

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
2 February 2017 (7.30 - 11.40 pm)**

Present:

COUNCILLORS: 11

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

Residents' Group Stephanie Nunn and Reg Whitney

East Havering Residents' Group Alex Donald and Linda Hawthorn

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

Councillors Dilip Patel, Frederick Thompson, Linda Trew, Linda Van den Hende, Michael Deon Burton and David Durant were also present for parts of the meeting.

60 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.

165 DISCLOSURE OF INTERESTS

P1626.16 - COCKHIDE FARM, BRAMBLE LANE.

Councillor Robby Misir, Personal, Councillor Robby Misir declared a personal interest in item P1626.16. Councillor Misir declared that he knew of the objector to the application in a personal manner..

P1855.16 - FISHING LAKE, BRAMBLE LANE, UPMINSTER.

Councillor Robby Misir, Personal, Councillor Robby Misir declared a personal interest in item P1855.16. Councillor Misir declared that he knew of the objector to the application in a personal manner..

P1580.16 - THE GROVE, PROSPECT ROAD, HORNCHURCH.

Councillor Steven Kelly, Personal, Councillor Steven Kelly declared a personal interest in application P1580.16. Councillor Kelly declared that he used to own a property in the vicinity of the application site..

166 **MINUTES**

The minutes of the meetings held on 8 December, 22 December 2016 and 12 January 2017 were agreed as correct records and signed by the Chairman.

167 **P1840.16 - MARKET PLACE, ROMFORD**

The proposal before Members was for a new building within the Market Place to be used primarily as a restaurant (Class A3). The application had been submitted on behalf of the Council although this had no material bearing on the planning considerations relevant to the application. Although the application was solely in respect of the proposed new building, the development formed part of a wider strategy for the rejuvenation of Romford Market. Key issues included the wider context of regeneration of the market and the impact of the development on the character and appearance of the Romford Conservation Area and on the setting of nearby listed buildings.

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 unacceptable levels of noise and smells in the area. The objector also commented that the proposed building would be situated in front of a listed building and that the proposal was in breach of local, regional and national planning policies. The objector concluded by commenting that the Council was in receipt of over 900 objections to the proposal.

In response the applicant's agent commented that the proposal was part of a larger regeneration strategy for the market and had been designed in conjunction with neighbouring properties. The agent also commented that the proposal did not impact on the views of the neighbouring properties and that the building would be a high quality contemporary market house.

During the debate Members discussed the impact the proposal would have on the market place and the possible benefits it would bring to the area.

Members also sought and received clarification on access arrangements to the church and neighbouring properties.

The consensus from Members was that the market was in decline and the area was in need of regeneration to help protect it in the future.

A motion to refuse the granting of planning permission was lost by 3 votes to 7 with 1 abstention.

Members noted that the proposed development qualified for a Mayoral CIL contribution of £4,120 and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition requiring submission, approval, implementation and maintenance of a scheme of signage designed to advertise the presence of the premises to the north of the site including 19/21 Market Place.

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

Councillors Misir, Best, Kelly, Wallace, White, Nunn and Whitney voted for the resolution to grant planning permission.

Councillors Donald, Hawthorn and Martin voted against the resolution to grant planning permission.

Councillor Williamson abstained from voting.

168 **P1991.16 - 269A MAWNEY ROAD, ROMFORD**

The proposal before Members was for a change of use from D1 (doctor surgery) to C3 (b) which is for not more than six residents living together as a single household where care was provided for residents. The premises would be used for no more than 6 adults with learning disabilities and 24 hour care would be provided. Three on-site parking spaces would be provided. The proposal would also include the conversion of the garage to a habitable room and the addition of a rear conservatory.

Members noted that the application had been called-in by Councillor Linda Trew for the following reasons:

Incorrect request for change of use as the property had not been used as a surgery for a significant amount of time. Parking facilities would be inadequate. Unsuitable location as there was already too many of these use classes in the area.

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

The objector commented that there were already four other care homes in Mawney Road and that the proposal was inappropriate as it would be located in the rear garden of another property. The objector concluded by commenting that the proposal would lead to a loss of privacy for neighbouring properties.

In response the applicant commented that the proposed building was already in-situ and did not impact on neighbouring properties.

With its agreement Councillors Linda Trew and Dilip Patel addressed the Committee.

Councillor Trew commented that the building had not been used as a surgery for a number of years. Councillor Trew also commented that the proposal had a number of windows in one flank that would cause a loss of privacy to neighbouring properties. Councillor Trew concluded by commenting that the proposal would provide 24 hour care and could therefore lead to an increase in visitors and traffic to the site.

Councillor Patel concurred with Councillor Trew's comments and commented that the Council had a moral obligation to put existing resident's needs first.

