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**MINUTES OF A MEETING OF THE  
REGULATORY SERVICES COMMITTEE  
Havering Town Hall, Main Road, Romford  
6 June 2013 (7.30 - 10.40 pm)**

**Present:**

**COUNCILLORS:** 11

**Conservative Group** Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Frederick Osborne, +Becky Bennett, Roger Evans and +Steven Kelly

**Residents' Group** Linda Hawthorn and +June Alexander

**Labour Group** Paul McGeary

**Independent Residents Group** +David Durant

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

Councillors Frederick Thompson, Keith Darvill and Denis O'Flynn 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.

Councillors Keith Darvill and Denis O'Flynn addressed the Committee as Ward Councillors for the area where the applications were located.

Councillor Darvill stated that he had received numerous complaints from local residents concerning the proposals, particularly around parking displacement should the garages be demolished. He emphasised that a parking strategy needed to be implemented for the Estate, however he stressed that the strategy should have been included as part of the proposals with consultation with existing residents a key part of that strategy. He added that the original design for the Estate incorporated a number of small green open spaces to provide amenity for those residents who occupied flats or properties without any garden space. The proposals would create a terraced-like effect and result in overlooking into neighbouring properties.

Councillor O'Flynn remarked that the proposals were not in keeping with the promises made to residents of the Estate who were told that there would be a series of environmental improvements; these had not materialised in the proposals. He added that occupiers who had bought their properties a number of years ago did so because of the green and open spaces dotted around the Estate; these would now disappear with the proposals.

## 1 **MINUTES**

The minutes of the meetings held on 4 April, 25 April and 30 April 2013 were agreed as a correct record and signed by the Chairman.

## 2 **P1453.12 - 91 EASTERN ROAD, ROMFORD**

The report before members detailed an application which sought to demolish the existing detached garage and the construction of a two storey side extension and a single storey rear extension.

Members noted that the application had been called in by Councillor Frederick Thompson on the grounds that the bulk of the proposal and its potential impact upon the streetscene.

In accordance with the public speaking arrangements, the Committee was addressed by an objector without a reply by the applicant.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the proposed development undermined the existing character of the area. Councillor Thompson also commented that the bulk and mass of the proposed development would not sit well in the streetscene and would act to impede access to the property which would displace parking. Councillor Thompson remarked that the proposed development was contrary to national and local planning policy.

During the debate members discussed the bulk and mass of the proposed development and the effect it would have on neighbouring properties.

The general consensus amongst members was that the proposed development would look out of keeping with the streetscene and create a terracing effect. It was also felt that the proposed development did not differ greatly from a previously submitted application that had previously been refused on appeal.

The report recommended that planning permission be granted, however following a motion to refuse planning permission, which was carried by 8 votes to 1 with two abstentions it was **RESOLVED** that planning permission be refused on the grounds of the harm to character and streetscene that

would be caused by infilling of the characteristic side gap including the harm caused by bulk and mass of the proposed development.

The vote for the resolution was carried by 9 votes to nil with two abstentions.

Councillors Brace and Tebbutt abstained from voting.

### **3 P0188.13 - 168C MAIN ROAD, ROMFORD**

The report before members detailed an application to convert a former shop unit A1 (retail) Use to A3 (restaurant) Use together with the installation of an extract duct to the rear of the property.

Members noted that the application had been called in by Councillor Barry Oddy if the recommendation was for refusal. His reason was to ensure that there was consistency with decisions made elsewhere in Gidea Park.

The application had also been called in by Councillor Frederick Thompson if the recommendation was for approval on the basis that there was insufficient local on-street parking during both day and in the evenings and that the area was already saturated with 4 restaurants, 3 public houses providing dining, and a takeaway only outlet and because the premises could not provide off-street parking.

Officers advised that granting planning permission would increase the non-retail element of the parade of shops from 57% to 74%, which would not be in accordance with policy

Members noted that two late letters of representation had been received, objecting to the granting of planning permission on the grounds of insufficient parking provision.

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

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that various other schemes had been refused at the premises and that there was insufficient parking provision for a development of this nature. Councillor Thompson also commented that he felt the proposed development to be detrimental to the amenity of the area and asked the Committee to refuse the granting of planning permission.

During the debate members considered surrounding premises and commented that the footfall to the property would be similar to when the unit was used for A1 (retail) use.

Members also considered the position of the extraction flue system in relation to the residential flats above the premises. Members discussed parking arrangements noting the availability of a public Pay and Display car park in close proximity to the application site.

