

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
22 February 2018 (7.30 - 10.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Philippa Crowder,
Melvin Wallace, Roger Westwood and Michael White

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Alex Donald (Vice-Chair) and Linda Hawthorn

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Councillors Robert Benham, Joshua Chapman, Ian de Wulverton and David Durant were also present for part of the meeting.

40 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.

370 MINUTES

The minutes of the meeting held on 1 February 2018 were agreed as a correct record and signed by the Chairman.

371 P1389.17 - LAND AT ROM VALLEY WAY

This report before Members detailed a planning application for the redevelopment of the site to provide 620 residential units with 830sqm of commercial floorspace in buildings extending to between 4 and 8 storeys in height together with associated car and cycle parking, hard and soft landscaping and infrastructure works.

This application was reported to the Committee because it was for a major development within Romford.

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 he was representing the Romford Civic Society who opposed the planned development. The objector also commented that the site would be poorly accessed due to the existing road layout which formed the gateway into the town centre. The objector also commented that the proposal had not really moved on from the proposal submitted last year and that nothing had been done to reduce the mass and bulk of the proposed buildings. The objector concluded by commenting that the quality of the buildings would be the same as had been delivered in the 1911 and 1936 Romford Garden Suburb in Gidea Park and asked what specific mechanisms would be put in place to achieve this.

In response the applicant's agent commented that he welcomed the officer's recommendation for approval. The agent also commented that the applicant had worked hard with officers to address the massing and density issues and had also worked hard to address the need for affordable housing and that the proposal offered more affordable provision than what was required. The agent concluded by commenting that the proposal was an exciting opportunity on an under utilised brownfield site which was also offering commercial and healthcare provision.

With its agreement Councillors Viddy Persaud and Robert Benham addressed the Committee.

Councillor Persaud commented that she was opposed to the proposal as it represented an over development of the site which would impact on future residents amenity. Councillor Persaud concluded by commenting that the site would become a congested area which would impact on visitors to the Queen's Hospital.

Councillor Benham commented that although the Council needed to provide more housing it should not be provided at all costs and that the borough had a greater need for three and four bedroom provision. Councillor Benham also commented that the design of the proposal was cramped and due to extra vehicular travel on the site already poor air quality would be made worse. Councillor Benham concluded by commenting that there appeared to be a lack of affordable housing and that he was surprised the Highway's officers had not submitted an objection as the site was already congested by hospital visitors both by car and bus.

During the debate Members sought and received clarification on a number of points including traffic impact on the roundabout at Rom Valley Way and Oldchurch Road, noise assessment on helicopters using the helipad at the Queen's Hospital and transport assessments on the area.

Members considered the report noting that the proposed development qualified for a Mayoral CIL contribution and **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement to secure the following obligations by 21 August 2018 and in the event that the Section 106 agreement was not completed by such date the application would be refused.

The application was subject to referral to Mayor of London at Stage 2.

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.

Heads of terms:

Affordable Housing

- 11% of units (67.No. units) as Affordable;
- Tenure split 57% affordable rent and 43% intermediate shared ownership, the housing option in terms of affordable rent is the London affordable rent.
- Review mechanisms at stages of the development and benchmark values/return to be agreed in consultation with GLA;

Education

- Financial contribution of £3,888,372 towards provision of education costs, comprising:
 - £1,250,800 early years;
 - £1,715,480 primary years;
 - £643,320 secondary years;
 - £278,772 post 16 years;

Highways

- Financial contribution of £250,000 towards provision of a controlled crossing over Oldchurch Road (west) to improve access to the existing walking and cycling route along the western side of Waterloo Road and ancillary route improvements linked to the above;
- Financial contribution of £100,000 towards provision of a controlled crossing over Oldchurch Road (east) to improve walking access between the site and South Street and ancillary route improvements linked to the above;

- Financial contribution of £180,000 towards public transport infrastructure required by TfL;
- Provision of cycle/footway along eastern boundary of the site adjoining Rom Valley Way;
- The provision of 2 car club spaces on the site and 3 years free membership for future residents to the Car Club;
- The provision of travel plans covering the residential and commercial elements of the scheme;
- Restrictions on Parking Permits to apply to both residents and commercial operators within the site.
- 21 allocated parking spaces at no charge to be allocated for all 3 and 4 bed affordable units.

