

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
15 December 2011 (7.30 - 10.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Frederick Osborne, Garry Pain, Steven Kelly and Frederick Thompson

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

Independent Residents Group +*Michael Deon Burton

Apologies were received for the absence of Councillors Sandra Binion, Robby Misir and Mark Logan.

+Substitute members: Councillor Steven Kelly (for Sandra Binion) Councillor Frederick Thompson (for Robby Misir) and Councillor Michael Deon Burton (for Mark Logan)

Councillors Linda Trew, Denis O'Flynn and Jeffrey Tucker were also present for parts of the meeting.

* Due to unforeseen personal circumstances Councillor Deon Burton left part way through the meeting prior to presentation of the report relating to Albany School.

23 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.

204 DECLARATION OF INTERESTS

Councillor Ron Ower declared a personal and prejudicial interest in item P1557.11. Councillor Ower advised that he was a close friend of the applicant. Councillor Ower left the room during the discussion of the report and took no part in the voting.

205 **MINUTES**

The minutes of the meetings held on 13 October, 27 October and 3 November 2011 were agreed as a correct record and signed by the Chairman.

206 **P1637.11 - GARAGE COURT TO REAR OF 16 SHEFFIELD DRIVE, HAROLD HILL - DEMOLITION OF 31 GARAGES AND ERECTION OF 4 DWELLINGS WITH ASSOCIATED PARKING**

The report before members related to a Council owned garage court. The application proposed the demolition of the existing 31 garages and the erection of four 2 storey dwellings with associated parking and garden areas.

Members noted that 29 letters of support and no letters of objection had been received.

In accordance with the public participation arrangements, the Committee was addressed by an objector with no response from the applicant.

The Chairman exercised his discretion to enable a member of the public to speak in support of the proposal.

With its agreement, Councillor Denis O'Flynn addressed the Committee. Councillor O'Flynn commented that the report was very comprehensive but the proposed scheme, if approved, would deny residents security to their properties and would also deny parking facilities to residents who had previously been licensees to be able to park in the garages. Councillor O'Flynn asked that the Committee reject the scheme for the above reasons.

During the debate, members discussed the number of garages currently let on the site, possible boundary treatments, security of building materials stored on the site and refuse arrangements.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and subject to the precise wording of the planning condition dealing with boundary treatment being delegated to the Head of Development and Building Control to ensure that applicant submits existing and proposed boundary details at an early stage of the development and also to provide for negotiation by developer with adjoining residents over detailed treatment including possible retention of parts of existing walls at rear of garage block.

The vote for the resolution to grant planning permission was passed by 10 votes to 1. Councillor McGeary voted against the resolution to grant planning permission.

207 **P1557.11 - 311-313 COLLIER ROW LANE, COLLIER ROW, ROMFORD - DEMOLITION OF EXISTING COMMERCIAL BUILDING AND CONSTRUCTION OF A COMMERCIAL UNIT ON THE GROUND FLOOR WITH A3 USE AND THREE 2 BEDROOM FLATS ON THE FIRST AND SECOND FLOORS**

The application sought permission for the demolition of the existing commercial building and construction of a part two and a half, part three storey building with a commercial unit on the ground floor to be used for A3 purposes in the form of one larger or two smaller units and three 2 bedroom flats on the first and second floors. Flat 1 was located on the first and second floors, Flat 2 on the first floor and Flat 3 on the second floor with a side entrance.

The Committee noted that two petitions, containing twenty nine signatures, and four letters of objection had been received.

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

With its agreement, Councillor Linda Trew addressed the Committee. Councillor Trew commented that the change in hours applied for would have little difference on the impact the proposed properties would have on the area due to increased traffic and a lack of off street parking Councillor Trew suggested that the number of existing A3/A5 (Restaurant/hot food takeaway) establishments in Collier Row town centre was sufficient to cope with demand.

During the debate, members discussed the length of time the property had been empty and parking provision in the Collier Row area.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. It was also **noted** that the Committee requested that any subsequent application for extension of the A3 opening hours be brought to Committee rather than delegated to the Head of Development and Building Control.

The vote for the resolution to grant planning permission was passed by 8 votes to 1 with 1 abstention. Councillor Frederick Thompson voted against the resolution to grant planning permission. Councillor Deon Burton abstained from voting.

As stated at the beginning of the minutes Councillor Ron Ower declared a personal interest in the application. Councillor Ower advised that he was a close friend of the applicant. Councillor Ower left the room during the discussion of the report and took no part in the voting.

208 **P1583.11 - 29 LESSINGTON AVENUE, ROMFORD - ERECTION OF RAILINGS TO SITE FRONTAGE, SURFACING FRONT DRIVEWAY AND PROVISION OF WINDOW SECURITY**

The proposal related to an application for the erection of railings to site frontage, surfacing of a front driveway and the provision of window security to a detached bungalow.

With its agreement, Councillor Jeffrey Tucker addressed the Committee. Councillor Tucker commented that the bungalow was in a mixed use area and similar to other places of worship situated elsewhere in the borough. Councillor Tucker explained that the property had been the target of several incidents of vandalism. Councillor Tucker asked that the Committee grant planning permission.

Members discussed whether the provision of the railings would be out of character with the surrounding residential street scene.

Discussions also took place regarding the removal of the hard standing and the nature of the Crime Shield security mesh that was to be mounted in front of or behind the existing windows.

Members expressed concern that the visual impact of the proposed security measures would result in the property looking out of character in the street scene to the detriment of neighbouring amenity in a residential area.

The report recommended that planning permission be granted but following a motion it was **RESOLVED** that consideration be **DEFERRED** to allow officers to discuss with the applicant the concerns raised by the Committee.

At this point in the meeting, Councillor Deon Burton had to leave the meeting due to unforeseen personal circumstances.

209 **P1327.11 - THE ALBANY SCHOOL - CREATION OF AN ALL WEATHER SPORTS PITCH ON PART OF EXISTING SCHOOL FIELD**

The application before members sought permission to create a Multi Use Game Area (MUGA) on part of the existing school field.

The application was brought to the committee because the site was within Council ownership. The application had previously been deferred at staff's request due to a late objection being received from Sport England.

The Committee noted that 29 letters of representation had been received and a letter supporting those representations had been received from Councillor Peter Gardner, a Ward Councillor for that area.

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

With its agreement, Councillor Jeffrey Tucker addressed the Committee. Councillor Tucker reinforced the principal objections from residents which were the excessive hours of operation of the floodlights and that light pollution from the floodlights would have a detrimental effect on nearby residential amenity.

During the debate members discussed issues concerning parking provision, the impact of light pollution from the floodlights on nearby residential areas and possible noise nuisance from users.

Members also commented that there was insufficient information concerning the facilities' hours of operation.

The report recommended that planning permission be granted but following a motion, it was **RESOLVED** that consideration be **DEFERRED** to allow officers to contact the applicant and obtain further information on the following:

- Current and proposed term and non-term timetable of school and non-school use of playing fields, tennis courts and MUGA.
- Whether any hours limitations or lighting existed on the tennis courts.
- Whether potential noise disturbance could be mitigated by acoustic treatment along north end of the MUGA closest to residential properties.
- Clarification of parking need associated with existing and proposed uses, current patterns of vehicle use and scope for providing additional parking.
- Potential for reducing floodlighting hours to an earlier finish time.

210 **P1521.11 - LAND REAR OF 189 FARINGDON AVENUE, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF TWO 4 BEDROOM DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

The application related to a Council owned garage court. It proposed the demolition of 18 garages and the erection of two 2 storey dwellings with associated parking and garden areas.

The Committee noted that 23 letters of representation had been received.

With its agreement, Councillor Pat Murray addressed the Committee. Councillor Murray commented that the proposed site had insufficient access and egress arrangements to the detriment of highway safety.

Members noted that the majority of garages on the site were currently not in use. Concern was raised at possible overlooking from the proposed development.

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

The vote for the resolution was 9 votes to 0 with 1 abstention. Councillor McGeary abstained from voting.

211 **P1525.11 - BEAM REACH BUSINESS PARK CONSUL AVENUE, RAINHAM - ERECTION OF VEHICLE MAINTENANCE UNIT (VMU) COMPRISING 1875 SQM (GEA).**

The report before members proposed an application for the erection of a Vehicle Maintenance Unit (VMU) in association with a regional distribution centre currently being developed on the western side of Marsh Way, Rainham.

