

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
23 February 2017 (7.30 - 9.00 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace,
+John Crowder, +Carol Smith and +Damian White

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Linda Hawthorn and Alex Donald

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Apologies were received for the absence of Councillors Steven Kelly, Michael White and Ray Best.

+Substitute members: Councillor John Crowder (for Steven Kelly), Councillor Carol Smith (for Michael White) and Councillor Damian White (for Ray Best).

Councillors Frederick Thompson and Viddy Persaud were also present for parts of the meeting.

25 members of the public 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.

184 DISCLOSURE OF INTERESTS

P2032.16 - LAND R/O 37-59 WHITE HART LANE, ROMFORD - DEMOLITION OF EXISTING GARAGE BUILDINGS AT THE SITE TO THE REAR OF NOS. 37-59 WHITE HART LANE AND ERECTION OF SEVEN RESIDENTIAL UNITS, WITH LANDSCAPING, CAR PARKING AND ALL ASSOCIATED WORKS

Councillor Damian White, Personal and Prejudicial, Councillor Damian White declared a personal and prejudicial interest in application P2032.16 Land r/o 37-59 White Hart Lane, Romford

Councillor White advised that he was the Cabinet Member for Housing.

Councillor White left the room and took no part in the consideration or voting of the application..

185 MINUTES

The minutes of the meeting held on 2 February 2016 were agreed as a correct record and signed by the Chairman.

186 P1815.16 - 92 KINGSTON ROAD, ROMFORD

Consideration of the report was deferred at officer's request to confirm neighbour notification.

187 P1711.16 - 265 SOUTH STREET, ROMFORD

The application before Members sought permission for the erection of a two bedroom, detached, two storey dwelling and internal garage in the rear garden of 265 South Street, Romford.

Members noted that the application had been called-in by Councillor Frederick Thompson. Councillor Thompson considered that the development would improve the outlook of the area which mostly consisted of garages looking out onto Lennox Close.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the proposal was a nice development which would improve a tatty and unkempt area. Councillor Thompson also commented that some of the reasons for refusal were vague and lacked merit in his opinion.

During a brief debate Members discussed possible access issues to the site and the impact that the proposal would have on the streetscene.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission. It was **RESOLVED** to delegate to the Assistant Director of Regulatory Services to grant planning permission contrary to recommendation subject to the applicant being willing and entering into a legal agreement to secure an education contribution. If the applicant wouldn't agree to the legal agreement then the application would be brought back to the Committee for decision. It was also delegated to the Assistant Director of Regulatory Services to impose relevant planning conditions.

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

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

Councillor White abstained from voting.

188 **P2013.16 - CROWLANDS CAFE, 263 LONDON ROAD, ROMFORD**

The report before Members sought the variation of Condition 1 of planning permission P0908.11 to change the permitted opening hours to: 06:30-17:00 on Monday-Saturday, and 07:00-17:00 on Sunday and Bank Holidays.

Members noted that the application had been called-in by Councillor Viddy Persaud as she believed there were other businesses in the area operating similar hours.

With its agreement Councillor Viddy Persaud addressed the Committee.

Councillor Persaud commented that other commercial properties in the area were operating similar hours and did not attract any neighbour nuisance problems or anti-social behaviour. Councillor Persaud concluded by commenting that the Council needed to be encouraging small businesses going forward.

During a brief debate Members discussed the current opening hours of the business and previous refusals of applications for the extension of trading hours.

The report recommended the refusal of planning permission however the vote for refusal was lost by 3 votes to 8. Following a motion to grant permission it was **RESOLVED** that planning permission be approved but subject to a condition revising the permitted hours to:

7am to 5pm – Mondays to Saturdays
8am to 5pm – Sundays, Bank and Public Holidays.

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

Councillor Whitney voted against the resolution to grant planning permission.

189 **P1390.16 - 47 SOUTHERN WAY, ROMFORD**

The proposal before Members was for the demolition of the existing outbuilding and the construction of an annex which would be ancillary to the main dwelling on the site.

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

The objector commented that there had been instances of noise nuisance emanating from the existing outbuilding which affected neighbour's amenity and which had remained unsolved even though complaints had been made.

During a brief debate members discussed the access/egress arrangements for the occupiers of the proposed annex and whether they would be family members.

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 proposed building, due to its degree of detachment and functional isolation from the main dwelling, would be tantamount to a separate, self-contained dwelling, the activity associated with which, including noise and disturbance would cause material harm to neighbours' rear garden enjoyment and amenity.

190 **P1718.16 - 1 MARTINSTOWN CLOSE, HORNCHURCH**

The proposal before Members was for the demolition of the existing two - storey detached dwelling and attached garage and the construction of a new dwelling and linked annex.

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 be harmful to the privacy and amenity of neighbouring properties. The objector also commented that the existing drainage and trees on the site could suffer during the construction works.

In response the applicant commented that the design of the proposal had been amended in response to previous objections and would allow for more openness in the garden area.

During a brief debate Members sought and received clarification regarding the distance between the proposal and the neighbouring property.

It was **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to applicant entering into a Section 106 Legal Agreement to secure the following:

- That the residential annexe hereby approved should be permanently retained as an annexe to the proposed dwelling at 1 Martinstown Close and should not be sub-divided or sold off separately from the main dwelling.
- 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.

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

Councillor Nunn voted against the resolution to grant planning permission.

Councillor White abstained from voting.

191 **P1966.16 - 209 CHERRY TREE LANE, RAINHAM - CHANGE OF USE FROM A1 (CLASS USE) TO A TANNING AND BEAUTY SALON (SUI GENERIS) AND MINOR SHOPFRONT ALTERATIONS**

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

192 **P1898.16 - 60 EASTERN ROAD, ROMFORD - CONVERSION OF A TWO-STOREY SINGLE-DWELLING TO 3NO. 2-BED 3-PERSON FLATS. GROUND & FIRST FLOOR REAR EXTENSIONS**

The Committee considered the report noting that the proposal qualified for a Mayoral CIL contribution of £1080 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 £12,000 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.

193 **P2032.16 - LAND R/O 37-59 WHITE HART LANE, ROMFORD - DEMOLITION OF EXISTING GARAGE BUILDINGS AT THE SITE TO THE REAR OF NOS. 37-59 WHITE HART LANE AND ERECTION OF SEVEN RESIDENTIAL UNITS, WITH LANDSCAPING, CAR PARKING AND ALL ASSOCIATED WORKS.**

The Committee considered the report noting that subject to the exemption that applied in respect of affordable housing that the proposal qualified for a Mayoral CIL contribution of £12,712 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into planning obligations under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £42,000 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.

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

194 **P0015.17 - 253 CHASE CROSS ROAD, ROMFORD - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF NEW RESIDENTIAL BLOCK COMPRISING OF SIX FLATS (VARIATION TO PLANNING PERMISSION P0191.15 - WITH THE ADDITION OF A CONSERVATORY TO THE REAR OF THE PROPOSED BLOCK).**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £4,530 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement, completed on 8 January 2016, in respect of planning permission P0191.15 by varying the definition of Planning Permission which shall mean either planning permission P0191.15 as originally granted or planning permission P0015.17 and any other changes as may be required from this, to secure the following:

- A financial contribution of £30,000 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 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.

Chairman