

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
3 April 2014 (7.30 - 9.55 pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair),
Rebecca Bennett, Jeffrey Brace, Lesley Kelly and
Robby Misir

Residents' Group Linda Hawthorn and Brian Eagling

Labour Group

Independent Residents Group David Durant

UKIP Group Fred Osborne

Apologies were received for the absence of Councillors Roger Evans and Ron Ower.

+Substitute members Councillor Robby Misir (for Roger Evans) and Councillor Brian Eagling (for Ron Ower).

Councillors Andrew Curtin, Roger Ramsey, Paul Rochford and Linda Van den Hende were also present for parts of the meeting.

30 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.

263 P1430.13 - LAND TO THE REAR OF NO.179 CROSS ROAD, ROMFORD

The report before members detailed an application for a residential development to provide four 3 bedroom houses, demolition of the existing dwelling and garage to the front of the site.

The application was first brought before Members on the 19 December 2013 when Members resolved to approve the application subject to

conditions, the completion of a legal agreement, and no adverse comments being received prior to the expiration of the statutory consultation period. However, objections were received within the consultation period and the application was reported back to Members on 30 January 2014.

On the 30 January 2014 Members again resolved to approve the application subject to conditions, and the completion of a legal agreement. However, some errors in the recommendation made to Members on the 30 January, namely the figures provided in relation to the Mayoral CIL contribution and the Infrastructure contribution required the application to be reconsidered.

It was noted that one late letter of representation had been received.

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

The objector raised concerns relating to the possible removal of asbestos, unacceptable harm to living conditions and noise nuisance during the construction period. The objector also raised concerns over the risk of flooding.

In reply the applicant confirmed that the proposal had not changed since the application was last considered and approved in January and that the confusion regarding Section 106 funding had now been resolved.

During a brief debate members received clarification of the width of the access road and refuse storage arrangements.

Members noted that the proposal was liable for a Mayoral CIL contribution of £4,720 and **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:

- The sum of £18,000 towards the costs of infrastructure associated with the development in accordance with the Planning Obligations SPD;
- 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 Council's reasonable legal fees for shall be paid prior to completion of the agreement and if for any reason the agreement is not completed the Council's reasonable legal fees shall be paid in full;
- The Council's planning obligation monitoring fees shall be paid 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.

In the event that the Section 106 agreement was not signed and completed by the 30 September 2014, that planning permission be refused on the grounds that the proposal did not make adequate arrangements for the provision for meeting the necessary infrastructure costs arising from the development.

264 **P0115.14 - LAND ADJACENT TO BRAMBLE FISHING LAKE, BRAMBLE LANE UPMINSTER**

The report before members detailed an application for landscaping works to a landfill site.

Members noted that the application had been called in by Councillor Linda Van den Hende on the grounds that it was considered that the proposal would be harmful to the openness and visual amenities of the Green Belt without any very special circumstances having been demonstrated. It was also considered that the proposal would be harmful to highway safety and amenity.

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 proposed works would involve over six hundred vehicle movements on the site. The objector stated that the proposed works would result in a change to the character of the land to the detriment of the green belt. The objector also questioned the need for the works to take place and suggested that the works could increase the potential flood risk of the site in the future.

In response the applicant commented that the scheme was environmentally friendly and would remedy the past problem of back filling of household waste on the site. The applicant also commented that the site was prone to flooding due to poor drainage and that the proposed works would result in a modest raising of land levels.

With its agreement Councillor Van den Hende addressed the Committee.

Councillor Van den Hende commented that the application site was a small area of land at the end of a field. The field was regularly farmed and there was no seeming difference in land quality between the field and the application site. Councillor Van den Hende questioned the purpose behind the importation of materials onto the site stating that the proposed clay fill was of a non-porous nature and could lead to future drainage problems. Councillor Van den Hende also commented that no special circumstances had been submitted by the applicant to justify the works in the Green Belt.

During the debate Members discussed the number of lorry movements to and from the site and the possibility of placing controls on the number of movements. Members sought clarification on the types of crops that could be successfully farmed on the site and drainage arrangements for surface water.

