

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
12 May 2016 (7.30 - 8.45 pm)**

Present:

COUNCILLORS: 11

Conservative Group Melvin Wallace (Chairman), Ray Best, Steven Kelly,
+Linda Trew and +Michael White

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

Apologies were received for the absence of Councillors Philippa Crowder and Robby Misir.

+Substitute members: Councillor Michael White (for Philippa Crowder) and Councillor Linda Trew (for Robby Misir).

Councillor Frederick Thompson was also present for part of the meeting.

35 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.

452 P1791.15 - 70 CENTRAL DRIVE (LAND ADJACENT TO), HORNCHURCH

The application before Members sought permission for a new 2-storey detached dwelling with private amenity space and off street parking.

During the debate Members discussed the current use of the land which was a grassed area that was not in use and would be an ideal site for a residential dwelling.

Members also discussed the merits of keeping the land in its current form as occasional green areas helped soften the streetscene.

Members agreed that the proposal was a judgement call with pros and cons of leaving the site as was or developing it.

Members noted that the proposal qualified for a Mayoral CIL contribution of £1,800.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission which was carried by 6 votes to 5 it was **RESOLVED** that subject to a Section 106 Agreement for £6,000 education contribution and suitable conditions agreed by the Head of Regulatory Services that planning permission be agreed.

The vote for the resolution to grant planning permission was carried by 6 votes to 5.

Councillors Wallace, Kelly, White, Best, Trew and Donald voted for the resolution to grant planning permission.

Councillors Hawthorn, Nunn, Whitney, Martin and Williamson voted against the resolution to grant planning permission.

453 **P1801.15 - 16 HEARN ROAD, ROMFORD**

The application before Members sought planning permission for the erection of a detached three-storey residential block containing 6 one-bedroom flats.

The application was deferred at the Committee meeting on 10 March 2016 in order to allow Staff to negotiate a revised scheme which provided six (1 for 1) on-site parking spaces.

A revised car parking layout plan had been submitted by the applicant which would provide six off street car parking spaces requested by Members. A grid of four parking spaces would be set out to the north of the proposed block, with two of the spaces accessed directly via a new dropped crossing from Alexandra 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 proposal was a cramped development not in keeping with the streetscene which would overlook neighbouring properties. The objector also commented that the proposal would impact on local facilities and services.

In response the applicant's agent commented that the new plans improved the area and added the parking that the Committee previously sought.

Members noted that the application had been called-in by Councillor Frederick Thompson on the grounds that he considered the proposed development had merit and should be looked on favourably.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the proposal would be an improvement to the area and help solve possible problems of anti-social behaviour.

During a brief debate Members discussed the possible improvement to the area and welcomed the applicant's inclusion of the proposed parking spaces.

Members noted that if approved the proposal would qualify for a Mayoral CIL contribution of £5164.00

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission which was carried by 10 votes to 1 it was **RESOLVED** that it be delegated to the Head of Regulatory Services to grant planning permission subject to a Section 106 agreement to secure an education contribution of £30,000 and a restriction on the ability of residents to obtain parking permits and subject to the addition of suitable conditions.

The vote for the resolution to grant planning permission was carried by 10 votes to 1.

Councillor Whitney voted against the resolution to grant planning permission.

454 **P1630.15 - 79-81 CHRISTCHURCH ROAD, SOUTH HORNCHURCH**

The application before Members was for outline permission for 2 two bedroom, three person, single storey dwellings including the associated amenity space and car parking with all matters reserved. Appearance, siting, landscaping, scale and layout were the reserved matters.

The application was brought before committee as the application site was Council owned.

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 plans on show were slightly inaccurate showing the refuse collection area in the wrong position. The objector also commented that the site had been maintained for nearly twenty years and gates had previously been erected, at his own expense, to prevent fly

tipping. The objector concluded by commenting that there had been no consultation between the Council and residents.

In response the applicant's agent commented that the design of the site had been what had been requested by the Council and that there was some flexibility regarding the future layout of the site.