During a brief debate Members discussed the benefits that the proposal could bring to the area and discussed the measures that were in place to monitor establishments such as the proposal intended.

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 8 votes to 3.

Councillors Best, Wallace and White voted against the resolution to grant planning permission.

169 **P1855.16 - FISHING LAKE, BRAMBLE LANE, UPMINSTER**

The application before Members sought to vary the approved plans for the fishing lake and construct an access pathway along the eastern bank. In order to create the pathway, the existing eastern bank would be extended outwards into the water by 2m. The pathway would be landscaped with grass to tie in with the appearance of the existing bank. In terms of levels, the extended bank would sit above the average water level by 15cm / 6 inches, but below the existing bank.

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

It was considered that the variations proposed would have further impact on the Green Belt; and impact on the amenity of nearby residential properties. The call-in also raised a number of concerns about land ownership.

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 applicant did not own the land on which the proposal would be sited and the works would not be permitted. The

objector also commented that the works would be outside of his property and would create a loss of amenity and create noise and air pollution.

In response the applicant's agent commented that the previous works to the safety ledge had been completed and the proposed pathway would be for maintenance issues. The agent also commented that the proposed works would only require a short term disruption to the area and no additional material required importation. The agent concluded by commenting that the proposed works were not harmful to the Green Belt and there would be no breach of planning control.

With its agreement Councillor Linda Van den Hende addressed the Committee.

Councillor Van den Hende commented that no previous works had been completed including works to the car park. Councillor Van den Hende concluded by commenting that the proposed works were contrary to planning policy DC61 as they were diminishing local amenity and would lead to a loss of amenity and security to the current landowner.

During a brief debate Members sought and received clarification on the issue of land ownership and the granting of planning permissions.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 8 votes to 2.

It was **RESOLVED** that planning permission be refused on the grounds that the proposal would by reason of its visual impact harm the open rural character and appearance of the Green Belt with no very special circumstances demonstrated which outweighed this. The proposal would also during its construction phase and when complete harm the amenity of Bramble Farm residents through impact of activity and reduced sense of security.

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

Councillor Wallace voted against the resolution to refuse planning permission.

170 **P1626.16 - COCKHIDE FARM, BRAMBLE LANE**

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

Members noted that the application had been called in by Councillor Linda Van den Hende on the grounds that:

The application was not considered an appropriate form of development in the Green Belt; and access and highway safety issues. The site access was located on a blind corner which together with the sharp corner at the junction of Sunnings/Dennises Lane was already a hazard. With increased traffic the access would be dangerous for all. The hours of operation were also excessive and would cause increased noise for nearby residents.

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 site access was located on a dangerous bend that had been the location for several accidents. The objector also commented that the proposal would create extra noise, pollution and traffic and would lead to damage to the verges in the approaching roads.

In response the applicant's agent commented that the proposal was brought forward to help achieve the borough's aggregate landbank target and that vehicle movements and times of operation were both controlled by conditions within the planning permission.

With its agreement Councillors Linda Van den Hende and David Durant addressed the Committee.

Councillor Van den Hende commented that the main concerns were the hours of operation and the dangerous bends in the approaching roads. Councillor Van den Hende concluded by commenting that a deferral of consideration of the report may have been beneficial to allow officers to investigate alternative access/egress arrangements.

Councillor Durant commented that the application combined with other previously agreed schemes would have a cumulative impact on the surrounding roads in the area and that this particular application should not proceed until other existing sites were complete.

During a brief debate Members discussed the impact that the proposal would have on the local area.

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:

- Cumulative impact of heavy vehicle traffic on local road network would be harmful to amenity and safety of other road users.
- The proposed access would be positioned dangerously on a bend harmful to highway safety.
- Cumulative damage to road surfaces and verges harmful to safety of road users and rural character of the area.

171 **P1431.16 - 160-162 BALGORES LANE, ROMFORD**

The application before Members sought planning permission to merge together No.'s 160 and 162 Balgores Lane to form a single restaurant and the re-construction of the extension behind 162 Balgores Lane.

Members noted that the application had been called-in by Councillor Melvin Wallace who had indicated that the above premises if doubled in size would make living in the area intolerable due to the the air pollution coming from the ventilation system currently would be exacerbated because of the greater volume of use, the volumes of rubbish in the alley way at the back of the premises would be greater, both of these issues were reported on a regular basis currently. There would also be inconvenience to all of the residents in side roads in the area with inconsiderate parking, together with dangerous parking in Balgores Lane.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that he was surprised that the Council's Highways Department had not commented on the proposal and the additional pressure on local parking that it would attract.

During a brief debate Members discussed the harm that the proposal would cause to neighbouring residents and sought and received clarification of the ownership of the application property.

