

Minutes of the Meeting of the Planning Committee held on 8 February 2024 at 6.00 pm

Present: Councillors Georgette Polley (Vice-Chair), Paul Arnold, Gary Byrne, Steve Liddiard, Jacqui Maney, Terry Piccolo, Sue Shinnick and Lee Watson

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Tom Kelly (Chair)

In attendance: Emma Barnett, Planning Officer
Tracey Coleman, Chief Planning Officer
Trevor Faulkner, Head of Planning Development
Julian Howes, Senior Highway Engineer
Daniel Korzelko, Legal Representative
Rachel Murrell, Planning Officer
Chris Purvis, Major Applications Manager

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

57. Minutes

The minutes of the Planning Committee meetings held on 26th October 2023 and 30th November 2023 were approved as a true and correct record.

58. Item of Urgent Business

The Vice-Chair allowed the agent to address the Planning Committee in relation to item 10 (23/00442/FUL).

59. Declaration of Interests

Councillors Byrne, Arnold and Piccolo are residents of the Homestead Ward.

60. Declarations of receipt of correspondence and/or any meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting

Members of the Planning Committee were invited to attend a briefing on LDO1.5 on the 6th February 2024.

61. Planning Appeals

No Planning Appeals were discussed.

Item 9 was heard by the Planning Committee before item 8.

62. London Gateway Logistics Park: Consideration of Habitat Regulation Assessment (HRA) for Local Development Order 1.5

The Planning Officers presented the application and highlighted the following points:

- LDO1 expired in November 2023.
- LDO1.5 is an interim measure, valid for 1 year or until LDO2 is adopted.
- HRA concluded the development proposed under LDO1.5 would have a negligible impact on protected sites.

Members asked the following questions:

- Councillor Redsell asked will there be any dredging around the site.
 - Yes
- Councillor Watson asked how the Local Authority will monitor and enforce habitats regulations.
 - Monitoring information is presented in a compliance document, Local Authority to monitor.
- Councillor Watson asked how it is enforced.
 - Breach of planning control equates to enforced action.
- Councillor Watson noted that the Local Authority doesn't have enforcement powers presently.
 - The agreement has to be adhered to.
- The Vice-Chair sort the views of the Legal Representative and Chief Planning Officer.
 - Legal Representative - LDO operates similar to planning rights, if there was a breach enforcement proceeding could be issued. If a breach were to happen enforcement action could be taken down the line.
- Councillor Redsell worries are satisfied but notes conditions need to be followed and the Local Authority needs to be careful.
 - The Chief Planning Officer reassures the Planning Committee that the Local Authority will monitor. DP world ecologists report to the Local Authority and reports can be sent to Natural England. Compliance has been good so far. DP world takes this seriously.
- Councillor Watson was reassured but does not want any slip ups and wants strong monitoring in place.
- Councillor Liddiard noted DP World is careful and maintains standards.
- Councillor Maney noted habitats are important and need to be monitored carefully.

- Councillor Byrne noted DP World attend every meeting with residents, and they are very open and has trust in its officers.
- Councillor Polley asked if there have been any reports of issues in the last 10 years.
 - No
- Steve Taylor noted that it was in greenbelt but accepted that it has been there for 10 years.

RESOLVED:

That the Planning Committee

1.1 Note the content of the “Report to Inform a Habitats Regulations Assessment London Gateway Logistics Park Local Development Order 1.5” dated November 2023 and the consultation responses received.

1.2 Formally determine, on the basis of the information available, that the development proposed by the LDO will not adversely affect the integrity of a European site or a European offshore marine site either alone or in combination with other plans or projects.

For: (9) Georgette Polley (Vice-Chair), Paul Arnold, Gary Byrne, Steve Liddiard, Jacqui Maney Terry Piccolo, Joycelyn Redsell, Sue Shinnick, and Lee Watson.

Against: (0)

Abstained: (0)

63. London Gateway Logistics Park: Making of Local Development Order 1.5

The Planning Officers presented the application and highlighted the following points:

- LDO1.5 is intended as an interim measure, valid for 1 year or until LDO2 is adopted, whichever is earlier.
- This is to enable the delivery of up to a further 85,000sqm of B8 floorspace pending consideration of LDO2.

Members asked the following questions:

- Councillor Arnold asked how the Local Authority will monitor the development area.
 - Submission of prior notification forms and assisted by Local Authority officers with conditions on operators to monitor.
 - DP monitor any breaches very well.

