

REGULATORY SERVICES COMMITTEE SECOND SUPPLEMENTARY AGENDA

7 June 2012

The following report is attached for consideration and is submitted with the agreement of the Chairman as an urgent matter pursuant to Section 100B (4) of the Local Government Act 1972

4 MINUTES (Pages 1 - 8)

To approve as a correct record the minutes of the meeting of the Committee held on 22 March 2012 and to authorise the Chairman to sign them.

**9 SECTION 106 DEED OF VARIATION FOR THE FORMER WHITWORTH CENTRE,
NOAK HILL, ROMFORD**

This item has been withdrawn from consideration. The item will be re-submitted for consideration at a future meeting of the Committee

**Ian Buckmaster
Committee Administration and
Member Support Manager**

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Council Chamber - Town Hall
22 March 2012 (7.30 - 9.00 pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair),
Sandra Binion, Jeffrey Brace, Robby Misir,
Frederick Osborne and Garry Pain

Residents' Group Linda Hawthorn and +Brian Eagling

Labour Group Paul McGeary

**Independent Residents
Group**

Apologies were received for the absence of Councillors Ron Ower and Mark Logan

+Substitute members: Councillor Brian Eagling (for Ron Ower)

Councillor Eric Munday was also present for the meeting.

10 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

There were no declarations of interest.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

287 MINUTES

The minutes of the meeting held on 2 February 2012 were agreed as a correct record and signed by the Chairman.

288 **P0962.11 - FORMER PREMIER MOTORS - DEMOLITION OF PART OF BUILDING AND TWO STOREY OFFICE BUILDING AND THE MAKING GOOD AND CHANGE OF USE OF THE RETAINED BUILDINGS TO ENABLE THE RELOCATION OF "THE CROWS METALS" RECYCLING BUSINESS FOR THE RECYCLING, PROCESSING, STORAGE AND DISTRIBUTION OF SCRAP METAL (EXCLUDING CAR STRIPPING AND BREAKAGES) AND INSTALLATION OF TWO WEIGHBRIDGES**

The report before members detailed an application that proposed the material change of use of a former car retail, repair and maintenance centre to a scrap yard for the recycling, processing, storage and distribution of scrap metal (excluding the dismantling of vehicles.) The proposal would result in the relocation of an existing scrap metal facility from land to the rear of No.143 Crow Lane, to the site under consideration.

In accordance with the public speaking arrangements, the Committee was addressed by an objector without a response from the applicant.

During the debate members discussed issues concerning access/egress arrangements and impact on the neighbourhood.

The report recommended that planning permission be refused but following a motion it was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report following immediately on from the recommendation based on the following reasons for approval:

- Removal of current use and subsequent improvement to Green Belt outweighs conflict with Waste Plan;
- Bringing longstanding vacant employment site back into use and providing employment opportunities;
- Conditions limiting height of storage and details of acoustic fence satisfactorily mitigate any adverse visual impact.
- Conditions limiting hours of operation and noise levels satisfactorily mitigate any adverse impact on residential amenity.
- No adverse highway safety impact.

The vote for the resolution to grant planning permission subject to conditions and prior completion of a Section 106 Agreement was carried by 7 votes to 2 with 1 abstention Councillors Oddy, Tebbutt, Binion, Brace, Misir, Osborne and Pain voted for the resolution to grant planning permission. Councillors Eagling and McGeary voted against the resolution to grant planning permission. Councillor Hawthorn abstained from voting.

289 **P1578.11 - 143 CROW LANE - CHANGE OF USE FROM STORING, SORTING, HANDLING & PROCESSING OF SCRAP METAL TO B1/B8**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and the prior completion of a Section 106 agreement to secure the following:

- That, should planning permission be granted for planning application P0962.11, that prior to commencement of the use of the scrap metal facility at the former Premier Motors site, the operation of the existing scrap metal facility at No.143 Crow Lane, permanently cease, and all plant, machinery, containers, and materials associated with it be permanently removed.
- That prior to commencement of the use of the scrap metal facility at the former Premier Motors site a Certificate of Lawfulness of Existing Use or Development issued under Section 191 of the Town and Country Planning Act 1990 under reference E0006.95 dated 5th January 1996 relating to the site at 143 Crow Lane is set aside without compensation so that it no longer has legal effect.
- The Council's reasonable legal fees for preparation of the agreement irrespective of whether or not it is completed.

