

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
17 November 2016 (7.30 - 10.35 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace, Ray Best, Steven Kelly and Damian White

Residents' Group Stephanie Nunn and Reg Whitney

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

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

An apology for absence was received for the absence of Councillor Michael White.

+Substitute members: Councillor Damian White (for Michael White).

Councillors Clarence Barrett, Jody Ganly, Lawrence Webb, Jeffrey Tucker, David Durant and Michael Deon Burton were also present for parts of the meeting.

25 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.

116 DISCLOSURE OF INTERESTS

Councillor Melvin Wallace declared a personal interest in application number P0518.16. Councillor Wallace advised that he lived in the same road as the application site.

117 MINUTES

The minutes of the meetings held on 6 October and 27 October 2016 were agreed as correct records and signed by the Chairman.

118 **P1123.16 - 11 QUEENS GARDENS, CRANHAM**

The proposal before Members sought consent to convert and extend the existing detached garage to a new self-contained detached chalet style bungalow dwelling with dormer windows and roof lights.

Members noted that the application has been called in by Councillor Clarence Barrett on the grounds that the size of the development seemed inappropriate and overbearing at the given location.

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 contrary to the Mayor of London's Plan and did not meet minimum room size requirements. The objector also commented that the proposal site was surrounded by Green Belt land and that the proposal was also contrary to policy DC61. The objector concluded by commenting that the proposal would lead to a loss of light for neighbouring properties.

In response the applicant commented that the proposal had been agreed with both Planning and Highways officers and that the proposal was more attractive than what was currently in-situ. The applicant concluded by commenting that the proposal was small and manageable and was designed that way as the applicants planned to sell their existing property and move into the proposal due to personal reasons.

With its agreement Councillor Clarence Barrett addressed the Committee.

Councillor Barrett commented that the proposal was inappropriate at the site and would be very prominent in the streetscene. Councillor Barrett concluded by commenting that the proposal would lead to a loss of light to a neighbouring property.

During the debate Members sought and received clarification as to the size of the rooms proposed and the closeness of the neighbouring property.

Members also discussed whether the proposal was out of keeping with the streetscene and the possibility of deferring consideration of the report to allow the applicant to submit an alternative proposal.

The report recommended that outline planning permission be approved however following a motion to refuse the granting of outline planning permission that was carried by 6 votes to 5 it was **RESOLVED** that outline planning permission be refused on the grounds that:

The proposal failed to meet London Plan internal space standards.

The vote to refuse the granting of outline planning permission was carried by 6 votes to 5.

Councillors Donald, Hawthorn, Nunn, Whitney, Martin and Williamson voted for the resolution to refuse the granting of outline planning permission.

Councillors Misir, Best, Kelly, Wallace and D. White voted against the resolution to refuse the granting of outline planning permission.

119 **P0518.16 - 2A AYLOFFS WALK, HORNCHURCH**

The application before Members related to a new two storey side extension with hipped roof over, garage converted to a lounge, new front elevation render treatment, bays removed and replaced with windows and new crossing boundary front wall gates.

The application had been submitted seeking alterations to a previously approved scheme. It was noted that the previous approval (P0888.15) could still be implemented as it was within three years of the previous decision being made.

Members noted that the application had been called in by Councillor Roger Ramsey on the basis of the impact of the application on to the adjoining property in terms of loss of privacy and light.

Members were read a statement from Councillor Ramsey, who had been unable to attend the meeting, which re-iterated his reasons for the call-in.

In accordance with the public speaking arrangements the Committee was addressed by an objector without a response by the applicant.

The objector commented that the proposal would lead to privacy and loss of light issues to neighbouring properties. The objector also commented that the trees planted on the site had been done so to protect the water table. The objector concluded by commenting that the previous planning permission had been granted without the knowledge of the Tree Preservation Orders being known.

During a brief debate Members discussed the merits of the proposal and whether there would be any issues of loss of light.

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.

120 **P1905.15 - 131 GOOSHAYS DRIVE, ROMFORD**

The proposed development before Members was for an A1 foodstore, measuring 1,661 sqm. with 55 car parking spaces on a brownfield site outside of any allocated town centre. Planning permission had previously been granted for a smaller store on the site.

Members noted that there was an alteration to the justification for Condition 17 which needed to say Harold Hill not Collier Row.

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 was in a residential area and that the second application had not been scrutinised enough. The objector also commented that there was not enough extra parking for the larger proposal and that HGVs delivering goods would hinder traffic movements. The objector concluded by commenting that parking issues in the area were already problematic and that the proposed store would impact on existing businesses in the Harold Hill area.

In response the applicant's agent commented that the applicant had worked closely with the Council to achieve a suitable proposal and had changed some of the building materials to achieve a more aseptically pleasing building. The agent also commented that the building line was at least 25 metre away from the nearest residential properties. The agent concluded that the applicant needed to build sustainable buildings that required more floorspace and that the proposal was complimentary to new-build properties in the area.

