

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
27 October 2016 (7.30 - 9.10 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair), Steven Kelly, +Carol Smith, Melvin Wallace, and Michael White

Residents' Group Stephanie Nunn and Reg Whitney

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

UKIP Phil Martin

Independent Residents Group Graham Williamson

Apologies were received for the absence of Councillor Ray Best.

+Substitute Members: Councillor Carol Smith (for Ray Best)

Councillors David Durant and Jody Ganly were also present for parts of the meeting.

15 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.

105 MINUTES

The minutes of the meeting held on 15 September 2016 were agreed as a correct record and signed by the Chairman.

106 **P1353.16 - CROW METALS, LAND ON THE CORNER OF CROW LANE/JUTSUMS LANE, ROMFORD**

The report before Members detailed an application for an extension to the existing building, fronting on to Crow Lane. The extension would project towards Jutsums Lane, measuring approximately 11m in width. The extension would be 12m deep, mirroring the front development line of the existing building, with a tapered corner to reflect the site corner boundary. The extension was proposed with a pitched roof to match that of the adjoining building.

The extension was proposed with front entrance and roller shutter door and would be utilised, as per the existing terrace, for a B1, B2 or B3 use.

The Committee considered the report and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and an additional condition imposing an opening hours condition of 08:00am to 06:00pm Monday to Saturday.

107 **P1358.16 AND P1359.16 - 1 BRINDLES, HORNCHURCH**

The report before members detailed two applications, the first seeking planning permission for a single storey rear extension. The extension measured a maximum 4m in depth from the existing ground floor rear wall and would be 3.25m high to a flat roof. The second seeking planning permission for a loft conversion. This would involve raising the gable ends of the existing main roof, forming a rear dormer, raising the existing gable ended rear projection and adding five new roof lights to the front of the property.

Members noted that the applications had been called-in by Councillor Steven Kelly due to the potential impact upon the Brindles street-scene and his general concerns relating to cul-de-sac development.

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

The objector commented about the loss of amenity that would be suffered from the proposed rear extension. The objector also commented about the proposed loft conversion related to the bulk and height of the development, that it was not in keeping with the surrounding properties or the wider street scene, its unfavourable appearance when viewed from the rear of the property and the loss of privacy/overlooking due to a very intrusive development. An additional letter providing additional information in support of the objection was circulated to Members.

The applicant advised that he and his family were committed to the local community and he had taken on board concerns regarding the size of the proposed extension reducing it from 6m in depth to 4m and removing the

roof lantern to reduce the overall height of the extension from 3.94m to a more considerate 3.25m.

With regard to the loft conversion the applicant explained that two of the 5 bedrooms were small and he was looking to provide more space for his family. He was just following the precedent set by a neighbouring property which had 3 dormers.

During the debate Members discussed both applications and their impact on the amenity and privacy of the neighbouring properties.

Although both applications were considered together they were voted on separately.

P1358.16 it was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

P1359.16 it was **RESOLVED** that planning permission be refused for the following reasons:

- The proposed loft conversion by reason of its bulk, scale, mass and design was visually intrusive, out of keeping with the scale and character of the existing dwelling, as well as the rear garden environment and wider streetscene. The development was considered to cause unacceptable harm to the character and appearance of the subject building and therefore conflicted with the aims of Policy DC61 of the Councils LDF Core Strategy and Development Control Policies DPD and 'Residential Extensions and Alterations' SPD. It furthermore conflicted with the National Planning Policy Framework to secure high quality design that maintained or enhanced the character and appearance of the local area.

Councillors Donald, Hawthorn, Martin, Misir, Nunn, Smith, Wallace, White, Whitney and Williamson voted for the resolution to refuse planning permission.

Councillor Kelly abstained.

108 **P1563.16 - MARKET PLACE, ROMFORD**

This report had been submitted with the agreement of the Chair as an urgent matter pursuant to Section 100B(4) of the Local Government Act 1972. If consideration of the application was delayed it could mean the temporary ice rink would not be in place for the Christmas period.

