granted however following a motion to propose the refusal of planning permission which was carried by 9 votes to 2.

It was **RESOLVED** that planning permission be refused on the grounds that:

- The absence of a suitable drop-off arrangement for guests and their luggage would create a road safety hazard especially on market days.
- Servicing movements reliant on reversing hazardous to highway and pedestrian safety.
- The extended building by reason of its height and external design and appearance would harm special character and appearance within the Romford Conservation area.

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

Councillors Misir and Kelly voted against the resolution to refuse planning permission.

66 **P0584.16 - 92-94 NORTH STREET, ROMFORD**

The report before Members detailed an application which sought planning permission for alterations to the existing roof of 92 - 94 North Street to accommodate the formation of a mansard roof. It was proposed by way of internal partitioning to accommodate five residential units in total with the retention of some element of commercial floor-space at ground floor.

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

The objector commented that the proposal was an overdevelopment of the site and would overlook neighbouring properties leading to a loss of privacy. The objector also commented that there had been no consultation with existing residents and that the proposal offered no additional parking provision.

In response the applicant's agent commented that the application was of a balanced nature and that alterations had been made to the proposed fenestration arrangements to minimise overlooking. The agent concluded by commenting that the proposal would enhance the existing building and complied with planning policies.

During a brief debate Members sought and received clarification regarding the existing parking arrangements in the area.

The report recommended that planning permission be approved however following a motion to refuse the granting of planning permission which was carried by 10 to 0 with 1 abstention.

It was **RESOLVED** that planning permission be refused on the grounds that:

- Cramped overdevelopment of site harmful to quality of future residents' living conditions.
- Complete absence of parking for residents
- Significant lack of usable amenity space
- Poor design and appearance and excessive bulk that created a harmful impact on visual amenity.
- Failure to secure an education contribution by means of a Section 106 agreement.

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

Councillor Donald abstained from voting.

67 **P0953.16 - WHYBRIDGE INFANTS SCHOOL, FORD LANE, SOUTH HORNCHURCH**

The application before Members sought retrospective planning permission for the existing demountable single classroom (9 metres by 10 metres) to be demolished and replaced with a refurbished demountable portakabin comprising of two classrooms (14.8 metres by 9.8 metres).

The matter was brought before committee as the application site was Council owned and objections 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 commented that the proposal would lead to an increase in noise and vibration which would be heard and felt within neighbouring properties. The objector also commented that the existing fencing around the school was unsuitable and could lead to child protection issues and that all issues could be addressed by a scheme of screening and soundproofing.

In response the applicant's agent confirmed that the current fencing was insufficient and that the objector's comments were fair and that the applicant was prepared to discuss improved fencing and screening arrangements.

It was **RESOLVED** that planning be granted subject to the conditions as set out in the report and to include an additional condition requiring submission, agreement, implementation and maintenance of a scheme of boundary treatment designed to reasonably respect the privacy and amenity of dwellings closest to the new building.

68 **P0821.16 - 156 OSBORNE ROAD, HORNCHURCH**

The application before members was for the re-submission of a previously approved application P0183.16 for a single storey rear extension with a pitched roof.

The extension was already under construction and a flank door had been added by the time a site visit had been conducted.

Members noted that the application had been called-in by Councillor Jody Ganly on the grounds that the current construction was in breach of the original planning permission that was granted for the extension. On the original application decision, it stated clearly that no other windows or doors could be added, specifically, to the flank wall and there should be no deviation from the plans. The flank door would affect the neighbour's privacy, and could also lead to the new extension being used as a separate dwelling.

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

The objector commented that the flank door would lead to a loss of privacy to the neighbouring property and an increased footfall and increased noise. The objector also commented that the additional door and extension could lead to the property being used as two separate dwellings.

The applicant commented that he had been advised by officers that the proposal would fall within the adopted guidelines for a householder extension and was not considered un-neighbourly. The applicant also commented that in response to the comment relating to increased footfall that the door had not been used often and that it was not the main access to the property. The applicant concluded by commenting that the extension was of an open planned design and therefore could not be sectioned off and used as a separate dwelling.