290 **P0023.12 - 33-39 UPMINSTER ROAD SOUTH - CONVERSION OF FIRST FLOOR FROM D1 (INSTITUTION) INTO 3NO. 3 BEDROOM FLATS**

With a correction to the second line of the report to delete reference to Homes in Havering and substitute Havering College the Committee considered the report, noting that a late letter of representation had been received and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

291 **P0133.12 - 120 CHERRY TREE LANE - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 7 LUXURY APARTMENTS (OUTLINE APPLICATION)**

The Committee considered the report, and following a brief debate regarding parking provision, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

292 **P0138.12 - 93-95 REDDEN COURT ROAD - DEMOLITION OF FIRE DAMAGED BUILDING AND RECONSTRUCTION OF BUILDING INCORPORATING 6 APARTMENTS**

The Committee considered the report, noting that one late letter of representation had been received and that the London Fire Brigade had

raised no objection and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

293 **P0155.12 - ST FRANCIS HOSPICE, THE HALL, BROXHILL ROAD, HAVERING-ATTE-BOWER ROMFORD - SINGLE STOREY EXTENSION TO PROVIDE OFFICE ACCOMMODATION AND STORAGE**

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

294 **P0040.12 - CORBETS TEY SCHOOL, HARWOOD HALL LANE - DETACHED SINGLE STOREY BUILDING TO PROVIDE DISABLED TOILETS AND CHANGING FACILITIES FOR USE IN CONJUNCTION WITH NEW SENSORY PLAY AREA**

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

295 **P1417.11 - OLDCHURCH HOSPITAL (WEST) - NON-COMPLIANCE WITH CONDITION 2 OF P0975.10 TO ENABLE THE REPLACEMENT OF FOUR 1 BED APARTMENTS IN RENOVATED 'TREASURY' BUILDING WITH TWO 2 BED HOUSES. REPLACEMENT OF TWO 4 BED HOUSES WITH THREE 3 BED HOUSES IN BLOCK 6. NEW 1 BED APARTMENT AND 3 BED APARTMENT IN LIEU OF UNDERCROFT PARKING IN BLOCK 4 AND CONSEQUENT CHANGES TO DESIGN AND APPEARANCE OF AFFECTED UNITS. REVISION TO TENURE MIX**

The Committee considered the report, noting that there was a correction to the description of the development which should have read "two 3 bed instead of three 3 bed" and **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to:

the prior completion of a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 of the original section 106 agreement of 27th July 2011 to secure the following:

1. That the definition of the planning application contained within the legal agreement dated 27/7/2011 be amended to refer to this application in the alternative as appropriate, and
2. The Developer and/or Owner to bear the Council legal costs in respect of the preparation of the legal agreement irrespective of whether or not it is completed.

3. All recitals, headings and clauses of the original agreement dated 27th July 2011 shall remain unchanged.

That staff be authorised to enter into such agreement and upon completion of it, to grant planning permission subject to the conditions contained in the report.

296 **P1862.11 - THE LODGE CARE HOME EXTENSION - RETENTION OF "AS BUILT" EXTENSION FORMING HIGH DEPENDENCY DEMENTIA CARE UNIT COMPRISING 19 BEDROOMS, 15 CAR PARKING SPACE, AMBULANCE DOCK AND EXTERNAL LANDSCAPING**

The Committee considered the report and without debate, **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to the applicant entering into a Unilateral Undertaking under the Town and Country Planning Act 1990 (as amended), to secure the following:

- Development to be used in perpetuity only for the care of persons who have been diagnosed with dementia and who require high dependency care for their dementia condition
- The highways contribution of £25,000 provided in a Section 106 Agreement dated 20th July 2007 pursuant to Planning Permission reference P0757.07 which has been paid to the Council shall be retained by the Council as a Highway Contribution pursuant to this application Reference P1862.11 together with accrued interest from receipt to the date spent for the purposes of highways improvements for pedestrian crossing facilities and / or traffic calming measures in the vicinity of Lodge Lane
- Payment of the Council Legal fees in respect of consideration of the Unilateral Undertaking
- Payment of Monitoring Fees in association with each of the planning obligations as required by the Council
- That Staff be authorised to accept such an undertaking following the Heads of Terms set out above and that upon its completion planning permission be granted subject to the conditions contained in the report.

