

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
20 August 2015 (7.30 - 9.35 pm)**

Present:

COUNCILLORS: 11

Conservative Group Melvin Wallace(in the Chair), Ray Best,
Philippa Crowder, Steven Kelly and +Roger Westwood

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Alex Donald and Linda Hawthorn

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

An apology for absence was received from Councillor Robby Misir.

+Substitute members: Councillor Roger Westwood (for Robby Misir).

Councillors David Durant and Jeffrey Tucker were also present for parts of the meeting.

95 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.

313 MINUTES

The minutes of the meetings held on 16 July and 30 July 2015 were agreed as a correct record and signed by the Chairman.

314 **P0542.15 - 91 WATERLOO ROAD (HAVERING ISLAMIC CULTURAL CENTRE), ROMFORD**

The application before Members sought planning permission to vary condition 4 of planning permission P1285.06 in order to change the opening hours of the centre to the following:

Winter: November to February from 06:00 to 22:00

Summer: March to October: 1 1/2 hours before sunrise to 2 1/2 hours after sunset.

Ramadan: 1 1/2 hours before sunrise to 3 1/2 hours after sunset.

The sunrise and sunset times would be linked to the deferred sunrise/sunset timetable for the UK which formed part of the application.

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

The objector commented that the centre had grown hugely over the last couple of years and this had led to a strain being placed on parking provision and access issues for residents of neighbouring properties. Visitors to the centre also congregated outside following attendance which sometimes caused noise nuisance.

In reply the applicant commented that the centre had been open for nine years and in that time only one neighbour had made a complaint regarding the centre's use. The applicant confirmed that mediation had taken place with the complainant and the matter resolved. The applicant also commented that extra prayer times had been granted in 2012 for obligatory prayers. The centre had a car park which held approximately fifty cars and vehicles exiting the car park used the side gate as opposed to exiting via Bridge Close to help alleviate neighbour disturbance. The applicant also confirmed that he was open to discussions with officers to achieve a satisfactory outcome for all parties.

The Committee considered the report and without debate **RESOLVED** that planning permission be refused for the reasons as set out in the report.

The vote for the resolution to refuse planning permission was carried by 9 votes to 0 with 2 abstentions.

Councillors Wallace and Donald abstained from voting.

315 **P0788.15 - SOUTH HALL FARM, WENNINGTON ROAD, RAINHAM**

The proposal before Members involved the demolition of existing buildings on the site and the erection of two detached two-storey four bedroom houses, a double garage, an outbuilding and associated parking for six vehicles.

Members noted that the application had been called in by Councillor Jeffrey Tucker on the grounds that having listened to the applicant's views he considered that the two houses proposed were more suitable than the already approved development of six commercial unit workshops which appeared to be too big for the applicant to handle and finance, so the smaller proposal appeared to be a more suitable option.

With its agreement Councillors David Durant and Jeffrey Tucker addressed the Committee.

Councillor Durant commented that the application was headed for refusal under delegated powers. The application had therefore been called in both because the applicant was alleging errors in the report and because the applicant was unable to speak due to the speaking arrangements in place when an application was being considered. Councillor Durant suggested that the proposal was preferable to the existing buildings, that there were no objections and that it restored the site. Councillor Durant also commented that conditions could be placed on the planning permission to satisfy Highways officer's objections and that the consideration of the proposal should be deferred to allow alleged errors to be checked and for negotiations to take place between the applicant and officers.

Councillor Tucker commented that the applicant had compiled a presentation for members to view outlining his proposals for the site but unfortunately due to time issues this had not yet been received by members for their consideration. Councillor Tucker also commented that the applicant had no objections with the issue of possible overlooking of the two properties as both would be occupied by members of the same family. Councillor Tucker concluded by confirming that the applicant was willing to enter into negotiations with officers to secure a satisfactory outcome for all parties involved.

During a brief debate members discussed the reasons for supporting a development in the Green Belt but felt that there were no special circumstances shown in the application to support this.

Following the debate it was **RESOLVED** that planning permission be refused for the reasons as set out in the report.

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

Councillors Williamson and Martin voted against the resolution to refuse the granting of planning permission.

316 **P0852.15 - 67 CORBETS TEY ROAD, UPMINSTER**

The application before Members sought planning permission for the erection of a building which would provide five residential flats (four one-bedroom

and one two-bedroom). The building proposed would be three storeys high, mirroring the design of the recently approved and built adjacent development.

The application had previously been considered by the Committee on 5 March 2015 and had been refused planning permission on the grounds that the proposal was an over-development of the site, detrimental to local character and amenity, inadequate provision of amenity space, inadequate parking provision and the absence of a mechanism to secure a planning obligation towards the infrastructure costs of the new development.

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

The objector commented that he had recently purchased a property on the adjacent development and was concerned that the proposal would lead to the area becoming a building site for a considerable period of time.

In response the applicant's agent commented that following the previous refusal of planning permission the applicant had re-designed the proposal by reducing the length and height of the building and had increased the balcony sizes and increased parking provision.

During a brief debate Members again questioned the size of the proposed development and provision of parking for residents.

Members commented that the applicant had made efforts to reduce the size of the proposal but it was still a gross over-development of the site and failed to provide sufficient parking provision for residents.

Following the debate it was **RESOLVED** that planning permission be refused for the reasons as set out in the report.

