

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE (MONITORING)
Havering Town Hall, Main Road, Romford
4 September 2014 (7.30 - 8.25 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Philippa Crowder,
Steven Kelly, Michael White and Frederick Thompson

Residents' Group Linda Hawthorn, Stephanie Nunn, Brian Eagling and
Darren Wise

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Apologies were received for the absence of Councillors Ray Best, Ron Ower and Nic Dodin.

+Substitute members: Councillor Frederick Thompson (for Ray Best), Councillor Darren Wise (for Ron Ower) and Councillor Brian Eagling (for Nic Dodin).

Councillor Jody Ganly was also present for part of the meeting.

10 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.

60 MINUTES

The minutes of the meeting held on 17 July 2014 were agreed as a correct record and signed by the Chairman.

61 P1010.14 - 60 STATION ROAD, UPMINSTER

This item was deferred at officer's request to allow Councillor Linda Van den Hende to attend in person to explain her call-in of the application.

62 **A0032.14 - 7 CHASE CROSS ROAD, ROMFORD**

The planning application before Members sought permission for a non-illuminated wall mount advertising hoarding.

Members noted that the application had been called in by Councillor Robert Benham on the grounds that this type of application should be decided by the Committee instead of officers.

During a brief debate members noted that there had been an existing hoarding in the same position as that being proposed. Members noted that the existing hoarding had not been the subject of any complaints.

Officers advised Members that the existing hoarding had been erected without planning permission.

The report recommended that planning permission be refused, however following a motion to approve the granting of planning permission it was **RESOLVED** that planning permission be granted subject to standard conditions (for hordings), and to include no illumination of the hoarding.

63 **P0883.14 - 73 FARNHAM ROAD, HAROLD HILL - RETROSPECTIVE CHANGE OF USE FROM A1 (RETAIL) TO SUI GENERIS (SUNBED AND BEAUTY)**

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

64 **P0746.14 - LAND TO THE REAR OF 92 HARROW DRIVE, HORNCHURCH**

The proposal before Members was for the erection of a detached bungalow on land to the rear of 92 Harrow Drive, Hornchurch. The site was a strip of garden land and formed part of a traditional arrangement of rear domestic gardens serving the detached and semi-detached houses that fronted onto Harrow Drive.

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

The objector commented that historical applications for development on the site had been refused due to the lack of access from Hurstlands Close. The objector also commented that the proposed development would have a detrimental effect on the community spirit and character of the neighbourhood and could also lead to overlooking of properties in Harrow Drive. The objector also mentioned the lack of parking provision in the area.

In reply the applicant commented that he considered the proposal acceptable and within allowed tolerances. The applicant commented that due to a change in planning policies garden land was now classified as brownfield land and development on this type of land was now encouraged with each case being considered on its own merits.

With its permission Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that local residents had not been fully consulted regarding the proposed development and that many residents had concerns regarding back garden developments. Councillor Ganly also commented that the proposed development was cramped and unsuitable and that a restricted covenant on number 92 Harrow Drive allowed for only one property on the site. Councillor Ganly also commented that the domestic sprinkler system that had been asked for by the LFEPA, as there was insufficient turning space for a pump appliance, was not suitable. Councillor Ganly also wished to remind Members that the only parking provision on the site was for the residents of Hurstlands Close.

During the debate Members discussed the issue of back garden developments and the changing nature of the area. Members felt that the access road to the site was unsuitable for vehicles carrying building materials which would be forced to reverse back along the access road once deliveries were completed. Members also discussed the cramped nature of the development, whilst it was felt that the proposed bungalow was acceptable in its design, the narrow access road was felt to be unsuitable for servicing the property.

The report recommended that planning permission be granted, however following a motion to refuse the granting of planning permission which was carried by 8 votes to 3 it was **RESOLVED** that planning permission be refused on the grounds that the proposal was a cramped over-development of a constrained backland site with poor access which was insufficient for service and emergency vehicles and harmful to the character and amenity of surroundings.

The vote for the resolution to refuse planning permission was carried by 10 votes to 0 with 1 abstention.

