

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
4 October 2011 (7.30 pm - 0.20 am)**

Present:

COUNCILLORS: 11

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

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 Robby Misir and Mark Logan.

+ Substitute members Councillor Billy Taylor (for Robby Misir) Councillor Michael Deon Burton (for Mark Logan)

Councillors Lesley Kelly, Steven Kelly, Brian Eagling and Denis Breathing were also present for parts of the meeting.

Approximately 120 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.

105 DECLARATION OF INTERESTS

The Committee's Legal Adviser reminded members that if a member had a pre-determined view on a particular planning application then it would be prudent for the member not to take part in the debate or the voting of that particular application and that he/she should leave the Chamber.

106 MINUTES

The minutes of the meeting of the Committee held on 8 September 2011 were agreed as a correct record and signed by the Chairman.

107 **P1294.11 - GARAGE COURT ADJACENT TO 102 HARROW CRESCENT, ROMFORD**

Members were advised that the application had been fully withdrawn prior to the meeting.

108 **P1067.11 - WILL PERRIN COURT, GUYSFIELD DRIVE, RAINHAM - CONVERSION OF WILL PERRIN COURT FROM SHELTERED HOUSING INTO A HOSTEL.**

The report before members detailed an application seeking permission to convert the existing vacant Will Perrin Court which was formerly used for Sheltered Housing for the elderly, into a Hostel for homeless people. The proposal would provide temporary supported accommodation for single people or families requiring accommodation in an emergency whilst permanent solutions were being sought.

The proposal involved general internal refurbishment works in order that all units had their own shower room, creating 2 fully accessible units and conversion of the existing warden's flat into additional studios. It was reported that overall there would be an increase in the number of units from 39 to 46, consisting of 12 one-bed flats, 32 studio flats, 2 wheelchair accessible flats, a staff room and training room area. The footprint of the building would remain the same.

It was noted that the existing car park to the front of the site would be enlarged to allow additional parking and also to provide accessible spaces and an additional service / van parking space.

Revised drawings had been received with the following changes:

- 1) Addition of gates to the rear car parking area which would also have some fencing attached
- 2) Additional notes about raising the height of the fencing to 2.0m, the majority of the rear of the site already having fencing this high.
- 3) Changing the pram stores to be general stores
- 4) Adding secure Bike parking
- 5) Adding a children's play area in the courtyard
- 6) Providing fencing around the courtyard area
- 7) Adding notes for the door types and windows types.
- 8) Providing an additional door to access the two rear most flats from the corridor to provide a more straight forward route.

It was noted that 138 letters of representation had been received. Amongst the objection letters was a letter from the Residents' Committee with an attached petition signed by 1000 people, to which a further 215 signatures had been added subsequently (total 1215). It was noted that the covering letter had stated that 1472 people had signed the petition.

A representation had been received by a Ward Councillor who objected to the proposals on the following grounds:

- increase in traffic
- additional noise
- the use is inappropriate in this location
- antisocial behaviour
- disturbance

The Ward Councillor also submitted 222 pro-forma letters.

On behalf of the Police, the Borough Crime Prevention Design Advisor had raised concerns regarding the fear of crime, lack of parking provision which could result in on-street car crime and crime prevention concerns with the design of the building.

Staff commented that the main issues in this case were the principle of the development, the effect of the development upon the character of the street scene, the impact upon the amenities of existing adjoining residential occupiers, amenity space and car parking provision for the existing and proposed occupiers and highways considerations.

In accordance with the public participation arrangements, the Committee was addressed by two objectors, with a response by the applicant.

Members were advised that a letter had been received from Ward Councillor Rebecca Bennett, which highlighted residents' concerns regarding the possibility of a hostel opening in their local neighbourhood.

With its agreement, Ward Councillor Denis Breading and Councillors Jeffrey Tucker and David Durant addressed the Committee.

