

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
5 March 2015 (7.30 - 9.45 pm)**

Present:

COUNCILLORS:	11
Conservative Group	Robby Misir (in the Chair) Philippa Crowder, Steven Kelly, Michael White and Joshua Chapman
Residents' Group	Stephanie Nunn and Reg Whitney
East Havering Residents' Group	Linda Hawthorn and Ron Ower
UKIP Group	Phil Martin
Independent Residents Group	Graham Williamson

An apology for absence of was received from Councillor Ray Best .

+Substitute members: Councillor Joshua Chapman (for Ray Best).

Councillors Frederick Thompson and David Durant were also present for parts of the meeting.

65 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.

201 DISCLOSURE OF PECUNIARY INTERESTS

Councillor Hawthorn declared a personal but not prejudicial interest as a friend of Old Windmill Hall. She confirmed that she had not closed her mind to the proposal for 7 Highview Gardens.

Councillor Chapman had written that he opposed the proposal for 168-170 South Street and therefore had a prejudicial interest by predetermination and took no part in the vote on this proposal having left the room prior to members discussing the proposal.

202 **P0968.14 - 93 SHEPHERDS HILL (LAND TO THE REAR OF) ROMFORD**

Consideration of this item was deferred at officer's request to allow for re-production of the report in its full entirety.

203 **P1475.14 - 168-170 SOUTH STREET ROMFORD**

The application before Members was seeking planning permission for the change of use of the ground floor unit from an A1 retail use to an A3 restaurant.

Prior to the discussion by members Councillor Chapman commented that he was challenging the basis for the approval given the location. The location he considered was outside the town centre retail boundary. Councillor Chapman also commented that there was insufficient parking in the area and that only take-aways and not restaurants were situated in the part of South Street. The application was not subject to Policy RM11 as it was outside the retail fringe.

Councillor Chapman then left the meeting as he had previously declared an interest in the item P1475.14 as stated at the beginning of these minutes.

Members noted that the application had been called in by Councillor Frederick Thompson on the grounds that a restaurant in that part of South Street with later opening than the present retail use was unsuitable for the location under what were a large number of retirement flats and that the necessary provision of an extraction flue was unlikely to safeguard the residents above from cooking smells impinging on the enjoyment of their properties. Furthermore the location could not absorb any more parking, being on a bus route and Regarth Avenue had little parking provision in the evening, the disposal of restaurant waste also gave rise to concerns.

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

The objector advised that he was representing the residents of Gibson Court. The objector commented that noise and cooking smells emanating from the restaurant would harm the resident's amenity. The objector also commented about the longer opening hours and the problems with parking in the area.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the site was unsuitable for a restaurant due to the residential properties for the elderly situated above. Councillor Thompson also commented that the food smells would spoil the amenity of the courtyard situated behind the retail unit.

During the debate members discussed Gibson Court which had specifically been built for the elderly and the impact the restaurant would have on the residents.

Members also discussed the parking problems in the area but felt this would be a weak argument against refusing planning permission as the area had a very high PTAL rating.

Members also discussed planning policy DC61 that stated that planning permission would not be granted where the proposal had adverse effects on the environment by reason of noise impact, hours of operation and fumes. The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which received unanimous support it was **RESOLVED** that planning permission be refused for the following reasons:

Harm to amenity arising from (a) noise and smells associated with operation of restaurant close to sheltered complex and other residences; (b) noise and disturbance caused by patrons including movement of their vehicles within Regarth Avenue.

204 **P1578.14 - THE PADDOCKS MOOR HALL FARM AVELEY**

The planning application before Members proposed the importation of around 50,000 cubed metres of material to restore the land located within Thurrock.

The application site comprises around seven hectares of open grassland located within the borough of Thurrock, along with land located within Havering, which would be used to provide vehicular access to the land in Thurrock, where the main development activities would be undertaken. The access through the land in Havering would be taken from New Road, through the Ingrebourne Links golf Course (under construction), and through the eastern perimeter of the golf course into Thurrock.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that there were several live and pending applications in the area that were not yet implemented and that there were concerns regarding the cumulative impact of vehicular journeys being proposed by the various applications. Councillor Durant also commented on the dirty condition of the roads surrounding the application sites which were not being cleaned to an acceptable level and suggested that additional conditions regarding wheel washing and road cleaning were added to the application.

The report recommended that planning permission be granted however it was **RESOLVED** that consideration of the report be deferred to enable officers to:

- a) To provide more information to address:
- on the background and context of the proposal.
 - the purpose of the landfill including its relation to the A1306 golf course landfill operation.
 - the reasons why access can't be taken from Thurrock side?

And

- b) To negotiate:
- Legal agreement to secure daily washing of the A1306 by applicant (or commuted sum for this) and lorry routing.

205 **P1590.14 - ST PATRICK'S SCHOOL, LOWSHOE LANE, ROMFORD**

The planning application before Members proposed the installation of a Multipurpose Games Area (MUGA), measuring around 684sqm in area, including 3m high, mesh fencing around the perimeter.

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

The objector commented that proposed games area would affect the amenity of residents living nearby and be detrimental to property values. The objector also commented that although there were no plans for the installation of floodlighting or use outside of school hours at present there was no guarantee that the situation would not change in the future.

