

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
29 June 2017 (7.30 - 10.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace,
Michael White, +John Crowder and Roger Westwood

Residents' Group Reg Whitney and +Nic Dodin

**East Havering
Residents' Group** Alex Donald (Vice-Chair) and Linda Hawthorn

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Apologies were received for the absence of Councillors Philippa Crowder and Stephanie Nunn.

+Substitute members: Councillor John Crowder (for Philippa Crowder) and Councillor Nic Dodin (for Stephanie Nunn).

Councillors Robert Benham, Osman Dervish, Viddy Persaud, Damien White, Ron Ower and John Glanville 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.

266 MINUTES

The minutes of the meeting held on 1 June 2017 were agreed as a correct record and signed by the Chairman.

267 **P0433.17 - 36 COLLIER ROW LANE**

The proposal before Members was for the demolition of the existing garages and erection of five two storey-houses on land to the rear of 36, 38 & 40 Collier Row Lane.

Members noted that the application had been called-in by Councillor Osman Dervish on the grounds that he believed the proposed development was an overdevelopment of the site and would harm local residential amenity.

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 proposal would be an illegal use of the land and that very little had changed from a previous application that had been refused. The objector also commented that the plot was not derelict and that that the proposal was of a garden grabbing nature and was an overdevelopment of the site which would out of character with the surrounding area.

In response the applicant's agent commented that the land was in the applicant's ownership and that the previous Highways objections have been addressed. The agent also commented that the applicant had taken on board the previous objections and amended the application accordingly.

With its agreement Councillor Osman Dervish addressed the Committee.

Councillor Dervish commented that he was in support of new development within the borough but the proposal in front of the Committee was a back garden land grab. Councillor Dervish also commented that the proposed development would provide homes that people had to live in rather wanted to live in and was an overdevelopment of the site. Councillor Dervish concluded that there would be access/egress issues at the site and that the proposal would be in a cramped area.

During the debate Members sought and received clarification regarding the access/egress, refuse arrangements and distances between existing properties.

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 of:

Inadequacy of proposed access to the site including proposed shared surface, leading to an increase in vehicular movements and vehicular conflict around the entrance and danger to pedestrians.

The lack of S106 agreement for School places demand arising from the development.

268 **P0600.17 - 7 CHASESIDE CLOSE, ROMFORD**

The application before Members sought planning permission for ground floor rear and side extensions and to convert the existing garage into a habitable area.

Members noted that the application had been called-in by Councillor Osman Dervish on the grounds of overdevelopment and being out of keeping.

With its agreement Councillor Osman Dervish addressed the Committee.

Councillor Dervish commented that the proposal would be an overdevelopment of the site and could possibly lead to the property being used as a HMO. Councillor Dervish advised that a recent application for a dropped kerb, allowing access to the rear of the property in Campbell Close, had been refused.

During the debate Members sought and received clarification of Article 4 Directions.

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

An additional Condition requiring a Construction Method Statement in particular ensuring that construction vehicles and materials were not brought onto the site via Campbell Close and an additional Informative that access over the kerb in Campbell Close would require the prior approval of the Council as the Highways Authority.

The vote for the resolution to grant planning permission was carried by 5 votes to 3 with 3 abstentions.

Councillors Misir, Crowder and Martin voted against the resolution to grant planning permission.

Councillors Westwood, Donald and Williamson abstained from voting.

269 **P0537.17/P0539.17 - 8 ROWAN WALK, HORNCHURCH**

The two reports before Members were considered together but voted on separately.

P0537.17 sought planning permission for a garage conversion into a habitable room and single storey front (side) extension.

P0539.17 sought planning permission for a first floor rear extension which would extend the full width of the existing dwelling and have a depth of between 2m and 3m. The proposal would have a combination of a pitched and flat roof to mirror the existing dwelling.

Members noted that both applications had been called-in by Councillor Damian White on the grounds of the size, scale and impact upon the local area neighbouring properties. Also, being out of keeping with the surrounding built environment.

With its agreement Councillor Damian White addressed the Committee.

Councillor White commented that the proposals would have a detrimental impact on neighbouring properties particularly No 6. Councillor White also commented that the proposals were out of keeping with the streetscene and that he did not agree with officer's comments in the report that the proposals would only have a modest impact on the site.

During the debate Members discussed the impact the proposals would have on existing properties.

It was **RESOLVED** that P0537.17 be refused, contrary to recommendation, on the grounds of:

Due to its height, location on boundary and forward projection from the garage, there would be an adverse impact on amenities of occupiers of neighbouring dwellings, resulting in a loss of light and outlook from the kitchen window. Impact on streetscene.