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 grounds that:

The extension would facilitate a significantly intensified restaurant use with increased covers, the activity from which would increase demand for on street parking in nearby roads detrimental to residential amenity.

172 **P1161.16 - CROW LANE/SANDGATE CLOSE, ROMFORD**

The application before Members was for the re-development of land at the junction of Crow Lane and Sandgate Close. The development would provide 150 dwellings together with new accesses, associated car parking, landscaping and infrastructure works. The development would comprise of five blocks of flats, up to five storeys in height, together with four blocks of terrace houses.

During the debate Members discussed the lack of parking provision within the application and the detrimental effect the neighbouring Royal Mail depot would have on resident's amenity.

Members also queried as to whether an impact assessment had been carried out on the surrounding roads to the site.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 7 votes to 4 it was **RESOLVED** that planning permission be refused on the grounds that:

- The adverse effect on living conditions for future occupiers of the development caused through unacceptably high levels of pollution and noise likely to be associated with the extent and hours of continued operation of the adjacent sorting office premises.
- Harm caused by the development would outweigh the benefits of additional housing provision.
- Cramped, excessively dense overdevelopment of the site harmful to the appearance of the streetscene and with a layout which failed to provide sufficient amenity space and parking for future residents
- Failure to secure affordable housing and education contributions through a legal agreement.

The vote for the resolution to refuse the granting of planning permission was carried by 7 votes to 4.

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

Councillors Misir, Best, Wallace and Donald voted against the resolution to refuse the granting of planning permission.

173 **P1985.16 - 39 CROW LANE, ROMFORD**

The application before Members sought planning permission for the change of use of from a single dwelling house to a House of Multiple Occupancy (HMO) for seven residents, plus the addition of dormer roof extensions. The proposal would involve the addition of two pitched roof dormer windows on each roof slope as part of an attic conversion. The proposed HMO would comprise seven en-suite bedrooms set out over three floors, and a shared kitchen/dining area at ground floor level. The rear garden area would be utilised to form communal amenity space providing approximately 37 square metres of private garden shared by the occupants. The existing vehicular access from Crow Lane and four off-street parking spaces to the front of the property would be used.

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

The objector commented that additional parking would leave very limited access in an emergency and that the property had already been extensively modified.

In response the applicant commented that several tenants had moved out of the property due to noise nuisance issues from neighbours and that the application had been made to secure a financial income from the property.

It was **RESOLVED** that planning permission be refused as per the reasons contained within the report.

174 **P1747.16 - 36 MAWNEY ROAD, ROMFORD - PROPOSED CHANGE OF USE TO FORM SIX-BEDROOM HOUSE OF MULTIPLE OCCUPATION (HMO) TO ACCOMMODATE SIX PEOPLE.**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report including the alteration of condition three to additionally refer to Class C4.

175 **P1106.16 - ROSEBERRY GARDENS (PARKING COURT) ROSEBERRY GARDENS - REDEVELOPMENT OF PARKING COURT FOR THREE 2-BEDROOM 4 PERSON RESIDENTIAL UNITS WITH ASSOCIATED CAR PARKING AND LANDSCAPING**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £5,340 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 £18,000 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.

176 **P1815.16 - 92 KINGSTON ROAD, ROMFORD - ALTERATIONS AND EXTENSIONS TO THE EXISTING GARAGE TO CREATE A SINGLE STOREY GRANNY ANNEXE**

The Committee considered the report and following a brief debate during which Members sought clarification of the future arrangements of the numbers of buildings on the site it was **RESOLVED** to defer consideration of the report to allow officers to clarify the following:

- Current use of existing outbuilding – was it used as an annex and if so for whom?
- Relationship of the outbuilding to the proposed annex
- How many annexes would result from the proposal- one or two- and for use by whom?

177 **P1474.16 - 2A GROSVENOR GARDENS, UPMINSTER - RE-SUBMISSION TO P0180.16 SINGLE STOREY SIDE AND REAR EXTENSION, GARAGE CONVERSION AND CHANGES TO EXTERNAL FINISH AND WINDOWS OF THE DWELLING. ERECTION OF A NEW BOUNDARY WALL TO THE FRONT SIDE AND REAR OF THE PROPERTY, INCLUDING NEW FRONT GATE. THE DEVELOPMENT WILL ALSO INCLUDE A NEW ROOF (WITH RAISED RIDGE) TO EXISTING HOUSE AND CONVERSION OF LOFT TO HABITABLE SPACE.**

The Committee considered the report, noting that Councillor Gillian Ford had called-in the application on the grounds of concerns received from local residents regarding the 2.2m increase in roof ridge height and that the additional height will take it beyond the height of neighbouring properties. As a consequence, it would not be in keeping with the streetscene.