The report before members sought permission for the installation of a temporary ice rink for the Christmas Period in Romford Market, including ice arena, skate exchange area, plant area and sales booth. The ice rink was to run between the dates of 18th November 2016 and 15 January 2017.

Erection and dismantling required up to an additional 10 days either side of those dates.

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 there was the potential for noise nuisance from the ice rink, from the setting up and taking down, music from the rink, the generator which would run 24/7 and the noise from users of the rink entering and leaving. The objector also commented about exhaust gases from the generator and also suggested some additional conditions to deal with these issues.

The applicant's agent responded advising that the ice rink was part of the Council's promotion of the Market and shopping centre which was designed to bring in additional shoppers. The operator was experienced and would work with the Council to minimise any disturbance to local residents.

A further letter of objection to the proposal was circulated together with expressions of support.

During a brief debate Members discussed the benefits the proposal would bring to the area, and raised concerns regarding a number of issues.

The Committee **RESOLVED** to delegate to the Assistant Director of Regulatory Services authority to grant temporary planning permission subject to expiry of the publicity period and not generating any further representations raising new issues not already addressed and the following additional and amended conditions:

Conditions 1, 3, 4, 5, 6, 8, 11, 12, 13: as per the report.

Condition 2: As per the report, plus reference to Christmas Bank Holiday on 27 December, hours of midday to 06:00pm.

Condition 7: replace with: An assessment of the noise impact of all plant and machinery shall be carried out in accordance with British Standard BS4142:2014. Methods for rating and assessing industrial and commercial sound and a scheme submitted to the Local Planning Authority for approval prior to the installation of the plant and machinery in order to demonstrate that the cumulative rating level when all the plant and machinery were operating would not exceed (LA90-10)dB at the boundary of the nearest noise sensitive residential and commercial premises, where LA90 was the lowest representative background sound level during the periods when the plant and machinery would be operating. The plant and machinery shall be operated in accordance with the aforementioned scheme throughout the period of this permission.

Condition 9: As per report with an amendment that limited a sound propagation test being carried out to just 30 minutes before music being played on a Saturday and 15 minutes on a Sunday.

Condition 10: replaced with:

Music noise levels (expressed as LAeq.15min) when predicted or measured at 1 metre from the façade of any noise sensitive premises shall not exceed the following limits:

- Prior to 19:00 hours 50dB
- Between the hours of 19:00 and 21:00 45dB

Additional conditions to cover:

- a) Queuing Management Strategy;
- b) All plant and machinery used for the operation and maintenance of the ice rink to comply with Stage IV Emission Standards in accordance with the Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999, as amended;
- c) Submission of a Method Statement relating to the erection/dismantling of the ice rink to demonstrate that Best Practicable Means (as defined in the Control of Pollution Act 1974, Section 72) will be taken to reduce noise and other adverse impacts.

109 **P1188.16 - PARK HOUSE, 157 PARK LANE, HORNCHURCH**

The report before Members detailed an application to change the use of the two-storey end terrace to a children's nursery (use class D1). The proposal would also involve the erection of a small single storey rear extension infilling the area adjacent to an existing single storey rear extension.

With its agreement Councillor Ganly addressed the Committee.

Councillor Ganly spoke on behalf of local residents who had concerns regarding:

- Noise, increased volume of traffic and congestion;
- Lack of car parking provision and increased pressure on existing spaces;
- The lack of need or requirement for an additional nursery in the area.

A letter in support of the application from Councillor Gary Pain was circulated together with a letter from the applicants providing additional information in support of the application.

The Committee considered the report and representations and without further debate **RESOLVED** that planning permission be refused for the following reason:

- The proposed change of use, by reason of the increased level of activity within the building and outdoors areas, together with the activity arising from parents and children entering and leaving the site, would result in unacceptable levels of noise and disturbance to the detriment of residential amenity, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.