With its agreement Councillor Lawrence Webb addressed the Committee.

Councillor Webb commented that the proposal was too big for the site and didn't fit with the streetscene. Councillor Webb also commented that the proposal would overlook properties in Trowbridge Road and that the parking proposed would be insufficient. Councillor Webb concluded by commenting that the proposal would create traffic congestion as Gooshays Drive was already a busy road.

During the debate members discussed the benefits for the area of the proposal and the possible competition it would provide to other shops in the area.

Members also discussed possible light spillage from the proposal and how this could be screened from neighbouring properties.

The Committee noted that the proposal qualified for a Mayoral CIL contribution of £37,560 and **RESOLVED** to delegate to the Assistant Director of Regulatory Services to agree with the applicants a scheme showing how light spillage from the store and its external areas would be mitigated to prevent light disturbance being caused to the bedrooms of nearby residential properties. Subject to successful agreement of such a scheme then to grant planning permission subject to prior completion of a legal agreement.

Also to attach an additional condition to reinforce implementation of the agreed lighting scheme before the store and/or its external areas became operational. If the lighting mitigation scheme was not satisfactorily agreed through powers delegated to the Assistant Director of Regulatory Services then the application would come back to Committee for consideration.

Also the justification for Condition 17 needed to say Harold Hill not Collier Row.

121 **P1559.16 - 48 PURBECK ROAD, HORNCHURCH**

The proposal before Members was for the construction of a double storey side and rear extensions, plus single storey rear extension to include roof lights. The plans suggested that the extension will form an annexe to the main dwelling.

A legal agreement was required to ensure that the annexe would be used only for living accommodation ancillary to the existing dwelling known as 48 Purbeck Road Hornchurch, and would not be used as a separate unit of residential accommodation at any time.

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that she had concerns regarding the proposal as the applicant had previously shown a disregard for planning rules when altering another property in the road. Councillor Ganly also commented that there was concern that the extension would be used as a separate dwelling and that perhaps it would be more suitable if the applicant submitted another application showing the proposal as a separate dwelling.

During a brief debate members discussed the possibility of the proposal being used as a separate dwelling and whether the proposal was an overdevelopment of the site.

It was **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:

- The annexe should remain ancillary to the main dwelling - No. 48 Purbeck Road Hornchurch.
- The annexe not to be let, leased, transferred or otherwise alienated separately from the original property and land comprising No. 48 Purbeck Road Hornchurch.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement prior to the completion of the agreement irrespective of whether the agreement was completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Assistant Director 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.

122 P0922.15 - DOVERS CORNER, NEW ROAD, RAINHAM

The report before Members considered an application for the erection of 394 dwellings comprising 175 houses and 219 flats on land adjacent to Dovers Corner, Rainham.

The application was deferred at the 6 October 2016 meeting of the Committee to give the applicant the opportunity to address the following:

- Clarification of possible health related infrastructure;
- Poor, bulky, cluttered visual impact arising from the extent of unarticulated, uniform approach towards design;
- Highway safety and pedestrian crossing implication related to single point access/egress;
- Insufficient onsite and on road parking provision which would encourage extensive competition between occupiers and visitors for spaces to the detriment of living conditions, amenity and safety. The maximum parking standard would be more suited to the site.

These matters were addressed in an update addendum to the report, which included the formal recommendation. The proposals had been revised to include additional parking spaces and revisions to the design.

With its agreement Councillors Jeffrey Tucker and David Durant addressed the Committee.

Councillor Tucker commented that the proposal should not have any high rise blocks and that the density of the proposal did not allow for suitable play areas. Councillor Tucker also commented that the proposal should include good access to nearby shops and include a safe area to cross the A1306.

Councillor Durant commented that Members should consider deferring consideration of the report again to allow the applicants to come back again with improvements as the proposals being put forward were improving but still had some way to go to appease residents and Councillors. Councillor Durant also commented that the parking provision on the development was still too low and needed increasing.

During the debate Members discussed the possible removal or re-location of the five storey block and the parking provision being offered by the applicant.

Members also discussed the need for a pedestrian crossing to enable residents to cross the A1306 and access and egress arrangements for the site.

A motion for deferral of consideration of the report was lost by 4 votes to 7.

Members noted that the proposed development qualified for a Mayoral CIL contribution of £388,440 and **RESOLVED** to delegate to the Assistant Director of Regulatory Services to negotiate provision for a scheme of traffic light control at the site entrance plus a signal controlled, improved pedestrian crossing towards the primary school opposite and subject to this provision being agreed to grant planning permission subject to prior completion of a legal agreement subject to no contrary direction on referral to the Mayor of London.

If the provision for these highway elements could not be agreed under powers delegated to Assistant Director of Regulatory Services then the application would be referred back to the Committee for consideration.

The vote for the resolution to delegate to the Assistant Director of Regulatory Services to grant planning permission was carried by 7 votes to 4.