317 **P0439.15 - MORETON BAY INDUSTRIAL ESTATE, SOUTHEND
ARTERIAL ROAD**

The proposal before Members was for the demolition of the existing industrial units and a residential dwelling and change of use of the industrial area to residential. The proposal would consist of the construction of two blocks comprising a total of forty two flats, including the creation of a new access road with associated car parking, cycle and refuse storage.

Members were advised that item 2.4 in the report should have read 1.6metres and not 0.6metres as was shown.

Members were also advised that a late letter of representation had been received outlining an objection on the grounds of environmental dangers and possible compensation payments to residents of neighbouring

properties who would be inconvenienced by the creation of the proposed access road.

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

The objector commented that the proposed access road was already overused and that additional vehicles would cause further congestion and disruption. The objector also commented that Ferguson Avenue and Belgrave Avenue were already used as a cut through and that additional vehicles would make the situation worse by adding to the existing congestion at the junction of Belgrave Avenue with the A127.

In response the applicant's agent commented that positive feedback had been received from some local residents who were pleased to see the removal of the existing commercial activities on the site. The agent also commented that neighbouring properties had been carefully considered during the design phase and that the proposal met all planning criteria, included fifteen percent affordable housing and provided local employment opportunities.

During the debate Members discussed the height of the proposed building and the effect additional traffic would have on the existing access road.

The Committee, in its discussions also considered the proposed design of the building and its appearance in the streetscene.

Members commented that the existing access road was extremely narrow and that by closing the three existing vehicular and pedestrian access points off of the A127 that more traffic would be forced to use the access road and this in turn would affect the amenity of existing residents of the adjacent properties.

During the debate Members received guidance from the Legal Adviser as to the exact nature of the Section 278 Agreement that was sought by TfL for the re-instatement of the footways after the completion of works.

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

- (Even if widened) use by traffic of the access road between the site and Belgrave Avenue would materially harm residents' amenity.
- The building was too tall (4 storey), bulky (block-like) and discordant design that would not integrate satisfactorily with the existing streetscene.
- The failure to provide infrastructure contribution (Section 106).
- The failure to provide affordable housing (Section 106).

318 **P0041.15 - INGREBOURNE LINKS GOLF COURSE, NEW ROAD, RAINHAM**

The application before Members proposed the construction of a clubhouse, outdoor bowling green and associated car parking with landscaping and the demolition of an agricultural building. An outline planning permission had previously been agreed by the Committee under planning application P0319.09.

During a brief debate members discussed the temporary car park for the driving range and the clubhouse car parking provision.

Members considered the report noting that the proposed application qualified for a Mayoral CIL contribution of £21,460 and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition requiring the temporary car park for the driving range to be entirely removed once the approved clubhouse car park was complete.

319 **P0739.15 - 39 COLLIER ROW ROAD, COLLIER ROW, ROMFORD - CHANGE OF USE FROM A1 (RETAIL) TO D2 (LEISURE USE)**

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

320 **P0692.15 - THE BROXHILL CENTRE, BROXHILL ROAD - ALTERATIONS, ADAPTATIONS AND EXTENSION TO EXISTING SPORTS HALLS AND CHANGING ROOMS TO PROVIDE NEW CHANGING FACILITIES, CAFE AREA, COMMUNITY SPACE ETC. TOGETHER WITH THE PROVISION OF NEW 3G FOOTBALL PITCH, MULTI USE GAMES AREA, EXTERNAL PLAY AND EXERCISE AREAS, ASSOCIATED BOUNDARY TREATMENT AND GENERAL LANDSCAPING WORKS.**

The Committee considered the report noting that the proposed application qualified for a Mayoral CIL contribution of £3,890 and without debate **RESOLVED** to delegate authority to the Head of Regulatory Services to grant planning permission subject to the conditions as set out in the report following the expiry of the press notice (28 August 2015). In the event that objections were received which raised material planning considerations which had not been addressed by the report, then the proposal would be reported back to the Committee for determination.

321 **P0827.15 - VICKERS HOUSE, 365 SOUTH STREET, ROMFORD - VARIATION OF CONDITIONS 3, 4, 6, 9, 14, 17, 19, 21, 22 AND 23 OF P1918.11 IN ORDER TO ALLOW FOR PHASING OF DEVELOPMENT.**

The Committee noted that the application had been called in by Councillor Robert Benham on the grounds of the high number of planning applications received for the subject site over the years. Concerns had also been raised regarding the process being slowed down and continuing highway complaints being received.

Councillor Benham was not in attendance at the meeting and therefore gave no further explanation of the call-in.

The Committee considered the report and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement completed on 30 March 2012 in respect of planning permission P1918.11 by varying the definition of Planning Permission which should mean either planning permission P1918.11 as originally granted or planning permission P0827.15.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 30 March 2012 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 30 March 2012 would remain unchanged.

The applicant would also be required to pay the Council's reasonable legal costs in association with the preparation of a Deed of Variation, prior to completion of the deed, irrespective of whether the deed is completed.

That the Head of Regulatory Services be authorised that upon the completion of the Deed of Variation that planning permission be granted subject to the conditions as set out in the report.

322 **P0384.15 - CREEK WAY, RAINHAM - CONSTRUCTION OF A NEW DATA CENTRE**

The Committee considered the report noting that the proposed development was liable for a Mayoral CIL contribution of £150,000 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 public right of way along the riverside path through the east part of the site and which was shown on drawing 2477/23.

- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement was completed.
- Payment of the appropriate planning obligations/ monitoring fee prior to completion of the agreement.

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

Chairman