

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Thursday 4 August 2011 (7.30pm – 8.40pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair), Sandra Binion, Jeff Brace, +Steven Kelly, Fred Osborne, Garry Pain and Barry Tebbutt

Residents' Group Linda Hawthorn
Ron Ower

Labour Group Paul McGearry

**Independent
Residents' Group**

An apology for absence was received from Councillor Mark Logan

Councillors Wendy Brice-Thompson, Steven Kelly, Billy Taylor and Frederick Thompson were also present for the parts of the meeting.

12 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.

58 DECLARATIONS OF INTERESTS

Councillor Fred Osborne declared a personal interest in report P0930.11. Councillor Osborne advised that he was a friend of the applicant. Councillor Osborne left the room during the discussion of the reports and took no part in the voting.

59 P0056.11 – 72-74 SOUTH STREET, ROMFORD - Aluminium composite and glazed barrier for an external seating area

It was noted that Councillor Curtin had called the application in before the Committee due to concerns regarding the proliferation of external seating areas in South Street, the impact of their visual appearance on

the character and quality of the town centre and his preference to see a more strategic approach.

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

60 P0681.11 - SOVEREIGN HOUSE 16-22 WESTERN ROAD ROMFORD - Change of use of part of the carpark into data storage facility and supporting plant at ground floor level with generator and chillers/pumps at roof level

The report before members detailed an application for permission for the change in use of the car park into a data storage facility and supporting plant at ground floor with generator and chillers/ pumps at roof level.

It was noted that the application had been called in by Councillor Curtin on the grounds that the chillier cabinets would result in excessive noise levels for the occupants of Hylands Court, directly adjacent to the site.

With its agreement, Councillor Frederick Thompson addressed the Committee on behalf of Councillor Curtin.

Councillor Thompson remarked that the proposal, if approved, would have a detrimental impact upon the amenity of local residents through increased noise and disturbance as the pumps would be operating twenty four hours a day. Councillor Thompson urged the Committee to refuse the application.

During the debate, members discussed the impact of the proposal on the amenity of local residents with specific attention focussed on the landscaped area to the front of Sovereign House which was in a general state of untidiness. Officers advised that the applicant did not own all of the land associated with the building. It was agreed that an informative be included in the proposal regarding the general upkeep and general tidiness of the area surrounding the building.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and with the addition of an informative covering the maintenance and upkeep of the surrounding area to the premises. The vote was 8 votes to 2. Councillors Hawthorn and Ower voted against the resolution to grant planning permission.

61 P0019.11 – 395-405 BRENTWOOD ROAD, ROMFORD – Change of use of part of former car showroom to Class A1 retail, change of use of first floor to form 3 residential units and construction of second floor extension to form 2 residential units together with alterations to the front façade of the building

The report before members detailed an application for the partial change of use of a former car showroom to form an A1 retail unit; a change of use of the first floor to form 3 residential units, and the construction of a second floor extension to form 2 residential units. A total of 6 parking spaces would be provided for the residential accommodation.

The application also sought permission for alterations to the façade of the building and an alteration to the front forecourt layout to provide a lay-by.

It was noted that 3 letters of representation had been received.

Members noted that consideration of the application had been deferred at two previous meetings of the committee in May and July in order that staff could firstly invite the applicant to submit revised plans and secondly to enable staff to draft a further Chief Executive's report which contained details of a Section 106 legal agreement.

A member of the Committee commented that the report failed to mention nearby developments which had recently been granted planning permission with a similar, if not greater, height. He added that the proposal would not look overly dominant in the street scene.

During the debate members discussed the possible waste removal arrangements from residential properties and asked that if planning permission was granted that a condition be inserted to ensure that no waste bins were placed at the front of the property.

A motion was proposed by Councillor Tebbutt and seconded by Councillor Ower that planning permission should be granted on the basis that the proposal would be in accordance with planning policy DC61 but that motion was lost on the Chairman's casting vote after the voting record was 5 in favour and 5 against. Councillors Brace, Hawthorn, McGeary, Ower and Tebbutt voted for the motion to grant planning permission. Councillors Binion, Misir, Pain, Oddy and Osborne voted against the motion to grant planning permission.

It was **RESOLVED** that planning permission be refused as per officer recommendation.

The vote for the resolution to refuse planning permission was carried on the Chairman's casting vote after the voting record was 5 in favour and 5 against. Councillors Binion, Misir, Pain, Oddy and Osborne

voted for the motion to refuse planning permission. Councillors Brace, Hawthorn, McGeary, Ower and Tebbutt voted against the motion to refuse planning permission.

