

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
2 February 2012 (7.30 - 9.45 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Robby Misir, Garry Pain, Steven Kelly and Linda Trew

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

Independent Residents Group

Apologies were received for the absence of Councillors Sandra Binion and Fred Osborne and Mark Logan.

+Substitute members: Councillor Linda Trew (for Sandra Binion) and Councillor Steven Kelly (for Fred Osborne)

Councillor Paul Rochford was also present for parts of the meeting.

35 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.

239 DECLARATION OF INTERESTS

Councillor Linda Trew declared a prejudicial interest in item P1746.11 by virtue of pre-determination. Councillor Trew left the room during the discussion and took no part in the voting.

240 MINUTES

The minutes of the meeting held on 15 December 2011 were agreed as a correct record and signed by the Chairman.

241 **P1855.11 - 25-55 JONATHANS HOUSE CHAPLAINCY GARDENS, ALLENBY ROAD, HORNCHURCH - CONSTRUCTION OF TWO 1 BEDROOM FLATS WITHIN THE UNDERCROFT AREA TO FLAT 25-55 INCLUDING JONATHAN HOUSE**

The report before members detailed an application for the construction of two 1 bedroom flats within the existing under-croft of the building, currently used to provide 4 parking spaces. Each flat would be arranged with an open plan living room and kitchen, separate bedroom and bathroom. The flats would be accessed by an internal corridor.

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

The Committee noted that the application had been called in by Councillor John Mylod on the grounds of restricted car parking and overdevelopment.

With its agreement, Councillor Mylod addressed the Committee. Councillor Mylod commented that the current parking spaces on the site were fully utilised and the surrounding roads were suffering from displaced parking. Councillor Mylod also commented that emergency vehicles could struggle to gain access to the site due to the parking issue. Councillor Mylod suggested that current and future residents could suffer from a loss of amenity if the planning permission was granted. Councillor Mylod asked that the Committee reject the scheme for the above reasons.

During the debate, members discussed the size of the proposed flats, parking provision and sought clarification of the current number of parking spaces provided.

A motion to refuse the granting of planning permission was lost by 4 votes to 6. Councillors Pain, Hawthorn, Ower and McGeary voted for the motion to refuse planning permission. Councillors Oddy, Tebbutt, Brace, Kelly, Misir and Trew voted against the motion.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and with an additional condition requiring submission, agreement, implementation and maintenance of a management scheme to control on site parking. The vote for the resolution was passed by 6 votes to 4. Councillors Oddy, Tebbutt, Brace, Kelly, Misir and Trew voted for the resolution to grant planning permission. Councillors Pain, Hawthorn, Ower and McGeary voted against the resolution to grant planning permission.

242 **P1870.11 - 44 HERBERT ROAD EMERSON PARK HORNCHURCH - DEMOLITION OF EXISTING BUNGALOW, CONSTRUCTION OF SIX**

DETACHED DWELLINGS WITH ASSOCIATED VEHICLE ACCESS AND LANDSCAPING

The report detailed an application which sought permission for the demolition of an existing bungalow and erection of six detached dwellings.

Members noted that 22 letters of representation and a petition containing 11 signatures had been received.

Members also noted that the application had been called in by Councillors Paul Rochford and Steven Kelly on the grounds of possible overdevelopment.

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

With its agreement, Councillor Paul Rochford addressed the Committee. Councillor Rochford commented that the proposal would create a negative impact on amenity due to its overbearing nature and urged the Committee to reject the application.

Members discussed the surrounding properties and their size in relation to the properties outlined in the application.

A motion to refuse planning permission was carried by 7 votes to 1 with 2 abstentions. Councillors Tebbutt, Misir, Trew, Pain, Brace, Hawthorn and Ower voted for the motion to refuse planning permission. Councillor Oddy voted against the motion to refuse planning permission. Councillors Kelly and McGeary abstained from voting.

It was **RESOLVED** that, contrary to officer recommendation, that planning permission be refused on the grounds that the proposal, by virtue of the number and size of dwellings and the arrangement of garden space around them, would represent a cramped overdevelopment of the site, out of keeping with the spacious setting of the surrounding properties and streetscene and therefore harmful to the character and appearance of the Emerson Park area.

The vote for the resolution was carried by 9 votes to 0 with 1 abstention. Councillors Oddy, Tebbutt, Brace, Misir, Pain, Trew, Hawthorn, Ower and McGeary voted for the resolution to refuse planning permission. Councillor Kelly abstained from voting.

243 **P1850.11 - DAGNAM PARK, ROMFORD - CHANGE OF USE FROM AGRICULTURAL LAND TO PUBLIC OPEN SPACE TO FACILITATE THE EXPANSION OF DAGNAM PARK**

The report before members detailed an application that proposed the material change of use of approximately 82 hectares of land from mainly agriculture to public open space. The application would involve a range of environmental and nature conservation works.

The Committee noted that there had been no objection from the Council's Highways department and that 1 letter of representation had been received.

