

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
22 August 2013 (7.30 - 9.15 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Roger Evans, Robby Misir, Steven Kelly and +Wendy Brice-Thompson

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

Independent Residents Group David Durant

Apologies were received for the absence of Councillors Rebbecca Bennett and Mark Logan.

+Substitute members: Councillor Wendy Brice-Thompson (for Rebbecca Bennett) and David Durant (for Mark Logan)

Councillors Pam Light, Linda Trew, Keith Darvill and Denis O'Flynn were 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.

73 MINUTES

The minutes of the meetings held on 20 June, 27 June, 18 July and 1 August 2013 were agreed as a correct record and signed by the Chairman.

74 P0361.13 - BRIAR ROAD SITE 2A

The report before members detailed an application which proposed the construction of four 1 bedroom flats and two 3 bedroom houses. The flats

would be within a two storey building to be located at the southern end of the site, which would be linked via a single storey refuse/cycle store building, to the proposed two storey pair of semi-detached houses, which were to be located at the northern end of the site.

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

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

Councillor Darvill commented on the access arrangements between the application site and the existing flats. Councillor Darvill commented that the new proposed parking spaces should not block the access for existing users.

Councillor O'Flynn commented that although other proposed schemes in the area had been advertised for consultation this particular scheme had not been advertised.

Councillor O'Flynn asked that consideration be given to organising a site visit so ward councillors and residents could review the proposed plans.

In reply officers confirmed that any scheme that proposed less than ten dwellings did not need to be advertised.

During the debate members discussed the merits of the scheme and the possibility of overlooking into properties in Straight Road.

Members commented on the wider parking strategy for the Briar Road estate, discussing the parking provision for the area. A member commented that many of the garages were in derelict state and no longer fit for purpose. Officers advised that 216 garages in the area were un-let and derelict as they were no longer fit for purpose. Officers advised that the parking strategy would create 216 more useable parking spaces than had previously existed.

Following a motion to refuse planning permission which was lost by 4 votes to 7, it was noted that the proposed development was liable for a CIL payment of £5,860.00 it was **RESOLVED**

That the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £36,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document.

- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

The vote for the resolution was carried by 7 votes to 4.

Councillors Hawthorn, Ower, McGeary and Durant voted against the resolution to grant planning permission.

75 P0969.10 - 119 MARLBOROUGH ROAD, ROMFORD

The report before members detailed an application which sought permission for a change of use from A2 (financial and professional services) to residential, and the demolition of the existing disused commercial premises and erection of two 1 bedroom flats and two 2 bed flats with associated amenity space, car parking, access, landscaping and refuse storage.

Committee members noted that the application had been called in Councillor Pam Light on the grounds that the application had been submitted some time ago and that a decision should be made in a public forum.

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

With its agreement Councillor Pam Light addressed the Committee. Councillor Light commented that she was not for or against the proposed change of use but felt that a compromise should be reached with the applicant so that both parties could move forward.

During a brief debate members discussed the planning history of the site and the bulk and design of the proposed development.

Officers advised that reason number five for refusal should have made reference to planning policy DC72.

It was **RESOLVED** that planning permission be refused in line with officer recommendation.

The vote for the resolution was carried by 10 votes to nil with 1 abstention.

Councillor Tebbutt abstained from voting.

76 **A0029.13 - MARLBOROUGH ARMS, ROMFORD**

The application before members sought consent for a 1m high, 0.9m wide and 0.1m deep aluminium advert to be positioned within the existing Totem sign. The sign would consist of the text 'Tesco Express' in red and white writing on a blue background. The maximum illumination level of sign from the existing spot lights would be 500cd/m.

Members noted that the application had been called in by Councillor Linda Trew on the grounds that the proposal would be out of keeping with the existing streetscene.

With its agreement Councillor Trew addressed the Committee.

Councillor Trew commented that local residents had objected to the installation of an illuminated sign and wished to see the building kept in its original guise.

During a brief debate members questioned whether a condition could be placed on the proposal that would limit the hours of use that the sign was illuminated.