Carbon offset

- Financial contribution of £854,145 towards carbon offset schemes;

BTR

- The Western blocks (242 units) as Build to Rent under a covenant for at least 15 years;
- Provide units that are all self-contained and let separately;
- Operate under unified ownership and management;
- Offer longer tenancies (three years or more) to all tenants, with break clauses that allow the tenant to end the tenancy with a month's notice any time after the first six months;
- Offer rent certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked;
- Include on-site management, which does not necessarily mean full-time dedicated on-site staff, but must offer systems for prompt resolution of issues and some daily on-site presence;
- Be operated by providers who have a complaints procedure in place and are a member of a recognised ombudsman scheme;
- Not to charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.

Public Realm

- Requirement to obtain a management company to maintain the public realm and landscaped areas;
- Requirement to make the pedestrian route a pedestrian right of way;
- Requirement to assume liability over the pedestrian right of way;

Quality of Architecture

- Requirement to retain novation of architect, as a minimum as executive architects for the scheme;

Subject to the above legal agreement, 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 1 with 2 abstentions.

Councillor Hawthorn voted against the resolution to grant planning permission.

Councillors Martin and Williamson abstained from voting.

372 P2078.17 - MORLAND HOUSE, 12-16 EASTERN ROAD

Planning permission P0110.16 was granted in October 2017 for the construction of a roof extension to create two additional floors comprising of eight residential flats.

Due to practical issues involving compliance, the application sought to remove condition 9 of the planning permission under Section 73 of the Town and Country Planning Act, 1990. The condition required that the new dwellings were constructed to comply with the Accessible and Adaptable Dwellings legislation.

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

The objector commented that works that were needed to comply with the legislation were inconvenient but not impossible to overcome. The objector also commented as to why the conversion to the lifts in the property had not been identified at the initial application stage. The objector concluded by commenting that he believed consideration of the report should be deferred to allow for further investigations to take place.

The applicant responded by commenting that it would prove very difficult and costly to move the existing lift shafts. The applicant concluded by commenting that if the lifts were to be altered it would mean residents having to vacate their homes for a period of time.

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £6,300 and **RESOLVED** that the removal of condition 9 of the planning permission P0110.16 under Section 73 of the Town and Country Planning Act, 1990 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 existing legal agreement, completed on 12 October 2017, in respect of the previous planning permission P0110.16 by varying the definition of Planning Permission which should mean either planning permission P0110.16 as originally granted or planning permission P2078.17 and any other changes as may be required from this, to secure

the following obligations, by 22 June 2018, and in the event that the deed of variation was not completed by such date then the application should be refused:

- A financial contribution of £48,000 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.
- Save for the holders of blue badges that the future occupiers of the proposal would be prevented from obtaining or purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- 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 Assistant Director of Development 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.

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

Councillor Hawthorn abstained from voting.

373 P1620.17 - 15 DERI AVENUE, RAINHAM

The report before Members detailed that consent was sought for the variation of condition 3 of application P1093.16. That application related to the change of use of the premises from C3 to C2 (residential institution) and included the use of the existing annexe building as ancillary facilities to the C2 use. The condition read as follows - The rear annex (outbuilding) hereby permitted shall be used only for changing rooms, shower and workshop as an integral part of the proposed C2 use known as 15 Deri Avenue, Rainham, RM13 9LX and shall not be used as a separate unit of residential accommodation at any time.

The application had been brought to the Committee to be considered by Members at the request of Councillor David Durant, who had expressed

concern over the proposals representing an overdevelopment and the planning history associated with the site.

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 she was speaking on behalf of local residents who were concerned about increasing numbers of extra children residing in the premises without parental control. The objector also commented about the increased vehicular movements and loss of amenity for neighbouring residents. The objector concluded by commenting that there had previously been problems with drainage in the area and that increased use would exacerbate the problem.

In response the applicant's representative commented that there would only be two residents on site at any one time and they would be supervised 24hours a day. The representative also commented that provision was a much needed service that consisted of a ten week programme for residents to learn life skills.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that he felt that the proposal was an over intensification of the site. Councillor Durant also commented that he was concerned as to the experience and suitability of such a service being provided in a mainly residential setting. Councillor Durant concluded by asking if conditions could be added to any planning permission granted to allay local residents fears.