Councillor Breading remarked that local ward Councillors had not been consulted on the proposal before its consideration by Cabinet earlier in the year. In his view, the proposal was ill thought out and had not taken into account the views and concerns of local residents. Councillor Breading also referred to the proposed rubbish store which was located to the front of the building and which would be an eyesore to neighbouring residents. He urged the Committee to refuse planning permission

Councillor Tucker commented that there was strong opposition to the scheme from local residents as evidenced by the number of letters he had received. Councillor Tucker requested that the Committee reject the scheme owing to the public opposition.

Councillor Durant's remarks centred around his criticism of the Council's policy of having one large hostel in the borough. He suggested that it would be more appropriate for the Council to retain a number of small hostels throughout the borough rather than depend on one large one to which local residents were vehemently opposed. Councillor Durant asked that the Committee reject the scheme owing to the number of residents who were opposed to the scheme.

During the ensuing debate:

- in response to a question regarding the size of the individual rooms, officers confirmed that the rooms would be suitable for individuals and not families.
- Officers also confirmed that the studio flats would have a separate kitchen area contained within them.
- In reply to a question, officers confirmed that the Council's Crime Prevention Officer had made no further comment regarding the scheme in addition to their response in consultation.
- A member made reference to a comment in the report from the Highways Authority who objected to the scheme due to a lack of proposed parking provision. The member commented that in the Highway Authority's view, this was a reason to refuse planning permission.
- In reply to a question, officers confirmed that there was no link between the proposed hostel and the local medical centre.
- In reply to a question regarding the size of the proposed hostel, officers confirmed that Diana Princess of Wales Hostel, in Harold Hill, was the nearest comparable hostel in the borough. However this only had twenty one rooms whereas the proposed hostel planned for forty six rooms.

A discussion took place regarding the low ranked public transport accessibility in the area. Some members felt that this, coupled with a lack of parking provision offered in the application, would lead to problems of dispersed parking in the area.

Mention was also made of the fact that the proposed scheme allowed for the inclusion of studio flats which was in breach of the Council's planning condition DC4. Officers replied that planning condition DC4 was not aimed at specialist accommodation and in this instance, it was important for members to note that the proposal, although providing studio flats, was not residential accommodation in the usual sense of housing long-term occupiers.

A motion was proposed that planning permission be refused on the following grounds:

- Overspill car parking causing congestion and conflict with other users
- Perception of fear of crime and anti-social and nuisance behaviour causing adverse impact on amenity of the area
- Inadequate infrastructure

The vote for the motion to refuse planning permission was defeated by 7 votes to 3. Councillors Ower, Hawthorn and McGeary voted for the motion. Councillor Deon Burton did not vote.

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

- Amend Condition 4 to require full details of commercial waste storage and collection arrangements including control of morning collection hours which shall respect residential amenity.
- A condition requiring means of enclosure within the site grounds so that pedestrian access for residents and the public to the premises is restricted to the area in front of the main reception entrance, with access prevented through and along the building flanks.
- A condition restricting play area use to 8am to 8pm daily.
- Add informative requesting applicant to review and address as necessary the adequacy of street lighting on the approaches to the site within Guysfield Drive.

The vote for the resolution to grant planning condition was carried by 7 votes to 3. Councillors Ower, Hawthorn and McGeary voted against the proposal. Councillor Deon Burton did not vote.

At this point in the meeting, there was a brief adjournment to enable Police to remove members of the public who voiced their displeasure at the decision to grant planning permission.

109 **P1351.11 - DAME TIPPING SCHOOL, NORTH ROAD, HAVERING-ATTE-BOWER - ERECTION OF A 3M HIGH GREEN MESH FENCE TO PROVIDE SECURE PLAY AREA ON FIELD TO THE REAR OF SCHOOL INCLUDING A HARD SURFACED PLAY AREA**

The Committee considered the report and without debate, **RESOLVED** to delegate to the Head of Development and Building Control authority to grant planning permission subject to the conditions as set out in the report.