The report recommended that planning permission be granted, however it was **RESOLVED** that consideration of the planning permission be deferred to seek clarification on the following points:

- The extent of possible/reasonable controls over lorry movements to include vehicle tracking and possible controls on frequency of vehicles to the site;
- Clarification on the end use crops capable of being farmed / to be farmed at the site;
- Why the adjoining land is capable of sustaining crops and the application site, in its current form, is not.
- Where would surface water drain to and would this carry contamination beyond the site?

When reporting back to the Committee it was agreed to also cover the proportionality and reasonableness of conditional controls in relation to the scale of the specific development.

265 **P0084.14 - 44 NELMES WAY HORNCHURCH**

The application before members sought planning permission for the construction of a single storey rear extension, the formation of a new first and second floor including front and rear dormer windows and roof-lights.

Members noted that the application had been called in by Councillor Paul Rochford on the grounds that the effect on the amenity of a neighbouring property in terms of its overlooking should be considered by Committee.

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 application was not in keeping with the special character of the Emerson Park Policy Area. The development would fill almost the entire width of the plot with minimal separation to the party boundaries leading to a loss of privacy and an adverse effect on the street scene.

In reply the applicant commented that every effort had been made to comply with local and national policy and that the development was needed to improve family accommodation to the existing property.

With its agreement Councillors Paul Rochford and Roger Ramsey addressed the Committee.

Councillor Rochford commented that he had been asked to examine the application by ward constituents as several felt that the special character of the Emerson Park area was being eroded by developments such as the one proposed.

Councillor Ramsey commented that there were a lot of enlarged houses within the Emerson Park area which represented the way in which the area was evolving. Councillor Ramsey stated that the report dealt with those issues that needed to be addressed and that the proposed development accords with policy.

During a brief debate Members discussed the special character of the Emerson Park area and how the development would sit in the existing streetscene.

Members noted that the proposed development qualified for a Mayoral CIL payment of £6,860, however such payment could be subject to exemption in accordance with Regulations 42A, B and C of the CIL Regulations and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 8 votes to 2.

Councillors Hawthorn and Eagling voted against the resolution to grant planning permission.

266 **P1528.13 - 22-28 NORTH STREET ROMFORD**

The proposal before members was for the demolition of the existing four retail units, with vacant office accommodation above, and the erection of a seven storey building with four (A1) retail units at ground floor level, and 28 flats above (twenty four 2 bedroom and four 1 bedroom units), occupying six storeys. The seventh storey element comprised a services block at the top of the building.

Members noted a number of updates and amendments to the report that included confirmation of agreement by the applicant to pay the Council's standard infrastructure tariff associated with the development in accordance with the Planning Obligations SPD;

Members were informed that there would be no requirement for the removal of occupier rights to resident parking permits as such a restriction had not been requested by the Highways Authority. A Member voiced his concerns over the removal of restrictions on the issue of resident parking permits for new town centre developments.

Members noted that the application been called in by Councillor Robby Misir as it was considered that the scale of the application warranted a decision by Members.

With its agreement Councillor Andrew Curtin addressed the Committee.

Councillor Curtin commented that he agreed with the officer's recommendation that planning permission should be refused. Councillor Curtin also commented that the development proposed by reason of its height, bulk and massing within a conservation area and its close proximity to a grade two listed building would result in significant harm to the character of the conservation area and was contrary to planning policy DC68.

During the debate Members received clarification on the extent of the conservation area and discussed the Council's policy on tall buildings. The Committee considered the impact of the development on the streetscene and whether it would create a "*canyon*" effect in North Street. Members also discussed the lack of parking provision in the area and agreed that a condition be included removing occupier's rights to apply for parking permits. Members noted that there had only been five letters of objection to the proposed development.