110 **P0651.11 - RAINHAM LANDFILL SITE, COLDHARBOUR LANE, OFF FERRY LANE, RAINHAM**

The report before Members detailed an application seeking amendments to the previous planning permission (ref: P1210.05) granted for the soil recycling and recovery area. The amendments proposed are summarised as below:

- Condition 2 was proposed to be amended to allow the soil recycling and recovery areas to operate until 2018.
- Condition 6 was proposed to be amended/removed to allow for recycled soils to be exported from the site.
- Condition 9 currently restricted vehicle access to a designated entrance/egress along Coldharbour Lane, located 460m to the west of the main landfill entrance. The applicant proposed the use of the main landfill entrance with vehicles accessing the area via internal roads through the landfill.
- Condition 11 related to site restoration and it was proposed that this was amended to reflect the restoration which had now been agreed as part of application ref: P1566.12.

With the agreement of the Committee Councillor David Durant addressed the meeting.

Councillor David Durant commented that the applicant was seeking further changes to the existing permissions.

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

Councillors Donald, Hawthorn, Kelly, Misir, Nunn, Smith, Wallace and White, voted for the resolution to grant planning permission.

Councillors Martin, Whitney and Williamson abstained from voting.

111 **P1351.16 - BROOK FARM, ST MARY'S LANE, NORTH OCKENDON**

The report before Members detailed an application which sought consent for the replacement of an existing conservatory with a replacement extension of comparable scale/proportions.

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

The vote to grant permission was carried by 10 votes to 1.

Councillors Donald, Hawthorn, Kelly, Martin, Misir, Smith, Wallace, White, Whitney and Williamson voted for the resolution to grant planning permission.

Councillor Nunn voted against the resolution to grant planning permission.

112 **P1221.16 - 34 MAWNEY ROAD, ROMFORD**

The report before Members detailed an application for the construction of three, three bedroom, terrace houses on land to the rear of 34 Mawney Road.

The Committee considered the report and without debate **RESOLVED** to delegate to the Assistant Director of Regulatory Services to grant planning permission subject to

1. the prior completion of a legal agreement to cover:

- A financial contribution of £18,000 to be paid prior to the commencement of development to be used towards education and projects required as a result of increased demand for school places in the Borough.
- All contribution sums should include interest to the due date of expenditure and all contribution sums should 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; and
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

And

2. subject to the conditions as set out in the report.

113 **P1601.15/P1605.15 - AHERN COMPOUND, GERPINS LANE, UPMINSTER/PINCH SITE, GERPINS LANE, UPMINSTER**

The report before Members detailed two linked applications. The first was for the temporary use of the existing Ahern Compound area including ancillary plant, buildings, overnight security and roadways to receive and treat suitable inert soil materials for the restoration of the adjoining Pinch Site.

The second application was for the restoration of damaged land to provide a managed woodland and grassland area with a recreational and amenity after use by the importation and spreading of suitable inert soil materials via the adjoining Ahern Compound.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented on the damage to local roads as a consequence of this development and the other minerals and waste related developments in the area. He also asked that improved highway contributions be sought from the applicants should these applications be approved and that work should be delayed until repairs to Little Gerpins Lane were completed.

During a brief debate Members discussed the effects of the applications on the roads leading to the site.

The Committee **RESOLVED** to defer, both applications, to enable officers to:

- Clarify options for calculating highways contributions required by the development;
- Clarify how such highway contributions feed into the highways programme for resurfacing.

114 **P1247.16 - MYPLACE, 343 DAGNAM PARK DRIVE, HAROLD HILL**

The report before members sought planning permission for the change of use of part of the western section of the building to D1 nursery and extend opening hours from 07.30 to 23.00 hours Mondays to Saturdays for D1 Nursery use only.

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

115 **P1099.16 - 1 BERWICK ROAD, RAINHAM**

The report before Members sought planning permission for an extension of the existing outbuilding and construction of a residential annexe with basement.

The Committee considered the report and without debate **RESOLVED** to delegate authority to the Assistant Director of Regulatory Services to grant planning permission subject to

1. the prior completion of a legal agreement to secure:
 - That the residential annexe hereby approved shall be permanently retained as an annexe to the existing dwelling at 1 Berwick Road and shall not be sub-divided or sold off separately from the main dwelling;
 - The Developer/Owner shall 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; and
 - The Developer/Owner to pay the appropriate planning obligations monitoring fee prior to completion of the agreement.

And

2. The conditions set out in the report.

Chairman