

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
15 September 2011 (7.30 - 9.20 pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair),
Jeffrey Brace, Robby Misir, Frederick Osborne,
Garry Pain and Steven Kelly

Residents' Group Linda Hawthorn and Gillian Ford

Labour Group Paul McGeary

**Independent Residents
Group**

Apologies were received for the absence of Councillors Sandra Binion, Ron Ower and Mark Logan.

+ Substitute members Councillor Steven Kelly (for Sandra Binion) and Councillor Gillian Ford (for Ron Ower)

Councillors Georgina Galpin, Billy Taylor and Sandra Binion were also present for parts of the meeting.

26 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

There were no declarations of interest.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

91 MINUTES

The minutes of the meeting of the Committee held on 25 August 2011 were agreed as a correct record and signed by the Chairman.

92 **P0827.11 - ELMHURST LODGE, TORRANCE CLOSE, HORNCHURCH - DEMOLITION OF EXISTING RESIDENTIAL CARE HOME (USE CLASS C2) AND CONSTRUCTION OF 27 NEW RESIDENTIAL UNITS, COMPRISING 21 HOUSES AND 6 APARTMENTS, INCLUDING AFFORDABLE HOUSING, IN BUILDINGS RISING TO BETWEEN 2 AND 2.5 STOREYS WITH ASSOCIATED CAR PARKING, LANDSCAPING AND INFRASTRUCTURE WORKS**

The report before members detailed an application for the demolition of the former Elmhurst Lodge care home and two semi-detached houses and the construction of a residential development, comprising of 21 houses and 6 apartments.

Members were advised that a Three Dragons viability assessment had been submitted by the applicant to justify the level of affordable housing and the amount of Section 106 contributions arising from the development.

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

Mr Oakley objected to the application on the basis that there was a restricted covenant on the land that prevented buildings higher than one storey high.

Mr Oakley also claimed that any development would lead to a loss of privacy and light to neighbouring properties.

Mr Miles, speaking on behalf of the applicant, advised that the developers Bellway and the Council's solicitors had found no evidence of a restricted covenant on the land and following consultations had amended the proposed scheme including removing proposed houses to reduce the impact on neighbouring properties.

With its agreement, Councillor Georgina Galpin addressed the Committee. Councillor Galpin commented that she supported the development and welcomed the opportunities the proposal would give to families moving into the area.

During discussions members commented on the maintenance of the area and access to the landscaped area which included an adopted roadway.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and subject to

- Change to bullet point 4 (page 18) on S106 to read after 'and' - 'the provision of a scheme of planting'.
- Change to bullet point 5 on S106 delete 'to the cost of providing', replace with 'in relation to the provisions of'.

- Change to condition 18:

18. *Land contamination* - The developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority) the following reports, as required, in accordance with the specified timescales:

- a) Prior to commencement of development: A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
- b) Prior to commencement of development: A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Prior to commencement of development: Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the development: Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

- d) If during development works any contamination should be encountered which was not previously identified and

is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

- e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals. For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

- Change to condition 22 to limit removal of permitted development rights to Class B, roof extensions only.
- Additions to condition 6 and/or 11 to require details of frontage hard and soft landscape and boundary treatment to ensure that no obstruction to easy maintenance of area is installed/built
- Subject to S106 - do not issue decision.

93 **P1125.11 11 MOUNT PLEASANT ROAD, COLLIER ROW, ROMFORD -
DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF FOUR
SELF CONTAINED FLATS**

The application before members sought permission for the demolition of an existing bungalow and the erection of a two storey block with accommodation in the roof space comprising of four self contained flats.

Members were advised that a previous application had been refused at appeal.

The Committee was also advised that the Fire Brigade had submitted a late letter of representation but had not objected to the scheme.

With its agreement, Councillor Sandra Binion addressed the Committee. Councillor Binion commented that the planning density guidance allowed for 30-50 units per hectare but the proposed scheme came in at 86 units per hectare.

Councillor Binion commented that the scheme was detrimental to the streetscene, had an adverse effect on amenity, would increase traffic flow and was an overdevelopment of the site and urged the Committee to refuse planning permission.

With its agreement, Councillor Billy Taylor addressed the Committee. Councillor Taylor commented that surrounding properties were either

houses or bungalows and that there were no flats in the area and that the proposed scheme would be out of character with neighbouring residences.

Councillor Taylor also commented on potential parking problems and stated that the modifications made to the scheme following its rejection at appeal were only minor ones.

During discussions several members made mention of the fact that the Highways Authority had objected to the scheme due to the insufficient off street parking provision.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution was 8 votes for with 1 abstention and 1 against.

Councillor Ford abstained from voting and Councillor Pain voted against the proposal.

