

Minutes of the Meeting of the Planning Committee held on 4 June 2024 at 6.00 pm

Present: Councillors Michael Fletcher (Chair), Steve Liddiard (Vice-Chair), Paul Arnold, Cathy Sisterson, Sue Shinnick and Ryan Polston

Steve Taylor [Campaign to Protect Rural England]

Apologies: Councillors Tom Kelly, Gary Byrne and Jacqui Maney

In attendance:

Ashley Baldwin, Chief Planning Officer
Matthew Ford, Chief Engineer
Martha Grekos, Senior Planning Lawyer
Nadia Houghton, Principal Planner
Julian Howes, Senior Highway Engineer
Jonathan Keen, Principal Planner
Lucy Mannion, Senior Planning Officer
Chris Purvis, Major Applications Manager

Carly Parker, Senior Democratic Services 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.

1. Apologies for Absence

Apologies were received for Councillors G Byrne, Kelly, and J Maney. No further apologies were received.

2. Minutes

The Minutes of the Planning Committee, held on 18 April 2024, were approved as a correct record.

3. Item of Urgent Business

There were no items of urgent business.

4. Declaration of Interests

Councillor P. Arnold declared he is familiar with the applicant for agenda item 8, 23/00311/FUL Land Adjacent Recreation Ground and Unit 54 Towers Road Grays Essex. He also previously owned property on the estate. Thurrock's Legal representative advised the committee that this was discussed prior to the meeting and that he does not need to recuse himself from the meeting as he has not discussed the application with the applicant and can therefore proceed.

Vice-Chair, Councillor Liddiard declared he is the ward councillor in Tilbury and has visited Bumbles Yard (23/01150/FUL Bumbles Yard St Chads Road Tilbury Essex) and Golden Chicken (24/00295/FUL Golden Chicken & Pizza 10 Civic Square Tilbury Essex RM18 8AD) on several occasions, however, has not made any pre-determined decisions.

5. 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

There were no declarations of receipt of correspondence or discussions relevant to any planning applications.

6. Planning Appeals

Officers advised that five planning appeals had been lodged and decisions were made on four appeals on planning applications.

Application No: 23/00241/FUL -Appeal Dismissed. Due to the inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies.

Application No: 23/00303/FUL Location- Appeal Dismissed. Due to the noted payment towards RAMS necessary to make the development acceptable and that, although the appellant indicated they would pay the contribution it had not been paid. Accordingly, the proposal was contrary to Policy CSTP19 in this regard. Character of the Area 4.2.3 The Inspector found the house would undoubtedly reduce the openness of the appeal site, that "the lack of space to the sides, the small triangular rear garden and the prominence of the development would mean that it would unacceptably reduce the space and openness at this corner, where it Page 14 currently contributes positively to the character of the area" (para 8) and that whilst a different design may not be unacceptable per se, "the large areas of blank elevations and the arrangement of the relatively small windows has an awkward appearance which would add to the prominence of the building here" (para 8). The proposal was therefore found to be contrary to Policies CSTP19 and PMD2 in this regard.

Application No: 23/01162/HHA- Appeal Dismissed. Due the effects of the proposed development upon the existing building and the character and appearance of the locality.

Application No: 23/00735/HHA- Appeal Dismissed.

Inspectors main issues were whether or not the development is inappropriate development in the Green Belt; - the effect of the development upon the openness of the Green Belt; and, - if the development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, and if so, would this amount to the very special circumstances required to justify the development.

There were no further questions in response to the appeals.

7. Public Address to Planning Committee

The Chair informed the committee, the planning committee allow objectors, and applicants/planning agents, and owners of premises subject to enforcement action, or their agents to address the Committee. The rules for the conduct for addressing the Committee can be found on Thurrock Council's website at [https://www.thurrock.gov.uk/democracy/constitution Chapter 5](https://www.thurrock.gov.uk/democracy/constitution/Chapter%205), Part 3 (c).

