

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
6 April 2017 (7.30 - 11.00 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Ray Best, Steven Kelly,
+Roger Westwood and +Damian White

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Linda Hawthorn and +Ron Ower

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Apologies were received for the absence of Councillors Melvin Wallace, Michael White and Alex Donald.

+Substitute members: Councillor Roger Westwood (for Melvin Wallace), Councillor Damian White (for Michael White) and Councillor Ron Ower (for Alex Donald).

Councillors Roger Ramsey, Clarence Barrett, Jody Ganly, John Glanville and Patricia Rumble 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.

218 MINUTES

The minutes of the meeting held on 16 March 2017 were agreed as a correct record and signed by the Chairman.

219 **P0092.17 - 25/29 MARKET PLACE, ROMFORD**

It was **RESOLVED** that consideration of the item be deferred to the next meeting of the Committee to allow for officers to deal with queries from neighbour notification letters.

220 **P0064.17 - 65-67 WINGLETYE LANE, HORNCHURCH**

The proposal before Members sought consent for a change of use of 67 from retail use (A1) to a restaurant (A3). It is proposed to merge numbers 65 and 67 to form one larger planning unit.

Members noted that the application had been called in by Councillor John Glanville, for reasons related to customer parking and potential for overspill onto secondary roads.

Councillor Roger Ramsey had also requested that the application be determined by the Committee on the basis of potential parking issues.

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

The objector commented that merging the two units would harm the character and appearance of the parade. The objector also commented that the area would not be able to cope with additional parking and that there would be an increase in noise nuisance.

In response the applicant commented that the proposal sought to provide a seating area to an existing commercial activity in line with Council policies. The applicant also commented that the proposal would be controlled by conditions and that the flue would be upgraded to disperse of any odours in a controlled manner.

With its agreement Councillors John Glanville and Roger Ramsey addressed the Committee.

Councillor Glanville commented that the surrounding roads would not be able to cope with additional parking that the proposal would attract to the area. Councillor Glanville also commented that he had been in receipt of complaints from residents regarding odours emanating from the premises.

Councillor Ramsey commented that a similar premises in the area that had been granted planning permission had since suffered with displaced parking issues and that the parade of shops was a small parade and not a shopping centre as had been referred to in the report.

During the debate Members sought and received clarification of the number of additional seats that the proposal would bring to the premises discussed the use of the existing car park situated adjacent to the proposal 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 be refused due to the following reasons:

1. Inadequate parking provision particularly given parking demand from existing commercial units resulting in overspill parking in surrounding streets resulting in inconvenience for nearby residents and parking safety concerns.
2. Noise and disturbance to nearby residents through customers congregating outside and comings and goings.

The vote for the resolution to refuse the granting of planning permission was carried by 8 votes to 3.

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

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

221 **P1986.16 - 28 OSBORNE ROAD, HORNCHURCH**

The proposal before Members sought consent for the demolition of an existing dwelling and the construction of two new buildings containing seven residential units.

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 proposal was an overdevelopment of the site and would leading to an overspill of parking in the area. The objector also commented that the proposal would lead to noise nuisance. The objector concluded by commenting that the proposal would not sit well in the streetscene and could set a precedent in flatted development in the area.

In response the applicant's agent commented that the petition that had been signed by local residents had been slightly misled by the description of the proposal on the petition heading. The agent also commented that the number of flats proposed would not lead to a significant increase in traffic visiting the site. The agent concluded that the proposal had been re-designed following a previous refusal and that the applicant had worked closely with officers to produce a more suitable proposal

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that existing properties in the area were very spacious and enjoyed good levels of amenity. Councillor Ganly also commented that the proposal would be an overdevelopment of the site. Councillor Ganly concluded by commenting that emergency access to the site would be below the norm and that existing properties would suffer from overlooking and a loss of amenity.

During the debate Members sought and clarified the height of the proposal and how it would sit within the existing streetscene.

Members also discussed the fenestration arrangements of the proposed building and how these would impact on neighbouring properties.