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

178 **P1580.16 - THE GROVE, PROSPECT ROAD, HORNCHURCH - TEMPORARY USE OF A GYPSY/TRAVELLER SITE FOR A FURTHER PERIOD FOR THE STATIONING OF ONE STATIC CARAVAN AND THREE TOURING CARAVANS**

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

- 179 **P1844.16 - BROADFORD PRIMARY SCHOOL, FARINGDON AVENUE - TWO STOREY BLOCK WITH A NURSERY AND SIX CLASSROOMS, FENCED EXTERNAL PLAY AREA FOR THE NURSERY AND A CANOPY, RAMPS, A NEW CAR PARK, RELINING OF CURRENT MAIN VISITOR CAR PARK, THE DEMOLITION OF 1950'S BLOCK OF TWO REFITTED CLASSROOMS AND A NEW CANOPY LINK BETWEEN THE EXISTING SCHOOL AND THE NEW BLOCK**

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

- 180 **P1373.16 - 31 HIGH STREET, HORNCHURCH**

The proposal before Members was for the construction of an A1 food store within Hornchurch town centre. Planning permission had previously been granted to demolish the former bingo hall building which currently occupied the site.

The application was deferred from the 22 December 2016 meeting for staff to clarify a number of points in relation to the traffic impact, car parking, access and mitigating highways measures. This information was presented in the 'Background' section at the start of the report.

During a brief debate Members discussed the access/egress arrangements for the site and the possibility of the proposal exacerbating traffic congestion in the area.

Members also commented on the lack of input into the report from the Council's Highways section and suggested that in future when schemes of such significance were being considered by the Committee that a representative from the Council's Highways section be present at the meeting.

It was **RESOLVED** to defer consideration of the report on the sole issue of access/egress concerns. Members advised they were otherwise satisfied with the proposal.

Members were concerned about the risk of the proposal exacerbating traffic congestion in the surrounding network especially the High Street and asked officers to seek that the applicant designed a workable and enforceable scheme to address the impact of vehicle movement into and from the High Street likely to involve a left turn in and left out only configuration. This should consider physical engineering solutions including for example reconfiguring the access layout, its detailed position, restrictions at the site entrance/ exit to restrict direction of vehicle travel and potentially highway based measures such as road markings, CCTV and signage with these to be met at the developers cost and covered by legal agreement as necessary. The Committee also wished to see potential use of signage and

promotion of restrictions to store users to optimise enforcement of the measures. Members also wished to see the chosen solution emerge from a high level option appraisal of other potential but dismissed alternatives. Members did not consider a crossing necessary due to those nearby and felt this would contribute to local traffic congestion. Members also considered that two hour duration in the car park would be most appropriate.

181 **APPLICATION FOR STOPPING UP OF HIGHWAY LAND IN MARKET PLACE, ROMFORD**

The Committee considered the report and without debate **RESOLVED** that subject to the grant of Planning Permission, the developer paying the Council's reasonable charges in respect of the making of, advertising of, any inquiry costs associated with and the confirmation of the Stopping Up Order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 and subject to the lawful implementation of Planning Permission that:-

The Council made a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted highway shown zebra hatched on the Plan as the land was required to enable development for which the Council had granted the Planning Permission.

In the event that no relevant objections were made to the proposal or that any relevant objections that were made were withdrawn then the Order be confirmed without further reference to the Committee.

In the event that relevant objections were made, other than by a Statutory Undertaker or Transport Undertaker and not withdrawn, that the application be referred to the Mayor for London to determine whether or not the Council could proceed to confirm the Order.

In the event that relevant objections were raised by a Statutory Undertaker or Transport Undertaker and were not withdrawn the matter may be referred to the Secretary of State for their determination unless the application was withdrawn.

182 **APPLICATION FOR STOPPING UP OF HIGHWAY LAND AT BRIAR ROAD SHOP SITE, ROMFORD**

The Committee considered the report and without debate **RESOLVED** subject to the developer paying the Council's reasonable charges in respect of the making of, advertising of, any inquiry costs associated with and the confirmation of the Stopping Up Order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 and subject to the lawful implementation of Planning Permission that:-

The Council made a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted highway shown zebra hatched on the plan as the land was required to enable development for which the Council had granted the Planning Permission.

In the event that no relevant objections were made to the proposal or that any relevant objections that were made were withdrawn then the Order be confirmed without further reference to the Committee.

In the event that relevant objections were made, other than by a Statutory Undertaker or Transport Undertaker and not withdrawn, that the application be referred to the Mayor for London to determine whether or not the Council could proceed to confirm the Order.

In the event that relevant objections were raised by a Statutory Undertaker or Transport Undertaker and were not withdrawn the matter may be referred to the Secretary of State for their determination unless the application was withdrawn.

183 **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