

Minutes of the Meeting of the Planning Committee held on 16 November 2022 at 7.00 pm

- Present:** Councillors Tom Kelly (Chair), Paul Arnold, Adam Carter, Terry Piccolo, James Thandi, Sue Shinnick and Lee Watson (arrived at 7.16pm)
- Apologies:** Councillor Georgette Polley (Vice-Chair) and Steve Taylor, Campaign to Protect Rural England Representative
- In attendance:** Leigh Nicholson, Assistant Director of Planning, Transport and Public Protection
Jonathan Keen, Interim Strategic Lead Development Services
Matthew Gallagher, Major Applications Manager
Julian Howes, Senior Highways Engineer
Kenna-Victoria Healey, Senior Democratic Services Officer
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Before the start of the Meeting, all present were advised that the meeting was being live streamed to the Council's website.

42. Item of Urgent Business

There were no items of urgent business.

The Chair of the Committee advised that to allow residents to attend for Planning Application 21/01812/FUL Land Adjacent And To The Rear Of The George And Dragon, East Tilbury Road, Linford, Essex, he was going to rearrange the order of the agenda for this application to be heard second.

43. Declaration of Interests

Councillor Arnold declared an interest in item 7, planning application 21/01812/FUL in that there was a press article regarding another site being developed by the applicant which was accompanied by a photograph. Councillor Arnold commented he was named within the article; however, he was not at the site.

44. 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 the following correspondence on behalf of all Members:

- Planning Application 21/01812/FUL: Land Adjacent And To The Rear Of The George And Dragon, East Tilbury Road, Linford, Essex an email in support of the application from the agent of the applicant.
- Planning Application 22/01241/FUL: The Hollies Rectory Road, Orsett, Essex, RM16 3EH an email in support of the application.

Councillors Arnold and Thandi also declared emails had been received from the applicant for planning application 22/01241/FUL: The Hollies Rectory Road, Orsett, Essex, RM16 3EH.

45. Planning Appeals

The Interim Strategic Lead for Development Services presented the reports to Members.

RESOLVED:

That the report be noted.

46. 22/01241/FUL: The Hollies Rectory Road, Orsett, Essex, RM16 3EH

The report was presented by the Major Applications Manager.

The Chair of the Committee enquired if the application would be considered acceptable, if it wasn't located within the Greenbelt. He further commented if the area wasn't restricted by the conservation area and the fact that it breaches into the green belt, as to whether it could be down to judgement. The Major Applications Manager advised that Members would be need show that the harm to the Greenbelt was clearly outweighed.

Members enquired as to what proportion of the new build would be sitting in Greenbelt and what would be in the Conservation Area? The Major Applications Manager commented with regards to the conservation area, it became a factor for officers to consider if the building or the extended replacement building was visible in the context of existing buildings in the conservation area. The Committee were advised that developments within a conservation area must either preserve or enhance the location and the advice by officers was this application did neither preserve nor enhance partly due to its size.

Councillor Watson observed that planning permission must have previously been granted due to development on the site. The major applications manager advised 2/3 of the house was deemed to be on Greenbelt land with one third being conservation area. Referring to the report he advised Members that previous planning permission had been granted in 1983 and the site land had been designated as a conservation area in 1975.

The committee enquired as to the usage of the footpath and commented that it would possibly be used more so during the summer months and whether officers believed it was a regularly used foot path, it was advised members

that the footpath linked to Horndon on the Hill and confirmed it was a recreational footpath. It was confirmed by the major applications manager that the site was visible from the footpath and as it was located on Greenbelt land there would need to be a very special circumstance for approval given the proposal constituted inappropriate development.

Following a question from Members the Interim Strategic Lead for Development Services advised Members that a recent development within Orsett was located within a residential area and therefore did not follow the same tests as the application in front of Members.

The Chair addressed the committee advising he had received a late submission from the agent in relation to the application and on the basis of there being no active letters of objection he had decided to accept the speaker's statement.

Speaker statements were heard from:

- Statement of Support: Councillor Johnson, Ward Member
- Statement of Support: Mr S Burke, Agent

During the debate it was suggested that Members visit the site to be able to see first-hand the harm which would be caused on the Greenbelt should the application be agreed, to be able to better understand the technicalities.

Councillor Piccolo proposed that a site visit be held and was seconded by Councillor Carter.