The report recommended that planning permission be refused, however it was **RESOLVED** that the consideration of the planning permission be deferred to allow officers to obtain further information and to allow negotiations to take place with the applicant with regards to the following:

- Legal agreement details proposed by applicant to be clarified.
- Legal agreement to remove occupier rights to apply for parking permits.
- Whether the applicant would be willing to reduce bulk of building by removing top two storeys (ie the "set back" element)?
- Further clarification of the storeys/levels within description of the development.
- Further clarification of the response from the Police on Secure by Design considerations.
- Further clarification of the response from Environmental Health on noise considerations including whether any regard had/should be given to relationship to the nearby nightclub.
- Is there any proposal by applicant to secure closure of the nightclub (allegedly in same ownership) upon completion of the proposed development should such be approved? If so, can that be secured in any legal agreement?
- Clarification of the nature and purpose of the £45K contribution proposed by applicant and whether such is the subject of a viability assessment?
- Clarification of the development status of the part completed redevelopment scheme at ring road end of North Street.
- Clarification of the nature of any proposed contribution/improvements to rear courtyard/ highway environment.

- Clarification of the nature, purpose and adoption date of the Conservation Area appraisal and date of other influencing developments relative to this (the Rubicon, the part complete development top end North Street).

The vote for the resolution to defer consideration of the application was carried by 8 votes to 1 with 1 abstention.

Councillor Durant voted against the resolution to defer.

Councillor Kelly abstained from voting.

267 **P0080.14 - HIGHVIEW 2 WARLEY ROAD UPMINSTER**

The report before members proposed the conversion of an existing integral garage, construction of a new detached garage and the provision of a front dormer window with a hipped roof design. In order to reduce the volume of cumulative additions to the property the proposal included the demolition of the existing single storey swimming pool building in the rear garden.

The application had been called in by Councillor Pam Light on the grounds that the site was located in the Green Belt and the issues surrounding the application needed to be discussed further.

With its agreement Councillor Light addressed the Committee.

Councillor Light commented that the development site was situated within the Green Belt and that the proposal represented a land swap which could be beneficial to the green belt as it involved the removal of an existing swimming pool building.

During a brief debate Members received clarification of the impact the proposed development would have on neighbouring properties and its material harm to the open character of the Green Belt. Members discussed the impact of the proposed development on the openness of the green belt. Members noted the negative impact of the existing swimming pool building on the green belt and the benefits to the green belt of securing the removal of the building.

The report recommended that planning permission be refused, however it was **RESOLVED** that the consideration of the planning permission be deferred to allow staff to explore the scope for a legal agreement to secure the demolition of the swimming pool building and any subsequent buildings built as permitted development prior to implantation of proposal and prevention of any further permitted development post implementation.

268 **P0108.14 - LAND ADJACENT TO 18 AINSLEY AVENUE**

The application before members proposed the construction of a three bedroom detached house on a plot of land adjacent to 18 Ainsley Avenue Romford.

The application had been called in by Councillor Barry Oddy as a matter of judgement of consistency with other similar developments within the area.

During a brief debate Members discussed the varying types of properties in the area, comparable development in the area, and the amenity provided by the proposed development.

The report recommended that planning permission be refused, however following a motion to approve planning permission which was carried by 9 votes to 1 Members noted that the proposed development qualified for a Mayoral CIL contribution of £2,160 and **RESOLVED** to delegate to the Head of Regulatory Services to grant planning permission subject to prior completion of legal agreement to secure infrastructure tariff payment and subject to conditions covering:

- Standard time limit.
- Accordance with plans.
- Materials.
- Construction hours.
- Removal of permitted development.
- Parking to be provided and retained as per plans.
- Landscaping.
- Boundary treatment.
- The reasons for approval were that the setting of the development was not cramped; the lower roofline of the building addressed any issues of bulk impact; the locality of the development presented a mix of dwellings and there would be no harm to the streetscene.

The vote for the resolution to grant planning permission was carried by 9 votes to 1.

Councillor Durant voted against the resolution to grant planning permission.

269 **P1239.13 - ATC CENTRE, THE PADDOCK, WOOD LANE, HORNCHURCH - DEMOLITION OF EXISTING CADET BUILDINGS AND REPLACEMENT WITH PREFABRICATED BUILDING WITH PITCHED ROOF**

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

Chairman