

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
28 January 2016 (7.30 - 10.45 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace (Vice-Chair), Ray Best, Philippa Crowder and Steven Kelly

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 Joshua Chapman, Viddy Persaud, Linda Van den Hende, Julie Wilkes and David Durant were also present for parts of the meeting.

80 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.

394 MINUTES

The minutes of the meeting held on 7 January 2016 were agreed as a correct record and signed by the Chairman.

395 P1255.15 - 1-15 CORBETS TEY ROAD, UPMINSTER/ P1257.15 - 17-31 CORBETS TEY ROAD, UPMINSTER

Applications P1255.15 and P1257.15 were for two identical schemes.

The Chairman agreed to hear the two applications together with a separate vote being taken at the end on each application.

The proposals before Members were for the creation of third floor roof extensions incorporating four two bedroom flats, together with the associated extension/alteration of the existing communal stairwells.

Both schemes raised considerations in relation to the impact on the character and appearance of the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents, parking and access.

Members were advised that a late letter of representation had been received from Dame Angela Watkinson MP opposing both schemes.

Members also noted that both applications had been called-in by Councillor Linda Van den Hende on the grounds that they represented a significant overdevelopment in the town centre. The appearance of the buildings would be significantly changed, thus upsetting the streetscene with the additional bulk and mass. In addition there was no amenity provided in the designs and no parking provision for the eight new dwellings. There would be a loss of privacy to surrounding properties. There was also a school nearby which could be overlooked with potential safeguarding concerns. The blocks were currently occupied by a mixture of owner occupier and rented accommodation. The plans proposed in addition to the additional floor, extensive refurbishment which would make living in the current dwellings very difficult, given there was limited access into and out of the flats.

In accordance with the public speaking arrangements the Committee was addressed by two objectors with an extended response by the applicant's representative.

The first objector commented that each block had twenty leaseholders present, twelve residential and eight retail units, which provided a cross section of society who would all be affected by the proposed applications. The Objector also commented that the proposals would impact on the drainage to the properties which was already under pressure and that some of the retail units suffered from rising damp. The objector concluded by commenting that there would also a lack of parking provision and deliveries to the retail units would be hampered.

The second objector commented that the proposals would have an adverse effect on the day to day life of residents whilst the construction works took place. The objector also commented that the proposals would be to the detriment of lives and the fabric of Upminster. The objector concluded by commenting that the buildings were of Art Deco style built in the 1930s and that the proposed extensions would be out of place with the existing streetscene.

In response the applicant's representative commented that the buildings had an iconic appearance in the streetscene but were not listed either nationally or locally. The applicant's representative also commented that lessons had been learnt from the previous application and that the

architecture of the building would not be harmed. The representative also commented that the new extensions were smaller and reduced the impact on the streetscene with the orientation altered towards the front of the building. Members were also advised that the development was to be marketed as a car free and there had been no objections from the local highway authority. The representative also commented that the applicant had held an exhibition detailing the proposals but very few people had attended. The representative concluded by commenting that the applicant had engaged with residents, was mindful of the disruption that could occur and had offered to refurbish the existing communal hallways. Members were also advised that the extensions would arrive on site in sections that would be put together in situ meaning less noise and disruption for existing residents.

With its agreement Councillor Van den Hende addressed the Committee.

Councillor Van den Hende commented that many of the residents living in the two blocks were strongly opposed to the proposed developments. As had been mentioned previously the blocks were of an Art Deco style and the historic architecture was of a special nature. A previous application had been refused in June 2014 and the new proposals only offered a 0.2m reduction in height.

Councillor Van den Hende also commented on the loss of light that would affect the properties at the rear of the application sites and believed that the proposals were in breach of Planning Policy DC61.

Councillor Van den Hende also commented that no structural surveys had been carried out on the properties and also questioned current resident's insurance obligations due to the fact that there would be additional properties on top of the current top floor. The communal re-decorations that had previously been mentioned should have been carried out anyway under the landlord's obligations and previously residents had been advised not to place heavy items on their balconies yet the proposals offered eight more flats on top of the existing flats.

Councillor Van den Hende also commented on the reduced access to the garages located at the rear of blocks and the limited access and egress to the site.

Councillor Van den Hende concluded by commenting that the recommendation stated on balance and there appeared no good reason to approve the applications and more reasons not to do so. The proposals were an inappropriate development in the Upminster area with little or no parking provision and the designs themselves too big, too bulky and out of keeping with the streetscene and would have an impact on resident's amenity and the nearby school.