Members also discussed the merits of the design, how it would integrate with existing properties and also how it differed from the previously refused proposal.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 6 votes to 5 it was **RESOLVED** that planning permission be refused for the following reasons:

1. The proposal, by reason of the number of units and the proposed design and layout, including an excessive amount of hard standing, would represent an overdevelopment of the site and give rise to a cramped urban form, detrimental to local character and amenity and contrary to Policies DC2 and DC61 of the LDF Development Control Policies Development Plan Document and the guidance contained in the National Planning Policy Framework.
2. In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.

Members also wished to place on record the greater emphasis on excessive density.

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

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

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

222 **P1513.16 - NEWSTEAD HOUSE, TROOPERS DRIVE, ROMFORD**

The report before Members considered an application for the conversion of the former Newstead House Residential Care Home into twenty-eight residential units. The proposal would also involve extensions to increase the height to the north elevation of the existing building.

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 did not allow for sufficient parking for residents and visitors. The objector also commented about the noise nuisance during the construction and the effect on the amenity of existing neighbouring properties. The objector concluded that the proposal would lead to overlooking of existing properties and would also have an impact on the existing utility services.

In response the applicant's agent commented that the building had been vacant since 2014 and that the proposal offered much needed residential accommodation in the area. The agent also commented that the number of units proposed was lower than the number of existing units and therefore parking provision had increased. The agent concluded by commenting that the construction phase would be conditioned to minimise the impact on neighbouring properties.

With its agreement Councillor Patricia Rumble addressed the Committee.

Councillor Rumble commented that there would be insufficient parking for the proposed number of units and that light and noise emissions would affect the amenity of existing neighbouring properties. Councillor Rumble also commented that the proposed units would have balconies that would lead to overlooking and a loss of amenity to existing residents.

During the debate Members discussed the size of the development and how it would sit within the existing streetscene.

Members also discussed the lack of provision of affordable housing contained within the scheme and clarified what potential measures there were to allow the applicant to reconsider the affordable housing provision.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 9 votes to 2. It was **RESOLVED** that planning permission be refused on the following grounds:

1. Overdevelopment of the site of excessive density and inadequate amenity space providing poor quality accommodation for future residents.
2. Absence of a legal agreement to secure an education contribution.

The vote for the resolution to refuse the granting of planning permission was carried by 9 votes to 2.

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

223 **P0250.17 - JAMES OGLETHORPE SCHOOL**

The application before Members sought permission for an extension to the main school building, ancillary development to form external play area with canopy and the formation of a new staff car park to be accessed via a new vehicular entrance from Ashvale Gardens. The extensions were required to facilitate greater demand for the existing early years provision at the school. The application was reported to the Committee because the applicant was the Council and an objection had been received.

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 whilst there was a need for the additional building the additional parking provision was not required as plenty of parking provision already existed. The objector also commented that the additional car park would be a further hazard to children entering and exiting the school.

In response the applicant's agent commented that the application was a modest extension that would lead to the re-location of the nursery provision at the school and that most of the land required was for the extension and not parking provision.

During a brief debate Members discussed the current parking provision at the school and the benefits of the extension.

Following a motion to defer consideration of the item which was lost by 4 votes to 7 it was **RESOLVED** that it be delegated to the Director of Neighbourhoods to grant planning permission subject to the conditions as set out in the report.

The vote for the resolution to delegate the granting of planning permission was carried by 9 votes to 2.

Councillors Hawthorn and Ower voted against the resolution to delegate the granting of planning permission.

224 **P0234.17 - PARK HOUSE, 157 PARK LANE, HORNCHURCH**

The application before Members sought planning permission for the change of use of the building to a mixed residential and childcare use for up to 12 children (aged 2 to 5 years).

Members noted that the application had been called-in by Councillor Jody Ganly on the grounds that she was not satisfied with the proposed parking and drop off arrangements, as to who would enforce what the applicant had proposed. Councillor Ganly had also commented that residents in Mendip Road already suffered congestion from St. Marys Catholic School and speeding traffic to cut out the traffic lights at the junction of Hornchurch Road/ Park Lane. Councillor Ganly believed that Mendip Road would bear the brunt of the increased vehicular movement and noise and felt this would impact on residential amenity.

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that the proposal would lead to parking problems in the area which was already suffering from issues of increased traffic and displaced parking. Councillor Ganly also commented that the problems would be exacerbated when the controlled parking zone in Park Lane was extended. Councillor Ganly concluded by commenting that nearby resident's amenity would suffer detrimentally.

