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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
16 May 2013 (7.30 - 9.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Jeffrey Brace, Robby Misir, Frederick Osborne, Becky Bennett, Roger Evans and Steven Kelly

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

Independent Residents Group Michael Deon Burton

Apologies were received for the absence of Councillors Barry Tebbutt, Garry Pain, Sandra Binion and Mark Logan.

+Substitute members Councillor Beck Bennett (for Barry Tebbutt), Councillor Roger Evans (Garry Pain), Councillor Steven Kelly (for Sandra Binion) and Councillor Michael Deon Burton (for Mark Logan)

Councillors Roger Ramsey, Paul Rochford and Frederick Thompson were also present for parts of the meeting.

25 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.

Councillor Evans declared a non-pecuniary personal interest in item P1901.11 – Beam Reach 8, Former Murex Site. Councillor Evans advised that he held a position as a paid board member of the London Thames Gateway Development Corporation, the planning authority responsible for the determination of planning application U0011.06. Councillor Evans advised that his position at the London Thames Gateway Development Corporation was now defunct. The personal interest was not prejudicial to the Councillor's ability to determine the application.

213 **P1531.12 - 4 PORCHESTER CLOSE, HORNCHURCH**

The report before members detailed an application which sought permission for the raising of the roof in order to convert the detached bungalow into a two storey dwelling with accommodation in the roof-space. The application also proposed a two storey front extension.

Members noted that the application had been called in by Councillor Ron Ower as he considered the proposed development was contrary to the Emerson Park SPD.

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

With its agreement Councillors Roger Ramsey and Paul Rochford also addressed the Committee.

Councillor Ramsey commented that there had been several cases of small properties in the Emerson Park area that had been extended or replaced by large house which had led to concerns from local residents. Councillor Ramsey also commented that these development sites were overbearing in nature and presented a nuisance to local residents. Councillor Ramsey also raised the need to ensure the imposition of stringent planning conditions should permission be granted.

Councillor Rochford commented that the proposal was unacceptable for the area and that the Emerson Park SPD should be implemented to control such planning applications. Councillor Rochford stated that the determination of the application was a matter of judgment and urged the Committee to refuse the application.

During the debate members discussed the principles behind the Emerson Park SPD and the quality of properties in Emerson Park. Members considered the other properties in the vicinity of the development site that had undergone similar development. Members considered the impact of the development on the area and the potential for harm.

Members gave consideration to an additional planning condition placing restrictions of construction hours.

Following a motion to refuse planning permission which was lost by 3 votes to 8 votes.

The Committee noted that the development was liable for a Mayoral CIL of £5,420 and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include a further condition restricting construction hours to 8am to 6pm (Monday to Friday) and 8am to 1pm (Saturday) and no other times including Sundays, Public and Bank Holidays.

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

Councillors Hawthorn and Ower voted against the resolution to grant planning permission.

214 P0169.13 - 44 HERBERT ROAD, EMERSON PARK HORNCHURCH

The report before members concerned an application for the demolition of the existing dwelling and the erection of three detached houses with a new access road and car parking.

Members noted that Councillor Steven Kelly had called in the application due to the number of previous planning applications at the development site and the number of refused schemes.

Councillor Ron Ower had also called in the application on the grounds that of the planning history of the site and the Emerson Park Local Planning Policy.

Staff advised that condition six (sound insulation) was to be removed from the report as the condition had no application to detached houses.

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

With its agreement Councillors Roger Ramsey and Paul Rochford addressed the Committee.

Councillor Ramsey commented that the application was pushing the boundaries of the Emerson Park Local Policy. Councillor Ramsey also commented that he had concerns regarding the layout of the proposed development, specifically the orientation of new houses. Councillor Ramsey raised concerns over the harm that the development may cause.

Councillor Rochford commented that his concerns mirrored those of Councillor Ramsey.

During the debate members expressed concerns that the application had now been before the Committee on three separate occasions. A member commented that the application before committee presented little difference to those applications that had been previously refused. Another member commented that constraints on site would prevent the development being laid out in another way. Members noted that the application had a lower density of houses than those applications previously refused. . A Member commented that one of the strengths of Emerson Park is its diversity of buildings and that the development would not be out of keeping with surrounding properties.

The Committee noted that the development was liable for a Mayoral CIL of £21,460 and **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 used towards infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document.
- 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 preparation of the Agreement, prior to completion of the Agreement, irrespective of whether the Agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the Agreement.

And that Staff be authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the conditions as set out in the report with the exclusion of condition 6.

The vote to grant planning permission was carried by 8 votes to 3.

Councillors Hawthorn, Ower and Burton voted against the resolution to grant planning permission.