297 **P1139.11 - FOUR OAKS, THE CHASE, UPMINSTER - DEMOLISH EXISTING DWELLING AND REPLACE WITH A NEW TWO STOREY DWELLING WITH ATTACHED TRIPLE GARAGE.**

The report before members detailed an application which sought permission for the demolition of an existing dwelling and for the erection of a two storey, detached dwelling with double garage block.

During a brief debate officers clarified the Council's position regarding Green Belt development

A motion to refuse the granting of planning permission was lost by 7 votes to 3. Councillors Hawthorn, Eagling and McGeary voted for the motion to refuse planning permission. Councillors Oddy, Tebbutt, Binion, Brace, Misir, Osborne and Pain voted against the motion to refuse planning permission.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. The vote for the resolution was passed by 7 votes to 3. Councillors Oddy, Tebbutt, Binion, Brace, Misir, Osborne and Pain voted for the resolution to grant planning permission. Councillors Hawthorn, Eagling and McGeary voted against the resolution to grant planning permission.

298 **P1668.11 - LAND TO THE REAR OF 5 & 7 NORTHUMBERLAND AVENUE, HORNCHURCH - NEW DETACHED DWELLING**

The report before members detailed an application for the approval of a detached house, with associated car parking on the site. Works had substantially commenced on the site under the guise of a previous approval.

Members noted that the Chairman had called in the application on the grounds of the level of local interest the application had attracted.

Members also noted that a further two late letters of representation had been received.

With its agreement, Councillor Eric Munday addressed the Committee. Councillor Munday advised that he was also speaking on behalf of Councillor Lynden Thorpe. Councillor Munday commented that the proposed dwelling was out of keeping with neighbouring properties and asked that the Committee refused to grant planning permission.

During the debate members discussed issues concerning the bulk and mass of the proposed dwelling and loss of trees on the site.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and including an additional condition removing permitted development rights. The vote for the resolution was carried by 8 votes to 2. Councillors Oddy, Tebbutt, Misir, Osborne, Pain, Eagling, Hawthorn and McGeary voted for the resolution to grant planning permission. Councillors Binion and Brace voted against the resolution to grant planning permission.

- 299 **P1707.11 - FORMER HAINAULT SERVICE STATION, EASTERN AVENUE WEST, ROMFORD - ERECTION OF PART 2/PART 3 STOREY BUILDING TO ACCOMMODATE 135M2 COMMERCIAL SPACE (A1/A2) ON GROUND FLOOR TOGETHER WITH 7 FLATS (4 X 1 BEDROOM AND 3 X 2 BEDROOM) WITH ANCILLARY PARKING (12SPACES).**

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

- 300 **RUSHDON CLOSE - DEED OF VARIATION**

The Committee considered the report and without debate, **RESOLVED** that the variation of the Section 106 agreement dated 2 August 2010 as varied by a Deed of Variation under Section 106A pursuant to planning permission reference number P0063.11 to be entered into on even date (the same day) as this proposed Deed of Variation to change the definition of social rent to that set out below under Section 106A of the Town and Country Planning Act (as amended), be approved:

The variation of the term "Social Rent" to read "Social rent or affordable rent," in accordance with PPS3 Housing June 2011.

The Developer and/or Owner to bear the Council legal costs in respect of the preparation of the legal agreement irrespective of whether or not it is completed.

Save as varied above the Section 106 agreement dated 2 August 2010 shall remain in full force and effect.

Chairman

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