

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
27 April 2017 (7.30 - 8.40 pm)**

Present:

COUNCILLORS: 11

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

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 from Councillor Ray Best.

+Substitute members: Councillor Robert Benham (for Ray Best).

Councillors Osman Dervish, Frederick Thompson and Jeffrey Tucker were also present for parts of the meeting.

15 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.

239 MINUTES

The minutes of the meetings held on 23 March and 6 April 2017 were agreed as correct records and signed by the Chairman.

240 **P0272.17 - 29 RISEBRIDGE ROAD, GIDEA PARK, ROMFORD**

The application before Members sought planning permission for the part demolition of an existing flat roofed rear extension and to construct single and two storey rear extensions.

Members noted that the application had been called-in by Councillor Osman Dervish if minded to refuse planning permission, as he did not believe that the proposal caused harm to the character of the Gidea Park Conservation Area as it would not impact on the street scene.

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

The objector commented that property was within the Gidea Park Conservation Area and the proposal by virtue of its height and scale would harm the characterful rear elevation of the property. The objector concluded by commenting that the excessive depth of the proposal would have an unneighbourly effect on adjacent properties.

In response the applicant commented that the report confirmed that the ground floor extension was acceptable and that all that was being added at first floor level was a dormer window. The applicant concluded by commenting that the proposal overall would cause no visual harm to the character of the property.

With its agreement Councillor Osman Dervish addressed the Committee.

Councillor Dervish commented that the proposed extensions would allow the occupiers to lead a more comfortable life by providing extra bathroom facilities to the property. Councillor Dervish concluded by commenting that the application was a reasonable one that would not affect the conservation area in a negative way.

During the debate Members sought and received clarification of the dimensions of the proposal and how it would sit within neighbouring properties within the conservation area.

Officers advised the Committee that under s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 they had to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. In this context, they were further advised that it was not sufficient to balance harm against benefits in the normal way; more weight had to be given to any harm to the heritage assets than to other material planning considerations because to the legal duty under s72. The committee concluded that the proposed extension did not cause harm to the character and appearance of the Conservation Area because of the location of the extension to the rear of the property and its good standard of detailing.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission which was carried by 10 votes to 1 it was **RESOLVED** that it be delegated to the Director of Neighbourhoods to grant planning permission subject to conditions as the Committee considered that the development would not cause harm to the conservation area.

The vote for the resolution to delegate the granting of planning permission was carried by 10 votes to 1.

Councillor Hawthorn voted against the resolution to delegate the granting of planning permission.

241 **P0092.17 - 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 eighty-five-bedroom hotel including a restaurant. The application sought planning permission for a third floor extension to the building which together with the existing first and second floor was proposed to be used as a hotel inclusive of public restaurant. A retail use on the ground floor of the building would be maintained as part of the proposals.

This was a re-submission of a previous application which was refused planning permission. The applicant had sought to review the scheme in an attempt to overcome the reasons for refusal and in doing so had revised the proposed cladding and façade treatment, undertaken further transport assessments and provided additional information on proposed servicing arrangements.

Members also noted that the original refusal of planning permission had been overturned by the Planning Inspectorate following appeal, consequently the only relevant consideration in regard to the application was of the façade treatment.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the newly submitted façade treatment was more aesthetically pleasing and that the proposal would ensure the building was in active use going forward.

Members noted that the proposal qualified for a Mayoral CIL contribution of £12,120 and **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 to secure the following obligations by 27 October 2017 and in the event that

the s106 agreement was not completed by such date the item should be returned to the Committee for reconsideration:

- A financial contribution of £10,000 towards local pedestrian dropped kerb improvements and the provision of a loading bay in Ducking Stool Court, to be paid prior to the commencement of development.
- 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.

It was therefore recommended that the Director of Neighbourhoods 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 Donald and Hawthorn voted against the resolution to grant planning permission.

242 **P1537.16 - 1-3 MARKET PLACE, ROMFORD - CHANGE OF USE OF GROUND FLOOR FROM BANKING AND OFFICES INTO TWO A1/A2/A3 UNITS (RETAIL/FINANCIAL AND PROFESSIONAL SERVICES/RESTAURANT AND CAFES). CHANGE OF USE OF FIRST AND SECOND FLOOR FROM A2 BANKING AND OFFICES TO SIX RESIDENTIAL DWELLINGS. CONSTRUCTION OF A ROOF EXTENSION TO FORM ONE RESIDENTIAL DWELLING.**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £1,420 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 £42,000 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.
- It was resolved to grant planning permission subject to completion of the s106 agreement by 27 October 2017 or in the event that the s106 agreement was not completed by 27 October 2017 the item should be returned to the Committee for reconsideration.

