

## Minutes of the Meeting of the Planning Committee held on 9 July 2024 at 6.00 pm

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- Present:** Councillors Michael Fletcher (Chair), Steve Liddiard (Vice-Chair), Paul Arnold, Gary Byrne, Tom Kelly, Jacqui Maney, Ryan Polston, Sue Shinnick and Cathy Sisterson
- Co-Optee- Steve Taylor, Campaign to Protect Rural England Representative
- Apologies:** None
- In attendance:** Ashley Baldwin- Chief Planning Officer  
Flora Curtis- Planning Lawyer  
Julian Howes- Principal Engineer  
Jonathon Keen- Principal Planner  
Lucy Mannion- Senior Planning Officer  
Chris Purvis- Major Applications Manager  
Elizabeth Reynolds- Principal Planning Officer  
Alan Ward- Principal Planning Officer
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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.

### **12. Apologies for Absence**

No apologies were received.

### **13. Minutes**

Minutes were approved as an accurate record of the meeting held on the 4<sup>th</sup> of June 2024.

### **14. Item of Urgent Business**

There were no items of urgent business.

### **15. Declaration of Interests**

Councillor Sisterson declared she is ward councillor of Aveley and Uplands. This was noted in relation to items nine and ten on the agenda. The chair confirmed councillor Sisterson didn't need to recuse herself from the items as long as she was prepared to listen to both arguments.

**16. 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 Vice- Chair advised members received an email in relation to agenda item 8. The Chair agreed this communication be put aside for this meeting.

**17. Planning Appeals**

No reports were received for this item. The Chief Planning Officer agreed this will be set aside for this meeting.

**18. 16/01232/OUT Land for Deveelopment, Muckingford Road**

The chair referred to the addendum that was produced confirming that covers items 7 and 8 on the agenda.

The Senior Planning officer provided an overview of the application. Advising the proposal outlines planning permission with some matters (appearance, landscaping, layout and scale) reserved for the proposed development of up to 830 dwellings (Use Class C3) if the Lower Thames Crossing is constructed (scenario 1) OR up to 1,000 dwellings (Use Class C3). If the Lower Thames Crossing does not proceed (scenario 2), the plan proposes a new local road network including a vehicular / pedestrian railway crossing, a primary school, local centre and new areas of open space, including formal recreation.

The committee were advised the proposals include a new bridge over the railway, landscaped open space, and 12%- 27% affordable housing dependent on the scenario. Review of viability indicates that the affordable housing could be 23% for scenario 1 and 35% for scenario 2.

The application is currently subject to an appeal against non-determination and a public inquiry will be held on 1 October 2024. The recommendation to the planning committee is to refuse planning permission.

The Senior Planning Officer advised that following publication of the agenda for the Planning Committee, further consultation responses were received from residents, consultees, and the Applicant's agent.

Two consultation responses were received, including one in objection for the following reasons: access to site, additional traffic as the three main roads into Linford appear to be unclassified lanes; environmental pollution; out of character; loss of amenity by building on the green belt; road bridge needs providing.

One response was given in support of the application from DP World summarised as follows: contributing to the residential needs of growing their workforce; the need for balanced growth in the Thurrock; the number of freights trains is likely to increase over the coming years so the need for the bridge for access to East Tilbury is recognised.

It was confirmed that on 5 July 2024 HSE sent an updated representation advising against granting planning permission on safety grounds. The HSE's advice is noted as an informative on this refusal and as a matter that will need to be addressed on appeal.

In addition to this National Gas provided an updated consultation to advise that buildings or structure within the easement of the high-pressure gas pipelines will not be permitted and any building proximity distances must comply with the HSE's Land Use Planning Methodology.

Councillor Kelly requested legal advice, advising that he is employed by DP World and noticed they provided a letter of support in the addendum. The legal representative advised to keep an open mind and advised they could proceed.

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

Members sought clarification from the applicant's speaker on whether the bridge will be built first, and the price of an affordable 4-bedroom house. I'm not sure – it was a bit tough to pin him down, my understanding was that it would be part of the first phase but that the houses would be built first. Members were also advised that there will be variables, some properties will be for rental and others at discounted market rates. The value will be reflective of the type of property in the area. 70% will be social rented and 30% will be shared ownership, therefore prices will be dictated by the council.

The Co-optee sought clarity on the design and formation of what could potentially be a spine road advising it may become the main road by default. The Highways officer advised they discussed several options with the applicant including all traffic being diverted over the bridge.

Members questioned the importance of the details such as electric pylons, schools, pipeline that had to be specifically drawn up to prevent issues in the future. Officers confirmed there should be enough to make it clear what will be lawfully permitted.

Members questioned the soil quality and the green belt along with the agricultural land. Officers reassured the committee an assessment map was reviewed. The report states in paragraph 6.55 the site scores a 'very good' rating on Natural England's Agricultural Land Classification map for the Eastern Region.