8. 23/00311/FUL23/ Land Adjacent Recreation Ground and Unit 54 Globe Industrial Estate, Towers Road, Grays, Essex

Officers presented the application. The proposal consists of the erection of 10 B2/B8 commercial units, with mezzanine space with associated parking area, bicycle storage, refuse storage, and landscaping.

Officers advised the ward councillor had made contact, and residents were in favour of this application and happy subject to the conditions put forward to manage matters such as noise nuisance and hours of operation.

Members questioned whether noise would be blocked from the properties by existing trees and other trees that will be planted. Officers reassured the committee that conditions have been put in place. No storage will be used outside of the back of the building; the building will have a shielding affect to the houses from the noise in the open area to the front as well.

Members questioned the Travel Plan and the public health response, questioning who is responsible for putting the Travel Plan together and ensuring it is followed. Officers advised of conditions from highways requiring a parking layout. If Members wanted, the applicant would need to provide a Travel Plan and it would be reviewed by the Highways team.

Members questioned how the public health officers' concerns were addressed and were reassured that adjoining neighbours had been notified by the Service and a public site notice had been displayed, satisfying the planning requirements for consultation.

Member expressed their concerns regarding the excess traffic and parking issues and whether the new building would have a positive or negative impact on this. Officers advised the proposed floor area would be very similar to that which previously existed, suggesting the traffic issues were unlikely to change. Conditions will be put in place to attempt to control parking on site and operational hours.

One member abstained from voting; however, a majority of Members voted to approve subject to additional conditions.

APPROVED: Subject to additional condition below.

Development in accordance with Preliminary Ecological Assessment

The development hereby permitted shall be conducted in accordance with the details of Biodiversity Enhancements included in the Preliminary Ecological Appraisal Report, reference "S22-816/PEA" dated December 2022. Reason: In the interests of the ecology value of the site as required by Policy PMD7 of the Core Strategy and Policies for the Management of Development [2015]

9. 23/01150/FUL Bumbles Yard- St Chads Road, Tilbury Essex

Officers presented the application. The proposal consists of the demolition of existing structures and construction of food store with associated vehicle access, car parking, landscaping, engineering, and drainage works. The applicant is Lidl.

Officers provided updates advising there was an objection on Highways grounds from another retail supermarket. In addition to this a public representation of support was received after the report was published. 192 representations of support were provided including several additional representations on a generic template. These were received in bulk submissions from residents in Tilbury and surrounding areas in support of the application.

Officers advised paragraph 6.1 of the report refers to Town and Country Planning (Consultation) (England) Direction 2024. This should refer to the 2021 legislation as this application was received prior to 26 January 2024. The application does not need to be referred under Paragraph 5 (retail trigger), as it does not exceed the required floorspace. Policy CSTP5 Neighbourhood Renewal should have been included in the policy list, at paragraph 5.3, as this cover's priority regeneration areas, which includes Tilbury.

The Committee were advised that the recommendation within paragraph 8.1 of the report will have the requirement for a Section.106 Agreement to

address a requirement for a Travel Plan monitoring fee of £3,600. This was not included in the report as it was thought this was going to be paid upfront, negating the need for a legal agreement.

- A speaker statement was heard on behalf of the applicant in favour of the application.
- A speaker statement was heard from a resident in favour of the application.

Members questioned how the potential risk of flooding on the site will be addressed. Officers advised the proposed design involves storage tanks underground via a network of pipes that drain to the outlet and into the nearby drains on the marshes. All the drainage requirements of the site have been calculated, which the Council in its capacity as Local Lead Flood Authority (LLFA) are content with. The Environment Agency has been involved at every step of the application.

Members also questioned whether there will be any electric charging points. Officers confirmed there will be a minimum of two currently with the opportunity to provide others in the future.

Members raised whether the applicant would consider allowing parents access to parking during the school run, as it would help with queues and increase safety. The committee were reassured this was a possibility and can be added as an informative.