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

Councillors Wallace and Hawthorn voted against the refusal to grant planning permission.

It was **RESOLVED** that P0539.17 be granted planning permission subject to the conditions as set out in the report.

270 **P0729.17 - 9 FAIRLAWNS**

The proposal before Members was for the erection of one detached two-storey five-bedroom house and a detached double garage on a rectangular plot of land located to the south of a larger redevelopment site on land associated with the former property at 44 Herbert Road, and now referred to as 9 Fairlawns Close.

Members noted that the application had been called in by Councillor John Glanville on the grounds that he felt that the departures which the developer had made from the original application as approved by the planning inspector would have an adverse impact on the amenity of neighbouring residents living at nos. 6 and 7 Channing Close. Councillor Glanville also stated that the house had been moved forward by approximately two metres in order to fit the house onto the site, and the south-east corner of the house had been altered to provide a much larger kitchen area.

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 Council's Supplementary Planning Document (SPD) stated that no development should be to the detriment of existing residents. The objector also commented that one of the conditions placed on the original planning permission stipulated that there should be no departure from the submitted plans. The objector concluded by commenting that the revised layout impacted on neighbour's amenity and that a site visit should be undertaken by Members to observe the detriment that would be caused.

In response the applicant's agent commented that the development had been moved two metres north to avoid a pinch point at the southern end of the site.

The agent also confirmed that the kitchen had been extended by 10m².

With its agreement Councillor John Glanville addressed the Committee.

Councillor Glanville commented that the building works were at an advanced stage and that there was lots of change from what was originally granted planning permission and that there were some discrepancies in measurements.

During the debate Members discussed the possible need for a site visit to see how the changes impacted on neighbouring properties.

It was **RESOLVED** that consideration of the report be deferred to allow Members to undertake an accompanied site visit.

271 **P0549.17 - SITE AT RONEO CORNER**

The application before Members sought permission for amendments to the original planning permission for the construction of two part eight, part nine storey blocks containing a total of 141 flats. The current scheme involved variations to the elevations and the height of the approved, second building which fronted Rush Green Road. The building fronting Rom Valley Way, known as Vickers House, was complete and occupied.

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 that the proposal provided insufficient parking, was to be built on land that was known to flood and needed larger windows. The objector also commented that following the recent fire at Grenfell Tower in North Kensington it seemed foolish to be removing one of the stairwells from the proposal and that there needed to be a greater emphasis on including fire doors and sprinklers to the building.

In response the applicant's agent commented that planning permission had already been granted for the proposal and this application was just seeking to make minor amendments. The agent also confirmed that the applicant was prepared to submit details of materials to be used prior to commencement.

During the debate Members sought and received clarification of bedroom numbers and parking arrangements.

The Committee noted that the proposal qualified for an additional Mayoral CIL contribution of £528 and **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant, by 29 October 2017, 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 30 March 2012 in respect of planning permission P1918.11 by varying the definition of Planning Permission which should mean either planning permission P1918.11 as originally granted or planning permissions P0827.15 and P0549.17.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 30 March 2012 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 30 March 2012 would remain unchanged.

In the event that the Deed of Variation was not completed by such date the item should be returned to the Committee for reconsideration.

The Developer/Owner should furthermore pay the Council's reasonable legal costs in association with the preparation of the agreement, irrespective of whether the legal agreement was completed.

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 with an amendment to condition three to require submission of details of materials prior to any above ground works.

272 **P0587.17 - 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 five blocks of flats, up to five storeys in height, together with four blocks of terrace houses.

This was a re-submission of a previously refused application (ref: P1161.16). The previous application, which was for the same amount of units, was refused planning permission.

The Committee noted that the application had been called in by Councillor Robert Benham on the grounds of assessing whether this would be an over-development of cramped design; that the development would be two storeys higher than other development at street level in Crow Lane; lack of amenity spaces; and that the proposals were not much different from the previous application that was refused.

With its agreement Councillor Robert Benham addressed the Committee.

Councillor Benham commented that the proposal was not too dissimilar from the previous application and that there had been no change to number of units proposed on the site. Councillor Benham also commented that the proposal would be very cramped and would provide little amenity for future occupiers.

During the debate Members discussed the lack of parking on the site and the effect that the adjacent Royal Mail sorting office would have on future occupier's quality of life.

The report recommended that planning permission be granted, however following a motion to refuse the granting of planning permission which was carried by 10 votes to 1.

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. Particularly relating to the noise impact on all occupiers from the close proximity of a 24hr depot.
- 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 10 votes to 1.