215 **P1532.12 - 2-4 EASTERN ROAD, ROMFORD**

The proposal before members was to change the use of the premises from an A1 Use selling cold sandwiches (Bagels) to a mixed A1 and A5 (takeaway) Use and to install an extract duct. The application was a re-submission of an earlier application (P1087.12) for the same development which was refused planning permission on the 30 November 2012.

Officers advised that the applicant had altered the hours that he was applying for and the hours should now read for A5 Use the premises would be looking to trade between 7pm and 10pm Sunday to Friday and between 7pm and 11pm on Saturdays.

Members noted that the application had been called-in by Councillor Frederick Thompson on the grounds that he did not think the refusal was justified in view of the fact that the premises were in a trading area and that there would be no loss of amenity in granting approval.

Officers also advised that an email had been submitted from Councillor Andrew Curtin urging the Committee to refuse the granting of planning permission on the grounds of community safety.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the premises was situated within the central trading area of Romford and therefore did not constitute a loss of amenity to the area. Councillor Thompson read a statement from the applicant that confirmed the trading hours applied for and that also made mention of the crime levels in the town centre which would continue regardless of whether his application was successful or not. The statement also made mention of the applicant's intention to erect temporary barriers, rather than a brick wall, to the exterior of the premises.

During the debate members considered the current A1 (retail) trading hours and how the A5 (takeaway) hours would be enforced.

Members also commented that they had sympathy with the Police's Crime Prevention Design Advisors comments regarding the possible increase in Anti-Social behaviour around the application site.

It was **RESOLVED** that planning permission be refused on the grounds that the proposal would introduce a mixed use including a takeaway to a small kiosk-sized unit located between the main evening activity centres and the public transport hub in Romford town centre. The unit was too small to enable customers to queue inside and with food made to order, this would result in large numbers of customers remaining on the street in the area longer than ordinarily such and that it was more likely to suffer from criminal activity contrary to Policies DC23 and DC63 of the LDF Core Strategy DPD and Policy ROM8 of the Romford Area Action Plan DPD.

The vote for the resolution to refuse planning permission was carried by 7 votes to 4.

Councillors Hawthorn, Ower, McGeary and Burton voted against the resolution to refuse planning permission.

- 216 **P0694.12 - WYEMA, 9 NORTH ROAD, HAVERING ATTE BOWER - DEMOLITION OF EXISTING BUNGALOW AND EXISTING OUTER BUILDINGS 2-6 & 8-11 TO CREATE A NEW TWO STOREY TOWN HOUSE**

The Committee considered the report and without debate **RESOLVED** that the grant of planning permission be delegated to the Head of Regulatory Services subject to the applicant submitting a satisfactory Design and Access Statement and subject to the conditions as set out in the report and with the following amendment to condition 13 showing the full text regarding removal of all existing buildings bar building number 7.

- 217 **P1516.12 - APSE TREE COTTAGE, HALL LANE, UPMINSTER - SINGLE STOREY REAR CONSERVATORY**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an informative drawing the applicant's attention to the need to secure listed planning consent.

- 218 **L0001.13 - OAKFIELDS MONTESSORI SCHOOL, HARWOOD HALL, HARWOOD HALL LANE, UPMINSTER - LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS TO FORM A REVISED KITCHEN WITH EXTERNAL FLUE, NEW INTERNAL TOILET PROVISION, EXTENSION TO THE EXISTING CONSERVATORY TO FORM A NEW STORE TO THE HALL AND SURFACING OF TWO EXTERNAL AREAS TO FORM CHILDRENS PLAY SPACE WITH LOW LEVEL LIGHTING**

Officers advised that a late letter of representation had been received objecting to the application on the grounds that the property was a listed building and situated within the Green Belt.

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

- 219 **P0026.13 - OAKFIELDS MONTESSORI SCHOOL, HARWOOD HALL, HARWOOD HALL LANE, UPMINSTER - EXTERNAL FLUE, NEW TOILET PROVISION, EXTENSION TO EXISTING CONSERVATORY TO FORM A NEW STORE TO THE HALL AND SURFACING OF TWO EXTERNAL AREAS TO FORM A CHILDRENS PLAY SPACE WITH LOW LEVEL LIGHTING.**

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

220 **P0059.13 - 40 AMBLESIDE AVENUE, HORNCHURCH**

The application before members sought permission for a first floor front extension to be constructed partially over the existing ground floor extension. The extension would provide an enlarged bathroom.

Members noted that the application had been called in by Councillor Barry Oddy to ensure that there was consistency in relation to decisions regarding front extensions.

