

## **Minutes of the Meeting of the Planning Committee held on 12 July 2018 at 7.00 pm**

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**Present:** Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Andrew Jefferies, Terry Piccolo, Gerard Rice, Sue Sammons, Angela Lawrence and Sue Shinnick

**Apologies:** Councillors Colin Churchman

**In attendance:** Andrew Millard, Assistant Director - Planning, Transport and Public Protection  
Leigh Nicholson, Development Management Team Leader  
Jonathan Keen, Principal Planner  
Nadia Houghton, Principal planner  
Tisha Sutcliffe, Democratic Service 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.

### **13. Item of Urgent Business**

There were no items of urgent business.

### **14. Minutes**

The minutes of the Planning Committee meeting held on 7 June 2018 were approved as a correct record.

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

Councillor Kelly declared an interest on Item 9, Planning Application 17/01527/HHA 2 Oval Gardens, due to a relative living extremely close to the property in question. Councillor Kelly removed himself from the Chamber on two items (17/01527/HHA) & (18/00343/FUL) as he was not present for the second item when it was initially discussed at June's Committee.

Councillor Piccolo declared a non-pecuniary interest and shared with the Committee that, although he visited the site of application (18/00343/FUL) with a Planning Officer prior to the item being brought to Committee, he would not have predetermined views on this application.

Councillors S Sammons, S Shinnick, C Churchman and Mr S Taylor stated that they had also attended the site however they were all keeping an open mind.

The Assistant Director Planning, Transport and Public Protection highlighted that as Councillors T Kelly, S Shinnick and A Sheridan were not present during June's Committee they would be unable to vote on item 8, 18/00343/FUL Stanford Tyres.

**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**

Regarding planning application 15/00834, Manor Road. Councillor Rice declared receipt of an email from the applicant (Bellway) giving further information on the description of the site. It was confirmed that all members of the Committee had in fact received the same email.

**17. Planning Appeals**

The report provided information regarding Planning appeal performance.

**RESOLVED:**

**The Committee noted the report.**

The Chair explained to the Committee that item 10 of the Agenda (18/00507/FUL) had been withdrawn from the meeting and would be presented at the next available date. This was due to technical matters which were being assessed by a Viability Assessor.

**18. 18/00343/FUL Stanford Tyres and Servicing Rear of 16 London Road, Stanford Le Hope, Essex SS17 OLD (deferred)**

The Vice Chair explained that this item was deferred from the Committee meeting in June 2018.

The planning application was for the proposal of a two storey block for A1 retail use, storage and office spaces. The two previous applications were slightly different with more built development proposed and this current application demonstrates the decrease in the height of the building. The building would provide a shop on the ground floor and office on the first floor with an attached externally accessed storage building on the ground floor adjoining the shop. The existing buildings would be demolished.

The Vice Chair opened the Committee to questions regarding the planning application 18/00343/FUL Stanford Tyres and Servicing.

Mr S Taylor wanted clarity as to what point the boundary would stop on the building. However during the site visit this was explained by the Planning Officer and photos were taken to be shared back with the Principal Planner.

Councillor Piccolo highlighted the alleyway to the site was always used by the public.

Notice had been served on Ruskin Road, however there had not yet been any disputes from Hollis House. The plans will continue to allow access down the alleyway. Councillor Piccolo stated the photographs taken during the site visit were not shared with the Principal Planner. He also pointed out that the guttering from the new building would hang over the Objector's property. However it was confirmed by the Principal Planner that this was incorrect as the guttering would not have any impact or hang over the Objector's property.

The Vice Chair noted that the speakers on this item had shared their statements at June's Committee when the item was deferred.

The Vice Chair opened this item up for debate.

Councillor Piccolo stated that having known the site for around 25 years, he was fully aware the objector's garden would sit below the normal land height which raised concerns.

This application was recommended for approval subject to conditions, although none of the Councillors voted on this item.

Assistant Director of Planning, Transport and Public Protection explained, without item 8 being seconded, Councillors would need to propose an alternative.