During the debate Members sought and received clarification of the suitability of the service provision and received advice from the Committee's Planning Consultant and Legal Adviser.

The report recommended that planning permission be granted however, following a motion to refuse the granting of planning permission it was **RESOLVED** to refuse the granting of planning permission for the following reasons the dislocation of the building from the main house and the inability to control the behaviour of the occupants resulting in noise and disturbance to the detriment of residential amenity of nearby occupiers.

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

Councillor Donald voted against the resolution to refuse the granting of planning permission.

374 **P1501.17 - 52 MASHITERS WALK, ROMFORD**

Prior to consideration of the item officers advised that there was an update to pages 108 and 119 of the report with reference to the following:

With reference to CIL calculated areas, in demonstrating its calculations, the report incorrectly specified the overall site area as opposed to the internal floorspace areas. Notwithstanding this, 167m² was the CIL chargeable area which equated to the figure specified.

The application before Members was for the demolition of an existing bungalow and the construction of a pair of semi-detached houses.

The application had been reported to Committee at the request of Councillor Joshua Chapman as he considered that the proposal would have an impact on the character of the streetscene by reason of its design and the overdevelopment of the site, which may be perceived as having an overbearing impact for the road and the land and parking concerns.

With its agreement Councillor Joshua Chapman addressed the Committee.

Councillor Chapman commented that the proposal was in an established residential road and that by granting planning permission a dangerous precedent would be set. Councillor Chapman also commented that the proposal was an overdevelopment of the site and would lead to overshadowing to neighbouring properties. Councillor Chapman concluded that the existing parking bays outside the donor property would have to be removed to allow access and that he was not in support of removing the bays which would place a burden on the Highways Advisory Committee to remove the bays.

Members considered the report noting that the proposed application qualified for a Mayoral CIL contribution of £3,340 and **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to applicant, by 22 June 2018, entering into a Section 106 Legal Agreement to secure the following:

- A contribution of £6,000 to be used for educational purposes
- In the event that the legal agreement was not completed by 31 August 2018 the application should be refused.
- 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.

In the event that the legal agreement was not completed by 22 June 2018 the application should be refused.

That the Assistant Director of Development 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.

The vote for the resolution to grant planning permission was carried by 8 votes to 1 with 2 abstentions.

Councillor White voted against the resolution to grant planning permission.

Councillors Martin and Williamson abstained from voting.

375 P2032.17 - 167 BRENTWOOD ROAD, ROMFORD

Prior to consideration of the item, officers advised that there was an update to page 128 of the report, which was as follows:

The suggested legal obligation to restrict the ability of occupants from applying for parking permits was no longer considered to be necessary. After taking into account the revisions which had been made to the scheme, the potential occupancy numbers and the anticipated vehicle movements for the site in question, the addition of a legal restriction was no longer considered to be justified and/or reasonable in this instance. The detached HMO was not overly too dissimilar from a typical family home, which if occupied with two teenage children could reasonably expect to feature 3 or 4 cars. Were the site to be kept as a family unit, residents would be allowed to obtain parking permits with no restrictions.

The report before Members detailed an application for the internal refurbishment and modernisation of the property, including the addition of two ensuite bathrooms, to convert the property from a single dwelling (C3) to a 4 room HMO dwelling (C4).

With its agreement Councillor Joshua Chapman addressed the Committee.

Councillor Chapman commented that the proposal was inappropriate and was similar in nature to a previous application that had been refused recently in a neighbouring road. Councillor Chapman also commented that the proposed development would only offer two parking spaces for a four bedroom property which was insufficient. Councillor Chapman concluded by

commenting that a lack of amenity reason was missing from the report and that future residents and neighbouring residents would suffer from a lack of amenity.

The report recommended that planning permission be granted however, following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused on the ground of intensification of occupation.

376 **P1898.17 - MEAD PRIMARY SCHOOL**

The proposal before Members was for various development works, which included the erection of a single storey extension to the nursery block, a single storey extension to provide Alternative Resource Provision (ARP) specialist unit, plus alterations to the car parking areas.

