

Minutes of the Meeting of the Planning Committee held on 17 August 2023 at 6.00 pm

- Present:** Councillors Tom Kelly (Chair), Georgette Polley (Vice-Chair), Adam Carter (Substitute for Terry Piccolo), Steve Liddiard, Jacqui Maney, Sue Shinnick and Lee Watson
- Steve Taylor, Campaign to Protect Rural England Representative
- Apologies:** Councillors Paul Arnold and Terry Piccolo
- In attendance:** Mark Bradbury, Interim Director of Place
Matthew Gallagher, Major Applications Manager (left at 6.10pm)
Nadia Houghton, Principal Planning Officer
Lucy Mannion, Senior Planning Officer
Julian Howes, Senior Highways Engineer
Caroline Robins, Legal Representative
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 to be filmed and was being recorded, with the recording to be made available on the Council's website.

22. Minutes

The minutes of the meeting held on 13 July 2023 were approved as a true and correct record, subject to the second vote on Planning Application 22/01672/FUL: Thurrock Football Club Ship Lane, Aveley, RM19 1YN be amendment on page 7:

For: (3) Tom Kelly (Chair), Georgette Polley (Vice-Chair) and Adam Carter.

Against: (3) Councillors Paul Arnold, Sue Shinnick and Lee Watson

Abstained: (0)

23. Item of Urgent Business

There were no items of urgent business, however the Chair of the Committee advised that Planning Application 22/01370/FUL: Land adjacent Watts Wood including Mardyke Farm, Ship Lane and Broomhill, Arterial Road, Purfleet-on-Thames, Essex was to be deferred following legal advice.

24. Declaration of Interests

There were no declarations of interest.

25. 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

26. Planning Appeals

The Interim Director of Place presented the report to Members.

RESOLVED:

That the report be noted.

27. 21/02190/FUL: Land Adjoining Tamarisk Road, South Ockendon, Essex

The report was presented by the Senior Planning Officer, who advised the report was being reported back to Members having been deferred from the Planning Committee in July following Member's rejection of the officer recommendation to approve the application. The update report considered the reasons put forward in July by Members and summarised the application as follows:

- This was redevelopment a previously developed site to provide new homes
- National planning policies required a presumption in favour of housing development where there was no 5 year housing supply
- The proposal met policies in terms of the design and layout
- There was no unacceptable impacts to any neighbouring properties
- With mitigation, there were no unacceptable impacts in terms of Highways

Members heard that the application had been independently assessed on its viability twice and had been found unviable with respect to providing any affordable housing or s106 contributions. Nonetheless, the applicant had agreed the following contributions: Education (Nursery and Secondary levels only) £32,895.64, Healthcare contribution of £19,600 and Transport contribution of £40,000 for car club and related matters. Which was a total contribution of £92,495.64.

During Members' discussions the following was considered:

- The Committee were mindful of the 38 proposed units which could equate for a possible 60+ vehicles on the site. Officers advised that there had been no objections from Highways relating to parking on the site with 32 places being approved and a Car Club scheme to mitigate parking concerns. Members asked further as to where in Thurrock the Car Club had been successfully introduced. Members heard that the application was in line with the latest local and national Highway policy and officers commented that, while a Car Club had not yet been implemented in Thurrock, other forms of transport had to be

encouraged, and the implementation of a Car Club needed to start somewhere in the Borough.

- Members heard that the Applicant had engaged with planning department at pre-application stage twice and had worked with the Urban Design Team, the original application had been submitted with a proposed 60 dwellings. This had been amended following advice from officers and lead to the Applicant submitting an applicant with less units. The proposal is a bespoke design for the site, designed solely for the site and location.
- Members asked further regarding s106 matters and asked for further clarification as to why there was no scope for affordable housing to be provided on the site. Officers reiterated that based upon the two independent viability appraisals undertaken demonstrated there would not be any meaningful manner in which affordable housing could be reasonably provided as part of the development. The Committee acknowledged the Health contribution had been increased by £4,000, which was due to the difference in the time periods between the previous NHS consultation response and the one carried out following the July Planning Committee.

At the debate, Members remarked they had not changed their minds on the application since the previous committee. The Chair thanked Members for their comments and commented that through the debate stage it was clear Members were still not in favour of the application.

The Interim Director for Place advised the Constitution was clear that an alternative recommendation would need to be put forward, which met with Council policies.

Councillor Polley Vice-Chair of the Committee proposed to refuse the application and was seconded by Councillor Watson. The Principal Planning Officer then discussed the potential wording for the proposed reasons for refusal with the Committee, and it was agreed by Members that the reasons for refusal would be based on the following wording and reasons:

1. The proposed development would, by virtue of the siting, mass, appearance, detailed design and choice of materials, result in an incongruous development which would appear out of character with the appearance of residential development in Tamarisk Road. It would also be harmful to the character of the area and appearance of the street scene. The proposals would consequently be contrary to policies CSTP22, CSTP23 and PMD2 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and paragraph 130 of the National Planning Policy Framework 2021.
2. The proposed level of parking provision is not considered sufficient to be acceptable for this development, in an area of high parking demand. The proposed mitigation of a car club space is not considered to offset the lack of parking provision and is inadequate to achieve sustainable

development. Therefore, the proposal is contrary to policy PMD8 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015).

3. The proposal would result in a lack of affordable housing units at the site and therefore would not meet the needs of local people, due this shortfall of affordable housing having regard to policy CSTP2 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and of the guidance within paragraph 34 of the National Planning Policy Framework 2021.

Before going to the vote, Members were again advised by the Principal Planning Officer that the proposed reasons for refusal would be difficult to defend at an appeal. While the proposed first reason for refusal relating to design and character could potentially be defended given that design is a subjective matter, concern was particularly raised with regard to the likelihood of defending proposed reasons 2 and 3. Reasons 2 and 3 are technical matters which meet relevant policies due to processes followed, or via mitigation, and in light of a recent nearby allowed appeal which was brought to Member's attention in both July's Committee and in this Committee.

Members advised they were aware of the officers' advice and the vote to Refuse the application for the above three reasons was then undertaken as follows:

For: (4) Councillors Georgette Polley (Vice-Chair), Jacqui Maney, Sue Shinnick and Lee Watson.

Against: (3) Councillors Tom Kelly (Chair), Adam Carter and Steve Liddiard.

Abstained: (0)

28. **22/01370/FUL: Land adjacent Watts Wood including Mardyke Farm, Ship Lane and Broomhill, Arterial Road, Purfleet-on-Thames, Essex**

This application was deferred following the Chair and Vice-Chair receiving legal advice.

The meeting finished at 6.52 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**