Councillor Piccolo did not want to give his judgement on the application in case it was seen as pre-determination. The Assistant Director of Planning, Transport and Public Protection asked for legal advice to be given on this matter. It was explained by the Local Solicitor that as long as members retained an open mind he was able to make his contribution.

The Local Solicitor stated members needed to ensure they are all clear on what prejudgment was. Ms Robins said the Committee meeting need to ensure they are all clear on prejudgement.

Councillor Piccolo proposed for the applicant to reduce the size of the building.

The proposal was accepted by the Committee.

For (4): Councillors A Jefferies, T Piccolo, S Sammons and G Rice

Against: (1) Councillor S Liddiard

Abstain: (0)

**RESOLVED:**

**The application was deferred.**

**19. 17/01527/HHA 2 Oval Gardens, Grays, Essex RM17 5NR**

The application sought approval, subject to conditions, for a two storey side and single storey rear extension. The single storey rear and two storey side extensions were both considered acceptable in size and design and there were considered to be no detrimental impacts on the neighbours. Highways had considered this application to be acceptable.

The Ward Councillor was invited to present his statement. He highlighted, the property was registered on "Zoopla" as a 7-8 bedroom property, which raised concern as the parking spaces are very limited.

The Vice Chair opened the Committee to questions regarding the application.

Councillor Jefferies wanted to clarify whether the applicant had made alterations to the property having already had an application to do so refused. The Principal Planner explained an earlier application for a new two storey dwelling on the site was previously refused. He also advised that the applicant was advised they should not be going ahead with the work on the current application without planning permission having been obtained. .

Councillor Piccolo asked if the other application was refused due to parking. The Principal Planner stated they were unable to confirm as they did not have the relevant information during the meeting. However the application was a completely different proposal which would have resulted in an additional house on the site, rather than an extension to the existing house.

Councillor Piccolo wanted confirmation on how many parking spaces would be required for an 8 bedroom property. The Principal Planner confirmed the total of 5 bedrooms on the plan. The Highways Engineer advised parking for a 2-3 bedroom is a maximum of 1.5 – 2 spaces dependent on accessibility and anything above this number would require an additional parking space.

Councillor Piccolo asked what measures were in place to ensure that a 5 bedroom property does not become a 7-8 bedroom property a House of Multiple Occupancy (HMO).

The Principal Planner advised that properties are able to have up to 6 unrelated people living together as a single household and anything above this figure will require planning permission.

Councillor Jefferies wanted to know what inspections were undertaken on the property to ensure no more than 5 bedrooms are being used as a HMO. It was confirmed by the Principal Planning Officer, that Officers had been to the property within the last 10 days and there was nothing to indicate it was more than a 5 bedroom property.

Councillor Piccolo expressed his concerns that this property may be turned into an HMO. Councillor Piccolo's concerns were, that the property appeared

a lot different from the other properties down this street and the fact the applicants were advised not to build on the property yet the applicant failed to comply and went ahead with the alterations.

Councillor Rice wanted to confirm whether the applicant requested permission after the work was underway. This was confirmed as correct.

The Assistant Director advised that an Informative could be added to a Decision Notice to advise that the property cannot become an HMO without planning permission.

Councillor Jefferies highlighted the parking would be an issue if the house were to become an HMO. He wanted to know what measures were put in place to ensure this does not happen as the applicant failed to follow instructions when building on the property originally.

Mr S Taylor asked if the property was to be sold would the agreement of non HMO requirement with any new owners. It was confirmed that Planning Permission runs with the land.

The Vice-Chair stated this application appeared over developed; however there were no reasons why this item should be refused. He agreed to accept this application with the informative attached to the decision to advise that permission would be required to use the house as an HMO.

It was proposed by The Vice-Chair and seconded by Councillor A Sheridan subject to conditions, as per the Officer's recommendations.