During the debate Members received clarification of the previously submitted, and refused, application and how the new proposals differed.

Members also discussed the lack of parking provision and the proposals effect on the streetscene.

Several Members commented on the unnecessary nature of the proposals and agreed that the extensions would look out of place on such buildings of historical character.

The reports recommended that planning permission for both schemes be approved. However, following motions to refuse the granting of planning permission were agreed unanimously it was **RESOLVED** that planning permission for both P1255.15 and P1257.15 were refused on the grounds that:

- The proposed extension would by reason of its incongruous design, appearance and position cause material harm to the building's distinctive Art Deco architectural form and integrity and would thereby harm the character and appearance of the streetscene.
- The complete absence of on-site parking for the new units would create attendant vehicular demands on the adjacent access road and site vicinity materially harmful to amenity and safety.
- The proposal by reason of the number of new units, their relationship to existing flats within the block, amenity provision and parking represented an overdevelopment of the site harmful to character and amenity.
- Failure to provide education contribution through absence of a legal agreement.

396 **P1427.15 - PGR SALIAN, RUSH GREEN ROAD, ROMFORD-
DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT
COMPRISING OF A SELF STORAGE UNIT (USE CLASS B8) WITH
ASSOCIATED CAR AND CYCLE PARKING AND LANDSCAPING**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £50,640 and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to the following additional condition:

- 7am-10pm Monday to Sunday including Bank and Public Holidays for a temporary period until 31 May 2017 after which they shall cease and the hours be limited to 7am-7pm Monday to Sunday including Bank and Public Holidays.

397 **P1407.13 - LAND ADJACENT TO WENNINGTON HALL FARM,
RAINHAM**

The application before Members was for progressive mineral extraction and the subsequent importation of inert materials to restore the land back to existing levels and agricultural use.

The application had been submitted to the London Borough of Havering for determination in November 2013. Following consultation, the applicant had been required to undertake some additional studies which had resulted in a number of amendments to the proposal as originally submitted. The Council had re-consulted on these changes and it was now considered that staff were in a position to bring forward a recommendation to Members.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that the report suggested that the processing plant was not appropriate and that without the processing plant the application failed. Councillor Durant also commented that there were a number of other mineral sites in the area and that the cumulative impact on the area was too great with all the sites using the A1306 for access to and from the sites.

Councillor Durant concluded by commenting that the processing plant if built would remain on the site and be used to process materials from the applicant's other sites and therefore would be a blight on the landscape that would remain for many years to the detriment of resident's amenity.

During the debate Members received clarification of the number of residential properties and the distance of the buffer zone in the area.

Members discussed the current dirty condition of the A1306 which was being used for hundreds of lorry movements every day leaving the road in an untidy and dirty condition and queried as to whether stronger enforcement action should be taken on developers not cleaning the road to a more satisfactory level.

Members also discussed the requirement of the London Plan to maintain a sand and gravel landbank of 1.75 million tonnes and what the penalties would be if the authority fell short of the target.

Members discussed the access and egress arrangements of the site with particular mention made regarding the difficult egress from the site onto the surrounding roads which could prove dangerous.

The report recommended that planning permission be granted. However, following a motion to defer consideration of the item which was carried by 10 votes to 1 it was **RESOLVED** that consideration of the item be deferred to allow discussions to take place between officers and the applicant to determine the following:

- Where the landbank apportionment figure was derived from?
- How the completion of existing sand and gravel extraction within Havering would affect the landbank throughout the plan period?
- What sanctions would affect the Council if the landbank wasn't met (legal or otherwise)?

- If the landbank figure was exceeded, what happened?
- Whether other relevant London Boroughs were meeting their landbank apportionment?
- What sanctions could apply to the developer if they were known to be responsible for mud on the road but failed to resolve?
- Why processing of primary won mineral is necessary and what the alternatives are to on-site processing?
- Clarification on how the lorry movement breakdown related to empty arriving and exiting lorries?
- If the developer was willing to restrict their extraction to meet rather than exceed the landbank and/or if the development could be phased differently to reduce impact? If so, what were the implications?
- What measures over and above those listed in the report could be employed to reduce mud on the roads?

The vote for the resolution to defer the consideration of the report was carried by 10 votes to 1.

Councillor Martin voted against the resolution to defer consideration of the report.

