

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
21 September 2017 (7.30 - 9.55 pm)**

Present:

COUNCILLORS: 11

Conservative Group Melvin Wallace, Roger Westwood, Michael White,
+Ray Best and +Carol Smith

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

Apologies were received for the absence of Councillors Robby Misir and Philippa Crowder.

+Substitute members: Councillor Ray Best (for Philippa Crowder) and Councillor Carol Smith (for Robby Misir).

Councillors Steven Kelly, Jason Frost, Ron Ower, Brian Eagling and Michael Deon Burton 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.

313 MINUTES

The minutes of the meeting held on 24 August 2017 were agreed as a correct record and signed by the Chairman.

314 **P0885.17 - MEADOWBANKS CARE HOME, HALL LANE, UPMINSTER**

The application before Members proposed the erection of a two storey 'U' shaped extension to the rear of the existing Care Home to provide an additional twenty bedrooms with en-suite facilities and associated communal living and dining rooms, ancillary spaces and re-landscape grounds. The proposal sought to meet the demand for older Londoners within the Borough of Havering suffering from dementia.

It was noted that Councillor Brian Eagling had called in the application on the grounds that the special circumstances for a development on the Green Belt was a need for the very specific high dependency and high quality service with the provider having an excellent rating from the Care Quality Commission. Also, the development was on a secure site and would have no effect or detriment to the Green Belt locally.

With its agreement Councillor Brian Eagling addressed the Committee.

Councillor Eagling commented that the proposal would have no effect on neighbouring properties and that the facilities provided were needed within the borough. Councillor Eagling concluded by commenting that the proposal would not have a detrimental effect on the Green Belt.

During the debate members sought and received clarification of the Green Belt policy and whether the proposal demonstrated very special circumstances.

It was **RESOLVED** that planning permission be refused as per officer recommendation.

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

Councillors Donald, Hawthorn and Martin voted against the resolution to refuse planning permission.

Councillor Williamson abstained from voting.

315 **P0987.17 - 15 BROOK ROAD, ROMFORD**

The proposal before Members involves the erection of a first floor rear extension above an existing ground floor extension. The submission followed two previous applications and now proposed an alternative design approach with a curved rear elevation.

Members noted that the application had been called-in by Councillor Osman Dervish on the basis that it would be in keeping with the area and would not harm the street-scene.

Due to other commitments Councillor Dervish was unable to attend the meeting.

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

The objector commented that the proposal would impact on the amenity of neighbouring properties by blocking light and outlook.

In response the applicant commented that the extension was of a modest nature and was required as the houses built in that era were not suitable for modern day living.

During the debate Members discussed the effect the proposal would have on the character and streetscene of the area which formed part of the Gidea Park Conservation Area.

It was **RESOLVED** that planning permission be refused for the reasons as set out in the report.

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

Councillors Best, Wallace and White voted against the resolution to refuse planning permission.

316 **P1006.17 - 50A STATION ROAD, UPMINSTER**

The proposal before Members was for a first floor rear extension and converting the existing maisonette into two flats, each with 1 bedroom for 2 persons and external alterations.

Members noted that the application had been called-in by Councillor Ron Ower on the grounds that similar work had taken place locally and therefore the Committee should be given the opportunity to look at the application.

With its agreement Councillor Ron Ower addressed the Committee.

Councillor Ower commented that that similar works had taken place to neighbouring properties which had been of a good design and had uplifted the appearance of the rear of the shops. Councillor Ower concluded by commenting that the proposal would blend in well with the existing buildings.

During the debate Members discussed the possible effect the proposal would have on the streetscene and the refuse arrangements for the property.

It was **RESOLVED** that planning permission be refused as per the reasons set out in the report.

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

Councillor Wallace voted against the resolution to refuse planning permission.

Councillor Hawthorn abstained from voting.

317 P0965.17 - R/O 7 HAMLET CLOSE (DEKKER CLOSE)

The proposal before Members was for the formation of a detached one bedroom bungalow with off-street parking and private amenity space within an existing, established residential setting, Dekker Close.

Members noted that the application had been called-in by Councillor Dilip Patel who considered the proposed development to represent an overdevelopment of the site.

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 an overdevelopment of the site due to a number of recent new builds in the area. The objector also commented on the cramped access/egress arrangements and concluded by commenting that the refuse arrangements would mean residents leaving their rubbish bags on the highway which could in turn hinder access by emergency vehicles.

The applicant's agent commented that the proposal would have to conform to controlled planning conditions which were in place for the other recently built dwellings. The agent concluded by confirming that the dwelling would be fitted with a sprinkler system, had received no objections from the Highways team and would provide much needed accommodation in the area.

With its agreement Councillor Jason Frost (on behalf of Councillor Dilip Patel) addressed the Committee.

Councillor Frost commented that although he agreed that the proposal was of a good design if permission was agreed then it would lead to an overdevelopment and intensification of a small site. Councillor Frost concluded by commenting that access to the site was through Hamlet Close which itself was quite narrow and did not allow for cars to pass in both directions at the same time.

During the debate Members discussed the access/egress arrangements for the site and possible overdevelopment of the site.

The report recommended that planning permission be agreed, however following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused on the grounds that the proposal represented an overdevelopment of the site due to inadequately narrow vehicular access causing vehicle conflict and inability to adequately service the site and on the lack of a S106 agreement to secure a contribution for school places.

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

Councillor Best voted against the resolution to refuse planning permission.

318 **P1371.17 - HAVERING COLLEGE, NEW ROAD, RAINHAM**

The proposal before Members was for the erection of a new college building to be used as a 'Construction and Infrastructure Skills and Innovation Centre'. The new education facility would provide a series of modern 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.