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that the original planning permission had secured the neighbouring property's privacy by conditioning the permission to not allow windows or doors in the flank wall. Councillor Ganly also commented that the neighbours had concerns that now the extension had an additional door it could be used as two separate properties. Councillor Ganly concluded that the height of the roof of the extension was also in breach of planning conditions.

During the debate Members discussed the possible breach of planning permission and sought and received clarification of the roof height of the extension.

Members also received clarification from the Committee's Legal Adviser on a possible breach of planning permission and its effect on new planning applications.

A motion was proposed to refuse planning permission but this was lost by 3 votes to 5 with 3 abstentions.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution was carried by 6 votes to 2 with 3 abstentions.

Councillors Misir, Best, Crowder, Wallace, Donald and Whitney voted for the resolution to grant planning permission.

Councillors Kelly and Nunn voted against the resolution to grant planning permission.

Councillors Hawthorn, Webb and Williamson abstained from voting.

69 **P0944.16 - 23 HUGO GARDENS, RAINHAM**

The report before Members detailed an application which sought planning permission for the construction of a three bedroom detached dwelling, which would make adequate provision for off-street parking and private amenity space to the rear.

Members noted that the application had been called-in by Councillor Julie Wilkes on the grounds that:

- The proposal would not be in line with existing structure of buildings and would ruin the natural open space increasing higher density within the area.
- Inadequate parking arrangement and loss of parking for existing residents.

With its agreement Councillor Julie Wilkes addressed the Committee.

Councillor Wilkes commented that the proposal was an overdevelopment of the site by the nature of its depth and width. Councillor Wilkes also commented that the proposal would be detrimental to the amenity of existing properties and would lead to a loss of light and parking to neighbouring properties. Councillor Wilkes concluded by commenting that she had some concerns regarding the planning application form that had been submitted.

During a brief debate Members discussed the Fire Brigade's recommendation that the proposed dwelling be installed with sprinklers and the possible lack of parking provision in the area.

It was noted that the proposed development qualified for a Mayoral CIL contribution of £1,660.00 and it was **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 £6,000 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 9 votes to 2.

Councillors Nunn and Whitney voted against the resolution to grant planning permission.

70 **P0979.16 - 5-7 COLLIER ROW ROAD, ROMFORD**

The report before Members detailed an application which sought consent for a change of use from A1 (Retail) to A3 (Restaurant) and the erection of an external flue to the rear elevation.

Members noted that the application had been called-in by Councillor Linda Trew on the grounds that:

- Collier Row had become less and less a retail high street
- Collier Row was evolving into a Cafe/Coffee shop/Restaurant environment
- Vacant shops were unattractive and harmful to the town centre

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 at present an elderly lady and a mother of a young child lived above the premises and both used the roof terrace for their amenity and that the installation of an external flue could have a detrimental effect on their amenity. The objector also commented that proposal would encourage a greater night time economy to the area which would be detrimental to the area.

In response the applicant's agent commented that there had been no objection to the proposal from Environmental Health or Highways. The agent concluded by commenting that the nearby Tesco and Aldi stores had forced the current occupier of the retail units to reduce opening hours which had led to a loss of staff and operating profits.

During a brief debate Members discussed the changing nature of retail shopping and the Council's policy DC16 which sought to control the number of non-retail uses in a town centre.

The report recommended that planning permission be refused however following a motion to grant planning permission which was carried by 8 votes to 3.

It was **RESOLVED** that it be delegated to the Head of Regulatory Services to grant planning permission subject to conditions as to be decided by the Head of Regulatory Services.

The vote for the resolution to delegate to the Head of Regulatory Services to grant planning permission was carried by 8 votes to 3.

Councillors Misir, Best, Crowder, Kelly, Wallace, Donald Hawthorn and Whitney voted for the resolution to delegate to the Head of Regulatory Services the granting of planning permission.