398 P1673.15 - 21 GILBERT ROAD, ROMFORD

The report before Members proposed to convert a three-storey former care home into three flats, one on each floor. The flats would comprise of 2 three-bedroom flats on the first two floors and 1 one-bedroom flat on the second floor.

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

The objector commented that he was in favour of the property being returned back to a residential property however, there was one issue with the retention of the outside fire escape which was not required, rarely used, dangerous as it had no handrail struts to prevent children falling from the stairs and was generally unfit for purpose.

In response the applicant confirmed that the property was to be converted into three flats, one of which he was planning on residing in. The drawings showed the fire escape in place as he had no plans to remove it but would be willing to negotiate over its removal if it became an issue regarding the granting of planning permission.

With its agreement Councillor Joshua Chapman addressed the Committee.

Councillor Chapman commented that the local residents were pleased that the property was being returned to a residential use however, concerns existed regarding the retention of the fire escape which could attract privacy

and noise issues which would impact on the amenity of surrounding properties. Councillor Chapman concluded by commenting that the fire brigade had stated that the fire escape was not required and asked that Members considered adding a condition to the planning permission requesting its removal.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a planning obligation under S106 of 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 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.
- 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 Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement and subject to securing the applicant's confirmation of the full removal of the existing external fire escape staircase prior to use of any of the flats commencing, If this was not achieved then the application was to come back to the Committee for determination, grant planning permission subject to the conditions as set out in the report.

399 **P1154.15 - CROWN PUBLIC HOUSE, LONDON ROAD, ROMFORD**

The proposal before Members was for the change of use and part demolition of an existing public house and a new construction to provide twenty four apartments with associated amenity and car parking.

With its agreement Councillor Viddy Persaud addressed the Committee.

Councillor Persaud commented that the local residents were objecting to the closure and conversion of the public house as it was a local community landmark and social venue Councillor Persaud also commented that there was not enough parking provision contained within the application and the proposal would have a knock on effect to local schooling and would also impact on medical facilities in the area. Councillor Persaud concluded by commenting that a petition with 239 signatures on it opposing the scheme had been collected and that Andrew Rosindell MP had also expressed opposition to the proposal.

During the debate Members discussed the possible impact the proposal could have on the area in particular the parking provision available.

Members also discussed the density of the development and lack of amenity in particular with regards to Policy DC2.

The report recommended that planning permission be approved. However, following a motion to defer consideration of the report which was carried by 10 votes to 1, it was **RESOLVED** that consideration of the report be deferred to allow officers to negotiate with the applicant as to whether they would consider revising the proposal to meet the required PTAL parking standard provision either by providing more on-site parking or by reducing the number of units.

400 **P1316.15 - 24 MUNGO PARK ROAD, SOUTH HORNCHURCH**

The report before Members detailed a proposal for a single storey rear extension.

The application had been considered by the Committee on 3 December 2015. It had been resolved that consideration of the report be deferred to allow staff to negotiate with the applicant to demonstrate how a minimum of two parking spaces both with proper access could be accommodated on the site, including what impact this would have on existing on-street parking spaces. Further evidence had now been provided by the applicant showing the car parking at the site.

Members noted that the application had been called in by Councillor Julie Wilkes. The reasons for the call-in of the application were:

- a lack of car parking spaces
- insufficient space for additional cars in the cul-de-sac
- loss of privacy and light

With its agreement Councillor Julie Wilkes addressed the Committee.

Councillor Wilkes re-iterated the reasons given previously, that as the proposal was retrospective there had already been a loss of privacy on the neighbouring property. Councillor Wilkes also commented that the developer had not complied with building regulations and that the proposal was an overdevelopment of a garden area, out of character with the streetscene and would lead to a loss of light on a neighbouring property. Councillor Wilkes also commented that as the property was being used as a House in Multiple Occupation (HMO) there was a lack of parking provision which was impacting on the cul-de-sac.

During the debate Members discussed the retrospective nature of the application and the bulk and mass of the property which had already been extended on twice.

Members also discussed the possible overdevelopment and its impact on the neighbouring amenity.

Officers advised that investigations were currently being undertaken to determine the exact nature of the HMO use.

The report recommended that planning permission be approved. However, following a motion to defer the consideration of the report it was **RESOLVED** that consideration of the report be deferred to allow officers to obtain further information on the relationship of the extension to the occupation of the building, the adequacy of car parking and its impact on neighbours' amenity.

401 **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