With its agreement Councillor Ian de Wulverton addressed the Committee.

Councillor de Wulverton commented that he had to call the Council's parking enforcement team at least twice a week to deal with inconsiderate parkers who left their cars in inappropriate places due to doing the school run. Councillor de Wulverton also commented that the proposal would have a detrimental effect on neighbouring properties and could have an effect on existing drainage problems on the site. Councillor de Wulverton concluded by commenting that he was concerned that he had not received a neighbour consultation letter.

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

The vote for the resolution was carried by 9 votes to 0 with 2 abstentions.

Councillors Donald and Martin abstained from voting.

377 **P1364.17 - LAND AT FROG LANE, RAINHAM - ERECTION OF A WASTE TRANSFER STATION BUILDING FOR THE SORTING OF NON-HAZARDOUS AND INERT DRY-WASTE AND THE CHANGE OF USE OF PART OF AN EXISTING HAULAGE YARD TO A SKIP HIRE YARD AND WASTE TRANSFER STATION WITH THE ERECTION OF A PICKING STATION AND WASTE STORAGE BAYS WITH ASSOCIATED HARDSTANDINGS (AS EXISTING) AND AMENDED PARKING AND STORAGE LAYOUT.**

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

- 378 **P1768.17 - EMERSON PARK ACADEMY, WYCH ELM ROAD, HORNCURCH - REMOVAL OF EXISTING CLASSROOM BLOCK AND TWO DEMOUNTABLE UNITS. REPLACEMENT OF TEACHING SPACE WITH EXTENSION TO EXISTING 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.

- 379 **P1916.17 - EMERSON PARK ACADEMY, WYCH ELM ROAD, HORNCURCH - SINGLE STOREY EXTENSION TO EXISTING DINING ROOM AND MAIN ENTRANCE, WITH LOCALIZED NEW EXTERNAL WORKS AROUND AREA OF 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.

- 380 **P1966.17 - BRADY PRIMARY SCHOOL - VARIOUS DEVELOPMENT INCLUDING: - SINGLE STOREY FLAT ROOF CLASSROOM EXTENSION TO REAR OF SCHOOL, TO PROVIDE 8NO. ADDITIONAL CLASSROOM SPACES WITH ASSOCIATED INTERVENTION ROOMS, TOILET FACILITIES, OFFICE ACCOMMODATION, STORES, BOILER ROOM AND CIRCULATION SPACE. - SINGLE STOREY FLAT ROOF INFILL STUDIO EXTENSION TO SCHOOL HALL. - CONSTRUCTION OF NEW STAFF CAR PARK TO PROVIDE OFF STREET PARKING FOR 29 CARS, INCLUDING 2 DISABLED SPACES. - CONSTRUCTION OF NEW PLAYGROUND AREA AND FOOTBALL PITCH.**

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

- 381 **P1720.17 - THE MEETING ROOM, BRANFIL ROAD - DEMOLITION OF THE EXISTING BUILDING AND CONSTRUCTION OF A TWO STOREY RESIDENTIAL BUILDING WITH ROOF LEVEL ACCOMMODATION CREATING 4NO. APARTMENTS WITH PRIVATE/COMMUNAL AMENITY SPACE, OFF STREET PARKING, CYCLE STORAGE AND BIN STORES.**

Prior to consideration of the report officers advised that the financial contribution of £24,000 to be used for educational purposes should be replaced with a figure of £18,000

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

382 **P1958.17 - 65 WINGLETYE LANE, HORNCHURCH - INTERNAL ALTERATIONS TO USE OF FISH AND CHIPS TAKEAWAY (A5) AS A MIXED USE TAKEAWAY AND RESTAURANT(A3/A5). NEW SHOPFRONT AND CANOPY.**

At the commencement of the meeting officers advised that the item had been withdrawn.

For the public record the reason for the withdrawal was as follows:

That the current development already had planning permission by way of the appeal decision which related to both 65 – 67 Wingletye Lane. That particular application was refused by Members at a previous meeting on parking grounds but allowed by the Planning Inspectorate.

Therefore the advice was given to the applicant to withdraw the current application (on the basis that they already had planning permission) and that a lawful development certificate be sought. It was however conveyed to the applicant that a lawful development certificate was not mandatory.

383 **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