

Minutes of the Meeting of the Planning Committee held on 14 February 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 Sue Shinnick

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillor Colin Churchman

In attendance: Andrew Millard, Assistant Director - Planning, Transport and Public Protection
Leigh Nicholson, Strategic Lead - Development Services
Steven Lines, Senior Highway Engineer
Chris Purvis, Principal Planner (Major Applications)
Tom Scriven, Principal Planner
Caroline Robins, Locum Solicitor
Comfort Onipede, Trainee Solicitor
Wendy Le, 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.

83. Minutes

The following amendments were requested:

- Councillor Shinnick to be added to the list of 'apologies'; and
- Councillor Holloway to be noted as a substitute for Councillor Shinnick.

The minutes of the Planning Committee held on 10 January 2019 were approved as a correct record subject to the amendments to be made.

84. Item of Urgent Business

There were no items of urgent business.

The Chair congratulated the Planning Department on winning the award for the Local Authority Planning Team of the Year category at the Royal Town Planning Institute.

85. Declaration of Interests

Councillor Rice declared a non-pecuniary interest on both items as he had received email correspondence from the involved parties.

86. 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

Members had received an email correspondence from the Corporate Director of Place on application 18/00540/FUL which reminded the Committee that the previous covenants discussed at the last committee meeting on 10 January 2019 were immaterial. However questions around the history of the application could still be asked.

The Committee had also received an email from the applicant for application 18/01760/HHA, The Lodge.

87. Planning Appeals

Leigh Nicholson, Strategic Lead of Development Services, provided a brief outline of the report.

RESOLVED:

That the Planning Committee noted the report.

88. 18/00540/FUL - Town Centre Car Park, King Street, Stanford le Hope (Deferred)

Chris Purvis, the Principal Planner, presented the application and informed the Committee that the application had been deferred from the last committee meeting on 10 January 2019 to allow for a petition to be considered. An additional planning obligation, also utilising any other relevant powers, was added in seeking to safeguard the remaining public car park area outside the site but within land owned by the applicant and the access to and from the car park(the blue line indicated on the map).

The Chair opened the item to the Committee for questions.

(Councillor Sue Shinnick was unable to participate or vote on the planning application as she had not been present at the initial planning application hearing).

Steve Taylor, Campaign to Protect Rural England Representative, questioned if the retention of the public car parks would be retained. The Principal Planner confirmed this would be the case as the car park in the blue line would be retained as a planning obligation. Following up, Steve Taylor asked what the process would be if obligations were to change in the future. The Principal Planner answered that a Deed of Modification would be needed to change the planning obligations which would then go through a separate planning process.

In regards to the extra car park spaces, Steve Taylor asked if there was a possibility for adding on a deck below ground. Responding that the car park was at its limit, the Principal Planner went on to say that this had been discussed with the applicant to ensure that there would be enough parking spaces to meet the draft parking standards. Steve Taylor sought clarification on whether a conversation had taken place regarding extending a deck below ground to which the Principal Planner replied that the conversation had not taken place.

Referring to page 33, paragraph 4.12, Councillor Rice queried whether the 35% of affordable units would equate to 17 affordable units. The Principal Planner confirmed that there would be 16 affordable units from the housing scheme. Councillor Rice asked the Officer to check the calculations as he had calculated 17.

Continuing on with questions, Councillor Lawrence questioned whether there would be charging points for electric cars. The Principal Planner answered that the charging points were not within the planning applications but could be considered through a planning condition or through the travel plan. Councillor Lawrence sought confirmation on the number of disabled parking spaces to which the Principal Planner confirmed that there were two.

Going back to the affordable units from the housing scheme, Councillor Rice said that his calculation was 16.45 and he asked if this number would be rounded up to 17 or rounded down to 16. Andrew Millard, Assistant Director of Planning, Transportation and Public Protection, answered that the figure would be rounded down to 16 which was confirmed by the Principal Planner.