Councillor Martin abstained from voting.

65 **P0819.14 - HILLDENE NORTH, HAROLD HILL, ROMFORD - DEMOLISH FILLING STATION CONSOLE BUILDING AND CANOPY, REMOVE HARDSTANDINGS AND ERECT 12NO. TWO-STOREY SEMI-DETACHED AND TERRACED DWELLINGS AND NINE SELF-CONTAINED FLATS IN A THREE-STOREY APARTMENT BLOCK, CONSTRUCT BIN AND CYCLE STORES, LAY OUT PARKING AND AMENITY AREAS AND FORM NEW VEHICULAR ACCESSES ONTO HILLDENE CLOSE, HILLDENE AVENUE AND BRIDGEWATER ROAD**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL payment of £27,090 and without debate **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 £126,000 to be paid prior to commencement of development to be used towards infrastructure costs in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and 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.

66 **P0923.14 - LAND ADJACENT TO MOLE END, NOAK HILL ROAD, ROMFORD**

The application before Members sought planning permission to demolish the existing double garage and tack room and erect one, two bedroom, four person single storey house.

Officers advised the Committee that bullet point 9.1 of the report should have read:

- The agent asserted that the intention was to trade off the volume of the proposed house against the volume of the double garage and tack room which was approximately 167 cubic metres, the volume of the proposed house was approximately 276 cubic metres.

The Committee considered the report, noting that the proposed development was liable for a Mayoral CIL contribution of £696.85 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £6,000 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 Agreement, prior to completion of the Agreement, irrespective of whether the agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to 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.

67 **APPLICATION FOR THE STOPPING UP (UNDER SECTION 247 OF THE TOWN AND COUNTRY PLANNING ACT 1990) OF HIGHWAY VERGE AT LAND ADJACENT TO FOOTWAY OFF NEAVE CRESCENT, ROMFORD**

The Committee considered the report and without debate **RESOLVED** that subject to the payment of legal costs in respect of the disbursements costs pursuant to advertising notices that:-

- 1.1 The Council make a Stopping Up Order to stop up highway under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of footway (highway) zebra hatched black on the attached plan 9140-01, as the land was required to enable development for which the Council had granted planning permission under planning reference P0315.14 to be carried out to completion.

- 1.2 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.
- 1.3 In the event that relevant objections were 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 could proceed to confirm the Order.
- 1.4 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 unless the application was withdrawn.

68 **APPLICATION FOR THE STOPPING UP (UNDER SECTION 247 OF THE TOWN AND COUNTRY PLANNING ACT 1990) OF HIGHWAY FOOTWAY ON THE WESTERN SIDE OF HILLDENE CLOSE, HAROLD HILL**

The Committee considered the report and without debate **RESOLVED** that subject to the payment of legal costs in respect of the disbursements costs pursuant to advertising notices that:-

- 1.1 The Council commence the process of making a Stopping Up Order to stop up highway under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the footway (highway) as the land was required to enable development for which the Council had resolved to grant planning permission subject to prior completion of a Section 106 Agreement under planning reference P0819.14 to be carried out to completion, specifically the construction of a parking area.
- 1.2 In the event that no relevant objections were made to the proposal or that any relevant objections that were made were withdrawn and the Council had issued planning permission under planning reference P0819.14 following satisfactory completion of the Section 106 agreement then the Order be confirmed without further reference to the Committee.
- 1.3 Following the issue of planning permission under planning reference P0819.14 and in the event that relevant objections were 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 could proceed to confirm the Order. 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 unless the application was withdrawn.

69 **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 2000-2014.

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

70 **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 7 June 2014 and 8 August 2014.

The report detailed that 20 new appeals had been received since the last meeting of the Monitoring Committee in June 2014.

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

The Chairman wished to place on record the Committee's thanks for the strong performance on enforcement cases and appeals that were shown within the report.

71 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in June 2014.

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.

72 **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.

73 **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 **RESOLVED** accordingly on the motion of the Chairman.

74 **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 7 June 2014 and 8 August 2014.

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

Chairman