110 **STOPPING UP OF HIGHWAY AT LAND ADJACENT TO 49-59 TURPIN AVENUE, ROMFORD**

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, advertising, confirmation of the stopping up order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 that:-

1. The Council made 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 as the land was required to enable development for which the Council had granted planning permission granted under planning reference P0302.11 to be carried out.
2. In the event that no relevant objections were made to the proposal or that any relevant objections that were made were withdrawn then the Order be confirmed without further reference to the Committee.
3. In the event that relevant objections were made by other than 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.
4. In the event that relevant objections were raised by a Statutory Undertaker or Transport Undertaker and were not withdrawn the matter may be referred to the Secretary of State for their determination.

- 111 **P0538.11 - LAND TO THE NORTH OF RAINHAM STATION BOUNDED BY FERRY LANE AND WENNINGTON ROAD - DEED OF VARIATION TO ALTER THE OBLIGATIONS IN A SECTION 52 AGREEMENT (PLANNING AGREEMENT) UNDER THE TOWN AND COUNTRY PLANNING ACT 1971 RELATING TO THE PROVISION OF PUBLIC CAR PARKING SPACES IN A SEPARATE CAR PARK FOR USE BY THE GENERAL PUBLIC AND SUBSTITUTING A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO REQUIRE ALTERNATIVE PARKING RESERVED FOR USE BY THE GENERAL PUB**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted under Section 73 of the Town and Country Planning Act 1990 (as amended) under planning reference P0538.11 with condition 5 of planning permission granted under planning permission reference U0018.09 (annexed) being deleted and this application granted subject to the conditions as set out in the report.

- 112 **M0010.11 - JUNCTION OF FARINGDON AVENUE & DEWSBURY ROAD, HAROLD HILL - INSTALLATION OF TELECOMMUNICATIONS POLE WITH ASSOCIATED ANTENNAS, 1 GROUND BASED EQUIPMENT CABINET, 1 ELECTRICAL METER CABINET AND ANCILLARY DEVELOPMENT**

The report before members detailed an application for prior approval for the installation of a telecommunications pole with associated antennas, 1 ground based equipment cabinet, 1 electrical meter cabinet and ancillary development.

It was noted that 1 letter of representation had been received.

The application had been called in for consideration by the Committee by Councillor Eagling on the grounds that the proposal would be visually intrusive.

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

With its agreement Councillors Brian Eagling and Keith Wells addressed the Committee.

Councillor Eagling remarked that the mast would have a detrimental impact on neighbouring properties and that trees in the area would not mask the mast.

Councillor Wells commented that there were plenty of industrial sites situated in Faringdon Avenue that could have been used to site the mast without having a detrimental impact on residential properties.

During the debate, members discussed matters relating to the visual impact of the proposal, particularly in relation to its impact on neighbouring properties and its effect on the character of the street-scene.

In reply to a question, officers confirmed that eleven alternative sites had been investigated for siting of the mast.

A motion was proposed that prior approval be refused on the grounds that the mast would, by reason of its design be obtrusive and its appearance harmful to the open green junction setting characteristic of the area and that the mast and equipment would contribute to unacceptable street furniture clutter.

The vote was carried by 8 votes to 2 with 1 abstention. Councillors Oddy and Osborne voted against the proposal. Councillor Tebbutt abstained from voting.

It was **RESOLVED** that prior approval be refused on the grounds that the mast would, by reason of its design be obtrusive and its appearance harmful to the open green junction setting characteristic of the area and that the mast and equipment would contribute to unacceptable street furniture clutter.

The vote for the resolution to refuse prior approval was passed by 8 votes to 1 with 2 abstentions. Councillor Oddy voted against the proposal. Councillors Tebbutt and Brace abstained from voting.

113 **P1232.11 - 1 ST MARY'S LANE, UPMINSTER - REVISION OF APPROVED PLANNING PERMISSION (P0040.11) FOR DEVELOPMENT OF 2-STOREY BUILDING INCORPORATING 8 FLATS. ASSOCIATED HARD AND SOFT LANDSCAPING, PARKING AND WIDENING OF VEHICULAR ACCESS.**

The report before members detailed an application that sought planning permission for the construction of a 2-storey building to accommodate 8 flats, associated parking and landscaping.

