

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
4 June 2015 (7.30 - 8.45 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Philippa Crowder,
+John Crowder, +Jason Frost and Ray Best

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Linda Hawthorn and +Linda Van den Hende

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Apologies were received for the absence of Councillors Steven Kelly, Melvin Wallace and Alex Donald.

+Substitute members: Councillor Jason Frost (for Steven Kelly), Councillor John Crowder (for Melvin Wallace) and Councillor Linda Van den Hende (for Alex Donald).

Councillors Joshua Chapman and Frederick Thompson were also present for part of the meeting.

15 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.

269 MINUTES

The minutes of the meeting held on 14 May 2015 were agreed as a correct record and signed by the Chairman.

270 **P0441.15 - 154 BALGORES LANE, ROMFORD**

The proposal before Members was for the change of use of a shop (which was currently empty) from Use Class A2 (Financial and Professional Services) to Use Class A3 (Restaurant). An extraction system with an external exhaust flue was proposed to be located in the rear part of the unit.

Members noted that the application had been called in by Councillors Frederick Thompson and Joshua Chapman.

Councillor Thompson had called in the application for the following reasons

There was insufficient street parking in the vicinity with the possibility of patrons of an evening parking obstructively in Carlton Road and on the bend in Balgores Lane. Cars picking up from the kebab shop opposite in the evening already caused traffic congestion and increased danger at the location. The flats over the proposed restaurant were likely to be disturbed by noise emanating from the restaurant including putting out refuse and bottle bin noise. The site also had rather poor access for refuse disposal.

Councillor Chapman had called in the application for the following reasons.

Directly above the property and all along the top floor of the building, there were residential flats - there would be a significant loss of residential amenity for all of the current residents if the change of use was permitted. Firstly, there was the problem of noise (a restaurant would have late night custom causing elevated noise-levels in a residential area; secondly, there was the problem of the smell of the food (a big problem considering the close proximity to the flats directly above and the properties at the end of Carlton Road). The change of use would also cause a major parking issue. There were not sufficient parking spaces to serve a restaurant at the location. However, there were no restrictions in Carlton Road after 10am, so this would be the obvious parking choice for customers of the restaurant and would cause significant parking issues in the already pressured Carlton Road. Furthermore, the noise from the restaurant would be carried to Carlton Road as customers returned to their vehicles. There were no restaurants in the section of flats/offices so it would not seem appropriate to change this. There was a kebab takeaway nearby in a different ward which did not have any flats above, and a restaurant further up the road, but nothing in that section, and therefore it is not deemed appropriate to include a restaurant in the residential zone.

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

The objector commented that there were no food outlets currently in the parade and that nearby residents had concerns regarding the emanation of food smells.

The applicant's representative commented that the proposal would bring an empty shop unit back into use and would bring economic benefits to the area. The representative also commented that there was sufficient parking in the nearby area and that the control of sound and smells was conditioned within the officer's report.

With its agreement Councillors Frederick Thompson and Joshua Chapman addressed the Committee.

Councillor Thompson commented that there was insufficient parking in the area and the noise and smells would be unfair on the residents living nearby.

Councillor Chapman commented that the officer's report demonstrated a lack of understanding of the site. The parade had a good blend of businesses but did not have any units selling food. The proposed use would be out of place in the parade and would have an adverse effect on the residential amenity of neighbouring occupiers because of the noise and smells that associated with such businesses. Councillor Chapman also commented on the lack of parking provision in the area.

During a brief debate Members discussed the parking provision in the locality and the possible effect noise and smells would have on the nearby residents.

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 2 with 1 abstention it was **RESOLVED** that the granting of planning permission be refused on the grounds of insufficient car parking and the impact upon highway safety and amenity as a result of unacceptable overspill on to the surrounding roads.

The vote for the resolution to refuse the granting of planning permission was carried by 8 votes to 2 with 1 abstention.

Councillors Misir, Frost, J. Crowder, P. Crowder, Nunn, Whitney, Martin and Williamson voted for the resolution to refuse the granting of planning permission.

Councillor Hawthorn and Van den Hende voted against the resolution to refuse the granting of planning permission.

Councillor Best abstained from voting.

271 **P0391.15 - 83 BALGORES LANE, ROMFORD**

The proposal before Members was for the change of use of a shop (which was currently empty) from Use Class A2 (Financial and Professional Services) to Use Class A5 (Hot food takeaway). An extraction system with a

short external exhaust flue was proposed to be located in the rear part of the unit.

Members noted that the application had been called in by Councillor Frederick Thompson on the grounds that the proposal would make the entire parade of three shops into takeaways, thus impoverishing the retail variety, and leading to more stopping traffic causing obstruction close to a double bend with poor sight-lines for motorists.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the proposed recommendation for approval was illogical, contrary to policy and would be to the detriment of the vitality of the retail parade. Councillor Thompson also commented on the lack of parking provision in the area.

During a brief debate Members discussed the parking provision in the area and the possible impact on motorists stopping on the double bend in the road.

It was **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 7 votes to 3 with 1 abstention.

Councillors Misir, Hawthorn, Van den Hende, Nunn, Whitney, Martin and Williamson voted for the resolution to grant planning permission.