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

During discussions officers confirmed that the existing fencing that surrounded the park would be retained to deter motorcyclists from using the park. Officers also confirmed that the Council's Parks Protection Service were aware of problems with motorcyclists using the park and were addressing the issue.

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

244 **P1746.11 - 62 COLLIER ROW ROAD ROMFORD - CHANGE OF USE FROM CLASS A1 (RETAIL) TO CLASS A5 (TAKEAWAY) INCLUDING ERECTION OF EXTERNAL FLUE**

The application before the Committee was for a change of use from retail (A1) to a takeaway (A5 use) and an extraction flue to the rear. It was proposed to use the premises for a Charcoal Grill.

Members noted that five letters of representation had been received.

The Committee noted that although the change of use would be contrary to Policy DC16, it was considered that on balance, the 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 Minor District Centre.

During the debate members discussed issues relating to parking in the area.

It was **RESOLVED** that although the application would be contrary to Policy DC16, it was considered that on balance, the A5 use would be acceptable (the Reason for Approval in the report was amended to reflect this), particularly as it would be bringing a vacant A1 retail unit back into use, which would contribute positively to the vitality of Collier Row Minor District Centre and therefore 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 0 with 2 abstentions. Councillors Oddy, Tebbutt, Brace, Kelly, Misir, Pain and McGeary voted for the resolution to grant planning permission. Councillors Hawthorn and Ower abstained from voting.

As stated at the beginning of the minutes Councillor Linda Trew declared a prejudicial interest in item P1746.11 by virtue of pre-determination. Councillor Trew left the room during the discussion and took no part in the voting.

245 **P1905.11 - SPRINGFIELD PARK CORNER FARM HACTON LANE/PARK FARM ROAD, UPMINSTER - THE INSTALLATION OF A 22M SLIM LINE POLE WITH SIX ANTENNAS ENCASED WITHIN A GRP SHROUD, ONE 300M DISH, FOUR RADIO EQUIPMENT HOUSING, CHAIN LINK FENCING AND ANCILLARY DEVELOPMENT**

The application before members sought permission for the provision of a 22m high telecommunications column with six antennas encased within a shroud. It was also proposed to install an ancillary dish, radio equipment housing within a chain linked fence measuring 6.2m wide by 4.7m deep.

Members noted that the application had been called in by Councillor Ron Ower on the grounds of visual intrusion and Green Belt location.

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

246 **P1607.11 - CARNFORTH HALL CARNFORTH GARDENS, ELM PARK, HORNCHURCH - NEW PART PITCHED ROOF, DORMER, TWO STOREY FRONT EXTENSION AND CONVERSION OF CHURCH HALL TO FIVE LUXURY APARTMENTS**

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

247 **P1763.11 - RYDAL MOUNT NORTH ROAD, HAVERING ATTE BOWER - SINGLE STOREY CONSERVATORY TO SIDE ELEVATION**

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

248 **P0368.09 - PELL COURT 165-171 HORNCHURCH ROAD - VARIATION UNDER SECTION 106A OF A UNILATERAL UNDERTAKING UNDER SECTION 106 DATED 10TH JUNE 2009 FOLLOWING THE GRANT OF PLANNING PERMISSION UNDER REFERENCE P0368.09 FOR 23 SHELTERED RESIDENTIAL APARTMENTS AND HIGHWAYS CONTRIBUTION.**

The Committee considered the report and without debate, **RESOLVED** that staff be authorised to enter into a Section 106 Legal Agreement under the Section 106 and 106A of the Town and Country Planning Act 1990 (as amended) (the 1990 Act), with the agreement of the party offering the undertaking in the original unilateral undertaking or their successors in title to secure the following Deed of Variation pursuant to Section 106A of the 1990 Act relating to clauses 3.3, 4 and 5 of the unilateral undertaking dated 10th June 2009 (the original unilateral undertaking):

- The lease tenancy agreement licenses or other occupancy agreement relating to the dwelling unit known as Plot 22, shown hatched in red on the Second Floor Plan, clause 3.3 shall be amended to enable the prospective occupant who does not meet the agree restriction in the original Unilateral Undertaking to reside there.
- That clauses 4 and 5 of the unilateral undertaking dated 10th June 2009 shall be deleted.
- That the Applicant (Great Homes Limited) shall enter into a Section 278 agreement under the Highways Act 1980 with the Council as Highways Authority to secure the footway works to the extent shown hatched on Drawing Reference HRBR/01/02 Revision A, attached.
- Following satisfactory completion of the said footway works by the Head of Streetcare issuing a Final Certificate in respect of those works the Council shall repay the balance of the Highways Contribution (the sum of £20,500) having first deducted the supervision fees for the footway works and the costs incurred by the Council in respect of their investigation works into the siting of the Zebra Crossing.
- Save for the obligations set out in the above bullet points, the variation of clause 3.3 and the deletion of clauses 4 and 5 of the unilateral undertaking dated 10th June 2009 and any consequential

variations or deletions all recitals, terms, covenants and obligations in the original unilateral undertaking will remain unchanged.

Chairman