Members also debated the fact that the application was bringing an empty shop unit back into use. Members discussed the provision of waste management on site and gave consideration to strengthening planning conditions in this regard.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and subject to amending Condition 5 to stipulate that within the waste management scheme the refuse facility be kept locked and also stored only within a clearly designated part of the site.

The vote for the resolution was carried by 10 votes to nil with 1 abstention.

Councillor Bennett abstained from voting.

4 **P0352.13 - THE PLOUGH PUBLIC HOUSE, GALLOWS CORNER, COLCHESTER ROAD, ROMFORD**

The application before members proposed the demolition of the existing fire-damaged building and the erection of a single-storey building to be used as a fast food restaurant, takeaway and drive-through (Use classes A3 and A5).

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

During the debate several members expressed concerns on matters of highways safety including the access and egress arrangements for the site; traffic entering and exiting the site from the A12 and the proximity of a point of access to an existing pedestrian crossing situated on the A12.

Following the debate it was **RESOLVED** that the application be deferred to allow the applicant to address the following:

1. What measures would be put into place to deter danger caused by right turn into the site from A12.
2. What measures would be put into place to deter danger caused by right turn out of site onto A12.
3. The related scope for different traffic movements through the site to be better controlled.
4. To more clearly show relationship to A12 pedestrian crossing/zigzags on A12.
5. The result of any changes above on Straight Road entrance/exit and when re-presented to include a surface drainage condition.

The vote for the resolution to defer the granting of planning permission was carried by 9 votes to 2. Councillors McGeary and Durant voted against the resolution to defer the granting of planning permission.

**5 PLANNING CONTRAVENTION - 76 LOWER BEDFORD ROAD, ROMFORD**

The Committee considered the report and without debate **RESOLVED** that it be expedient that an Enforcement Notice be issued and served to require, within 6 months of the date the notice becomes effective:

1. To remove the extension to the original rear roof and linked extension at first floor level over existing single storey extension and revert back to the original bungalow style dwelling as shown on the attached plan.
2. Remove all materials resulting from compliance with step 1 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.

**6 PLANNING CONTRAVENTION - LAND ADJACENT TO 167 UPMINSTER ROAD, UPMINSTER**

The Committee considered the report and without debate **RESOLVED** it expedient that an Enforcement Notice be issued and served to require within 6 months of the effective date of the enforcement notice:

- i) Cease the use of the land for the washing and valeting of vehicles.
- ii) Remove from the Land all machinery, equipment, apparatus, cleaning materials, vehicles, tools, scrap, waste, signage and installations brought onto the land associated with the unauthorised use at (i) 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.

**7 P1276.12 - PROPOSED VARIATION OF SECTION 106 AGREEMENT DATED 24 JANUARY IN CONNECTION WITH PLANNING PERMISSION P1276.12 LAND ADJACENT TO HILLDENE AVENUE, HILLDENE CLOSE, BRIDGWATER ROAD, DARLINGTON GARDENS & NORTHALLERTON WAY, HAROLD HILL, ROMFORD**

The Committee considered the report and without debate **RESOLVED** that the variation of the Section 106 agreement dated 24<sup>th</sup> January 2013 pursuant to planning permission reference number P1276.12 by Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended), be approved in the following terms:

1. Add a definition:  
Phasing Plan
2. Revised clause in relation to payment of Infrastructure Contribution to include:  
Prior to Commencement of Phase 1 to pay the Council £348,000 in relation to Phase 1; Prior to Commencement of Phase 2 to pay the Council £126,000; Prior to Commencement of Phase 3 to pay the Council £126,000.

That Staff be authorised to vary the Section 106 legal agreement to secure the above.

**8 P1200.12 - LAND AT KINGS GROVE REAR OF 5-11 CARLISLE ROAD, ROMFORD - APPLICATION FOR THE VARIATION OF CONDITION 5 OF P1875.10 AND THE VARIATION OF THE RELATED SECTION 106 AGREEMENT DATED 15 DECEMBER 2011 TO ENABLE THE SUBSTITUTION OF AMENDED PLANS - DEVELOPMENT OF 4 TWO BEDROOM HOUSES**

The Committee considered the report and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the variation of the Section 106 agreement dated 15<sup>th</sup> December 2011 pursuant to planning permission reference number P1875.10 by Deed of Variation under Section 106A of the Town and Country Planning Act (as amended), be approved in the following terms:

- That the definition of Planning Permission be amended to include reference to Planning Reference P1200.12 or P1875.10 whichever is implemented as appropriate.
- Any other consequential amendments to that above as appropriate.
- All other clauses in the Section 106 Agreement shall remain in full force and effect.

- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement, prior to completion of the agreement, irrespective of whether the agreement is completed.

That Staff be authorised to vary the Section 106 legal agreement to secure the above and that upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

9 **P0187.13 - 198 HILLDENE AVENUE, ROMFORD - SINGLE STOREY REAR 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.

10 **P0376.13 - BRIAR SITE 90- GARAGE/PARKING COURT & OPEN SPACE BETWEEN 3 HAREBELL WAY, ROMFORD**

The application proposed the demolition of the existing garage blocks to the western side of the site. The existing garage block to the east is outside the application site, although the application drawings indicate that this was also to be demolished. The proposal was for the construction of two dwellings, one 3 bedroom and one 2 bedroom.

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of overlooking, the removal of green spaces and the loss of parking provision.

During the debate officers advised that the complete Briar Road re-development would result in the loss of 612 existing parking spaces but would provide 685 new spaces. Members received clarification that the new parking provision would be approximately 100 meters away from the parking that would be lost.

Members discussed general principles of the loss of amenity space and the overdevelopment of the site.

It was **RESOLVED** that:

The development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £1,940.00.

That the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of 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 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 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 as set out in the report.

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

Councillors McGeary and Durant voted against the resolution to grant planning permission.

11 **P0379.13 - BRIAR SITE 10C GARAGE COURT BETWEEN 52-54 MYRTLE ROAD AND 2 BARBERRY CLOSE, ROMFORD**

The application proposed the demolition of the existing garage blocks and the construction of two 3 bedroom dwellings.

Officers advised that the following amendment needed to be made to the report

Paragraph 6.5.1 To the north, the nearest residential property is 52 Myrtle Road, which is side on to the application site. It is separated from the application site by a pedestrian walkway, which is **within** the application site and would not be affected by the proposals.

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

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of overlooking and loss of parking provision.



During the debate a member commented that the site was very cramped and that the proposed development would lead to the loss of amenity space.

Following a motion to refuse granting planning permission which was lost by 2 votes to 9

It was **RESOLVED**:

That the development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £2,000.00.

That the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of 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 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 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 as set out in the report.

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

Councillors McGeary and Durant voted against the resolution to grant planning permission.

12 **P0385.13 - BRIAR SITE 10K 12-16 PIMPERNEL WAY, 89-95 CHATTERIS AVENUE & 1-6 LUCERNE WAY AND OPEN SPACE BETWEEN 1 LUCERNE WAY & 95 CHATTERIS AVENUE, ROMFORD**

The application before members proposed the demolition of the existing garage blocks and the construction of a terrace of three 3 bed dwellings.

Officers advised that 6.4.1 of the report should have read Lucerne Way and not Cloudberry Way.

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of overlooking and loss of parking provision.

It was **RESOLVED**:

That the development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £4,340.00.

That the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £18,000 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 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 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 as set out in the report.

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

Councillors McGeary and Durant voted against the resolution to grant planning permission.

13 **P0393.13 - BRIAR SITE 1A- GARAGE/PARKING COURT, PIMPERNEL WAY, ROMFORD**

The application before members involved the demolition of the existing garage blocks and the construction of three dwellings, one of which was a 4 bed unit and the other two 3 bed units.

Officers advised that a petition against the scheme had been signed by 45 objectors.

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of loss of parking provision.

During the debate members discussed the issue of parking provision.

It was **RESOLVED**:

The development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £4,860.00.

The proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £18,000 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 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 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 below.

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

Councillors McGeary and Durant voted against the resolution to grant planning permission.

- 14 **P0346.13 - FORMER HAROLD WOOD HOSPITAL, GUBBINS LANE, HAROLD WOOD - THE APPROVAL OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING (THE RESERVED MATTERS) PURUANT TO THE OUTLINE PLANNING PERMISSION P0702.08 FOR PHASE 3A OF THE FORMER HAROLD WOOD HOSPITAL, FOR THE DEVELOPMENT OF 144 RESIDENTIAL DWELLINGS, PLUS ASSOCIATED INFRASTRUCTURE AND CAR PARKING**

The Committee considered the report and without debate **RESOLVED** to delegate to the Head of Regulatory Services to grant planning permission subject to the conditions as set out in the report, and to include additional conditions to remove permitted development for roof alterations provided that confirmation of no objection was received from the Environment Agency.

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

Councillor McGeary abstained from voting on the resolution to grant planning permission

- 15 **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.

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**Chairman**