Councillors J. Crowder, P. Crowder, and Frost voted against the resolution to grant planning permission.

Councillor Best abstained from voting.

272 P0298.15 - 265 CHASE CROSS ROAD, ROMFORD

The application before Members was seeking planning permission retrospectively for the change of use of the storage area (B8) to the rear of the cafe to additional cafe seating floor-space (A3) as part of the existing cafe use. The unauthorised change of use was completed in June 2014.

Members noted that the application had been called in by Councillor Best on the grounds that the resubmission had attempted to overcome the areas of concern by providing two car parking spaces to the front of the unit (as per the original approval) and demonstrated how within close proximity of the site ample off street car parking was available. Understood the planning principles of the application were acceptable and that it was only the highways issues that lead to the application being refused previously.

During a brief debate Members discussed the parking provision at the site and in the surrounding roads. Members also considered the planning history of the site and a previous refusal of planning permission.

The report recommended that planning permission be refused however following a motion to grant permission it was **RESOLVED** that planning permission be granted subject to those conditions attached to the original planning permission P1383.10. The grounds for approval were that sufficient car parking was available on-street in accordance with standards.

- 273 **P0273.15 - 22 LAMSON ROAD, RAINHAM - CONSTRUCTION OF A SINGLE STOREY EXTENSION BETWEEN WAREHOUSE UNITS 1 & 2 AND FORMATION OF REINFORCED CONCRETE RAMP. CONSTRUCTION OF A SINGLE STOREY EXTENSION OF CANOPY TO WAREHOUSE UNIT 3 AND FORMATION OF REINFORCED CONCRETE RAMP.**

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

- 274 **P0277.15 - 177 SHEPHERDS HILL, HAROLD WOOD - SINGLE STOREY REAR EXTENSION**

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

- 275 **P0317.15 - BRICKFIELD COTTAGE, BROXHILL ROAD, HAVERING-ATTE-BOWER - SINGLE STOREY REAR EXTENSION**

The Committee considered the report and following a brief debate during which a member raised concerns over encroachment into the Green Belt.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an informative that no further planning permissions to be granted given the location within the Green Belt.

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

Councillors Hawthorn and Van den Hende abstained from voting.

276 **P0386.15 - BOWER PARK SCHOOL, HAVERING ROAD, ROMFORD - SINGLE STOREY EXTENSION TO REPLACE AN EXISTING ENTRANCE CANOPY**

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

277 **P0474.15 - 1-1A CHASE CROSS ROAD, ROMFORD**

The report before Members sought planning permission for an extension of the first floor to form two 1 bedroom flats and an extension and sub-division of the ground floor for A1 and A3 uses including new shop fronts.

The report was the resubmission of a proposal refused by the Committee in February 2015 due to the lack of on-site parking for the residential part of the scheme.

Members noted that the application had been called in by Councillor John Crowder on the grounds that the proposals would not only improve the appearance of the site, but would also provide much needed residential accommodation. Given the size of the development parking was not considered to be an issue.

During a brief debate Members discussed the potential benefits the proposal would bring to the site including its design and the condition of the site as it presently stood.

Members also discussed the lack of parking provision and it was felt that due to the town centre location of the proposal it would be almost impossible to provide additional parking associated with the proposal.

Following a motion to approve the granting of planning permission which was lost by 5 votes to 6 it was **RESOLVED** that the granting of planning permission be refused as per officers recommendation in the report.

The vote for the resolution to refuse the granting of planning permission was carried by 6 votes to 5.

Councillors Nunn, Whitney, Hawthorn, Van den Hende, Martin and Williamson voted for the resolution to refuse the granting of planning permission.

Councillors Misir, Frost, J. Crowder, P. Crowder and Best voted against the resolution to refuse the granting of planning permission.

- 278 **P0355.15 - 78-80 STRAIGHT ROAD, HAROLD HILL, ROMFORD - DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT OF SITE FOR THREE-STOREY BUILDING COMPRISING GROUND FLOOR RETAIL UNIT AND 9 NO. 1, 2 AND 3-BED APARTMENTS OVER TWO STOREYS ABOVE, TOGETHER WITH ANCILLARY CAR PARKING, CYCLE STORAGE AND COMMERCIAL AND LANDSCAPED AREAS. VARIATION OF CONDITION 2 (APPROVED PLANS) AND CONDITION 22 (OPENING HOURS) OF P1087.14**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £15,060, and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £54,000 to be used for educational purposes.
- All contribution sums should 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 was completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- That the Head of Regulatory Services be authorised to enter into the planning obligation to secure the above contribution and upon completion of that obligation, grant planning permission subject to the conditions as set out in the report.

- 279 **REVISION TO COMMITTEE RESOLUTIONS TO GRANT PLANNING PERMISSIONS SUBJECT TO S106 PLANNING OBLIGATION REQUIRING INFRASTRUCTURE CONTRIBUTION.**

The Committee considered the report and without debate **RESOLVED** that for each of the planning applications listed in the appendix to the report, authority to determine the applications, including the type and quantum of any contribution to be secured by S106 obligation be delegated to the Head of Regulatory Services.

Chairman