A similar proposal was refused by the Committee on 29 June 2017, as Members raised concerns about the use of Passive Close as an access road. In comparison the current application had been amended to further reduce the potential amount of traffic using Passive Close.

With its agreement Councillor Michael Deon Burton addressed the Committee.

Councillor Burton commented that he was in receipt of a letter from Clarion Housing Group that confirmed that they owned Passive Close and that the local authority had not adopted the road and were therefore unable to create an entrance into the college campus.

Officers reminded Members that a decision on whether to approve or refuse planning permission could still be made despite the applicant not owning Passive Close.

During the debate Members discussed the benefits of improving the education provision in the borough and the improvements to the proposal that had been made since the last time the proposal was considered.

It was **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 scheme for the payment and delivery by the developer of the section of the proposed Rainham cycle/pedestrian link path running through the application site based on the details set out in the supporting statement and accompanying drawing '01001', which sets out:
 - Upon the commencement of works / implementation of planning permission P1371.17, section A of the path to be completed no later than 1 October 2021.
 - Section B of the path to be completed prior to the occupation of the CISIC building, pursuant to planning permission P1371.17.
 - Section C of the path to be delivered through one of the following mechanisms:
 - i) Upon the commencement of works / implementation of planning permission P1371.17; if the land north of the CISIC building came forward for development, Section C of the path was to be delivered and completed prior to the occupation of the development of that land.
 - ii) Upon the commencement of works / implementation of planning permission P1371.17; if the land to the west of CISIC came forward for development, Section C of the path should be delivered and completed within 6 months of the commencement of the development of that land.
 - iii) In the event that neither scenario i or ii occur, Section C of the path should be delivered and completed no later than 1 October 2025.
- 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 21 March 2018 or in the event that the s106 agreement was not completed by 21 March 2018 the item shall be returned to the Committee for reconsideration.

That the Assistant Director of Development 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 and to add an additional condition requiring parking management plan to include entrance control from Passive Close and staff only parking. And also add amendments to condition 8 to ensure that the access to the parking areas were provided before the development commenced.

The vote for the resolution to grant planning permission was carried by 9 votes to 2.

Councillors Martin and Williamson voted against the resolution to grant planning permission.

319 **P2010.16 - LAND OFF HARLOW GARDENS**

The proposal before Members sought retrospective permission for a terrace of 3 two storey houses and 2 detached bungalows, as well as changes to ground levels at the northern end of the site and erection of a 2m high close boarded timber fence on top of the concrete retaining wall around the site boundaries. All the dwellings had already been constructed under planning permission P1053.13 and, when this was done, ground levels at the northern end of the site were raised.

The ground levels have now been reduced and the application sought retrospective permission for these works as well as to screen the adjoining dwellings from overlooking with a 2m high fence. Permission was also sought for retention of the dwellings as constructed, including raising the roof height of the bungalows on Plots 1 and 2, and the addition of rooflights in each of the units.

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

The objector commented that the development was totally different to what the plans had originally shown. The two detached bungalows had stairwells inside and that the upper roof area was to be used as living accommodation, the objector also commented that the ground levels were much higher than had originally been shown and that this would lead to overlooking issues for neighbouring properties. The objector concluded by commenting that the provision of the fencing to the site would just be masking what had been built on the site which was not in accordance with the original plans.

During the debate Members discussed the deviations from the original plans and the responsibility of maintaining the fencing once erected.

Members noted that the proposed development qualified for a Mayoral CIL contribution of £7,760 and **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant, by 31 December 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 13 October 2014 in respect of planning permission P1053.13 by varying the definition of planning permission which should mean either planning permission P1053.13 as originally granted or planning permissions P1809.15 and P2010.16.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 13 October 2014 and all recitals, terms, covenants and obligations in the said Section 106 agreement would remain unchanged.

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

The Developer/Owner shall 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 Assistant Director of Development 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 and to include an amendment to Condition 14 to require prior approval of details of the fencing and its construction details – to ensure that the fence was of a robust nature.

The vote for the resolution to grant planning permission was carried by 6 votes to 5.

Councillors Best, Donald, Hawthorn, Martin, Smith and Williamson voted for the resolution to grant planning permission.

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

320 P0207.17 - 63 PETTITS LANE, ROMFORD

The proposal before Members was brought before the Committee as the applicant was related to a serving Councillor. The proposal sought consent for a first floor side extension, single storey rear extension, the demolition of a garage, the creation of two additional car parking spaces and a revised car parking layout.

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

The objector commented that the proposal would impact on the amenity of neighbouring properties. The objector concluded by commenting that the report did not take into account that the premises was operating as a business.

In response the applicant commented that that the application was a re-submission of an earlier application but with amendments to reduce the effect of any impact on amenity on neighbouring properties.

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

321 **P0925.17 - RAINHAM LANDFILL, COLDHARBOUR LANE, RAINHAM - CREATION OF A SOIL RECOVERY CENTRE**

The Committee considered the report 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 0 with 1 abstention.

Councillor Williamson abstained from voting.

322 **P1287.17 - HYLANDS PRIMARY SCHOOL, GRANGER WAY - INSTALLATION OF A TEMPORARY CLASSROOM TO THE REAR OF THE SITE AND CREATE AN ADDITIONAL PLAYGROUND TO REPLACE THE AREA LOST BY THE CLASSROOM**

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

323 **REGULATORY SERVICES MONITORING**

The report before Members detailed that each quarter a range of monitoring information regarding enforcement and appeal information had been sent to Members.

The report included updates since the last meeting held on 29 June 2017.

Members **NOTED** the report.

Chairman