

Public Document Pack

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
17 November 2011 (7.30 - 10.45 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Jeffrey Brace,
Frederick Osborne, Garry Pain, Steven Kelly,
Eric Munday and Billy Taylor

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

Independent Residents Group +David Durant

Apologies were received for the absence of Councillors Barry Tebbutt, Robby Misir, Sandra Binion and Mark Logan

+ Substitute members Councillor Eric Munday (for Barry Tebbutt), Councillor Billy Taylor (for Robby Misir), Councillor Steven Kelly (for Sandra Binion) and Councillor David Durant (for Mark Logan)

Councillors Lynden Thorpe and Paul Rochford were also present for parts of the meeting.

35 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.

158 **DECLARATION OF INTERESTS**

Councillor Ron Ower declared a personal interest in item P1245.11. Councillor Ower advised that he knew and was a close personal friend of the applicant. Councillor Ower left the room during the discussion of the report and took no part in the voting.

159 **MINUTES**

The minutes of the meeting of the Committee held on 4 October 2011 were agreed as a correct record and signed by the Chairman.

160 **P1499.11 - 13 FARNHAM ROAD, HAROLD HILL**

It was RESOLVED that consideration of the item be deferred to allow staff to consider Highways' representation.

161 **P1493.11 - GARAGE COURT ADJACENT 102 HARROW CRESECENT, ROMFORD**

The report before members detailed an application relating to a Council owned garage court. The application proposed the demolition of the existing 7 garages and the erection of 1 bungalow with associated parking and amenity.

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

In accordance with the public participation arrangements, the Committee was addressed by an objector with no response from the applicant.

During discussions it was noted that there existed an access point to a property in Harrow Crescent which was not allowed for in the submitted plans.

Officers confirmed that they could enter into dialogue with the applicant to see if the access point could be incorporated into the proposed development.

It was **RESOLVED** to Delegate to Head of Development and Building Control authority to grant planning permission subject to an additional external lighting condition and Provided That a revised access point to No.102 Harrow Crescent could be satisfactorily accommodated within the development. In the event a revised access point could not be accommodated the application was to be brought back to the Committee for further consideration and determination.

162 **P0927.11 - HAVERING ISLAMIC CC 91 WATERLOO ROAD - USE OF PREMISES AS A COMMUNITY CENTRE ON A PERMANENT BASIS BETWEEN THE HOURS OF 04:00 AND 23:00 ON ANY DAY TO ENABLE PRAYER**

Members considered a report that sought planning permission to vary condition 4 of planning permission P1285.06 to enable the centre to operate on a permanent basis throughout the year between the hours of 0400 and 2300 on any day.

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

In accordance with the public participation arrangements, the Committee was addressed by an objector with no response from the applicant.

During the debate members discussed issues relating to parking and the possible breaches of a condition that restricted no more than fifteen people on the premises at any one time.

Mention was also made of an event that had taken place in the summer where approximately three hundred people had been in attendance and the Police had had to be called.

Members also raised concerns that the centre was becoming more popular and perhaps was situated in an unsuitable area.

The report recommended that planning permission be granted but following a motion it was **RESOLVED** that planning permission be refused on the grounds that the proposal would create unacceptably intrusive levels of noise and disturbance including highway/parking problems materially harmful to living conditions of Bridge Close residents.

The vote for the motion to refuse planning permission was carried on the Chairman's casting vote after the voting record was 5 in favour and 5 against with 1 abstention. Councillors Osborne, Taylor, Hawthorn, Ower and McGeary voted for the motion. Councillors Oddy, Brace, Kelly, Munday and Pain voted against the motion. Councillor Durant abstained from voting.

The resolution to refuse planning permission was passed by 7 votes to 2 with 2 abstentions. Councillors Oddy, Brace, Osborne, Taylor, Hawthorn, Ower and McGeary voted for the resolution. Councillors Munday and Pain voted against the resolution. Councillors Kelly and Durant abstained from voting.

163 **P1495.11 - 77-79 BUTTS GREEN ROAD - SINGLE STOREY REAR EXTENSION**

The report before members detailed an application that sought full planning permission for a single storey rear extension to an existing vacant shop premises in order to increase the retail floor area. The proposed extension would enable the premises to be occupied by a Tesco Express store.

It was noted that there had been 25 letters of representation received.

It was noted that the application had been called in by Councillors Steven Kelly, Roger Ramsey and Ron Ower on the following grounds; scale of development proposed on the site, affects of development on the surrounding residential uses, impact on traffic and level of parking.

With its agreement, Councillor Paul Rochford addressed the Committee. Councillor Rochford commented that the highway issues were not material because of a previous application that had been refused planning permission by the Planning Inspectorate but only on impact on residential amenity.