For: (7) Councillors Tom Kelly (Chair), Paul Arnold, Adam Carter, Terry Piccolo, Sue Shinnick, James Thandi and Lee Watson

Against: (0)

Abstained: (0)

47. 21/01812/FUL: Land Adjacent And To The Rear Of The George And Dragon, East Tilbury Road, Linford, Essex

The report was presented by the Major Applications Manager, during which he updated Members with the following points:

- Officers had received an additional 4 objections from local residents.
- A Stage 1 Road Safety Audit from the applicant
- A list of terms for any potential section106 agreements from the applicant which included:
 - 100% of the of the development will be affordable housing.
 - 25% of the units: 58 homes would be described as "zero bill" [in relation to energy costs].
 - Confirmed the level of education contribution

- Discussed potential East Tilbury Train Station upgrades

The Chair thanked Officers for the report and sought advice as to whether in terms of the development whether there was any government funding for affordable schemes such as this one. Officers replied advising the affordable housing element was one to be taken up by a registered provider. He continued advising there was a process where Homes England had grant funding, however it would be for the registered provider to explore that route.

Councillor Arnold enquired as to the difference between this site in East Tilbury and the Stanford Le Hope site, as he believed both were deemed Greenbelt land. The Major Applications Manager explained the Stanford Le Hope site the land was deemed as Greenbelt from 1987 however in 2008 the site was allocated for residential uses and further to this in the 2011 Core Strategy was removed from being Greenbelt land.

Councillor Arnold further observed within the report it stated an 18 month build time, he questioned as to whether this could be a condition on the application that the build had to be completed in 18 months. Officers advised should full planning permission be granted; the development would have to be completed within three years of permission being approved.

The Committee agreed to suspend standing orders at 9.15pm to allow the agenda to be completed.

Following questions from Members it was clarified that the “Zero Bill” homes were not to be connected to the gas network, however they would be connected to an electrical supply system. It was explained on the roof the dwellings would have photovoltaics which would generate electricity during hours of daylight. With this there would be a battery storage to hold the energy for when it was required.

Councillor Watson raised concerns with regards to flooding during which she referred to the report which highlighted Anglian Water had mentioned flooding and requested a drainage strategy. She asked what mitigation there was in the area with regards to the area getting flooded. The major applications manager explained the location of the proposed properties on the presentation and in doing so explained that none of the properties were to be located in the medium and high-risk flooding area.

It was enquired as to the impact the development would have on the road network including any additional impact on the rail crossing at East Tilbury. The Highways Officer advised Members that a safety audit was undertaken which included the possibility of queues and the impact of the crossing gates at the station, however there were no significant concerns raised. He further advised that the development met with the Council’s highway policy.

Speaker statements were heard from:

- Statement of Objection: Councillor F Massey, Ward Member

- Statement of Support: Mr M Suggitt, Agent

Starting the debate, the Chair commented that the Committee had never seen an application with 100% affordable housing, which also included Education and Health benefits. He stated that he felt a development offering 230 homes along with the benefits suggested should be approved.

Councillor Arnold mentioned he felt the application should be approved as there were enough very special circumstances to do so. He stated the application was well designed with high quality and efficient homes being proposed, he also stated he felt the development could be a benefit for local traders.

Councillor Watson observed that the application stated 100% affordable housing, however 75% would be of market rent value, which in turn might not be affordable for all. She continued by stating she liked the idea of the scheme however she felt the location was wrong and was Greenbelt.

Councillor Piccolo commented he could understand the concerns raised by Ward Members and local residents however the application appeared to be producing quality homes. He continued although there were highway concerns, of possibly 400 cars using the site, these would not all be accessing the site at the same time and he felt controlled entrance and exits to the site could solve this concern.

The Chair commented that through the debates he had counted five Members were in favour of the application and two Members for refusal in line with officers recommendations, and with that he put forward a recommendation of approval of the planning application.

The Assistant Director of Planning, Transport and Public Protection advised the Constitution was clear that an alternative recommendation would need to be put forward, which met with council policies.

The Chair of the Committee firstly acknowledged there was harm to the Greenbelt, however there was to be the delivery of 100% affordable housing, which was a positive response to the five-year housing supply to which he gave significant weight too. He continued by commenting on the transport upgrades and the low carbon development aspect which had moderate weight, in addition, to the accelerated build time of 18 months.

The Chair proposed a recommendation of provisional approval and was seconded by Councillor Carter.

It was agreed that the matter would be returned to the Committee so officers would produce a report which would assess the impact of making a decision contrary to recommendation and set out draft conditions and Heads of Terms for a s106 for Members to be able to make an informed decision.

For: (5) Councillors Tom Kelly (Chair), Paul Arnold, Adam Carter, Terry Piccolo and James Thandi

Against: (2) Councillors Sue Shinnick and Lee Watson

Abstained: (0)

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For: (5) Councillors Tom Kelly (Chair), Paul Arnold, Adam Carter, Terry Piccolo and James Thandi

Against: (2) Councillors Sue Shinnick and Lee Watson

Abstained: (0)

The meeting finished at 10.05 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**