

## Minutes of the Meeting of the Planning Committee held on 21 November 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, Sue Shinnick and Cathy Sisterson

Steve Taylor, Campaign to Protect Rural England Representative

**Apologies:** Councillors Ryan Polston

**In attendance:** Ashley Baldwin, Chief Planning Officer  
Nadia Houghton, Principal Planner  
Julian Howes, Highways Manager  
Lucy Mannion, Senior Planning Officer  
Chris Purvis, Major Applications Manager

Carly Parker, Senior Democratic Services 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.

### **46. Minutes**

Minutes of the meeting 12 September 2024 and 17 October 2024 were approved as an accurate record of both meetings.

### **47. Item of Urgent Business**

There were no items of urgent business.

### **48. Declaration of Interests**

There were no declarations of interest, however two councillors were not present in the previous meeting for an item that was deferred to this meeting therefore they recused themselves from that item.

Another member recused themselves during the last meeting for the item that was deferred, therefore recused themselves from the same item on this agenda.

### **49. 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 advised that he did receive an objection to a potential application that is due to come to the Planning Committee.

## **50. Planning Appeals**

The Major Applications manager provided a presentation for the committee on the East Tilbury appeal.

The Committee were advised that this was a non-determination appeal that was presented to committee in July 2024 and progressed to appeal in October 2024. The Proposal included up to 830 dwellings if the Lower Thames Crossing is constructed or up to 1000 dwelling if the Lower Thames Crossing is not constructed. It also included a new local road network including a vehicular/ pedestrian railway crossing. As well as a primary school, local centre, and new areas of open/ recreational space.

It was confirmed that the appeal was allowed. Subject to 51 conditions including information required for future matters applications. It was also allowed subject to section 106 agreement that would secure the bridge over the railway, the primary school education provision, affordable housing, highways work, governance of community assets, a noise deed variation, and other financial contributions.

Members were informed that the original application advised it would be harmful to the greenbelt, however they reviewed special circumstances that would justify planning permission. Stating that the proposal would deliver market and affordable housing in the area that has a poor record of both that attributed substantial weight. It would also deliver a bridge over the railway line through East Tilbury to which was afforded significant weight. Moderate weight was placed on the benefits in relation to biodiversity, primary school provision, recreational facilities, and economic impact. It was felt that these factors outweigh the harm to the greenbelt.

Members stated that it's becoming increasingly difficult to sum up these applications and understand what is harmful to the Greenbelt and what isn't. There appears to be a change in attitude towards the National Planning Policy Framework (NPPF) and not to the policy itself. Members agreed that the bridge over the railway was needed, and wondered if this could be implemented early in the building stages.

The Major Applications Manager advised the Committee there hasn't been any changes to the NPPF since last year December, however they are aware of the consultations that went out in the summer. Members were advised that other councils are in similar situations to Thurrock in terms of not having a 5-year housing land supply. The housing land supply is where the substantial weight has been given for this decision.

The Committee were informed that further information was provided during the appeal stage to address councillor highways concerns along with further mitigations. The Highways officer added they worked with highways

consultants to gather the required information. Advising there will be further mitigations at the Manor Way roundabout and additional lane along Muckingford Road.

The Co-optee raised concerns that approximately 50% of houses that were bought in Thurrock were purchased from people outside of Thurrock. When new houses are bought its usually by people that are being disgorged from London, however it doesn't resolve the housing crisis in Thurrock. The Co-optee queried whether the Council had any influence to make sure Thurrock residents are provided with the opportunity to access these homes.

The Chair added that the lack of housing provision shouldn't be the reason that applications are approved. Adding that there have been several applications approved with no progress, and wondered if there was a way to influence developers. The Major applications manager advised the council can't control developers and can only approve or reject applications. It is down to the developer to implement permissions.

The Vice-Chair queried whether the affordable housing percentages were based on units. It was confirmed that there are two amounts for the East Tilbury developments depending on whether the Lower Thames Crossing is built. The first option is up to 830 and the 2<sup>nd</sup> option is up to 1000. Therefore, the policy does allow up to 15 or 20%. The section.106 funding is influenced by the councils housing team.

Members queried how much of the properties will be affordable and how much will be below market rate. It was confirmed that this is set by the Council's housing team.

**51. 24/00915/CV- Land Adj Helleborine, Curling Lane & Meesons Lane**

Agenda Item 8 was moved to be heard before agenda item 7.

The Principal Planner presented the report to the committee. Advising the planning application seeks the variation of Conditions 2 and 3 of planning permission ref. 18/00551/FUL (Revised proposals seeking the development of 8 no. two bedroom semi-detached low carbon dwellings with associated access, car parking and amenity areas) varied by permission 21/00771/CV (which revised the footprint and layout of the dwellings to increase the private amenity space and provide access at ground floor levels, and to amend external materials) to allow for a change to the layout and use of the lower ground floor space as a store for each dwelling.

Members were advised the application site has consent for the erection of 8 two-bedroom semi-detached low carbon dwellings with associated access, car parking and amenity areas, the detailed plans for which were varied under ref 21/00771/CV determined in July 2021. It was confirmed the current section.73 planning application seeks to amend one aspect of that previous

consent to allow for the use of part of the lower ground floor of the dwellings for storage, in lieu of what was previously shown as a void area.

Members were advised the application was called-in for determination at Planning Committee by Councillors J Kent, Morris-Cook, Kerin, Watson, Green and Hartstean to consider matters relating to habitat disturbance; parking; overdevelopment, and whether the development is not in keeping with nearby properties. Given the limited external changes proposed to the previously agreed scheme, the application is recommended for Approval.