For (4): Councillors Steve Liddiard, Sue Sammons, Angela Sheridan and Gerard Rice

Against: (3) Councillors Andrew Jefferies, Terry Piccolo, and Sue Shinnick

Abstain: (0)

**RESOLVED:**

**That the application be approved, subject to conditions.**

*The Chair entered and continued with the meeting.*

**20. 18/00507/FUL: Land Adjacent Moore Avenue, Devonshire Road and London Road, South Stifford, Grays, Essex**

The Chair explained to the Committee at the beginning of the meeting item 10 18/00507/FUL Land Adjacent Moore Avenue, Devonshire Road had been withdrawn and will be presented at the next available date.

**RESOLVED:**

**Withdrawn from the agenda.**

**21. 15/00234/FUL: Land off Adjacent to School, Manor Road, Grays, Essex**

This item proposed a development of 93 dwellings consisting of apartments, terraced, semi-detached and detached houses with amenity space and access roads. The access into the site would be via an extension to Manor Road, with the internal road running through the site in a North to South direction. A cycle and footway had been created outside of the site and is part of a wider connectivity plan linking Grays with Tilbury and the site includes part of that link on the plans. The site is currently in a natural state.

To the North West side of the site is a scrap metal warehouse and the majority of the site is currently allocated on employment land on the LDP Proposal's Map. Since its allocation as employment land in the LDP there have been no recent planning applications received for using the land for employment purposes.

The item was recommended for refusal on the design and layout reasons as stated in the report and the Principal Planner explained this further during the presentation of the item to the committee.

The Chair opened the Committee to questions on the Planning application.

Councillor Rice was concerned that the application was initially validated in July 2015 but three years later the application still had not been determined. Councillor Rice felt the applicant had not received the attention from the planning department and found it unacceptable that it had taken 3 years for the item to be presented at the Planning Committee. Councillor Rice informed the Committee that there were other applications in the system which were more than 9 months old and felt that there should be a task force in place to investigate the planning department.

During his address, Councillor Rice referred to e-mails and meeting requests from the applicant which had been allegedly ignored by the Planning Team.

Councillor Rice asked who was in charge of the Planning application, the Officers or the Design consultant. He raised concern in relation to housing delivery and informed the Committee that the Council was expected to deliver 32,000 homes in the next 20 years.

Councillor Rice wanted clarity on how things would improve and, if the department is lacking resources then it would need to be addressed at Cabinet.

The Assistant Director - Planning, Transport and Public Protection informed the Committee that all applications are brought forward for determination when they are ready. The Assistant Director reminded Members that the Planning team were one of the highest performing local authorities in the country in terms of the speed of decision making and high quality design is of

paramount importance. The Assistant Director advised the Committee that sub-standard design should not be accepted; poor quality housing leads to poor perceptions of Thurrock. The Assistant Director advised the Committee that more homes had been built in Thurrock in the last year than 11 years previous, indicating a growing confidence in Thurrock.

The Assistant Director assured the Committee that accusations relating to the performance of the team would be looked into and a response provided to the Chair.

Councillor Piccolo considered Councillor Rice's comments and advised the Committee that applicants have a right to appeal if a decision is not made on an application within the statutory determination period and suggested that the applicant has a role to play in the delays.

Councillor Rice wanted clarity on how things will improve and, if the department is lacking resources then it would need to be addressed at Cabinet.

Councillor Rice proposed the item be deferred and a Task Force to be put in place to investigate the Planning Department.

Councillor Sheridan disagreed and requested for debate as she felt the proposal was positive and the homes would be excellent for residents in Thurrock. A number of residents continue to struggle for housing in Thurrock and this proposal would be positive for the residents.

The Principal Planner explained that the proposed dwellings properties would have mixture of modern and traditional designs with a large variety of house types. The Principal Planner highlighted that in comparison this application is very different to modern simple selection house types used for the Arisdale Avenue application approved at June's Committee meeting, which showed a simple modern, high quality design approach in place making terms.