The Committee noted that the results of consultations from the Greater London Authority (GLA) and the Environment Agency had yet to be received.

It was **RESOLVED** to delegate to the Head of Development and Building Control to grant planning permission subject to there being no objections from the GLA and no additional Environmental Agency conditions. In the event that the GLA objected to the proposals then the application would be brought back to the Committee for consideration.

212 **P1606.11 - COUNCIL DEPOT CHERRY TREE LANE, RAINHAM - DEMOLITION OF COUNCIL DEPOT AND ERECTION OF THREE TERRACED DWELLINGS**

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

213 **P1608.11 - GARAGE COURT AT REAR OF NO. 33 - 48 PROSPECT PLACE, ROMFORD - DEMOLITION OF EXISTING 16 GARAGES AND THE ERECTION OF 2 HOUSES WITH ASSOCIATED PARKING**

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

- 214 **P1559.11 - LAND REAR OF 51-63 KINGSBRIDGE ROAD, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF ONE 3 BEDROOM DETACHED DWELLING AND TWO 4 BEDROOM SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

The Committee considered the report, noting that two letters of representation had been received and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 215 **P1560.11 - LAND REAR OF 16/18 HALESWORTH CLOSE, ROMFORD - DEMOLITION OF EXISTING GARAGES AND ERECTION OF TWO 4 BEDROOM SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

The Committee considered the report, noting that four letters of representation had been received and following Councillors being satisfied with conditions in particular in respect to the lighting scheme, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 216 **P1643.11 - GARAGE COURT TO REAR OF 13 ASHBOURNE ROAD, HAROLD HILL - DEMOLITION OF EXISTING 11 GARAGES AND ERECTION OF TWO 2 STOREY 4 BEDROOM SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

The Committee considered the report, and following Councillors' questions on back to back distances and glazing, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 217 **P1635.11 - GARAGE COURT TO REAR OF 12 ASHBOURNE ROAD, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF TWO 3 BEDROOM SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

The report before members related to a Council owned garage court. The application proposed the demolition of the existing 13 garages and the erection of two 2 storey semi-detached dwellings with associated parking and garden areas.

The committee noted that two letters of representation and a petition had been received. The Committee considered the report and questions were raised on the glazing of ground floor windows on the side of the building facing Ashbourne Road.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition to obscure glaze the ground floor flank windows facing Ashbourne Road.

The vote for the resolution was passed by 9 votes to 0 with 1 abstention. Councillor McGeary abstained from voting.

218 **P1636.11 - GARAGE COURT TO REAR OF 4 SEDGEFIELD CRESCENT, ROMFORD - DEMOLITION OF EXISTING GARAGES AND ERECTION OF 1 DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN AREAS**

The Committee considered the report, noting that there had been a late response from the London Fire Brigade (LFB) and four letters of representation had been received and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

219 **A0061.11 - 192 HILLDENE AVENUE, ROMFORD - 1 INTERNALLY ILLUMINATED FASCIA SIGN, 1 INTERNALLY ILLUMINATED PROJECTING SIGN AND ATM SURROUND**

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

220 **P1623.11 - GRASS VERGE ADJACENT TO 32 PETTLEY GARDENS, ROMFORD - ONE FOUR BEDROOM DETACHED HOUSE**

The Committee considered the report, noting that a 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.

The vote for the resolution was passed by 9 votes to 0 with 1 abstention. Councillor Hawthorn abstained from voting.

221 **P1582.11: 44-52 MARKET PLACE, 1-14 SWAN WALK & UNIT 103 LIBERTY SQUARE, ROMFORD - EXTENSION OF TIME APPLICATION: PARTIAL DEMOLITION OF THE LIBERTY SHOPPING CENTRE AND CONSTRUCTION OF NEW RETAIL FLOORSPACE, DEMOLITION OF BRIDGE TO EXISTING SERVICE ROAD AND ASSOCIATED WORKS TO ALTER SERVICING AREA**

The Committee considered the report, and without debate, **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to :

A financial contribution of £50,000 to cover the cost of identifying a replacement location for coach parking and the provision of the replacement facilities.