During the debate, members discussed several traffic issues mainly to do with deliveries to the store and the lack of parking for customers.

Mention was also made of the fact that the proposed extension had only been altered slightly and had increased in height.

Officers advised that if the Committee was minded to refuse planning permission it would strengthen the Council's stance regarding the possibility of winning an appeal if full investigations of the highway issues had been carried out prior to refusing planning permission.

The report recommended that planning permission be granted subject to the applicant entering into a Section 106 agreement but following a motion it was **RESOLVED** that consideration of the report be deferred to allow staff to provide further information including a distillation of the various highway and parking considerations comprising width of Butts Green Road, bus stop arrangements, the accuracy of the applicants traffic assessment, impact of the proposed loading bay on the footway and clarification of cycle and trolley storage arrangements.

164 **P1413.11 - COPSEY, 178 CROW LANE, ROMFORD - CANOPY**

The report detailed an application for a canopy which was partially completed. The application had been referred to the Committee as there have been a number of planning applications, planning enforcement and appeals history and the applicant was a relative of a Councillor.

Members noted that the site was within the area identified in the Local Development Framework as Metropolitan Green Belt.

During the debate members discussed the suitability of such a building on a Green Belt site and its impact on the on the industrial nature of the surrounding area.

Officers explained that in order to achieve the purposes of the Metropolitan Green Belt it was essential to retain and protect the existing rural character and openness of the area and that new buildings would only be permitted in the Green Belt outside the existing built up areas in the most exceptional circumstances.

Officers also explained that it was for the applicant to make a case for special circumstances to support a case that retrospective planning permission be granted.

It was **RESOLVED** that consideration of the report be deferred to allow an opportunity for applicant to fully explain the case they wished to promote for very special circumstances. An opportunity for staff to more fully explain the two stage Green Belt assessment and how the in principle harm and any other harm must be outweighed by very special circumstances. The deferral would also allow staff to explain why the physical condition/appearance of land does not diminish its Green Belt function or status.

The vote for the resolution to defer the granting of planning permission was passed by 9 votes to 1 with 1 abstention. Councillor Durant voted against the resolution. Councillor Munday abstained from voting.

165 **P1414.11 - COPSEY, 178 CROW LANE, ROMFORD - STEEL CLAD BUILDING**

The Committee considered the report and, without debate, **RESOLVED** to defer consideration of the report to allow an opportunity for applicant to fully explain the case they wished to promote for very special circumstances. An opportunity for staff to more fully explain the two stage Green Belt assessment and how the in principle harm and any other harm must be outweighed by very special circumstances. The deferral would also allow staff to explain why the physical condition/appearance of land does not diminish its Green Belt function or status.

The vote for the resolution to defer the granting of planning permission was passed by 10 votes to 1. Councillor Durant voted against the resolution.

166 **P0336.11 - GRAVEL PIT COPPICE, BENSKINS LANE - RETENTION OF USE OF LAND AS A PRIVATE GYPSY AND TRAVELLER CARAVAN SITE COMPRISING OF SIX PITCHES**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. With the addition of the following change Condition 1 (temporary planning permission) expiry to 17 November 2014 and to add a sewage details condition with wording to be settled by the Head of Development and Building Control.

The vote for the resolution to grant planning permission was passed 9 votes to 2. Councillors Munday and Taylor voted against the resolution to grant planning permission.

167 **P1517.11 - LAND REAR OF 55-57 AMERSHAM ROAD - DEMOLITION OF EXISTING 30 GARAGES AND ERECTION OF 2 X 2 STOREY SEMI-DETACHED DWELLINGS AND 1 BUNGALOW WITH ASSOCIATED PARKING AND GARDEN AREAS**

The report before members detailed an application relating to a Council owned garage court. The application proposed the demolition of the existing 30 garages and the erection of 2 two storey semi-detached dwellings and 1 detached bungalow with associated parking and garden areas.

During a brief debate members discussed issues relating to access to the site and possible boundary treatments.

It was **RESOLVED** that planning permission be granted subject to the conditions set out in the report and to include two further conditions relating to the installation of a domestic sprinkler system and a further condition related to contaminated land use.

The vote for the resolution to grant planning permission was passed by 9 votes to 1 with 1 abstention. Councillor Ower voted against the resolution to grant planning permission. Councillor McGeary abstained from voting.