During the debate Members discussed the refuse collection arrangements for the site, sought and received clarification of the height of the fencing surrounding the site and whether boundary treatment would be afforded to the site.

Members also discussed the current condition of the site which was in a state of disrepair and the legal ownership of the site which would remain in the Council's ownership.

Members noted that the dwellings were liable for Mayoral CIL and the extent of liability would be determined at the reserved matters stage.

It was **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 financial contribution of £12,000 to be paid prior to the commencement of the development, to be used for educational purposes in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- 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 planning obligation prior to its completion irrespective of whether the obligation was completed.
- The payment of the appropriate planning obligations monitoring fee prior to the completion of the obligation.

That the Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant outline planning permission subject to the conditions as set out in the report and to include an additional condition requiring a visibility mirror at the access point and an amendment to condition 9 making it explicit that refuse storage/collection details should demonstrate that refuse will not obstruct access or overspill onto highway.

The vote for the resolution to grant planning permission was carried by 10 votes to 0 with 1 abstention.

Councillor Williamson abstained from voting.

455 P0293.16 - 5 OCKENDON ROAD, NORTH OCKENDON, UPMINSTER-SINGLE/TWO STOREY REAR EXTENSION

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

456 P1809.15 - HARLOW GARDENS (LAND REAR OF), ROMFORD

The application was originally approved by the Regulatory Services Committee at its meeting of 17 July 2014 for the erection of 5 two-bedroom chalet style bungalows. The current proposal related to the variation of condition 2 of P1053.13 in order to allow an increase to the size of the rear dormers of the row of terraces.

The committee noted that the proposal qualified for a Mayoral CIL contribution of £8,964 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 13 October 2014 in respect of planning permission P1053.13 by varying the definition of Planning Permission which should mean either planning permission P1053.13 as originally granted or planning permission P1809.15.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 13 October 2014, all recitals, terms, covenants and obligations in the said Section 106 agreement dated 13 October 2014 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 was 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.

457 **P1628.15 - 58-62 NEW ZEALAND WAY (LAND BETWEEN), SOUTH HORNCHURCH**

With the Committee's agreement consideration of the item was deferred at officer's request due to a late representation raising new issues and to allow the revised report to include an assessment of the noise impact to new residents from the adjacent industrial unit.

458 **P1210.15 - 1 KILMARTIN WAY, ELM PARK, HORNCHURCH**

The proposal before Members was for the erection of eighteen dwellings comprising of 10 two-bedroom houses and 8 three-bedroom houses.

The application was brought before committee as the application site was Council owned.

The application was deferred from the 31 March 2016 meeting for staff to clarify a number of points in relation to car parking, access and visibility, road adoption and maintenance.

During a brief debate Members discussed the increased number of parking spaces that had been promised by the Council during negotiations.

Members also sought and received clarification of the access and egress arrangements for the site.

Members noted that the proposal qualified for a Mayoral CIL contribution £35,872.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £108,000 to be used for educational purposes.
- 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 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.
- The provision on site of a minimum of 50% of the units as affordable housing.

- 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 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 and to include an additional condition requiring details of phasing to ensure parking proposed for Kilmartin Way was provided prior to the existing parking being removed and also a change to condition 13 to make it explicit that no contractors' vehicles should park in Kilmartin Way or existing parking areas.

459 **P1652.15 - 2 BROOKLANDS ROAD, ROMFORD**

With the Committee's agreement consideration of the item was deferred at officer's request in order for the enforcement background of the site to be explored further.

460 **P1714.15 - 62 GREAT GARDENS ROAD, HORNCHURCH - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO 3 BEDROOM DWELLINGS WITH PRIVATE AMENITY SPACE AND OFF STREET CAR PARKING**

Members considered the report noting that the proposal qualified for a Mayoral CIL contribution £1,900 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £6,000 to be used for educational purposes.
- 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 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 is 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 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.

Chairman