That the Director of Neighbourhoods 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 1.

Councillor White voted against the resolution to grant planning permission.

243 P0187.17 - LAND ADJACENT TO 30-30C SOUTH HALL DRIVE, RAINHAM

The proposal before Members was for the construction of a two storey building with ground floor entrance and undercroft car parking. There would be three 1-bedroom apartments on the first floor and a fourth, 2-bedroom unit (plus study) in the roofspace. A two storey side extension was proposed to the north-western side of the development to allow staircase access to the unit in the loft.

Members noted that the application had been called-in to the Committee by Councillor Jeffrey Tucker. The reasons for the call-in were that he considered the application to be of good quality with adequate parking and an attractive modern building with a neat and tidy open green space, all that was needed for the many young members of the community to get onto the housing ladder.

With its agreement Councillor Jeffrey Tucker addressed the Committee.

Councillor Tucker commented that the proposal was an attractive development of good quality and with adequate parking provision. Councillor Tucker concluded by commenting that no objections to the proposal had been received and residents in the area welcomed the proposal.

During the debate, Members discussed the benefits of the proposal and how it would bring much-needed housing to the area. Members concluded that these benefits outweighed the limited harm that was identified in the report and that on balance planning permission should be granted.

Members noted that the proposed development qualified for a Mayoral CIL contribution of £5,400.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission, as Members considered the development to be of sufficient quality and appearance, it was **RESOLVED** to grant planning permission subject to conditions as agreed by the Director of Neighbourhoods and the completion of a Section 106 agreement for an education contribution which should be completed within six months.

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.

244 **P0273.17 - 27 STATION PARADE, ELM PARK, HORNCHURCH - CHANGE OF USE FROM A BEAUTY SALON (SUI GENERIS) TO D1 (DENTIST)**

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

245 **P0333.17 - 67 CEDAR ROAD, ROMFORD - DOUBLE STOREY REAR EXTENSION, AND OUTBUILDING WITH PITCH ROOF**

The Committee considered the report, noting that the application had been called-in by Councillor Robert Benham on the grounds of concerns of local residents, and without debate **RESOLVED** 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 1.

Councillor White voted against the resolution to grant planning permission.

Councillor Benham left the chamber during consideration of the item and took no part in the voting.

246 **P1935.16 - 233 HIGH STREET, HORNCHURCH - PROPOSED 1.8M HIGH BLACK POWDER METAL VERTICAL ROD FENCING TO PART OF THE WESTERN BOUNDARY OF THE SUBJECT SITE**

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

247 **P0065.17 - 1 MOWBRAYS ROAD, ROMFORD - DEMOLITION OF AN EXISTING HOUSE, ANCILLARY BUILDINGS AND GARAGE BLOCK. CONSTRUCTION OF FOUR NEW DWELLINGS PLUS ANCILLARY FACILITIES**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £4,780 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 secure the following:

- The variation of the legal agreement completed on 23 February 2017 in respect of planning permission P1421.16 by varying the definition of Planning Permission which shall mean either planning permission as originally granted on planning permission P1421.16 to secure a financial contribution of £18,000 to be used for education 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.
- It was resolved to grant planning permission subject to completion of the s106 agreement by 27 October 2017 or in the event that the s106 agreement was not completed by 27 October 2017 the item shall be returned to the Committee for reconsideration.

That the Director of Neighbourhoods 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.

248 **P0183.17 - QUEENS MOAT HOUSE, ST EDWARDS WAY - ROOFTOP EXTENSION COMPRISING OF FOUR SELF-CONTAINED FLATS AND SHARED GYM FACILITY PLUS RENOVATION WORKS TO THE EXISTING BUILDING FACADE AND LANDSCAPING WORKS**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £4,828 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 £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.
- 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.
- It was resolved to grant planning permission subject to completion of the s106 agreement by 27 October 2017 or in the event that the s106 agreement was not completed by 27 October 2017 the item shall be returned to the Committee for reconsideration.

That the Director of Neighbourhoods 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.

249 **P0960.16 - 75 NORTH STREET, HORNCHURCH - ERECTION OF A THREE/FIVE STOREY BUILDING COMPRISING OF 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 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 of 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 is 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 has 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 Director of Neighbourhoods 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.

Chairman