

Minutes of the Meeting of the Planning Committee held on 10 January 2019 at 7.00 pm

Present: Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Graham Hamilton, Angela Lawrence, David Potter, Gerard Rice, Sue Sammons and Victoria Holloway (Substitute) (substitute for Sue Shinnick)

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Colin Churchman and Sue Shinnick

In attendance: Andrew Millard, Assistant Director - Planning, Transport and Public Protection
Leigh Nicholson, Strategic Lead - Development Services
Steven Lines, Senior Highway Engineer
Daren Spring, Street Services Manager, Environment
Jonathan Keen, Principal Planner
Sarah Williams, School Capital and Planning Project Manager
Tisha Sutcliffe, Democratic Service Officer

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.

72. Minutes

The minutes of the Planning Committee held on 22 November 2018 were approved as a correct record.

The Chair informed the Committee that items 9, 10 and 11 on the agenda had been withdrawn and were no longer being heard at Committee this evening.

73. Item of Urgent Business

There were no items of urgent business.

74. Declaration of Interests

There were no declarations of interest.

Councillor Rice asked alongside other Planning Committee Members for an update from Officers regarding the application no. 18/00944/FUL – Former Harrow Inn, Harrow Lane as it had been over two months since it was referred

to the Secretary of State and there had been no information shared. Officers confirmed that as soon as there was a decision made all Members of the Committee would be made aware. The Assistant Director of Planning, Transport and Public Protection advised the Committee that this would be followed up after the meeting.

75. 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

The Chair declared on behalf of himself and Councillor Rice that they received correspondence in regards to application no. 18/01709/FUL – Thurrock Rugby Club, Long Lane, and the applicant explained the pitches would be protected throughout the process.

The Vice-Chair, Councillor Liddiard also declared he had received an email from another member of the Rugby Football Club in regards to application no. 18/01709/FUL – Thurrock Rugby Club, Long Lane, highlighting the same information.

76. Planning Appeals

The report provided information regarding the planning appeal performance.

RESOLVED:

That the Committee noted the report.

77. 18/01709/FUL - Thurrock Rugby Club, Long Lane, Stifford Clays, Grays Essex RM16 2QH

The Principal Planner presented the report to the Committee. The application proposed the construction of a two storey building to be used as a new secondary school, with an intake of 120 students for September 2019 and 120 in addition for September 2020. The proposal also included an increased parking area and refurbishment of the existing Thurrock Rugby club facilities to be used in conjunction with the school. At the end of the 2 years the school, would have a permanent site, at which time the building would become a centre of sporting excellence for the Academy Schools, the rugby club and local people.

The Principal Planner advised that application site lies in the Green Belt and the proposal was not one of the forms of development considered deemed as acceptable in the NPPF or the Core Strategy. Accordingly the proposal represented inappropriate development, which is therefore objectionable in principle. However the applicant had put forward a number of matters which they consider to be the very special circumstances

On balance, it was considered that the matters put forward would clearly outweigh the harm to the Green Belt. It was considered therefore that the proposal would be acceptable in terms of the impact on the Green Belt.

The new school building would be a modern flat roof extension and the finishing materials and appearance of the building would be of a high quality and similar design the recently refinished William Edwards School. The rugby club would also be updated externally to match the new building.

In relation to parking the proposal was to uplift parking to 178 spaces along with 96 cycle spaces and 7 motor cycle spaces. The Highways Officer was satisfied with the level of provision and a travel plan was to be conditioned to be supplied as part of the approval.

The proposal had been considered by Sport England, who had raised no objections, but had recommended conditions relating to community use of the premises and details of the legacy use.

The Chair expressed the desperate need for schools within Thurrock, he asked Officers how the Council had allowed it to get to this, and wanted provisions in place to prevent this from happening in the future.

The Assistant Director of Planning, Transport and Public Protection informed the Committee that Officers were working closely with the Education Department to look at the immediate needs before the new Local Plan was adopted and in the long term with the significant need for growth in the borough. The Local Plan would need to ensure that infrastructure was provided commensurate with the level of the population growth. It would need to be explored in the Local Plan however until it had been adopted there would need to be suitable provisions in place.