Councillor Robby Misir voted against the resolution to refuse the granting of planning permission.

273 **P0655.17 - 66 SHEPHERDS HILL, ROMFORD - SINGLE STOREY GROUND FLOOR FRONT EXTENSION INCLUDING GARAGE CONVERSION INTO A HABITABLE ROOM**

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

274 **P1927.16 - CREEK WAY, RAINHAM - CONSTRUCTION OF 13 COMMERCIAL UNITS WITHIN 4 NEW BUILDINGS WITH ASSOCIATED ACCESS, PARKING AND STORAGE (B1/B2/B8 USE)**

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

275 **P0671.17 - MARDYKE FARM, DAGENHAM ROAD - VARIATION OF CONDITION 1 (TIMEFRAME), 8 (LANDSCAPING) AND 10 (DRAINAGE) ATTACHED TO PLANNING PERMISSION REFERENCE: P0455.14 (RESTORATION, RE-CONTOURING AND LANDSCAPING OF LAND) TO ENABLE COMPLETION OF OUTSTANDING WORKS BY JULY 2018 AND AMENDMENTS TO THE APPROVED LANDSCAPING AND DRAINAGE SCHEMES**

The Committee considered the report and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant, by 29 September 2017, varying the existing Legal Agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 and this development, to:

- Ensure that the existing schedules and covenants carry forward to this new planning permission.

In the event that the s106 agreement was not completed by such date the item should be returned to the Committee for reconsideration.

- The applicant should furthermore 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.

Subject to above, it was recommended that the Director of Neighbourhoods be authorised to enter into the aforementioned variation and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

276 **P0485.17 - 123 VICTORIA ROAD - DEMOLITION OF A REDUNDANT JOINERY WORKSHOP AND STORE AND THE CONSTRUCTION OF A TERRACE OF FOUR 2 BEDROOM HOMES**

The Committee considered the report noting that the proposal qualified for a Mayoral CIL contribution of £500 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 29 December 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 £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.
- 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.

An additional clause would be entered into the agreement to prevent future occupiers of the development from obtaining on-street residents parking permits.

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.

277 **P0196.15 - HAVERING COLLEGE**

The proposal before Members was for the erection of a new college building to be known as a 'Construction and Infrastructure Skills and Innovation Centre'. The new facility would provide a series of classrooms and specialised workshops associated with construction and infrastructure skills. The proposal would also deliver a section of the strategic Rainham east-west cycle/pedestrian path.

The application was deferred from the 11 May 2017 meeting for staff to explore more parking spaces on site, whether the land to the north of the

site was within the applicant's control, whether there was a highway safety issue in Passive Close arising from the proposal, and whether the new building could be located further away from the existing building to facilitate vehicular access from New Road instead of Passive Close.

An update of those issues was given in the report.

During the debate Members discussed the increase in traffic using Passive Close and the impact this could have on children playing nearby.

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

Use of Passive Close as an access would result in noise disturbance, danger to pedestrians and inconvenience to residents.

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

Councillors White, Donald, Hawthorn, Dodin, Whitney, Martin and Williamson voted for the resolution.

Councillors Misir, Crowder, Wallace and Westwood voted against the resolution.

278 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS**

The Committee considered a report that updated Members on the position of legal agreements and planning obligations. This related to approval of various types of application for planning permission decided by the Committee that could be subject to prior completion or a planning obligation. This was obtained pursuant to Section 106 of the Town and Country Planning Acts.

The report also updated the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2017.

The Committee **NOTED** the report and the information contained therein.

279 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS**

The report accompanied a schedule of appeals and a schedule of appeal decisions, received between 25 February 2017 and 31 May 2017.

The report detailed that 36 new appeals had been received since the last meeting of the Monitoring Committee in March 2017.

The Committee **NOTED** the report and the results of the appeal decisions received.

280 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in March 2017.

Schedule A showed notices currently with the Secretary of State for the Environment (the Planning Inspectorate being the executive agency) awaiting appeal determination.

Schedule B showed current notices outstanding, awaiting service, compliance, etc. with up-dated information from staff on particular notices.

The Committee **NOTED** the information in the report.

281 **PROSECUTIONS UPDATE**

The report updated the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service.

The Committee **NOTED** the report.

282 **SCHEDULE OF COMPLAINTS**

Members had previously been emailed a schedule which listed the complaints received by the Planning Control Service regarding alleged planning contraventions for the period 25 February 2017 to 31 May 2017.

The Committee **NOTED** the report and **AGREED** the actions of the Service.

283 **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