During a brief debate Members discussed the suitability of the proposed mixed use scheme and traffic/parking issues that would impact on the area.

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

1. The proposed change of use, by reason of the increased level of activity within the building and outdoors areas, together with the activity arising from parents and children entering and leaving the site, would result in unacceptable levels of noise and disturbance to the detriment of residential amenity, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.
2. Insufficient drop off facility resulting in parking and traffic problems in surrounding roads.

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

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

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

- 225 **P0038.17 - CROWLANDS HEATH GOLF CLUB, WOOD LANE, DAGENHAM - RE-DESIGN OF EXISTING FAIRWAYS TO COMPLIMENT THE EXISTING SITE AND PROVIDE ESSENTIAL SAFETY MEASURES IN AREAS PRESENTING AN INCREASE IN HEALTH AND SAFETY RISK**

Members considered the report, noting that the application had been called-in by Councillor Robert Benham on the grounds that given the history of the application, in so much that the previous application for the development was refused under delegated powers without presentation to the Committee; and to allow a full discussion of potential impacts, and without debate **RESOLVED** to refuse the granting of planning permission as per the reasons set out in the report.

- 226 **P0067.17 - COOPERS COMPANY AND COBURN SCHOOL, ST MARY'S LANE, UPMINSTER - TWO STOREY EXTENSION AND REFURBISHMENT TO INCLUDE RECEPTION AREA, ENTRANCE LOBBY AND MEZZANINE TO FORM NEW/IMPROVED ENTRANCE. MINOR ALTERATIONS TO FRONT ELEVATION OF SCHOOL BUILDING.**

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

- 227 **P0080.17 - LAND 320M NORTH OF FRANKS FARM WESTERN SIDE OF THE M25, UPMINSTER - INSTALLATION OF A 30M TOWER AND OTHER ANCILLARY DEVELOPMENT FOR A FIXED PERIOD OF TWO YEARS.**

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

- 228 **P0098.17 - 5 ASTOR AVENUE, ROMFORD - SINGLE STOREY REAR EXTENSION, DOUBLE STOREY SIDE EXTENSION WITH GARAGE CONVERSION, LOFT CONVERSION, FRONT BOUNDARY WALL DEMOLITION WITH FRONT GARDEN PAVING REPLACEMENT.**

The Committee considered the report noting that Councillor Robert Benham had called-in the application on the grounds that he had concerns regarding the following aspects of the development not in keeping with the surrounding area, noise and nuisance issues, sanitation issues, lack of existing car parking and the property being indirectly converted into a future

HMO, 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 White voted against the resolution to grant planning permission.

229 **P0143.17 - 32 DRUMMOND ROAD, ROMFORD - CONSTRUCTION OF A GRANNY ANNEXE IN THE REAR GARDEN TO PROVIDE ANCILLARY RESIDENTIAL ACCOMMODATION FOR AN ELDERLY RELATIVE.**

The Committee considered the report noting that Councillor Robert Benham had called-in the application as he had expressed concerns regarding the property would not be in keeping with the local area, noise and nuisance issues, sanitation issues, lack of existing car parking and the dwelling could be sold as a single dwelling in the future, 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 6 votes to 5.

Councillors Hawthorn, Ower, Nunn, Whitney, Martin and Williamson voted for the resolution to grant planning permission.

Councillors Misir, Best, Kelly, Westwood and White voted against the resolution to grant planning permission.

230 **P0308.17 - 52 CROW LANE, ROMFORD - PROPOSED GARAGE CONVERSION TO LIVEABLE SPACE**

The Committee considered the report, noting that the application had been called-in by Councillor Robert Benham on the grounds that the proposal would not be in keeping with the local area, noise and nuisance issues, sanitation issues and lack of existing car parking, and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution was carried by 7 votes to 4.

Councillors Misir, Kelly, Hawthorn, Ower, Nunn, Martin and Williamson voted for the resolution to grant planning permission.