The application was reported to the Regulatory Services Committee on 24 February 2011 with a recommendation for approval. Members agreed with the Officer recommendation and granted permission.

The application was a resubmission of the previous approval as construction works had not been carried out in complete accordance with the approved drawings. The applicant confirmed that during construction of the approved development, an old "gasometer" dating back to the early 1900s and its surrounding ring beam had been encountered. As a result of this, the footing had had to be altered in order to create a solid foundation and the resulting pinch point of the building was 800mm closer to the eastern boundary than what was approved previously.

It was noted that 3 letters of representation had been received.

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

There was some concern from members that if planning permission was agreed it would set a precedent for people to build properties not in accordance with previously agreed plans.

During discussions the possibility of mediation between the applicant and the objector was mentioned as a possible solution to the issue of overlooking which was of concern to members.

A motion was proposed that the application be deferred to enable the applicant the opportunity to address overlooking concerns arising from the building's position being closer to his neighbour's boundary.

It was **RESOLVED** that the application be deferred to enable the applicant the opportunity to address overlooking concerns arising from the building's position being closer to his neighbour's boundary.

The vote was 9 votes to 2. Councillors Oddy and Tebbutt voted against the resolution.

114 **P1293.11 - GARAGE COURT TO THE REAR OF 23 KEATS AVENUE, ROMFORD - DEMOLITION OF EXISTING 11 GARAGES AND THE ERECTION OF 1 DWELLING WITH ASSOCIATED PARKING**

The application before members related to a Council owned garage court. The application proposed the demolition of the existing 11 garages and the erection of 1 dwelling with associated parking.

Members noted that there were two late letters of representation that raised concerns over possible refuse collection arrangements.

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

With its agreement, Councillors Keith Darvill and Denis O'Flynn addressed the Committee.

Councillor Darvill made reference to potential problems with access to the proposed dwelling by emergency vehicles. Mention was made of several other garage site schemes that had recently been granted planning permission; he suggested that it would be more appropriate for the Committee to consider the garage schemes as a whole when making a decision as there could be a potential problem with parking overspill due to the resulting lack of garages in the area. He urged the Committee to refuse planning permission on the grounds of possible overlooking to the gardens of neighbouring properties.

Councillor O'Flynn's comments focused on the possible overlooking that would be experienced by both existing residents and the residents of the proposed dwelling. He also commented that existing residents who had built garages in their rear gardens would be unable to access them if the scheme was to proceed.

During the debate mention was made of the fact that this particular garage site did have a 50% occupancy unlike other sites where occupation was lower.

A motion was proposed that planning permission be refused on the grounds of overlooking and insufficient parking provision but that motion was lost for by 3 votes to 8 with Councillors McGeary, Ower and Deon Burton voting for 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 carried by 8 votes to 3. Councillors McGeary, Ower and Deon Burton voted against the resolution.

115 **P1280.11 - GARAGE COURT OFF WORDSWORTH CLOSE, ROMFORD - ERECTION OF 1 NEW DWELLING WITH ASSOCIATED CAR PARKING**

The report before members detailed an application that related to a Council owned garage court. The application proposed the erection of 1 dwelling with associated parking.

Members were advised that five letters of objection had been received.

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

With its agreement, Councillors Keith Darvill and Denis O'Flynn addressed the Committee.

Councillor Darvill remarked that he had concerns regarding emergency access to the site and also that there was a possible conflict between traffic movements and pedestrians using the public footpath. Councillor Darvill asked that the Committee consider refusing planning permission on these grounds.

Councillor O'Flynn advised that the area had previously had a barrier erected to prevent fly tipping in the area and to protect children from traffic movements. Councillor O'Flynn asked that the Committee rejected the scheme.