Members considered that the factors towards very special circumstances clearly outweigh the harm to the Green Belt and any other harm.

Members were supportive of the scheme and voted unanimously in favour of the officer recommendation. With the addition of informatives for parking for the school run and more Electric Vehicle Charging points put in place (delegated to officers).

APPROVED: Subject to additional informatives, encouraging the developer to proactively consider additional electric vehicle charging and allowing parents access to the car park during the school run. Application to be referred to the Secretary of State as the proposal constitutes major development in the Green Belt. In addition, S106 Agreement to be completed to address Travel Plan monitoring fees.

10. 24/00295/FUL Golden Chicken & Pizza 10 Civic Square, Tilbury, Essex RM18 8AD

Officers presented the application. The proposal consists of retention of siting of four shipping containers linked together on hardstanding for storage and refrigeration. The containers are used for refrigerated storage as well as general storage for the Applicant's hot food take away and catering business.

The four units have a collective floor area of 58.9sqm. It was proposed to add a composite tiled pitched roof and dark grey composite cladding to the external elevations of the containers.

Members questioned whether alternative provisions had been discussed and if the Council may be able to encourage the applicant to utilise these. Officers confirmed that since the application had been submitted following enforcement complaint and following the refusal of both planning applications and the most recent appeal, officers had been in discussion with the applicant regarding the appearance of the containers and their visual impact. Members were aware that the applicant has attempted to improve the appearance as a result. The discussions between the applicant and the planning department have continued.

- A speaker statement was heard from the applicant in favour of the application.

The applicant confirmed they were seeking to continue use of the containers to store materials also used relating to their adjacent dental practise business, as well as for their chicken shop use.

Members were evenly split but voted against the officer recommendation. Following further debate, a motion to Approve, subject to detailed conditions regarding the appearance and use, was put forward and Committee voted in favour of the motion to approve, with the votes going 3:3 and the Chair having the casting vote.

APPROVED: Against the officer's recommendation of refusal. Delegated to the Chief Planning Officer to agree draft set of planning conditions in liaison with Chair and Vice- Chair.

11. 24/00382/PIP Land to rear of 36 to 46 Grovelands Way, adjacent Bankfoot Grays

Permission in Principle (PIP) for residential development comprising a new building containing four one-bedroom apartments with associated access, parking, cycle storage, refuse storage and amenity space. The application was called in by Cllrs Morris-Cook, Kerin, Green, Hartstean and Shinnick in accordance with Part 3 (b) 2.1 (d) (i) of the Council's Constitution to consider matters relating to traffic, noise, pollution to the surrounding area, and positioning of the apartments.

- A speaker statement was heard on behalf of the applicant in support of the application.
- A speaker statement was heard from Councillor Morris-Cook against the application. (At the Chair's discretion)

Members raised concerns regarding ecological issues, highway safety, access, and traffic related to this application. Members were reminded this is a 'Permission in Principle' (PIP) application and all detailed issues, including those raised, would fall to be resolved at the Technical Details stage. Officers reminded Members that this PIP stage related to solely whether there were any in principle land use concerns and that as the Core Strategy, adopted by Members, indicated that the site could be used for residential purposes, there would be no sustainable reason to object to this PIP stage.

Members raised concerns about the details of the proposals but were asked to decide upon the principle only; Members were reassured by officers that there will be a rigorous approach at the Technical Details stage, and that it will not be the end of the matter.

Members voted in favour of the officer recommendation, with the votes going 3:3 and the Chair having the casting vote. The Committee and the Ward Councillor were reassured that the Technical Details stage application would be brought to Planning Committee.

APPROVED: In favour of the officer's recommendation, however the Chair advised the committee that concerns will be addressed at a later stage.

The Chair thanked members for their time and commitment.

The meeting finished at 8.49pm.

The meeting finished at Time Not Specified

Approved as a true and correct record

CHAIR

DATE

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