Councillors Nunn, Webb and Williamson voted against the resolution to delegate to the Head of Regulatory Services the granting of planning permission.

71 **P1129.16 - 41 MANSTON WAY, HORNCURCH- TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION TO DWELLING TO PROVIDE 2 DWELLINGS**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £1,400 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £6,000 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 in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement was completed.
- The Developer/Owner to pay the appropriate planning obligations/ monitoring fee prior to 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 that the Committee delegate authority to the Head of Regulatory Services to 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 9 votes to 0 with 2 abstentions.

Councillors Nunn and Webb abstained from voting.

72 **P0472.16 - 269 WINGLETYE LANE, HORCHURCH**

The application before Members sought planning permission for an extension and conversion of an existing garage.

Members noted that the application had been called in by Councillor John Glanville on the grounds of:

That there was no clear description as to what the workshop would be used for, which may give rise to noise and other pollution, and the French doors which opened towards the adjacent property could also become a source of noise.

With its agreement Councillor John Glanville addressed the Committee.

Councillor Glanville commented that he had been in receipt of objections from residents who had concerns that the proposal could become one of a commercial use. Councillor Glanville concluded by commenting that due to its proposed size the building could also be converted into a separate living accommodation that would impact on neighbouring properties amenity.

During a brief debate Members discussed condition four of the report which detailed how the proposal was to be only used for incidental use and not for any trade or business or living accommodation.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

73 **P0920.16 - 177 AND 179 MAWNEY ROAD, ROMFORD**

The application before Members was for the erection of one three-bedroom house within the rear gardens of 177 and 179 Mawney Road.

Members noted that the application had been called in by Councillor Linda Trew on the grounds that she believed that the proposal represented an over development of the site, and a public nuisance, depending on who the tenants would be as the two neighbouring properties owned by the applicant were currently used for multi occupancy, which included young offenders, necessitating the need for police visits during all times of the day and night. In addition, there were concerns with regard to the access arrangements.

With its agreement Councillor Jason Frost addressed the Committee on behalf of Councillor Linda Trew.

Councillor Frost commented that some of the details were incomplete on the application. Councillor Frost also commented that the proposal was an overdevelopment of the area and was surrounded on all sides. Councillor Frost also commented that the two surrounding properties, also owned by the applicant, were used as halfway houses and attracting a fair amount of

anti-social behaviour which often led to calls to the police action. Councillor Frost concluded by commenting that the proposal was inappropriate for the area.

During a brief debate Members discussed the proposed development's design which it was felt was out of keeping with other houses in the area.

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 2.

It was **RESOLVED** that the granting of planning permission be refused on the grounds that:

- Development on the backland site was out of keeping with the surrounding area characterised by properties with long spacious rear garden environments.
- Contrived design out of character and harmful to visual amenity and the rear garden scene.
- Lack of education contribution (S106)

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

Councillors Misir and Kelly voted against the resolution to refuse planning permission.

74 **P0907.16 - HACTON PRIMARY SCHOOL, CHEPSTOW AVENUE, HORNCHURCH - EXTERNAL CANOPY MEASURING 39M BY 4M AND UP TO 3.5M IN HEIGHT**

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

75 **P0884.16 - RISE PARK INFANTS SCHOOL - SINGLE STOREY EXTENSION TO RECEPTION AREA**

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

76 **P0110.16 - MORLAND HOUSE, 12 EASTERN ROAD, ROMFORD - CONSTRUCTION OF A ROOF EXTENSION TO CREATE TWO ADDITIONAL FLOORS COMPRISING OF EIGHT NEW RESIDENTIAL FLATS**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £6,300 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.
- Save for the holders of blue badges that the future occupiers of the proposal would be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- 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 Webb abstained from voting.

77 **P0909.16 - PHASE 2B, HAROLD WOOD HOSPITAL**

As mentioned previously in these minutes Councillor Alex Donald declared a personal interest in application P0909.16 Councillor Donald advised that he was a resident on part of the application site.

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

78 **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