168 **P0769.11 - RAPHAEL'S PARK AND LODGE FARM, MAIN ROAD, ROMFORD - RESTORATION AND EXTENSION OF THE FORMER PARK KEEPER'S LODGE TO FORM A FACILITY FOR PARK VISITORS, INCLUDING A CAFE, TOILETS, COMMUNITY MEETING SPACE AND ACCOMMODATION FOR PARK STAFF. NEW SERVICE YARD WITH VEHICULAR ACCESS FROM MAIN ROAD. PROVISION OF 5 METRE HIGH LIGHTING COLUMNS AND ADDITIONAL FENCING IN LODGE FARM PARK CAR PARK**

The Committee considered the report, and noted that a letter of support for the scheme had been received from Councillor Andrew Curtin, and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

169 **P0406.08 - HARROW LODGE, HYLAND WAY, HORNCHURCH - ERECTION OF 44 DETACHED, SEMI DETACHED AND TERRACE HOUSES AND ASSOCIATED ACCESS**

The Committee considered the report and without debate, **RESOLVED** that the Section 106 agreement dated 6 June 2008 to enable the financial contribution to the improvement of Hylands Park to be spent in the manner set out below by the Deed of Variation under Section 106A of the Town and Country Planning Act (as amended) be approved:

The contribution of £25,000 and any accrued interest (referred to in the Section 106 Agreement dated 6 June 2008 as the Hylands Park

contribution) to be used by the Council for the purposes of works, including repairs and resurfacing, to the tennis courts within Hylands Park.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 6 June 2008 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 6 June 2008 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

170 **P1419.11 - CHAFFORD SCHOOL, LAMBS LANE SOUTH - INSTALLATION OF ELECTRICITY PRODUCING SOLAR PHOTOVOLTAIC PANELS ON THE ROOF OF THE MAIN SCHOOL BUILDING**

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

171 **P1502.11 LAND REAR OF 121-127 AMERSHAM ROAD - DEMOLITION OF EXISTING 14 GARAGES AND ERECTION OF 1 X 5 BEDROOM BUNGALOW 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 with the addition of one additional condition covering the installation of a domestic sprinkler system.

172 **P0954.11 - FORMER EDWIN LAMBERT SCHOOL - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE TO CREATE 35 THREE BEDROOM HOUSES, PLUS ASSOCIATED ROADS, PATHS, CAR PARKING, GARAGES AND LANDSCAPING**

The Committee considered the report and without debate, **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 provision on site of 11% of the houses within the development as affordable housing in accordance with Policy DC6 of the LDF Development Control Policies Development Plan Document.
- The payment of a financial contribution of £12,250 towards the cost of health care provision within the Borough in accordance with Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document
- A financial contribution of £35,000 towards highway improvements within the vicinity of the site in accordance with Policy DC32 of the LDF Development Control Policies Development Plan Document.
- All contribution sums should include interest to the due date of expenditure and indexation from the date of the agreement to the date of payment.
- The Council's reasonable legal fees for preparation 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 set out in the report.

173 **P1448.11 - 36 HIGH STREET, ROMFORD - CHANGE OF USE FROM CLASS A1 (RETAIL) TO FORM DROP-IN SUPPORT FACILITY FOR THE ELDERLY**

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

174 **P1334.11 - 142 SOUTH STREET - CONVERSION OF EXISTING FIRST AND SECOND FLOOR OFFICE SPACE (CLASS B1) TO 2 RESIDENTIAL UNITS**

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

175 **P1245.11 - 23 CORBETS TEY ROAD, UPMINSTER - CHANGE OF USE FROM A1 TO D1. PREDOMINANT USE FROM HEARING AND RETAIL TO DIAGNOSIS AND ASSESSMENT OF HEARING AND BALANCE DISORDERS INCLUDING NHS CLIENTS**

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 Ron Ower declared a personal interest in the application. Councillor Ower advised that he knew and was a close personal friend of the applicant. Councillor Ower left the room during the discussion of the report and took no part in the voting.

176 **P1375.11 HACTON HOUSE, HACTON LANE, UPMINSTER - ERECTION OF 2 CYCLE/STORAGE BUILDINGS, HARD STANDING AND DRIVE, CROSSOVER AND JUNCTION ONTO LITTLE GAYNES LANE. EXTERNAL ALTERATIONS, REPLACEMENT WINDOWS AND DOORS, FRONT AND REAR DORMER WINDOWS, INCREASE IN ROOF HEIGHT, NEW ROOF AND CHIMNEYS.**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report subject to an additional condition requiring obscure glazing of the flank windows.

177 **ALLEGED BREACH OF PLANNING CONTROL AT CRANHAM HALL FARM, THE CHASE, UPMINSTER**

The Committee considered the report and without debate, **RESOLVED** that it was expedient that the Enforcement Notices be issued and served to require within two months:

- i) To stop using the land for residential purposes.
- ii) To remove from the land all structures, fencing other than those that have planning approval.
- iii) To remove from the land all unauthorised outbuildings.
- iv) To remove from the land all machinery, equipment, apparatus, tools, scrap and waste brought onto the land associated with the unauthorised use and to comply with requirements within (i) and (ii) above.

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.

178 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

Chairman
12th January 2012