Referring to the initial agreement of the car park when it was sold in 2012 and understanding that it was now void; the Chair asked why it was sold off on the provision of 107 car park spaces. He went on to say that the condition had been to retain car park spaces at the time due to the local businesses and asked if this had been a condition of the sale. In answer, the Principal Planner said that the 2012 application had included a car deck which would have provided more car park spaces than the current development would.

Referring to page 33, paragraph 4.10, Councillor Rice questioned if further information on the flood risks had been provided to the Officer yet. Referring to page 47, paragraph 6.50, the Principal Planner said a low flood risk had been identified as the area was in a low risk flood zone. Further information was required for water drainage through a planning condition. Councillor Rice stated that water drainage was important and an adequate system had to be in place.

With no more questions from the Committee, the Chair opened the application up for debate.

Based on the 10 January 2019 Planning Committee meeting, the Chair was aware of the 500 signature petition in which it was clear that the Stanford le

Hope community was not in favour of the planning application. He went on to say that as a Ward Councillor, he had always been vocal in keeping free car park spaces. Understanding that the initial sale of the Stanford le Hope car park had to be ignored due to the fact that the covenants had expired, the Chair commented on the increase in the population of the Stanford le Hope community which would be impacted by a decrease in the amount of free car park spaces. The Chair was open to vote in favour but asked to hear the Committee's views.

Commenting on the difficulty of the planning application, Councillor Rice said the housing scheme would bring in 47 new homes of which 16 would be affordable. There would still be free car park spaces although these would be limited. Councillor Rice went on to say that the car park was a brown field site which allowed for development and Officers had undertaken the relevant investigations including an adequate water drainage system. There were no real objections from the agencies but there were a lot of objections from the local community.

Having weighed up the reasons, Councillor Lawrence stated that she was in objection to the planning application. The local community would be affected by the decreased number of free car park spaces and the housing development would be too big. If there had been more car park spaces available as a result, there would have been no issue. Councillor Lawrence mentioned reading an article on pollution and said that pollution was also caused by people driving round and round areas looking for a car park space.

Steve Taylor agreed the planning application would significantly impact on the town centre and the local businesses. He felt there was still room for negotiation with the developers to develop a deck to increase the number of available car park spaces which had not been discussed. It was an option that should be explored.

Agreeing with Councillor Lawrence on the problems of car parking, Councillor Sammons added that local businesses would suffer as people would not stop at those shops.

The planning application was proposed by the Vice-Chair and seconded by Councillor Rice that the application be approved.

(Councillor Sue Shinnick was unable to participate or vote on the planning application as she had not been present at the initial planning application hearing).

For: (2) Councillors Steve Liddiard (Vice-Chair) and Gerard Rice.

Against: (4) Councillors Tom Kelly (Chair), Angela Lawrence, Sue Sammons and David Potter.

Abstained: (1) Councillor Graham Hamilton.

Due to the outcome of the votes, Andrew Millard stated that an alternative recommendation or motion had to be put forward by the Members opposing the application as per the Constitution. As reasons had to be given for departing from Officer's recommendations, Andrew Millard noted the raised concerns on parking spaces which was detrimental to the vitality of the town centre and the overbearing development of the housing scheme which were considered as material planning considerations and the motion could be based on these. The Locum Solicitor concurred with Andrew Millard's approach.

The Chair submitted a motion that the application was to be rejected based on the detrimental impact that the planning application would have on Stanford le Hope's economy and the scale and overbearing nature of the housing development. The motion was seconded by Councillor Lawrence.

For: (6) Councillors Tom Kelly (Chair), Angela Lawrence, Sue Sammons, David Potter, Steve Liddiard (Vice-Chair) and Gerard Rice.

Against: (0).

Abstained: (1) Councillor Graham Hamilton.

Andrew Millard stated that the final wording of the decision would be cleared with the Chair before the decision would be issued.