Councillor Rice stressed how close the Lower Thames Crossing would be to the proposed building and raised concerns with children attending school in a polluted area. The Officers advised that the application was only temporary for the school intake for 2019 and 2020 and it would not be a permanent site for the school.

Councillor Rice understood the pressure for school places, however considered that as a Planning Committee they needed to be mindful of where the buildings were being built. If it was going to be a permanent school then it would need to be explored on another site as the Lower Thames Crossing would be within close proximity.

Councillor Hamilton asked whether the flat roof would ensure the rain would drain off. He also shared his concerns with the road access, the temporary school being in place only until 2020, the 30 minimum requirements (which were part of the Rugby Club requirements) which were not shared within the report and the Rugby Club was also facilitating community payback services which would be on the same site as the school. Councillor Hamilton

highlighted that he received an objection from a resident in regards to the road access.

The Officers addressed the concerns raised by Councillor Hamilton and advised the roofing was a standard modern design, the access road would be wide enough for ongoing vehicles to pass and there were no objections from Highways. The site would be for temporary teaching classroom use, although the building would still be in use by the school and the Rugby Club. The Officers explained that the 30 minimum requirements were between the school and the applicant and are not relevant to the planning application.

Mr Taylor, Campaign to Protect Rural England Representative, wanted clarification on who owned the site where the proposed building was to be built as it seemed similar to another application (Aveley Football Club). The Officers confirmed it was owned by the Rugby Club.

Councillor Rice brought the Committees attention to the Lower Thames Crossing which would be built within close proximity to the school. He pointed out that when the Lower Thames Crossing was built they would be demolishing Gammon Fields Travellers site and the reconstruction period would begin in 2021. He felt unsure as to whether this was the best place to put a temporary school and expressed that he would be tempted to vote against the application as he would not want to put children at risk.

Councillor Hamilton asked whether there would be any access to the arena which was on the south of the site. The Officers said there had not been a proposed link to the arena, however this could be explored.

The Chair shared concerns with the access route as during school time there would be a number of children from different schools in the area leaving and arriving. He asked how the Council would prevent students taking short cuts to and from schools, and asked whether lighting and CCTV could be included in the conditions to ensure children would be safe when leaving the area. The Officer explained this would be difficult as the school was only temporary and it would depend on the cost of implementing these safety measures. He confirmed that a Travel Plan was one of the proposed conditions.

The Senior Highway Engineer suggested there are restrictions in place to avoid people stopping on Stanford Road as this would be a concern. Although the Chair did not want residents to be affected by the restrictions put in place.

The Chair also addressed the concerns regarding the community amenities at the Rugby Club; he asked if something could be added to the conditions to ensure the children are safeguarded. The Officers said that an informative expressing Members concerns could be added to the decision.

The Officers advised out that this was the most suited site for the temporary school to be located at this time.

The Chair mentioned that Tree Tops School in the area was also looking to expand and the new site would be located near a number of other schools and colleges including Palmers College.

Councillor Rice asked why the school could not be located at William Edwards as they had a considerable amount of land which could accommodate this temporary school. The Officers said all applications are determined on their own merits.

Resident, Mr Michael Gamble, was invited to the Planning Committee to present his statement of objection.

The Agent on behalf of SWECET and TRFC, Mr Stephen Munday, was invited to the Planning Committee to present his statement of support.

Councillor Hamilton said as the 30 minimum requirements were not shared he would be looking to refuse this application. He felt concerned after 2 years there were no commitments for the site to be used as a school.

The Agent, confirmed that when phase 2 began and if the application was to be approved the pitches would be protected which was looked at by the DfE.

The Chair was happy to support the application however he was concerned with phase 2 if the application was approved. The proposal could be a positive thing for the borough as there was a huge pressure on school places and if the Committee were looking to reject this application it would reduce the amount of school places available for children.

Councillor Rice was not in support of this application due to the previous concerns he raised.

The Assistant Director of Planning, Transport and Public Protection addressed the concerns raised by the Committee and highlighted that the Lower Thames Crossing had not yet been approved and it would be concerning if the Committee were to refuse an application on something that was not yet implemented. In terms of the access route, there had been no objections received from the Highways Authority. He said whilst members may think there was an alternative location, this application was to be determined on its merits and he strongly suggested for the committee to be doing that. The proposed application was unique because of the nature of the scheme; government support for new state schools was clear from the National Policy Paper Planning for School Development which sets out a commitment to support the development in delivery of safe funded school in the planning system. The Governments belief was that the planning system should operate in a positive manner when dealing with proposals in authorisation for safe funded schools.