- Councillor Redsell asked how the 106 agreement will it alter what is in place and expressed concerns with traffic on the Stanford bypass. Councillor Redsell also asked how traffic will be monitored and predicted.
 - LDO1 was planned for a full site of traffic, not an issue for LDO1.5 all statutory consultees accepted.
- Councillor Redsell would of like the water authority to have been present and was concerned about possible flooding.
- Councillor Watson asked what the legislation changes between LDO1 & LDO1.5 are and if there was any impact.
 - 2015 changes to infrastructure, but legislation hasn't changed.
 - 2017 new environmental regulations
 - Nothing of note that changes LDO
- Councillor Watson asked if 106 agreement will carry on running.
 - LDO1.5 will carry on.
 - LDO2 there will be a fresh look.
- Councillor Watson asked if highways were comfortable with the amount of HGV traffic.
 - LDO1.5 is an extension of LDO1.
 - Will be reassessed for LDO 2.
- Councillor Byrne asked if money from the 106 agreement is shared throughout the borough or just the effected wards.
- Councillor Polley informed the Planning Committee that this is not a new LDO but an extension, nor a new 106 agreement.
- Councillor Maney noted the sound barrier is ineffective/outdated and asked if it will be replaced.
 - No proposals to replace.
 - LDO 2 will look into more detail.
 - Chief Planning Officer – barrier was not wanted by residents and those received payments in areas where the barrier was taken down.
- Councillor Arnold asked what happens if those properties change hands.
 - It's a land charge, so property will be at a lower value.
- Councillor Byrne asked that the trees planted are checked on because they look dead.
- Councillor Watson asked when will LDO2 come before the Planning Committee and if it will be adopted in 2024.
 - Consultation in April, LDO2 will be before the Planning Committee in the Summer of 2024.
- Councillor Piccolo asked if Lower Thames Crossing has been put into consideration.
 - LDO1.5 is based on LDO1, Lower Thames Crossing is not consented, LDO1.5 come before Lower Thames Crossing. Lower Thames Crossing has to consider LDO's.
- Councillor Polley sort clarity regarding flood risks
 - Site located in flood zone 3 but does not take into account flood defences which lowers the risks.

- Councillor Polley noted DP World is a good neighbour and asked over the past 10 years has the Local Authority received feedback on how the site is monitored.
 - DP World is compliant.
 - Highways is being monitored.
- Councillor Shinnick asked if pollution is monitored.
 - Outside of Planning Officers scope.

During the debate the following was highlighted:

- Councillor Watson feels reassured but would like to see more pollution control for LDO2 before LDO1.5 runs out.
- Councillor Polley thanked officers for the work they had done and noted that Thurrock sets the benchmark for LDO's.
- Councillor Redsell asked why there were only 2 responses back.
 - Only ones published.
- Councillor Polley argues that it shows that DP World are good neighbours, complaints were regarding speed only, a camera is now in action.

RESOLVED:

That the Planning Committee

1.1 Note the Council's earlier decision (if that be the case) that the development to be authorised by the London Gateway Logistic Park Local Development Order 1.5 ("LDO1.5") will not adversely affect the integrity of a European Site or a European offshore marine site either alone or in combination with other plans or projects.

1.2 Agree to make LDO 1.5 subject to the signing of the s106 legal agreement.

1.3 Note requirement for Council to advise the Secretary of State that LDO1.5 made.

For: (9) Georgette Polley (Vice-Chair), Paul Arnold, Gary Byrne, Steve Liddiard, Jacqui Maney, Terry Piccolo, Joycelyn Redsell, Sue Shinnick, and Lee Watson.

Against: (0)

Abstained: (0)

*The Planning Committee paused for a break at 19:28pm
The Planning Committee resumed at 19:32*

The Planning Officers presented the application and highlighted the following points:

- The proposed development contains 53 apartments.
- The loss of all of Crown Road car park and part of Darnley Road car park.

The Vice-Chair read out a statement in opposition from a resident.

The agent read out their statement of support.

Members asked the following questions to the Planning Officer:

- Councillor Watson sort clarity who the applicant was.
 - Applicant is the Local Authority
 - Site is on asset disposal list.

The Planning Committee adjourned for an exempt session at 19:55pm

Councillors Watson and Byrne left the meeting at 20:04pm.

The Planning Committee resumed at 20:13pm

The Vice-Chair suspended standing orders at 20:13pm

The Vice-Chair put forward a motion to defer the item 10 to the next meeting.

For: (7) Councillors Georgette Polley (Vice-Chair), Paul Arnold, Steve Liddiard, Jacqui Maney, Terry Piccolo, Joycelyn Redsell and Sue Shinnick.

Against: (0)

Abstained: (0)

The meeting finished at 8.15 pm

Approved as a true and correct record

CHAIR

DATE

Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk