

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE (Monitoring)
Thursday 23 June 2011 (7.30pm – 7:40pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair), Jeff Brace, + Steven Kelly, Robby Misir, Fred Osborne, Garry Pain, + Billy Taylor and Barry Tebbutt

Residents' Group Linda Hawthorn
Brian Eagling

Labour Group Paul McGeary

**Independent
Residents' Group**

An apology for absence was received from Councillor Mark Logan

+ Substitute members: Councillor Steven Kelly (for Garry Pain) and Councillor Billy Taylor (for Sandra Binion)

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.

11 P0650.11 – EAST LONDON SUSTAINABLE ENERGY FACILITY LAND WEST OF FAIRVIEW INDUSTRIAL PARK, OFF MARSH WAY, RAINHAM

It was **RESOLVED** that consideration be deferred at the request of staff to enable legal updates to the resolution wording in light of further information that had been received.

12 P0712.10 – 155 HALL LANE, UPMINSTER - Single storey rear conservatory

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 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 19th August 1993 in respect of planning permission P0536.93 to allow for a redefinition of the residential curtilage of the property.

That planning permission be granted subject to the following conditions.

1. The development to which this permission related must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. All new external finishes should be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority considered it essential that the whole of the development was carried out and that no departure whatsoever was made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accorded with Development Control Policies Development Plan Document Policy DC61.

13 A0024.11 – 265 CHASE CROSS ROAD, COLLIER ROW - Installation of 1 illuminated fascia sign and 1 projecting sign

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

14 P0615.11 – RAINHAM VILLAGE PRIMARY SCHOOL - Variation to conditions 3 (accordance with plans), 4 (parking standards), 5 (landscaping), 11 (boundary railings), 12 (details of playground) of P0128.11, to allow for a phased development

The report before members sought to vary the conditions imposed upon planning permission P0128.11 which granted consent for various extensions and landscaping works to the school in order to allow for a phased development.

The application was brought to the committee because the site was within Council ownership.

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

15 ALLEGED BREACH OF PLANNING CONTROL AT COUNTY SERVICE STATION, ESSEX GARDENS, HORNCHURCH

The Committee considered the report and without debate, **RESOLVED** that an Enforcement Notice be issued and served to require, within one month:

- (i) To cease the use of the land for the washing and valeting of vehicles.
- (ii) To cease the use of the land for storage of cleaning materials.
- (iii) Remove from the land all machinery, equipment, apparatus, cleaning materials, vehicles, tools, scrap, waste, signage and installations brought onto the land associated with the unauthorised use and to comply with requirements (i) and (ii) above.

In the event of non compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

16 PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

The report updated the Committee 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 2000-2010.

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

17 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 19 February 2011 and 3 June 2011

The report detailed that 41 new appeals had been received since the last meeting of the Monitoring Committee in March 2011.

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

18 SCHEDULE OF ENFORCEMENT NOTICES

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in March 2011.

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.

19 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.

20 EXCLUSION OF THE PUBLIC

The Committee decided on the motion of the Chairman that the public should be excluded from the remainder of the meeting on the ground that it was likely that, in view of the nature of the business to be transacted, if members of the public were present there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 and it was not in the public interest to publish the information.

21 PLANNING ENFORCEMENT: SCHEDULE OF COMPLAINTS

Attached to the report was a schedule listing, by Ward, all the complaints received by the Planning Control Service over alleged planning contraventions for the period from 19 February 2011 and 3 June 2011.

The Committee **NOTED** the report and **AGREED** the actions being taken.