- Speaker gave statement to the committee.

There were no further questions.

There was no formal debate.

### **Recommendations to approve variations.**

Proposed: Councillor Kelly  
Seconded: Councillor G Byrne

Members proceeded to vote.

For (8): Councillors, P Arnold, G Byrne, Fletcher, Kelly, Liddiard, J Maney, Shinnick, Sisterson  
Against (0)  
Abstain (0)

### **Recommendations Approved.**

## **52. 23/01435/OUT/Land West of Park Lane**

The Senior Planning Officer presented the report to the Committee. Members were reminded that at the meeting held on 17 October 2024 the application was deferred, as members were minded to refuse planning permission for the proposed development based upon the following summarised reasons:

- Substantial harm to the Green Belt with a reduction to openness.
- The impact upon infrastructure with specific regard to the impact upon the primary school and healthcare services.
- The lack of transport links.
- For the urban design reasons based on their consultation response from the Urban Design Officer.

Members were advised that Officers sought separate legal advice to assist the Planning Committee in their decision making. This was through external counsel advice from an independent barrister.

### **Counsel advised.**

*“In departing from the recommendation of Officers, Members will also need to give detailed and cogent reasons for not accepting professional advice. They will need to clearly demonstrate on planning grounds why a proposal is unacceptable and provide clear evidence to substantiate that reasoning. Further, the reasons for refusal should also be precise, and clearly articulated, and refer to relevant policies in the development plan so as to comply with Article 35(1)(b) of the Development Management Procedure Order 2015 which states that “where planning permission is refused, the notice must state clearly and precisely their full reasons for the refusal, specifying all policies and proposals in the development plan which are relevant to the decision”.*

It was summarised that in response to the development being inappropriate to the Green Belt there is substantial weight with very special circumstances factors that the site is landlocked by existing development to the east, south, west, and by Ormiston Park Academy playing fields (which are also part of listed Belhus Park to the north, therefore reducing its openness.

Members were advised that there was very substantial weight for the provision of market housing and affordable housing to help address acute need and lack of supply. In addition to this concerns around access to services such as GPs and education have been mitigated with the developer agreeing to s106 contributions required by the NHS and Education.

The developer has also agreed to provide a toucan crossing and the development will provide self/custom built plots. In addition to this some weight was given to the utilisation of sustainable site, economic benefits, and environmental benefits.

Members were advised there are no objections to the proposals on other planning grounds with appropriate conditions, therefore the recommendation was to approve planning permission.

Members queried why officers felt it was necessary to seek counsel opinion. It was confirmed they take counsel advice frequently, particularly if there is risk to the council at appeal stage. The Legal representative added that seeking counsel opinion during this phase is less expensive, particularly as the advice was from a junior barrister.

The Co-optee raised concerns regarding applications going forward. The likelihood of changing opinion is remote. Advising that members are there to represent electorate and currently not in the position to refuse applications. The Chief Planning Officer advised that ultimately the Committee purpose is to review applications and come to a decision. The officers are there to guide them and weigh up the risk. The Chair disagreed, considering that they are

there to represent residents. Members are allowed to have a difference of opinion, and if they do refuse and application, they must provide a robust argument that will withstand challenge. The Legal representative stated that planning applications are becoming more complicated and advised that members should see the reports as guidance or framework, using policy and local plan to decide.

Members queried if Thurrock had a five-year housing land supply would this affect the ability to reject applications. It was confirmed that not having a 5-year plan for housing land supply means there is a tilted balance towards approving residential applications.

Members agreed they would base their decisions on the merit of the application and not on the fact there is a lack of housing supply.

### **Members proceeded to debate.**

The Chair queried what specifically makes this land on the greenbelt less valuable. It was confirmed that the paragraph 6.8 of the appendix laid out the balancing exercise that was carried out to examine the weight attributed to different factors of harm and confirm the site is constrained and doesn't lead to unrestricted sprawl.

The Vice-Chair queried the five-year land supply and what the figures were. The Chief Planning Officer confirmed total need for five-year supply is just under 7000. Therefore, this would be divided up per annum which gives a requirement of just under 1400.

Members queried the risk to Belhus Park and building there and stressed the importance of keep this land. The Senior Planning Officer advised that its correct there was an application in Belhus Park, this site was for a playing field, therefore it is unlikely anything will be built in the park area.

Members queried whether the toucan crossing would be linked to the south bypass and sought confirmation it would not be linked to the Kennington's area. The toucan crossing would be a link to the site over Lance Corporal Nicky Mason Way to improve accessibility to the proposed development.

Members queried how this development could support the existing Kennington site as there is a lack of pavements and appropriate crossings. It was confirmed they can only focus on matters directly related to this proposal. The highways officer agreed that the request for a footway and crossing point linking Kennington and crossing Lance Corporal Nicky Mason Way would be discussed with the Highways Manager but that any discussions and would works would be outside the scope of the planning application.

### **Recommendations to approve planning permission subject to the referral to secretary of state.**

Proposed: Councillor Kelly  
Seconded: Councillor G Byrne

**Members proceeded to vote.**

**For (4): Councillors Fletcher, G Byrne, Kelly, Liddiard**

**Against (1): Councillor J Maney**

**Abstain (3): Councillors P Arnold, Shinnick, Sisterson**

Members retained their misgivings, there was a clear steer after the East Tilbury appeal, that they need to consider the degree of harm being done; on this basis they agreed to approve the application.

**Recommendations to approve planning permission RESOLVED.**

**The meeting finished at 7.55 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](mailto:Direct.Democracy@thurrock.gov.uk)**