Councillor Lawrence agreed with the Assistant Directors previous comments as the Lower Thames Crossing was still being discussed. She mentioned that parents were struggling to find school places for their children.

The Vice-Chair discussed the access route and did not feel it would be a concern as there were other routes that could be taken to get into the school along with pathways. He did raise his concerns with the Rugby Club having a bar and this being within close proximity to the school despite this he would be voting in support of this application.

Councillor Holloway said it was not clear why this was not completed before 2019 and she felt the Committee were being pressured into approving this application otherwise children would be out of school places.

Mr Taylor, explained previous applications for temporary use were still in place such as Denholm Primary School. He agreed it would have been more suited for the temporary school to be built on its original land.

The Chair said although this application was not ideal, it can be explored in the Local Plan and be prevented in the future. Highways had also given their approval to the proposal. He questioned whether this was the right location for the proposal as it would be located next to Tree Tops school, he asked if a roundabout could be proposed at the top of King Edward Drive to alleviate the pressure. He raised concerns with the pitches at Thurrock Rugby Club.

The Assistant Director of Planning, Transport and Public Protection made the Committee aware that the Education authority was present and the concerns would be explored. He pointed out that all applications were to be determined on their merits, but the wider points would be explored.

It was proposed by the Chair, Councillor Kelly and seconded by the Vice-Chair, Councillor Liddiard that the application approved, subject to conditions, and referred to the Secretary of State for consideration as it represents a departure in the Green Belt.

For: (5) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Victoria Holloway, Angela Lawrence and Sue Sammons.

Against: (3) Councillors Graham Hamilton, David Potter and Gerard Rice

Abstain: (0)

78. 18/01228/FUL - 53 - 55 Third Avenue, Stanford Le Hope Essex

This item was withdrawn from the agenda.

79. 18/01442/FUL - Land At Bridge Court, Bridge Road, Grays Essex

This item was withdrawn from the agenda.

80. 18/01613/FUL - 55 Corringham Road, Stanford Le Hope Essex SS17 0NU

This item was withdrawn from the agenda.

81. 18/00540/FUL - Town Centre Car Park, King Street, Stanford Le Hope Essex

The Principal Planner presented the report to the Committee. The application sought full planning permission for the construction of a mixed use development, comprising of two retail/leisure and commercial units. At upper level of the proposed building would be 47 residential units with an undercroft and surface car park with 53 parking spaces. It was confirmed by the Officers that the Church view from King Street would still be visible if the application were to be approved. The proposed building would be up to 5 storeys at its maximum height. A previous planning permission was granted back in 2012 which had since lapsed and expired.

The Vice-Chair asked whether this proposal was going to provide electric charging points. It was confirmed by the Senior Highways Engineer that there had been no request at this time.

The Chair raised concerns with the current parking situation in Stanford Le Hope and the proposed parking which would be available for the public as currently there are 76 spaces which would be reduced to 43. The local businesses would struggle for parking if this proposal was to be approved. The Chair asked if this would go against the Council's policy for parking spaces. The Officers confirmed the current parking situation and the proposed level of parking with the development and that would remain in the public car parking areas confirming that there were no objections from Highway's with regard to policy and the draft Parking Standards. The Chair asked if the proposal would affect the town centre through the loss of parking as there was no retail use on the site and in terms of the proposal two new retail/commercial units would be provided at the site which would promote the vitality and viability of the town centre in accordance with Core Strategy policies and the up to date NPPF.

The Chair asked whether there were any implements in place to stop residents using the public parking spaces despite having an additional 3 spaces for visitors.

Mr Taylor highlighted that currently there was an increase in shops in Stanford Le Hope and a reduction on parking spaces. The Officers explained that this was a town centre location and members of the public would have the opportunity to use other modes of transport to access the town centre through walking, cycling, bus services and rail the nearby railway station.

