

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
26 October 2017 (7.30 - 8.45 pm)**

Present:

COUNCILLORS:	11
Conservative Group	Robby Misir (in the Chair) Melvin Wallace, Roger Westwood, John Crowder and Carol Smith
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 Philippa Crowder, Michael White and Alex Donald.

+Substitute members Councillor John Crowder (for Philippa Crowder), Councillor Carol Smith (for Michael White) and Councillor Ron Ower (for Alex Donald).

Councillors Osman Dervish, Wendy Brice-Thompson, Frederick Thompson, Ray Morgon 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.

328 DISCLOSURES OF INTEREST

8. P1058.17 - 195-205 NEW ROAD & 1-9 CHERRY TREE LANE - OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF ALL BUILDINGS AND REDEVELOPMENT OF THE SITE FOR RESIDENTIAL USE PROVIDING UP TO 77 UNITS WITH ANCILLARY CAR PARKING, ACCESS AND LANDSCAPING.

Councillor Ron Ower, Prejudicial. Councillor Ower advised that as Cabinet Member for Housing Company Development and oneSource Management

he had previously been in discussions with the Council's development partners.

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

9. P0782.17 - 21 NEW ROAD, RAINHAM - OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF ALL BUILDINGS AND REDEVELOPMENT OF THE SITE FOR RESIDENTIAL USE PROVIDING UP TO 24 UNITS WITH ANCILLARY CAR PARKING, LANDSCAPING AND ACCESS.

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11. P1226.17 - BEAM PARK, FORMER FORD ASSEMBLY PLANT SITE, NEW ROAD, RAINHAM.

Councillor Ron Ower, Prejudicial, Councillor Ower advised that as Cabinet Member for Housing Company Development and oneSource Management he had previously been in discussions with the Council's development partners.

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

329 **MINUTES**

The minutes of the meeting held on 5 October 2017 were agreed as a correct record and signed by the Chairman.

330 **P0716.17 - 29-33 VICTORIA ROAD, ROMFORD**

The application before Members proposed the demolition of the existing building and erection of two replacement front and rear blocks comprising a total of thirty-five residential units and a ground floor commercial unit with a flexible use as A1 retail/ A2 financial and professional services/ A3 restaurant and cafes/ B1 office/ D1 non-residential/ D2 assembly and leisure.

The application was deferred at the meeting on 24 August 2017, as Members had wished for Staff to undertake further discussions with the applicant in relation to viability; specifically in order to resolve if any on-site affordable housing provision could be agreed in addition to the required education contribution.

Members noted that the application had been called-in by Councillor Frederick Thompson on the grounds that he believed the proposal would reduce the housing shortage and would not be too tall for its location.

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 there were concerns relating to noise nuisance and hours of work during the construction phase. The objector also commented about levels of dust and impact delivery vehicles would have on the site. The objector concluded by commenting that he wished for a pre-construction survey to be undertaken on his property to ensure no damage was caused during the construction period and that he was unhappy with officers' comments in the report.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that he felt that the proposal would go some way to alleviating housing shortages in the area and that the proposal was of a suitable nature and would sit well in the streetscene.

During the debate Members sought and received clarification relating to the Highways contribution and debated any changes to the proposal since it had last been considered in August 2017.

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

331 **P1226.17 - BEAM PARK, FORMER FORD ASSEMBLY PLANT SITE, NEW ROAD, RAINHAM**

The application before Members was for enabling works to prepare a site for development, including clearing of on-site structures, addressing contamination, importation and positioning of crushed material on site for up to nine months (preventing future settlement), localised piling and installation of band drainage.

With its agreement Councillor David Durant wished to address the Committee in relation to this application and the following two other applications (P1058.17/P0782.17) on the agenda as a whole.

Councillor Durant commented that although the applications before the Committee were outline plans with more detailed applications to follow, it was important that all the proposals were sustainable going forward.

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

Condition 4. Details of the approach for deliveries and lorry routing were set out in the submitted Construction Logistics Plan. The wording of the condition could therefore be amended to read.

“HGV access to and from the site shall be via the A13/ Marsh Way junction and use of the A1306 only for the section between Marsh Way and Thames Avenue, in line with the approach set out within the Construction Logistic Plan and as illustrated in the Logistics Plan Drawing LPSKenb 001 A, unless otherwise agreed in writing with the Local Planning Authority.”

Conditions 5 and 6 to be replaced by a single condition requiring the provision of temporary car parking and cycle parking as set out in the submitted Construction Logistics Plan. Condition to be worded as follows:

“Prior to the commencement of the operations hereby permitted 37 temporary car parking spaces and 2 temporary Sheffield stands for cycles should be provided on site in line with the submitted Construction Logistics Plan and subsequent e-mail exchange with TfL dated 15 October 2017 and should be retained thereafter for the duration of the construction phase.”

Condition 8 (to be Condition 7) Borehole Decommissioning to be re-worded as follows.

“During the spreading of fill material all monitoring wells within the surcharge area for the investigation of soils, groundwater or geotechnical purposes should be protected. The headworks of the identified wells would be revised and then would be protected by concrete rings during the raising of the ground levels. In those circumstances, where protection was not possible, wells should be decommissioned in line with Environment Agency guidance and, if required, may need to be re-drilled in the future. Prior to the removal of surcharge material, a scheme detailing how remaining monitoring wells were to be decommissioned and how any boreholes that needed to be retained post development, for monitoring purposes, should be submitted to and approved in writing by the local planning authority.”

Add the following condition:

“All works undertaken in connection with this planning permission should be carried out in complete accordance with the submitted Construction Method Statement/Management Plan.

Reason: To ensure that the development did not cause adverse impact on the surrounding area.”

Conditions to be re-numbered as required.

332 **P1311.17 - EDGEWELL 20 BROOK ROAD, ROMFORD**

The proposal before Members was for the erection of a single storey side extension.

The subject property was a 1934 Exhibition House which was designed in an Art Deco style. Its distinct appearance formed an important, integral part of the Gidea Park Conservation Area within which it was located.

Members noted that the application had been called-in by Councillor Osman Dervish as he believed the proposal would not have a detrimental impact upon the street scene or amenity. Councillor Dervish had also called the application in on the grounds of precedent as well as adding to the conservation area.

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 property was part of the Gidea Park Conservation Area and that design was of importance in keeping the original heritage of the property. The objector concluded by commenting that she was in agreement with officer's recommendation in the report supporting refusal.

The applicant commented that he had purchased the property ten years ago and that he had subsequently been advised that the existing garage had been constructed in the 1960s. The applicant also commented that the garage was now in a dilapidated state and needed repairing or replacing.

With its agreement Councillor Osman Dervish addressed the Committee.

Councillor Dervish commented that he supported the application and that the applicant had made amendments to the front line of the proposal so as not to impact on neighbouring properties. Councillor Dervish concluded by commenting that no neighbouring residents had objected to the proposal and that other properties in the area had undergone planning changes with permission given by delegated powers.

During the debate Members discussed the impact the proposal would have on the conservation area and the marginal difference the application proposed against what was already in situ.

Following a motion to approve the granting of planning permission which was lost by 3 votes to 8, it was **RESOLVED** that planning permission be refused for the reasons given in the report.

The vote for the refusal to grant planning permission was carried by 10 votes to 1.

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

333 **P1384.17 - BRIDGE POINT, SOUTHEND ARTERIAL ROAD, HORNCHURCH - PARTIAL DEMOLITION OF THE BUILDING AND RECONSTRUCTION OF 7 FLATS COMPRISING UNITS 12, 13, 14, 19, 20, 40 AND 41 TO MATCH THE EXISTING 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.

334 **P1172.17 - LAND TO THE REAR OF YORK HOUSE - ERECTION OF A DETACHED BLOCK COMPRISING OF SIX RESIDENTIAL UNITS, WITH ASSOCIATED LANDSCAPING AND PARKING.**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £7,300 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 26 April 2018, and in the event that the Section 106 agreement was not completed by such date then the power to refuse the application be delegated to the Assistant Director of Development:

- A financial contribution of £36,000 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 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.

335 **P1058.17 - 195-205 NEW ROAD & 1-9 CHERRY TREE LANE - OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF ALL BUILDINGS AND REDEVELOPMENT OF THE SITE FOR RESIDENTIAL USE PROVIDING UP TO 77 UNITS WITH ANCILLARY CAR PARKING, ACCESS AND LANDSCAPING**

The Committee considered the report detailing an outline planning permission and **RESOLVED** that the Assistant Director of Development be authorised to enter into any subsequent legal agreement or other appropriate mechanism to secure the requirement of Condition 34 below, including that:

- 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 planning permission be granted subject to the conditions as set out in the report and to include an additional informative that recommended that letter boxes for all units to be accessible from the external parts of the building.

336 **P0782.17 - 21 NEW ROAD, RAINHAM - OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF ALL BUILDINGS AND REDEVELOPMENT OF THE SITE FOR RESIDENTIAL USE PROVIDING UP TO 24 UNITS WITH ANCILLARY CAR PARKING, LANDSCAPING AND ACCESS**

The Committee considered the report which detailed an outline planning permission and without debate **RESOLVED** that the Assistant Director of Development be authorised to enter into any subsequent legal agreement to secure the requirement of Condition 30, including that:

- 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 planning permission be granted subject to the conditions as set out in the report and to include an additional informative that recommended that letter boxes for all units to be accessible from the external parts of the building.

337 **URGENT BUSINESS**

Due to the requirement to deal with the issue as a matter of urgency, the Chairman had agreed to deal with this item as an urgent matter pursuant to section 100B (4) of the Local Government Act 1972.

Planning Applications P1161.16 and P0587.17 (Land at Junction of Crow Lane/Sandgate Close, Romford) were refused by the Council on 10 Feb 2017 and 16 July 2017 respectfully and are the subject of an appeal due to be heard by way of Informal Hearing on 14 and 15 November.

As part of the appeal, the appellant wished to commit to certain obligations which would be binding upon them should the appeal(s) be allowed. In appeals, it is common for such obligations to be put forward in a Unilateral Undertaking with the Council not being part of the document. In discussions over the suitability it was considered that obligations requiring a review of the affordable housing provision may be more satisfactorily framed within a Legal Agreement with the Council rather than a unilateral undertaking.

Therefore staff requested that the Committee resolve to authorise the Assistant Director of Development to enter into and complete any necessary Legal Agreement in connection with the above appeals which would be binding should the appeals be allowed.

It was **RESOLVED** that the Assistant Director of Development be authorised to enter into and complete any necessary Legal Agreement in connection with the above appeals which would be binding should the appeals be allowed.

Chairman