Councillors Misir, Best, Kelly, Wallace, D. White, Donald and Hawthorn voted for the resolution to delegate the granting of planning permission.

Councillors Nunn, Whitney, Martin and Williamson voted against the resolution to delegate the granting of planning permission.

123 **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.

The Committee at its meeting on 27 October agreed 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.

An update on both of these items was given in the report.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that the proposals were on Green Belt land and therefore needed special circumstances to proceed. Councillor Durant also commented on the cumulative impact on lorry movements from all the various sites in the area and suggested that the schemes only go live when the existing Berwick Pond Road scheme was finished. Councillor Durant concluded by commenting that parts of Warwick Lane, which was part of the lorry route, was breaking up in many areas.

Application Reference P1601.15 & P1605.15

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Adherence to a lorry routing agreement and management plan, which shall first be submitted and approved in writing by the Local Planning Authority;

- A highway maintenance contribution of £17,553.03 to account for increased HGV use of Gerpins Lane and Warwick Lane; and
- A scheme for public access to the site, which shall first be submitted and approved in writing by the Local Planning Authority, and implemented in perpetuity.
- The Council's reasonable legal fees for completion of the agreement shall be paid prior to the completion of the agreement irrespective of whether or not it is completed.

It was therefore recommended that the Assistant Director of Regulatory Services be authorised to negotiate and agree 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 and to include the following conditions:

- The approved developments not to commence until completion of the separate Little Gerpins development.
- Add "subject to indexation" to the second bullet of the heads of terms (£17,553.02 highways maintenance contribution).

Also the Assistant Director of Environment be informed that the Regulatory Services Committee sought that the highway contribution was used to ensure that the surface condition of the relevant sections of Gerpins Lane and Warwick Lane were continuously maintained in a safe condition.

124 **P0960.16 - 75 NORTH STREET, HORNCHURCH - ERECTION OF A THREE/FIVE STOREY BUILDING COMPRISING FORTY FOUR. RESIDENTIAL UNITS, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORK**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £76,838.00 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 to secure the following:

- A financial contribution of £264,000 to be used towards educational infrastructure costs
- To provide the Private Rented Sector (PRS) units for a minimum of 15 years and not to allow occupation of any the units for use other than PRS during that time period
- Not to dispose of any of the Private Rented Sector (PRS) units free from any of the restrictions, terms and obligations in the S106 Agreement within a Clawback Period of up to 15 years without

undertaking a Disposal Viability Appraisal to determine whether it was viable to pay an Affordable Housing Contribution. Where the Disposal Viability Appraisal indicated that it was viable to pay an Affordable Housing Contribution the applicant to pay such identified contribution to the Council.

- Not to allow occupation of the units until a Private Rented Sector (PRS) Marketing Strategy had been submitted to, and approved by, the Council. Such Strategy to secure that priority was given to residents who live or work in the Borough and to provide for local marketing within the Borough
- Not to allow occupation of the units until a Private Rented Sector (PRS) Management Plan had been submitted to, and approved by, the Council. Such Plan shall secure the following:
 - Provision of a lease period between 1 and 5 years
 - Demonstrate a consistent and quality level of housing management, and
 - Limit rent increase to one increase per 12 calendar months
- 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 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 obligation/s monitoring fee prior to completion of the agreement.

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

125 **P1284.16 - BUTTERFIELDS, ORANGE TREE HILL, HAVERING-ATTE-BOWER, ROMFORD - TWO STOREY SIDE EXTENSION AND PROPOSED "JULIET BALCONY" TO FIRST FLOOR**

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

126 **P144016 - 5 KILN WOOD LANE, HAVERING-ATTE-BOWER, ROMFORD - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY SIDE EXTENSION TO BE USED AS AN ANNEXE**

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 for the resolution to grant planning permission was carried by 10 votes to 1.

Councillor Nunn voted against the resolution to grant planning permission.

127 **P1331.16 - 121 CROSS ROAD - DEMOLITION OF EXISTING SOCIAL CLUB AND REDEVELOPMENT OF SITE TO PROVIDE 4 THREE BEDROOM HOUSES TOGETHER WITH ASSOCIATED ACCESS ROAD, PARKING AND LANDSCAPING. SINGLE STOREY REAR EXTENSION TO EXISTING RETAINED BUNGALOW AT 121 CROSS ROAD.**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £2,720 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 £24,000 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 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 obligation/s monitoring fee prior to completion of the agreement.

That the Assistant Director 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.

128 **P1356.16 - SCIMITAR HOUSE, 23 EASTERN ROAD, ROMFORD - PROPOSED ROOF EXTENSION TO THE CENTRAL AND REAR AREAS OF THE EXISTING BUILDING TO CREATE NINE RESIDENTIAL UNITS**

The Committee considered the report, noting that that the proposed development qualified for a Mayoral CIL contribution of £10,700 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 £54,000 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 Assistant Director 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.

129 **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