The Ward Councillor, Councillor Shane Hebb, was invited to the Committee to present his statement of objection.

The Agent, Mr Simmonds, was invited to the Committee to present his statement of Support.

Resident, Mr Terry Piccolo, was invited to the Committee to present his statement of objection. During his statement he mentioned that a petition had been sent into the Council with around 500 signatures against this application. The Officers confirmed that they had not received this petition and that this would need consideration prior to determining the planning application.

The Officers addressed the comments raised in Mr Piccolo's speaker statement regarding the conditions with the sale of the land with regard to covenant placed on the land through Land Registry. The Officers explained that the Land Registry document was a separate document and relates to the sale of the site and included covenants that were solely related to the 2012 planning permission and those conditions would no longer enforceable as the planning permission had lapsed.

The Chair asked whether the 100 spaces which were proposed in the 2012 application would be removed. The Officers confirmed the conditions were relating to the Land Registry document were not on the planning conditions and therefore could not be enforced through planning legislation.

Mr Taylor, asked if there was no relation to planning, who legally would be able to enforce the legal agreement.

The Legal Representative explained to the Committee that the land was transferred in 2012 for £350,000 and the transfer had restrictive covenants based on the 2012 permission being implemented and carried out. As a consequence of that there would have been 100 car parking spaces being provided but because the consent was never implemented the covenants cannot be enforced.

The covenants would have been enforced by the Council as the land owner and was not a matter for this Planning Committee. In this case the covenants were directly related to the 2012 permission, another way of dealing with this would have been covenants relating to the use of land and not relating to the 2012 permission and it was unclear why this had not been done at the time.

Councillor Hamilton asked if the Planning Committee had uncovered a flaw in the system as it had allowed that planning permission to lapse. The land was sold for £350,000 with all restrictions that no longer applied.

The Legal Representative advised the Committee that the Monitoring Officer had completed a report on this in May 2017 and had full knowledge of this and had been known about for some time. Planning permission had been granted in 2012, but the applicant did not proceed with that permission.

Councillor Rice said the only way this could have been prevented would be to put a legal agreement in place as the Council was dependent on the Legal Representative.

It was proposed by the Chair, Councillor Kelly, for this application to be deferred to allow Members and Officers time to look into the petition received, this was seconded by Councillor Rice.

For: (8) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Graham Hamilton, Victoria Holloway, Angela Lawrence, David Potter, Gerard Rice and Sue Sammons.

Against: (0)

Abstain: (0)

82. 18/01508/TBC - Civic Amenity site, Buckingham Hill Road, Linford Essex

The Principal Planner presented the report to the Planning Committee. The application sought planning permission for the extension and redevelopment of the Household Waste Recycling Centre (HWRC).

The Principal Planner advised that application site lies in the Green Belt and the proposal was not one of the forms of development considered deemed as acceptable in the NPPF or the Core Strategy. Accordingly the proposal represented inappropriate development, which is therefore objectionable in principle. However the applicant had put forward a number of matters which they consider to be the very special circumstances

The Committee queried whether vehicles would share the new entrance with HGV's and Lorries. The Officers confirmed that all vehicles would come in at the northern side of the site and there would be a turnaround area for all vehicles. But the entrance would be shared with all vehicles.

Councillor Hamilton was concerned with the exit to the site merging with other cars. The Officers explained that currently HGVs and cars are using the same entrance and exit and there had been no concerns with the proposed layout.

The Committee asked whether there would be a separate lane for vehicles accessing the Waste Recycling Centre as it could be dangerous with vehicles overtaking on the main road to avoid waiting in queues. The Officers confirmed there would be a ghost junction right turn lane provided to prevent any accidents.

The Portfolio Holder, Councillor Aaron Watkins, was invited to the Committee to present his statement of support.

The Committee agreed this was a positive application and were happy to welcome this new proposal.

It was proposed by Councillor Hamilton and seconded by the Vice-Chair, Councillor Liddiard that the application be approved subject to: (i) referral to the Secretary of State, and (ii) conditions.

For: (8) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Graham Hamilton, Victoria Holloway, Angela Lawrence, David Potter, Gerard Rice and Sue Sammons.

Against: (0)

Abstain: (0)

The meeting finished at 9.42 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**