In reply the applicant's representative commented that the school had been approached and asked to take a bulge class to satisfy the need for extra school places in the borough. The extra class meant that there was a need for extra play areas and the existing field was liable to flooding as it had poor drainage. The applicant's representative also commented that the MUGA would never be floodlit and that there were a number of mature trees around the proposed fencing that would help to suppress noise with the possibility of additional hedges also being added at a later date.

During a brief debate members discussed the possibility of adding additional conditions regarding the colour of the fencing and tree screening.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and subject to two additional conditions the precise wording of which is delegated to the Head of Regulatory Services concerning

- Provision of a tree screen along the edge of the MUGA closest to Hood Walk properties.
- That other than emergency/security lighting no lighting to be installed and/or operated to serve the MUGA.

206 **P1350.14 - THE FRANCES BARDSLEY ACADEMY FOR GIRLS, BRENTWOOD ROAD, ROMFORD - REMOVAL OF 127M OF EXISTING FENCING AND GATE AT THE REAR OF THE SCHOOL (2M HIGH CHAINLINK AND POST) AND ERECTION OF REPLACEMENT 3M HIGH PALISADE SECURITY FENCE AND A GATE TO MATCH THE NEW FENCE.**

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

207 **P1444.14 - CORBETS TEY SCHOOL, HARWOOD HALL LANE, UPMINSTER - ERECTION OF TWO SOLARDOME GLAZED DOME STRUCTURES**

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

208 **P0088.15 - HARWOOD HALL, HARWOOD HALL LANE, UPMINSTER - DEMOLITION OF EXISTING SWIMMING POOL ENCLOSURE AND REPLACEMENT SWIMMING POOL ENCLOSURE**

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

209 **P1128.14 - 7 HIGHVIEW GARDENS, UPMINSTER**

The application before Members sought planning permission for the demolition of 7 Highview Gardens and the erection of two semi-detached houses and one detached house.

Members noted that the application had been called in by Councillor Linda Van den Hende on the grounds that the plan to build three dwellings on the site would be an overdevelopment, bulky in the streetscene given the demolition of a bungalow to be replaced by three houses. In addition, the bungalow proposed for demolition was semi-detached, so there were concerns about the linked property and the impact on it. There would also be a loss of amenity (view) for neighbours as this backed onto Upminster Windmill.

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

The objector commented that the demolition of the bungalow could have a damaging effect on the stability of the remaining bungalow and that the proposed two and a half storey development proposed was out of keeping with neighbouring properties.

In reply the applicant's agent commented that the proposal provided three family homes and had been carefully planned to ensure amenity, in keeping with the streetscene and an efficient use of the land.

During the debate Members discussed the height of the proposed dwellings, possible effect on the nearby windmill and possible concerns regarding the demolition of the bungalow. Officers explained that they had received a report in response to the concerns raised by The Society for the Protection of ancient Buildings that the proposal would have a negative impact on Upminster Windmill which concluded that it was doubtful that the proposed development would have a significant negative impact.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused for the following reasons:

- Resulted in an unbalanced half of a former pair of bungalows, incongruous in appearance.
- By reason of its height, scale and setting the development would be overly obtrusive in the prevailing streetscene which, given its degree of openness, would be materially harmful to local character and amenity.
- Failure to provide infrastructure tariff via legal agreement.

210 **P1617.14 - 67 CORBETS TEY ROAD, UPMINSTER**

This planning application before Members proposed the erection of a three-storey block of six flats together with three parking spaces on vacant land located at 67 Corbets Tey Road, Upminster.

During a brief debate members discussed the parking provision on the site and the lack of amenity space and concluded that both were insufficient

Members also discussed the narrow entrance/exit and the arrangements for refuse collection.

The report recommended that planning permission be approved however following a motion to refuse the granting of planning permission which secured unanimous support it was **RESOLVED** that planning permission be refused on the following grounds:

- The built form represented a cramped overdevelopment of the site.
- Inadequate occupier and visitor parking to serve the needs of the development.
- Layout arrangement cramped including amount and form of amenity space for future residents.
- Failure to secure infrastructure tariff via legal agreement.

211 **P1715.14 - HAROLD WOOD JUNIOR MIXED AND INFANTS SCHOOL - EXTENSION AND ALTERATIONS TO AN EXISTING KITCHEN**

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

212 **P1745.14 - 6 COTTONS APPROACH, ROMFORD - VARIATION OF CONDITIONS 2 AND 3 OF PLANNING APPLICATION L/HAV/1021/80 IN ORDER TO EXTEND THE OPENING HOURS AND AMOUNT OF CHILDREN ACCOMMODATED AT ANY TIME IN ORDER TO UTILISE THE PREMISES AS A DAY NURSERY DURING THE WEEK AND CHILDREN'S PARTIES OVER WEEKENDS**

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

213 **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 2000-2015.

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

214 **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 8 November 2014 and 13 February 2015.

The report detailed that 39 new appeals had been received since the last meeting of the Monitoring Committee in December 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.

215 **SCHEDULE OF ENFORCEMENT NOTICES**

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

216 **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.

217 **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.

218 **SCHEDULE OF COMPLAINTS**

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 8 November 2014 and 13 February 2015.

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

Chairman