62 P0930.11 – 68 BIRKBECK ROAD, ROMFORD – 2 storey side and single storey rear extensions

It was noted that the planning application had been called in by Councillor Robert Benham due to the history of the site and the surrounding location.

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

As stated at the beginning of the minutes, Councillor Fred Osborne declared a personal interest the application. Councillor Osborne advised that he was a friend of the applicant. Councillor Osborne left the room during the discussion of the report and took no part in the voting.

63 P0976.11 – FORMER RAINHAM POLICE STATION 1-6 NEW ROAD, RAINHAM - Change of Use and external alteration from former Police Station to 6 three bedroom dwellings with off street parking and private amenity.

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

64 P0886.11 – DYCORTS SCHOOL, SETTLE ROAD, HAROLD HILL - Demolition of existing mini-bus garage and erection of new mini bus garage

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

65 P0478.08 – UPPER FLOORS 25 TO 31 SOUTH STREET, ROMFORD - proposed variation of section 106 agreement in connection with planning permission change of use of second and third floors to form 12 apartments together with alterations to ground floor entrance and rear emergency escape stairs

The Committee considered the report and without debate, **RESOLVED** that the variation of the S106 agreement dated 11 July 2008 to change

the tenure mix, to that set out below by bilateral Deed of Variation under Section 106 of the Town and Country Planning Act (as amended), be agreed

The provision of at least six units for shared ownership purposes. Such units to be managed by the Registered Social Landlord or Registered Provider with the Council to receive 100% of the nomination rights which would be subject to the sub regional nomination arrangements confirmed by the East London Housing Partnership (or its successor) and that if the affordable housing units were no longer available for eligible users any subsidy was recycled for alternative affordable housing provision in accordance with PPS 3 Housing June 2011.

Save for the variation set out above and necessary consequential amendments the S106 agreement dated 11 July 2008 and all recitals, terms, covenants and obligations in the said Section 106 Agreement would remain unchanged.

The planning obligations recommended in the report had been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations were considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

66 WILLOUGHBY DRIVE, RAINHAM, ADJACENT TO NO.1 - Alleged breach of planning control at land on the north side of

The Committee considered the report and without debate **RESOLVED** that it was expedient that an Enforcement Notice be issued and served to require within 6 months:

- i) Stop using the land for residential purposes.
- ii) Remove from the land all mobile homes, caravans and vehicles.
- iii) Remove from the land all building materials, debris and rubbish from the site resulting from compliance with (i) and (ii).

In the event of non compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

67 P0781.11 – BUDDHA LOUNGE, GROUND FLOOR 36-38 & FIRST FLOOR 30-34 NORTH STREET, ROMFORD - Proposed 5yr extension of existing planning permission P1110.08 granted for a limited period expiring on 1st October 2011 and being a variation of planning conditions with approved application P0823.96 to allow extended opening hours

The report before the Committee detailed a variation of condition to extend the hours of use from those approved in 1996 (planning approval P0823.96). The hours approved in 1996 for the night club were between 9am and 11pm every day (Condition 2). In 2006 an application sought the extension of those hours delaying morning opening until 11am but varying closing time to between 3am and 5am the following day. This was granted temporary consent for two years. In 2008 approval (P1110.8) for the same extended hours was granted for a temporary period until October 2011. The current application sought to retain the 2008 extended hours for a further period of 5 years.

Officers explained that the main concern was the impact of the extended hours upon residential amenity for a period of 5 years would be excessive, in part as building works had now begun at the site in North Street. Officers considered that in order to confirm that the proposed later hours would not result in significant harm to residential amenity, that a period of 3 years would be needed to enable evaluation of the later hours.

During the debate discussion centred on the fact that the nightclub had been in situ before the residential development had taken place and that this was impeding the applicant from obtaining the length of planning permission that had been applied for.

Several members felt that in the current economic climate it was expedient to help local businesses and a motion was proposed by Councillor Brace which was seconded by Councillor Tebbutt to grant planning permission for 5 years but that motion was lost on the Chairman's casting vote after the voting record was 5 in favour and 5 against. Councillors Brace, Misir, Osborne, Pain and Tebbutt voted in favour of granting planning permission for 5 years. Councillors Binion, Hawthorn, McGeary, Oddy, and Ower voted against granting planning permission for 5 years.

It was **RESOLVED** that planning permission be granted as per officer recommendation.

The vote for the resolution was 9 votes to 0 with 1 abstention. Councillor McGeary abstained from voting.

**68 P0801.11 – 2 FEN LANE, NORTH OCKENDON, UPMINSTER –
Single storey rear extension**

The Committee considered the report and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.