

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
5 September 2013 (7.30 - 8.35 pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Roger Evans, Steven Kelly and Pam Light

Residents' Group Linda Hawthorn and Clarence Barrett

Labour Group +Denis O'Flynn

Independent Residents Group +Michael Deon Burton

Apologies were received for the absence of Councillors Robby Misir, Ron Ower, Paul McGeary and Mark Logan.

+Substitute members: Councillor Pam Light (for Robby Misir), Councillor Clarence Barrett (for Ron Ower), Councillor Denis O'Flynn (for Paul McGeary) and Councillor Michael Deon Burton (for Mark Logan)

Councillors Andrew Curtin and Linda Van den Hende were also present for parts of the meeting.

8 members of the public 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.

87 DISCLOSURE OF PECUNIARY INTERESTS

Councillor Barry Tebbutt declared a personal interest in item P0206.13. Councillor Tebbutt advised that he had used the application site for recreational purposes. Councillor Tebbutt left the room during the discussion and took no part in the voting.

88 **P0206.13 - FISHING LAKE ADJACENT TO BRAMBLE FARM, BRAMBLE LANE, UPMINSTER**

The report before members detailed an application for the upgrading of the existing lake in order to utilise it for fishing. Works would include the increasing of the average depth from 3 metres to 3.8 metres and create a 2 metre wide ballast safety ledge around two sides of the lake. In addition it was proposed to create a small wildlife island within the lake.

Members noted that the application had been called in by Councillor Linda Van den Hende for the following reasons: The proposals were inappropriate in terms of size, lack of car parking and consideration for health and safety. Access to the site was shared and therefore whilst suggesting it would be for family only, control would be impossible. In addition the proposal would be very intrusive to the neighbouring property.

In accordance with the public speaking arrangements, the Committee was addressed by an objector with a response by the applicant. The objector raised issues which included the likelihood of the lake being used for commercial fishing; the proximity of the application site to neighbouring dwellings and the percentage of the site occupied by the lake. The applicant's response referred to the works being undertaken to create a safety ledge and that the hours of construction would be subject to a planning condition, further the limited number of parking spaces (4) would restrict the use of the site to modest use.

With its agreement Councillor Linda Van den Hende addressed the Committee. Councillor Van den Hende commented that the lake was home to several large species of fish and that to move the fish whilst excavation works took place could lead to the possibility of disease to the stock. Councillor Van den Hende also commented that there was no capacity on the site to be able to provide four parking spaces as mentioned in the report and there was no provision for security to be stationed at the entrance to the site therefore allowing anyone access to the site. Councillor Van den Hende asked that the Committee gave consideration to refusing the scheme for the reasons mentioned above.

During the debate members clarified the proposed number of users of the lake and the distance of the lake from the neighbouring property. It was established that there was no objection from the Environment Agency and that no materials were to be taken from the site.

Following a motion to refuse planning permission which was lost by 4 votes to 5, it was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition and the following amendments:

- Additional condition requiring submission, approval, implementation and adherence to a phasing plan to ensure that all importation of material

onto the site necessary to undertake the approved development be completed within 3 years of commencement of development; plus;

- Amend condition 4 to delete reference to "..... particulars and specifications".
- In condition 9 insert after the end of the condition "and all other materials deposited on the land whether or not imported onto the application site shall be tested and shown to be free of any contamination

The vote for the resolution was carried by 5 votes to 4. Councillors Barrett, Hawthorn, O'Flynn and Burton voted against the resolution to grant planning permission.

As stated at the beginning of the minutes Councillor Barry Tebbutt declared a personal interest in item P0206.13. Councillor Tebbutt advised that he had used the application site for recreational purposes. Councillor Tebbutt left the room during the discussion and took no part in the voting.

89 P0085.13 - 28 ASHLYN GROVE HORNCHURCH

The application before members detailed a proposal for a rear extension and front, side and rear dormer windows.

Members were advised that the application had been called in for consideration by the Chairman on the grounds that the application raised streetscene concerns.

During a brief debate members raised concerns over how the proposed development would sit within the streetscene.

Following the debate it was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and with the following amendment to condition 3 deleting the wording "particulars and specifications".

The vote for the resolution to grant planning permission was carried by 8 votes to 1 with 1 abstention.

Councillor Oddy voted against the resolution to grant planning permission. Councillor Light abstained from voting.

90 P0830.13 - 40 HIGH STREET ROMFORD - CHANGE OF USE FROM A MIXED CLASS A3/A5 TO A COMMUNITY CENTRE (FAITH GROUP) FOR YOUNG ADULTS (D1) AND A GARAGE CONVERSION

Members were advised that an email supporting the proposed application had been received from Councillor Andrew Curtin.

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 to include the following additional conditions.

- To prevent external amplified sound whether music or otherwise.
- Require scheme to be submitted to and approved by the Local Planning Authority prior to commencement of development to control the assembly of people arriving at and leaving the premises.

91 **P0817.13 - ABBS CROSS ACADEMY AND ARTS COLLEGE, ABBS CROSS LANE, ELM PARK - DEMOLISH A TWO STOREY TEACHING BLOCK AND REPLACE WITH A THREE STOREY TEACHING BLOCK ON THE ADJACENT SITE**

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

92 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS**

The Committee considered a report that updated Members on the position of legal agreements and planning obligations. This related to approval of various types of application for planning permission decided by the Committee that could be subject to prior completion or a planning obligation. This was obtained pursuant to Section 106 of the Town and Country Planning Acts.

The report also updated the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2013.

The Committee **NOTED** the report and the information contained therein.

93 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS**

The report accompanied a schedule of appeals and a schedule of appeal decisions, received between 1 June 2013 and 26 July 2013.

The report detailed that 17 new appeals had been received since the last meeting of the Monitoring Committee in June 2013.

The Committee **NOTED** the report and the results of the appeal decisions received.

94 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in June 2013.

Schedule A showed notices currently with the Secretary of State for the Environment (the Planning Inspectorate being the executive agency) awaiting appeal determination.

Schedule B showed current notices outstanding, awaiting service, compliance, etc. with up-dated information from staff on particular notices.

The Committee **NOTED** the information in the report.

95 **PROSECUTIONS UPDATE**

The report updated the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service.

The Committee **NOTED** the report.

96 **EXCLUSION OF THE PUBLIC**

Following the completion of normal business, the committee decided to exclude the public for the remainder of the meeting on the grounds that it was likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during those items there would be disclosure to them of exempt information within the meaning of paragraph 9 of Schedule 12A to the Local Government Act 1972. It was decided to exclude the public on those grounds, the Committee to **RESOLVED** accordingly on the motion of the Chairman.

97 **CHIEF EXECUTIVE'S REPORT CONTAINING EXEMPT INFORMATION**

The report before the Committee compiled a schedule listing, by Ward, all the complaints received by the Planning Control Service over alleged planning contraventions for the period from 1 June 2013 and 26 July 2013.

The Committee **NOTED** the report and **AGREED** the actions being taken.

Chairman