94 **P0679.11 - 13 ASHVALE GARDENS, UPMINSTER - CONTINUATION OF
CHILDMINDING BUSINESS IN UNALTERED AND RETAINED
RESIDENTIAL DWELLING, TO CARE FOR A MAXIMUM OF 15
CHILDREN WITH 3 MEMBERS OF STAFF**

The report before members detailed an application for the continued use of a childminding business in an unaltered and retained residential dwelling, to care for a maximum of 15 children with a maximum of 3 members of staff.

The Committee noted that the application had been called in by Councillor Ron Ower on the grounds that the proposal would introduce an unacceptable business use into a residential dwelling and locality.

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

Mrs McCabe commented that a noise nuisance already existed at the applicant's property with a smaller amount of children attending.

Mrs McCabe expressed her concern at raising the permitted number of children attending the premises to 15 and also stated that there would be problems with parking provision for parents dropping off and collecting children.

Mrs Chaplin explained that no representations had been made from neighbouring residents and that the proposed level of children and staff in attendance was not increasing.

Mrs Chaplin also explained that the only noise nuisance in the road was that of the school opposite which also contributed to parking problems in the area with parents dropping off and collecting children.

With its agreement, Councillor Ron Ower addressed the Committee. Councillor Ower commented that the business was more like a nurseery than a childminding service due to the numbers of children being cared for.

Councillor Ower supported the condition in the report that limited the number of children in the garden at any one time but still felt the number of children being cared for at a residential property was too high and urged the Committee to refuse planning permission.

During discussions members discussed the possibility of granting planning permission on a temporary basis with this in mind Councillor Tebbutt proposed a motion to grant planning permission for a period of three years which was seconded by Councillor Osborne.

Councillor Kelly commented that the childminding service had been in place for a period of four years and consistently achieved a high OFSTED rating and therefore it appeared foolhardy to refuse planning permission as an excellent service was currently being provided.

Following discussions Councillor Tebbutt withdrew his motion.

Councillor Ford proposed a motion that no more than seven children be on the premises at any one time which was seconded by Councillor Hawthorn. The vote for the motion was defeated by 8 votes to 2. Councillors Ford and Hawthorn voted for the motion.

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 1 with 2 abstentions. Councillor Hawthorn voted against the proposal and Councillors Ford and Pain abstained from voting.

95 **P1212.11 - THE WILLOWS, HUBBARDS CLOSE, HORNCHURCH - REPLACEMENT / RESITING OF BUNGALOW**

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

- 96 **P1153.11 - LAND REAR OF 28-30 SWINDON LANE, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF ONE 2 BEDROOM BUNGALOW WITH ASSOCIATED PARKING AND GARDEN AREA.**

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

- 97 **P1155.11 - LAND ADJACENT 9 ORCHIS WAY, HAROLD HILL - DEMOLITION OF EXISTING 14 GARAGES AND ERECTION OF TWO 2 STOREY 4 BEDROOM DWELLINGS WITH ASSOCIATED PARKING**

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

- 98 **P1156.11 - LAND ADJACENT 15 OXFORD ROAD, HAROLD HILL - DEMOLITION OF EXISTING 20 GARAGES AND ERECTION OF THREE 2 STOREY 3 BEDROOM DWELLINGS WITH ASSOCIATED PARKING**

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

- 99 **P1152.11 - LAND ADJACENT 19 LEAMINGTON CLOSE, HAROLD HILL - DEMOLITION OF EXISTING 20 GARAGES AND ERECTION OF ONE THREE STOREY BLOCK COMPRISING 6 FLATS WITH ASSOCIATED PARKING**

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

- 100 **A0040.10 - 13 FARNHAM ROAD, HAROLD HILL - ILLUMINATED FASCIA SIGNAGE**

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

- 101 **P0788.11 - ST. ALBANS RC SCHOOL, HORNCHURCH - ALTERATION AND ENLARGEMENT OF EXISTING SCHOOL CAR PARK, WITH ASSOCIATED HARD STANDING AND LANDSCAPING. REPLACEMENT BOUNDARY FENCING AND PEDESTRIAN GATE**

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

- 102 **P1093.11 - 13 FARNHAM ROAD, HAROLD HILL - 13 FARNHAM ROAD, HAROLD HILL - INSTALLATION OF SHOPFRONT AND SHUTTER**

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

- 103 **P1038.11 - REDCROFTS FARM, OCKENDON ROAD, UPMINSTER - PROPOSED OUTBUILDING**

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

- 104 **P1041.11 R/O 223-227 BRENTWOOD ROAD, ROMFORD - NEW DEVELOPMENT TO CREATE 7 HOUSES COMPRISING 2 FOUR BEDROOM HOUSES AND 5 THREE BEDROOM HOUSES**

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