89. 18/01760/HHA - The Lodge, Fen Lane, Bulphan, Essex, RM14 3RL

Tom Scriven, the Principal Planner advised that the planning application sought permission to develop a single storey side and rear extension. Two planning applications of a similar form had been sought previously and both had been rejected due to the size of the extensions. This application showed a reduction in the size of the proposed designs. However, the extension would still exceed the two reasonably sized rooms test for a proportionate extension in the Green Belt as set out in Policy PMD6 of the Core Strategy. As a result the proposal was considered to represent a disproportionate addition to the original dwelling which would constitute a disproportionate addition in the Green Belt, by definition harmful to openness.

The Chair opened the item up to the Committee for questions to which there were none. The item was opened up for debate.

Noting the previous two rejected applications, Councillor Rice said the applicant was clearly trying to be accommodating and only sought a small extension that would not be seen by the next door neighbour. He thought the applicant was being reasonable as he sought a small diner and utility room. Referring to the planning training provided prior to the Committee meeting, Councillor Rice said he would be in favour of the application as the extensions requested would not be disproportionate to the original building.

Agreeing with Councillor Rice, Councillor Lawrence added that the extension was small which would not affect the Green Belt and would keep to the character of the house design. She felt the personal reasons given by the applicant via email would constitute very special circumstances as the applicant's elderly mother would be moving in so she would not be placed in a care home. The applicant's family would be able to live in harmony with his elderly mother and his children and the extension would not be seen. With all the reasons added up together, Councillor Lawrence felt the Committee should be fair.

Steve Taylor said that the biggest issue of the application was the fact it would extend onto a part of the Green Belt. Policy is quite clearly against developing on the Green Belt. Therefore to allow for this application to develop on the Green Belt would invite issues from concerned parties and other future planning applications within the Green Belt. Permitted development rights were removed when planning permission was granted for the dwelling and previous applications for the extensions had been rejected and should not be overridden.

Sympathising with the applicant, the Chair agreed the application had to be considered in planning terms and whilst the reasons given and the requested extension did not seem unreasonable, the laws of planning still applied. He agreed with Steve Taylor that there needed to be consistency on the approval and rejection of planning applications.

Referring to the planning training prior to the Committee meeting, Councillor Rice said he had been advised to treat each planning application on its own terms and therefore it would not set a precedent. He thought the applicant was reasonable with his third amended application. The extension was not massive and with the reasons given from the planning training, Councillor Rice would use these to depart from the Officer's recommendations.

Disagreeing with the given comments of the Committee, Councillor Hamilton referred to page 63 of the Agenda, where it was stated that the extension was still almost double the size which would be appropriate in the Green Belt. This would still encroach onto the Green Belt and whether it could be seen from the road or not was irrelevant. He agreed with the Officer's comments and recommendations.

Noting the points raised, Andrew Millard provided advice to the Committee in which whether the extension would be seen or not was immaterial. Referring to Steve Taylor's earlier point, Andrew Millard said that all additions to the property had been allowed at the time that it was built. He also stated that the Council's own Core Strategy clearly sets out what would constitute a proportionate addition in the Green Belt. The reasons given by the Committee did not amount to exceptional or the very high bar of very special circumstances which would allow departure from planning policy.

Disagreeing, Councillor Rice proposed a new motion that the application be approved because the extension would not result in disproportionate addition to the original building. Councillor Lawrence seconded the motion.

The Committee moved on to voting of approving the application based on Councillor Rice's motion.

For: (5) Councillors Gerard Rice, Angela Lawrence, Sue Sammons, Sue Shinnick and David Potter.

Against: (3) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair) and Graham Hamilton.

Abstained: (0).

Referring to the Constitution and taking into consideration the reason for approval, Andrew Millard said the reason was tentative. As a decision was not made, the planning application would be deferred to the next Planning Committee meeting with a report setting out the implications based on the motion proposed.

The meeting finished at 7.57 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**