The chair questioned whether reasons for refusal could be reshaped as conditions and sought views from the officers on this matter. Officers advised

they have included robust reasons for refusal and if there were any room for conditions, they would have included it in the report. Despite this concerns can shape conditions and if members were minded to approval officers would need to review what the appropriate conditions would be.

The Chair raised that the speaker for the applicant referred to factual inaccuracies and wanted to know officers' thoughts on that comment. Officers confirmed this was only brought to their attention during the speaker statement and they're unaware of alleged inaccuracies, however this will be taken up outside of the committee meeting.

Members questioned whether rules may potentially change before the appeal in October under the new administration, particularly as they are pushing for more housing. The Chief Planning officer confirmed that national policy can change, this will be taken into consideration at the time, however committee must decide based on the status of local and national policy.

Members questioned public inquiry process and whether they approve or refuse the application. The committee were advised that each side will make their case. Public can make representations and planning officers will provide evidence. Effectively the planning inspector will make the final decision and it won't return to the planning committee.

During debate members raised concerns that the application is on greenbelt land with no special circumstances around this site, which is the most important issue. Concerns were raised around the expense of the public inquiry.

The Chair summarised stating that there is an over-arching need for housing, however questioned whether it was needed in that location. It was noted there are several infrastructure concerns. As well as concerns raised by national gas and HSE. The chair reconfirmed that the decision must be made based on the information we have now.

The chair read the following recommendation for approval.

Recommendation: That members agree to the recommendation, that if it wasn't for the appeal against non-determination that the application would have been to refuse planning permission. The proposal would have significant strategic implications for the Borough as the site would represent development in the Green Belt and would therefore be a departure from the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015] and would normally be subject to referral to the Secretary of State. However, the applicant has appealed against non-determination of the planning application and this application is now subject to an appeal. The decision taken by the Planning Committee to this application will inform the Council's case for the appeal.

This was proposed by Councillor Liddiard and seconded by councillor G Byrne. Councillors proceeded to vote.

**For (8):** Councillors Liddiard, G Byrne, Kelly, J Maney, P Arnold, Polston, Sisterston, Fletcher

**Against (0):** None

**Abstained (1):** Councillor Shinnick

**Recommendation to refuse planning permission accepted.**

*The meeting paused for a break at 19.07pm Meeting commenced at 19.15pm*

**19. 19/01/1566/OUT Kings Farm**

The Planning officer provided a summary of the report, advising that the application included an outline for planning permission with all matters reserved apart from access. It is proposed to include mixed use development comprising up to 750 no. residential dwellings, medical facility, retail, and commercial units.

The committee were advised there will be an indicative mix of housing and apartment with 35% of the properties being affordable housing, in line with policy. Main access to the site from A128 will provide a three-arm roundabout.

The Planning officer advised that the application is scheduled for determination by the Planning Committee because it is considered to have significant policy or strategic implications and constitutes a departure from the Development Plan (in accordance with Part 3 (b), Section 2 2.1 (a) of the Council's constitution). The application was scheduled to be heard at two previous committee meetings in January 2023 & July 2023 and at those meetings it was agreed by the chairman of the Planning Committee that both items would be withdrawn from the agenda.

The main issues include harm to the greenbelt; harm to the landscape character, isolated location with reliance on private transport, along with insufficient access information/ impact on the town, and insufficient highways information. The recommendation is to refuse planning permission.

- A speaker statement was heard in opposition to the application from the ward councillor.
- A speaker statement was heard in support from the applicant.

Members questioned whether the active airfield needs to be protected. Planning officers advised that the site is large and underdeveloped, however there are some buildings on the site that are used in relation to the airfield at this time. In this instance they don't think there is a reason for refusal on these grounds.

Members questioned whether the roundabout will be put in near the A128. They were advised this would only be approved if the application was approved.

The Co-Optee questioned whether there was on single access to the site. It was confirmed this was the case, however there was a second option for emergencies.

Members stated there is another village development in Brentwood with 4000 homes near A128 and wanted further clarification on whether access was the issue with this application. It was confirmed that it is a wider issue of sustainability as there is no footpath or cycle path to this site to access all the main services and facilities. Therefore, you would be reliant on having a car.

Members questioned whether there was any public transport along the A128, that would go through this development. The Highways Officer confirmed there is a non-frequent bus service that goes towards Brentwood. The applicant has suggested this could potentially be enhanced, however more details on this have not been provided.

The Chair summarised the key points advising members to consider the current policies.

Members moved to debate. The main points included that it is on the greenbelt and transport is an issue there and access on the A128 isn't great. Members thought it was an inappropriate development and the benefits didn't outweigh the harm. In addition to this the volume of traffic for potentially 1500 vehicles that would put a strain on the existing area.

One member argued the density of the area makes it difficult to ascertain, however thought there was potential to develop the land in the future.