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

- 231 **P1892.16 - 52 INGREBOURNE GARDENS, UPMINSTER - TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT EXTENSION. AND SINGLE STOREY PART TWO STOREY REAR EXTENSION.**

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

- 232 **P1990.16 - MOUNT PLEASANT FARM, SOUTHEND ARTERIAL ROAD, HORNCHURCH - PROPOSED REMOVAL OF INDUSTRIAL BUILDINGS AND THE DEVELOPMENT OF NINE RESIDENTIAL PROPERTIES AND GARAGES.**

The Committee considered the report and without debate **RESOLVED** to refuse the granting of planning permission for the reasons as set out in the report.

- 233 **P2048.16 - PURBECK HOUSE, 230-234 HORNCHURCH ROAD, HORNCHURCH - CHANGE OF USE FROM A2 OFFICES AND VARIOUS EXTENSIONS TO CREATE NINE RESIDENTIAL UNITS, PLUS RECONFIGURATION OF CAR PARK TO PROVIDE PARKING, COMMUNAL AMENITY SPACE, AND REFUSE AREA.**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £1,126 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 (as amended), to secure the following obligations by 6 October 2017 and in the event that the Section 106 agreement was not completed by such date the item shall be returned to the Committee for reconsideration:

- 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.
- 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.
- Save for the holder of blue badges that the future occupiers of the proposal would be prohibited from purchasing residents or business

parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme

- Payment of the appropriate planning obligations monitoring fee prior to the 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 planning permission subject to the conditions as set out in the report.

234 **P1474.13 - WHITE BUNGALOW, SOUTHEND ARTERIAL ROAD, UPMINSTER - DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF ONE SINGLE STOREY DWELLING**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £3,220 and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

235 **P1860.16 - 6 EASTERN AVENUE EAST, ROMFORD - DEMOLITION OF EXISTING VACANT FILLING STATION CANOPY AND CONSTRUCTION OF NEW APARTMENT BLOCK COMPRISING NINE FLATS WITH PARKING AND LANDSCAPING.**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £17,480, 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 obligations by 6 October 2017 and in the event that the Section 106 agreement was not completed by such date the item shall be returned to the Committee for reconsideration:

- 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.
- 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 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.

236 **P0206.17 - RAINHAM PRIMARY SCHOOL, UPMINSTER ROAD SOUTH, RAINHAM - DEMOLITION OF AN EXISTING DEMOUNTABLE CLASSROOM UNIT AND CREATION OF CAR PARK AREA; ERECTION OF SINGLE STOREY, FLAT ROOF EXTENSION (COMPRISING THREE CLASSROOMS); ERECTION OF STAND-ALONE, SINGLE STOREY PITCHED ROOF NURSERY BUILDING; AND, NEW PEDESTRIAN ACCESS FROM VIKING WAY**

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

237 **P1905.15 - LIDL FOODSTORE 131 GOOSHAYS DRIVE**

The application was reported to the Committee on 17 November 2016 when it was resolved to grant permission subject to the prior agreement of a light spillage scheme and the completion of a S106 legal agreement. The proposals considered by Members at the meeting included revisions negotiated to reduce the impact on neighbouring residents. The report and the drawings presented reflected these changes, these involved a reduction in the size and resultant floor area of the store.

However, in the course of preparing the s106 agreement it became apparent that the total floor area of these revisions to the application were not correctly referred to in the description of the development set out in the report. The applicant originally applied for a foodstore of gross internal floor area of 2,289 sqm, with 2,041 sqm of this at first floor level, including the sales area. Following the revisions these figures reduced to 1,923 sqm and 1,661 sqm respectively. However, the lower figure covering the proposed first floor (1,661 sqm) was used in error when the description was updated instead of the total floor area of all floors (1,923 sqm).

The committee report correctly described the development on both ground and first floors, but only referred to the area of the first floor. The total floor area of 1,923sqm was correctly reflected in the plans and footprint of the building as assessed by the Committee at the time of presentation and hence approval. In the opinion of staff, the reference to the total floorspace of 1,923 sqm in the description did not alter the scheme as assessed.

In order that the agreement and planning permission contain the correct floorspace the approval of the Committee was sought to this amendment to the committee resolution.

A lighting scheme has been agreed and implementation would be secured by condition. The S106 agreement has been drafted in accordance with the resolution and planning permission can be issued once the change to the description has been agreed.

It was **RESOLVED** that the amendments to the description be made.

238 **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