Officers advised that an additional condition could be included to limit the times the sign was illuminated, however this would not restrict the store's opening hours.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition limiting the illumination of the sign to the store opening hours.

The vote for the resolution to grant planning permission was carried by 9 votes to 2.

Councillors Ower and Durant voted against the resolution to grant planning permission.

- 77 **P0636.13 - 3 CROWN PARADE, UPMINSTER ROAD SOUTH, RAINHAM - CHANGE OF USE FROM CLASS A1 (RETAIL) TO CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES) AND ALTERATIONS TO SHOP FRONT**

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

- 78 **P0783.13 - GROUND FLOOR SCIMITAR HOUSE, 23 EASTERN ROAD, ROMFORD - CHANGE OF USE OF GROUND FLOOR OF FULLY VACANT OFFICE BUILDING (B1) TO CLINIC (D1) FOR THE PROVISION OF RENAL SERVICES**

The Committee considered the report and without debate **RESOLVED** to delegate to the Head of Regulatory Services the granting of planning permission subject to the expiration of a press notice and provided no further representations raising new material considerations were received. In the event any further representations raising new material considerations being received the proposal would be brought back to the Committee for further consideration.

- 79 **P0875.13 - THE ARCADE (EAST), FARNHAM ROAD, HAROLD HILL**

The report before members was for the proposed construction of a new library within the Harold Hill shopping centre. The application had been submitted on behalf of the Council.

During a brief debate members agreed that the proposal would enhance community needs within the area. A member questioned whether the proposed building contained a mezzanine floor.

Officers confirmed that the building had been designed to allow for the later inclusion of a mezzanine floor if it was required.

The Committee noted that the proposal would be liable for a CIL payment of £9,900.00. It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 80 **P1526.07 - INTERWOOD SITE, STAFFORD AVENUE, HORNCHURCH - PROPOSED VARIATION OF SECTION 106 UNILATERAL UNDERTAKING**

The Committee considered the report and without debate **RESOLVED** that the variation of the Section 106 undertaking dated 12th August 2008 pursuant to planning permission reference number P1526.07 by Deed of

Variation under Section 106A of the Town and Country Planning Act 1990 (as amended), be approved in the following terms:

1. Revise Definition of Affordable Housing Units from:

“33 dwelling units comprising 9 one bedroom and 24 two bedroom dwelling units 23 for rent and 10 for shared ownership to be managed by the Registered Social Landlord in the Proposed Development with the Council to receive 64% of the nomination rights”

to:

“6 dwelling units for shared ownership to be managed by the Registered Social Landlord in the Proposed Development with the Council to receive nomination rights as set out in the East London Framework Agreement.”

2. Revise Definition of Nomination Agreement from:

“An agreement between the Council and a Registered Social Landlord outlining the Council’s nomination rights in respect of the Proposed Development”

to:

“Nominations as set out in the East London Framework Agreement”

3. Add Definition:

East London Framework Agreement – An agreement between Boroughs in East London setting out nominations for affordable housing.

4. Add Clause to require a contribution for affordable housing (commuted sum), such contribution (which may be zero) to be based upon a revised viability assessment of the approved scheme submitted by the developer if the development has not been completed by 31 January 2016, with independent assessment being undertaken for the Council at the developers expense.

The developer / owner shall pay the Council’s legal costs in respect of the preparation of the Deed of Variation irrespective of whether the matter is completed.

Save for the variation set out above and any necessary consequential amendments to the original undertaking all recitals, terms, covenants and obligations in the said original undertaking (as amended by agreement dated 11 October 2011) shall remain unchanged.

81 **P0241.13 - QUEENS THEATRE, BILLET LANE, HORNCHURCH**

The report before members detailed an application for the installation of 2x pole mounted antennas, 2x 600mm dish antennas, 1x equipment cabin and development ancillary thereto and handrails.

Members were advised that two late letters of representation had been received, including one from Councillor Andrew Curtin who had commented that the proposal would be of detriment to the area and was out of keeping with the streetscene in the town centre following the recently completed improvement works.