The Co-Optee added A128 is one of the most dangerous roads in Thurrock, with accidents that happen regularly, making the site inappropriate.

The Chair summarised the key points and read the recommendation.

Recommendation: To refuse planning permission.

This was proposed by Councillor Shinnick and seconded by Councillor P Arnold. Members proceeded to vote.

**For (8):** Councillors Liddiard, Byrne, Shinnick, J Maney, P Arnold, Polston, Sisterston, Fletcher

**Against (0):** None

**Abstained (1):** Councillor Kelly

**RESOLVED:** Application has been refused.

Suspended standing orders were agreed at 19.54

**20. 24/00111/FUL Teviot Avenue**

The Principal Planner presented the report, advising the site is for redevelopment and the existing site is 36 x 1 bed units. The proposal is for 9 x 1 bed flats, 21 x 2 bed houses, 9 x 2 bed flats, 7 x 3 bed houses and 2 x 4 bed houses. The proposal is for a development by the Council Housing Team and would be for units owned by the Housing team.

The committee were advised the existing development is in a horseshoe shape and has little street scene presence. The proposal would provide a live frontage on Teviot Avenue.

In addition to this, the dwellings have been designed in a traditional style with modern features. The overall design is acceptable in terms of the wider character and layout of the area. Amenity space would be provided for each of the dwellings on a private basis and communal, amenity space and balconies for the flatted units.

The committee were advised that car parking would take place on street. The existing dwellings would be provided with parking. The new flats would be provided with a parking space each and (18 spaces) and the 30 houses would be provided with 41 spaces. 4 visitor spaces would be provided, and 2 car club spaces would also be provided.

The new dwellings would be suitably distant from neighbouring properties not to impact upon them and would result in suitable living standards for existing and new occupiers.

The application is recommended for approval subject to conditions.

- A speaker statement was heard on behalf of the applicant.

Members questioned how many additional people they were likely to house. The speaker was unable to confirm a specific number but advised it would be a significant uplift.

The chair questioned whether the flats were social housing. It was confirmed that the new flats would have a mix of private and social housing.

Members queried whether there will be electric vehicle charging points. Officers confirmed some will be available.

Members moved on to debate. Members agreed it is a positive development and welcomed the improvement to some of the buildings that already exist.

Councillor J Maney declared that she had attended the presentations of the development that residents were involved in.

Members questioned whether on street parking would be a cause of concern. The highways officer advised they had assessed the parking, and they are happy with it. They are happy with the application in terms of the parking.

Recommendation: Approve subject to conditions. This includes education and primary health care.

This was proposed by Councillor G Byrne and seconded by Councillor Liddiard. Members proceeded to vote.

**For (8):** Councillors Liddiard, Byrne, Shinnick, J Maney, P Arnold, Polston, Sisterston, Kelly

**Against (0):** None

**Abstained (1):** Councillor Fletcher

**RESOLVED:** Application approved, subject to conditions.

## 21. 24/00141/FUL Infinis Limited

Senior Planning Officer presented the report, advising the application proposal consists of the construction and operation of a photovoltaic solar array, battery energy storage system and other ancillary development.

The Committee were advised the proposal constitutes inappropriate development within the Green Belt. However, there are special circumstances which outweigh the harm of the proposal to the Green Belt and any other harm. There are no objections to the proposals on other planning grounds with appropriate conditions. Therefore, the recommendation is to approve the application.

- A speaker statement was heard on behalf of the applicant.

Members questioned the risk associated with battery storage and whether any risk assessments had been carried out. It was confirmed that battery storage is highly regulated under other legislation. There is a condition for a battery storage management plan to be agreed before usage.

Members sought clarification on the statistics on solar power and whether it included the landfill gas capture. The committee were advised that the landfill gas capture is in addition to solar power.

Members questioned if the solar farm would be visible from the A1306. The Senior Planning Officer confirmed that it would be, but that it would be barely perceptible and will blend into the landscape.

Members moved to debate, advising that it is a great opportunity, good use of the land and will be supporting the recommendation.

The Co-Optee expressed concerns around the safety of the battery and solar farms and the proximity of the site to people's homes. The Senior Planning Officer confirmed that vehicles associated with the construction of the



development would not be going through Aveley. The Co-Optee agreed that the proposed solar farm is an improvement on the pit and the landfill site.

**Recommendation: Delegate authority to the Chief Planning Officer to Grant Planning Permission subject to the following:**

- (i) Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2024; and**
- (ii) Subject to the application not being called-in by the Secretary of State for determination, grant planning permission subject to the conditions set out in this report.**

This was proposed by Councillor Liddiard and Seconded by Councillor Shinnick. Members proceeded to vote.

**For (8):** Fletcher, Liddiard, Kelly, Polston, J Maney, Shinnick, Sisterson,

**Against (0):**

**Abstained (1):** G Byrne

**ACCEPTED: Planning permission granted.**

**The meeting finished at 8.48 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**