The planning obligations recommended in the report had been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations were considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

Upon completion of the Section 106 agreement that authority be delegated to the Head of Service to grant planning permission subject to the conditions as set out in the report and to include the following amendments the precise wording of which was delegated by the Committee to the Head of Development and Planning:

- Conditions 13, 14 and 15: Amend so that prior to occupation/before use commences specifically relates to occupation of individual units.
- Condition 16: Amend to cover requirement upon owner/applicant to place an obligation within the occupier's lease to maintain a trading display in the first floor windows of the development. Also amend so that trigger point is "before unit is first occupied".
- Condition 2: Amend to read "the development hereby permitted shall be carried out in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority".

222 P1292.11 - 6 COLLIER ROW ROAD COLLIER ROW, ROMFORD - CHANGE OF USE OF EXISTING RETAIL SHOP (A1 CLASS USE) INTO TAKE-AWAY RESTAURANT (A3/A5 CLASS USE) AND EXTRACTION FLUE SYSTEM TO REAR

The report before members detailed an application for a change of use from retail (A1) to a takeaway/restaurant (A3/A5 use) and extraction flue to the rear.

The Committee noted that the application had been called in by Councillor Ron Ower due to concerns regarding the impact of noise and parking on local residents.

Members noted that seven letters of representation had been received.

During the debate members made reference to the Council's Planning Policy DC16 which dealt with Core and Fringe Frontages in District and Local Centres.

Members also queried with officers the number of non-retail premises in the town centre.

Officers confirmed although the change of use would be contrary to Policy DC16, it is considered that on balance the A3/A5 use would be acceptable, particularly as it would be bringing a vacant A1 retail unit back into use, which would contribute positively to the vitality of Collier Row town centre

A motion to refuse the granting of planning permission was lost by 6 votes to 3 with 1 abstention. Councillors Osborne, Hathorn and Ower voted for the motion to refuse planning permission. Councillors Oddy, Brace, Kelly, Pain, Tebbutt and McGeary voted against the motion. Councillor Thompson abstained from voting

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, Brace, Kelly, Osborne, Pain, Tebbutt and McGeary voted for the resolution to grant planning permission. Councillors Thompson, Hawthorn and Ower voted against the resolution to grant planning permission.

223 **APPLICATION FOR THE STOPPING UP OF HIGHWAY LAND SOUTH OF THE A124 HORNCHURCH ROAD AT RM11 1DL AND PART OF TORRANCE CLOSE AT RM 11 1JT**

The Committee considered the report, and without debate, **RESOLVED** that subject to the developer paying the Council's reasonable charges in respect of the making of, advertising of, any inquiry costs associated with and the confirmation of the Stopping Up Order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 that:-

- 2.1 The Council make a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted highway hatched and edged in black on the plan as the land was required to enable development for which the Council had granted planning permission granted under planning reference P0827.11 to be carried out.
- 2.2 In the event that no relevant objections were made to the proposal or that any relevant objections that were made are withdrawn then the Order be confirmed without further reference to the Committee.

- 2.3 In the event that relevant objections were made by other than by a Statutory Undertaker or Transport Undertaker and not withdrawn, that the application be referred to the Mayor for London to determine whether or not the Council could proceed to confirm the order.
- 2.4 In the event that relevant objections were raised by a Statutory Undertaker or Transport Undertaker and were not withdrawn the matter could be referred to the Secretary of State for their determination unless the application was withdrawn.

224 **DRAFT NATIONAL PLANNING POLICY FRAMEWORK**

It was reported that on 26 October 2011, Cabinet considered a report on the draft National Planning Policy Framework (NPPF). The Framework was seen by Government as providing the opportunity for people and communities to be involved in planning. It was a key part of the Government's wider 'Localism' agenda.

Cabinet had agreed three recommendations in the report:

1. To welcome the overall approach in the draft NPPF.
2. Agreed that comments in the Cabinet report be submitted to Government as this Council's response to the draft NPPF.
3. Recommend to the Regulatory Services Committee that the draft NPPF can be afforded weight, in particular when schemes did not accord with the Havering Local Development Framework or the Local Plan is silent or otherwise indeterminate provided development would not have unacceptable adverse social or environmental impacts.

The report before members recommended that Recommendation 3 of the Cabinet report be agreed.

Following a brief discussion it was **RESOLVED** to agree recommendation 3 of the Cabinet report.

225 **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