During the debate members discussed matters relating to varied character of the streetscene and the effect of the proposed development on visual amenity. Members also discussed the need for this type of development to accommodate the changing needs of residents. Members noted that the streetscene in the vicinity of the development site was constantly changing to reflect the needs of residents.

Members received confirmation that no letters of representation objecting to the development had been received and it was felt that that there was general support for the application by residents of neighbouring properties.

The report recommended that planning permission be refused, however following a motion to grant planning permission it was **RESOLVED** that planning permission be granted subject to conditions (the precise wording of which) to be delegated to the Head of Regulatory Services to cover matching materials, time limit and full accordance with plans.

The reason for the approval was that the proposed extension by reason of its design and bulk would not be dominant in the building's setting and due to the varied character of the streetscene would not cause any harm to visual or residential amenity.

221 **P0073.13 - 172 COLLIER ROW ROAD, COLLIER ROW, ROMFORD - CHANGE OF USE TO MINI CAB OFFICE (SUI GENERIS)**

Officers advised that the consultation period had not yet ended but two letters of representation had been received.

The Committee considered the report and without debate **RESOLVED** to delegate to the Head of Regulatory Services to approve planning permission, for a temporary period of 1 year, subject to the conditions as set out in the report and the subject to the expiry of the consultation period, and there being no further representations which raised new material considerations. If new considerations were raised then the scheme was to be brought back for the Committee's consideration.

- 222 **P0227.13 - UNIT 6A, GALLOWS CORNER RETAIL PARK, COLCHESTER ROAD, ROMFORD - ALTERATIONS TO EXTERNAL ELEVATIONS OF AN EXISTING BUILDING AND SITE LAYOUT. CREATION OF 1,060 SQ M OF ADDITIONAL RETAIL FLOORSPACE (CLASS A1) AT MEZZANINE LEVEL, AND VARIATION OF CONDITION 9 OF PLANNING PERMISSION: P0865.99 TO EXTEND THE RANGE OF GOODS PERMITTED TO BE SOLD**

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

- 223 **P1901.11 - BEAM REACH 8, FORMER MUREX SITE, RAINHAM - EXTENSION OF TIME LIMIT OF APPLICATION U0011.06 - (VARIATION OF THE CONDITIONS PRECEDENT IN OUTLINE PLANNING PERMISSION P2078.03 TO ENABLE THE DISCHARGE OF CONDITIONS SEPARATELY ON A PHASED BASIS IN RELATION TO EACH RESERVED MATTER APPROVAL. CONDITIONS 5, 7-12, 15-18, 22-24, 26, 28, 31-35 & 40)**

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 Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended), to vary the legal agreement completed on 31 October 2005 in respect of planning permission P2078.03 and amended by planning permission U0011.06 to vary the definition of Planning Permission which shall mean either planning permission P2078.03 as originally granted, planning permission P2078.03 as varied by Planning Permission U0011.06, or planning permission P1901.11 as proposed and set out in this report.

The developer / owner shall pay the Council's legal costs in respect of the preparation of the Deed of Variation irrespective of whether the matter is completed.

Save for the variation set out above and any necessary consequential amendments to the Section 106 agreement dated 31 October 2005 all recitals, terms, covenants and obligations in the said section 106 Agreement shall remain unchanged.

That Staff be authorised to enter into a Deed of Variation to secure the above and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

- 224 **P1506.12 - WHYBRIDGE JUNIOR SCHOOL, BLACKSMITHS LANE, SOUTH HORNCHURCH - PROVISION OF AN ALL WEATHER PITCH ENCLOSED BY A 3 METRE HIGH MESH FENCE**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an amendment to Condition 7 to include no portable or temporary floodlighting.

225 **P1538.12 - ST EDWARD'S SCHOOL, LONDON ROAD, ROMFORD - REMOVAL OF TWO TEMPORARY STRUCTURES AND ERECTION OF A FOUR STOREY SIXTH FORM BLOCK**

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:

- A financial contribution of £15,000 to be used towards the review and implementation of highway improvements in accordance with Policies DC32 and DC72 of the LDF Core Strategy and Development Control Policies DPD.
- 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 preparation of the Agreement, prior to completion of the Agreement, irrespective of whether the Agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the Agreement.

That Staff be authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the conditions as set out in the report and subject to the removal of Condition 7.

226 **P0222.13 - HAROLD WOOD PRIMARY SCHOOL RECREATION AVENUE, HAROLD WOOD - EXTENSIONS AND ALTERATIONS TO INCREASE PUPIL INTAKE FROM 420 TO 630 PUPILS INCLUDING ADDITIONAL PARKING FOR STAFF**

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