During the debate members questioned why the proposed equipment was due to be installed in a conservation area and queried why the equipment could not be installed on the fire station opposite the site.

Officers advised that the proposed scheme was required to support the Airwaves emergency services communications system and that situating the equipment too close to the fire station could have a detrimental effect on the performance of the equipment within the fire station.

Following a motion to refuse planning permission which was lost by 4 votes to 7, it was noted that the proposal did not attract a Mayoral CIL payment, and it was **RESOLVED** that planning permission be granted subject to the conditions set out in the report.

The vote for the resolution to grant planning permission was carried by 7 votes to 3 with 1 abstention.

Councillors Brice-Thompson, Hawthorn and Ower voted against the resolution to grant planning permission. Councillor Durant abstained from voting.

82 **P0298.13 - SOUTH HORNCHURCH LIBRARY - RETENTION OF A PORTACABIN AND CHANGE OF USE TO A NURSERY AND STORAGE FOR THE LIBRARY SERVICE**

The Committee considered the report, noting that the proposal did not attract a Mayoral CIL payment, and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

83 **P0689.13 - LAND ADJOINING CENTRAL PARK LEISURE CENTRE GOOSHAYS DRIVE ROMFORD - DEVELOPMENT OF LAND TO THE FRONT OF THE EXISTING LEISURE CENTRE FOR CAR PARKING FOR THE ADJOINING MYPLACE YOUTH CENTRE**

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

84 **P0535.13 - ROYAL YOUTH CENTRE, RAINHAM - ERECTION OF A SECOND FLOOR AT ROOF LEVEL TO THE EXISTING YOUTH CENTRE TO PROVIDE A YOUTH ENTERPRISE SPACE, A MULTI PURPOSE SPACE, ANCILLARY SPACES AND MINOR INTERNAL MODIFICATIONS TO THE BUILDING**

The Committee considered the report and noted that the proposal was liable for a CIL payment of £3,280.00 and without debate it was **RESOLVED** to grant planning permission subject to the conditions as set out in the report.

85 **STOPPING UP ORDER, LITTLE GERPINS LANE**

The Committee considered the report and without debate **RESOLVED** that subject to the payment of legal costs in respect of the processing of the stopping up application, all related time costs and disbursements costs pursuant to advertising notices that:-

- 1.1 The Council makes a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the areas of adopted highway zebra hatched black on the attached plan as the land is required to enable development for which the Council has granted planning permission under planning reference P1471.09 to be carried out to completion.
- 1.2 In the event that no relevant objections are made to the proposal or that any relevant objections that are made are withdrawn then the Order be confirmed without further reference to the Committee.
- 1.3 In the event that relevant objections are made, 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 can proceed to confirm the Order.
- 1.4 In the event that relevant objections are raised by a Statutory Undertaker or Transport Undertaker and are not withdrawn the matter may be referred to the Secretary of State for their determination unless the application is withdrawn.

86 **STOPPING UP ORDER, GARRICK HOUSE, HORNCHURCH**

The Committee considered the report and without debate **RESOLVED** that subject to the payment of legal costs in respect of the processing of the stopping up application and all related time costs and disbursements costs pursuant to advertising notices that:-

- 1.1 The Council makes a Stopping Up Order to stop up and divert highway under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the areas of footway (highway) zebra hatched black on the attached plan (Plan 1), with the section of diverted highway created shown in stipple notation on a further plan attached (Plan 2), as the land is required to enable development for which the Council has granted planning permission under planning reference P0665.13 to be carried out to completion and the diversion of the footway between points "A" and "B" as shown on the plan
- 1.2 In the event that no relevant objections are made to the proposal or that any relevant objections that are made are withdrawn then the Order be confirmed without further reference to the Committee.
- 1.3 In the event that relevant objections are made, 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 can proceed to confirm the Order.
- 1.4 In the event that relevant objections are raised by a Statutory Undertaker or Transport Undertaker and are not withdrawn the matter may be referred to the Secretary of State for their determination unless the application is withdrawn.

Chairman