During the debate members discussed matters concerning refuse collection arrangements and lighting provision for the proposed access.

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

The vote was 5 votes to 3 with 3 abstentions. Councillors McGeary, Ower and Deon Burton voted against the resolution to grant planning permission. Councillors Hawthorn, Pain and Tebbutt abstained from voting.

116 **P1281.11 - GARAGE COURT TO THE REAR OF 15 SMART CLOSE, ROMFORD - DEMOLITION OF EXISTING 19 GARAGES AND THE ERECTION OF 2 DWELLINGS WITH ASSOCIATED PARKING**

The report before members detailed an application that related to a Council owned garage court. The application proposed the demolition of 19 garages and the erection of 2 dwellings with associated parking.

Members were advised that seven letters of objection had been received.

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

With its agreement, Councillors Keith Darvill and Denis O'Flynn addressed the Committee.

Councillor Darvill commented that emergency vehicles would have trouble accessing the site and also expressed concern at the possibility of parking displacement.

Councillor Darvill also commented that overlooking would be a problem for residents living in Harrow Crescent.

Councillor O'Flynn advised that the road was very narrow for access by emergency vehicles and commented that local residents had maintained the area for many years keeping it rubbish free.

A motion was proposed that planning permission be refused on the grounds of overlooking to the detriment of neighbouring amenity; the cul de sac location leading to displaced parking and parking in the road which would lead to problems for emergency vehicles accessing the site.

The vote for the motion to refuse planning permission was lost by 2 votes to 9 votes. Councillors McGeary and Deon Burton voted for the motion.

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

The vote was 9 votes to 2 Councillors McGeary and Deon Burton voted against the resolution to grant planning permission.

117 **P1282.11 - GARAGE COURT TO THE REAR OF 51 KEATS AVENUE,, ROMFORD - ERECTION OF 1 DWELLING WITH ASSOCIATED PARKING**

The report before members detailed an application that related to a Council owned garage court. The application proposed the erection of 1 dwelling with associated parking.

Members were advised that seven letters of objection had been received.

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

During the debate it emerged that there was a possible right of way issue relating to the site.

With its agreement, Councillor Darvill addressed the Committee.

Councillor Darvill queried if the possible right of way issues regarding access to the land had been fully investigated.

A motion to defer was proposed to enable officers to investigate whether the land was subject to a right of way status.

It was **RESOLVED** to defer planning permission to allow officers to investigate a possible right of way status to the land

The vote for the motion was carried by 9 votes to 2. Councillors McGeary and Deon Burton voted against the resolution.

- 118 **P1246.11 - THE THATCHED HOUSE, UPMINSTER ROAD SOUTH, RAINHAM - REVISION OF APPROVED PLANNING PERMISSION (P0040.11) FOR DEVELOPMENT OF 2-STOREY BUILDING INCORPORATING 8 FLATS. ASSOCIATED HARD AND SOFT LANDSCAPING, PARKING AND WIDENING OF VEHICULAR ACCESS.**

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

- 119 **LAND BETWEEN VIKING WAY AND UPMINSTER ROAD SOUTH, RAINHAM (P1070.11)**

The Committee considered the report and without debate, **RESOLVED** That the Assistant Chief Executive of Legal and Democratic Services be authorised to:

1. Enter into a Deed of Variation pursuant to section 106A of the Town and Country Planning Act 1990 ("the 1990 Act") to amend the obligations of a section 52 Agreement entered into by the Applicant (Tesco Stores Limited) and the Council on 11th January 1989, deleting clause 3(c) of the said Section 52 Agreement and substituting an obligation under Section 106 of the 1990 Act requiring the Applicant to reserve the car park to be constructed pursuant to planning permission reference P1070.11 comprising 32 car parking spaces for general public use and to maintain appropriate access and exit for the public to facilitate public use of the car park; and
2. Save for consequential amendments to the Section 52 Agreement dated 11th January 1989 all other covenants and recitals of that agreement remain unchanged.

- 120 **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