Councillor Rice recommended the item be taken back to the applicant and resolved with the officers as it had been over 3 years and it urgently needed to be addressed.

Mr Taylor asked whether the properties would be affordable homes. The Principal Planner advised the application is subject to a viability assessment and currently there are 19 units in the development which would be affordable housing.

The Chair observed that the quality of the road currently beyond the end of Manor Road did not look appropriate to build near as it was unmade. The Principal Planner confirmed the road surface would be upgraded to provide a smooth surface into Manor Road.

The Chair highlighted at Cabinet on 11 July there was a discussion around a secondary school being built. The Principal Planner acknowledged that the

announcement had been in the local newspaper however the current application had to be considered on its own merits as there was no live application for a school in this location.

The Objector Dr Carmel Lawless was invited to present her statement.

The Applicant Mr Ashley Bean was invited to present his statement.

The Chair asked if the houses would be affected by flood risk, it was confirmed on page 82 point 6.3 of the report the properties will not be built in a flood zone and there were no objections from consultants in regard to flooding.

Councillor Sheridan asked what the impacts the scrap yard would have on the properties if they later decide to expand their site. The Principal Planner advised there had been no applications put forward for re-development of the scrap yard site and this matter would have to be considered at the time of any application being made in the future.

Councillor Shinnick inquired whether there would be adequate facilities for schools in the area. It was explained that an s.106 agreement could secure financial contributions to mitigate the impact of the development upon education facilities in the local area.

The Chair opened the Committee to debate.

The Chair did not agree with Councillor Rice in regards to the accusations made against the planning service and did not consider there to be grounds to have a task force to investigate. The Chair advised however that he would be happy to agree with a deferral or a recommendation if it was proposed.

Councillor Rice noted there had been no objections from any of the services such as Anglia Water, Essex County and Emergency services. Councillor Rice suggested the item should be deferred to focus upon the design objections.

The Assistant Director asked whether, in deferring the item, Councillor Rice would like to see the item presented to a CABE Design Review to help improve the design of the scheme. Councillor Rice confirmed that this was the case.

Councillor Sheridan asked if this item could be voted on as she did not agree with the proposed recommendation. She felt the houses should be built for the residents and it would be positive to have affordable homes which would reduce homelessness in Thurrock.

Mr Taylor said it would be interesting to explore the amount of properties which were to be agreed but had not yet been built in the Borough.

It was proposed by Councillor Rice and seconded by Councillor Shinnick that the application be deferred to allow the applicant time to resolve the design issues by taking the scheme through a CABE design review and working with

officers. The item would be brought back to a future meeting of the Planning Committee.

For (6): Councillors T Kelly, S Liddiard, A Jefferies, T Piccolo, G Rice, S Shinnick.

Against: (2) Councillors S Sammons and A Sheridan

Abstain: (0)

### **RESOLVED:**

**That the application be deferred to allow the applicant time to resolve the design issues by taking the scheme through a CABE design review and working with officers.**

### **22. 17/01479/FUL East Tilbury Primary and Nursery School, Princess Margaret Road, East Tilbury, RM18 8SB**

The application sought planning permission to construct a new teaching block along with a single-storey extension, remodelling to the front entrance of the schools construction of a new single-storey entrance foyer and all-weather sports surface to be provided where existing demountable classrooms are being removed.

The Principal Planner pointed out there had been a typographical error on page 97 with plan numbers as it should have stated 420 instead of 425. An additional condition also needed to be included relating to the details to be submitted and agreed in relation to the provision of cycle and scooter storage which had been included in the scheme.

The Principal Planner confirmed that the building is located within the Green Belt, however the relevant assessments had been undertaken.

The Chair opened the Committee to debate.

Councillor Sheridan wanted clarity around the timeframe for the work to be done, it was confirmed this would be done throughout this academic year.

It was moved by Councillor Liddiard and seconded by Councillor Sammons that the application be agreed. .

For: Councillors Tom Kelly, Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Andrew Jefferies, Terry Piccolo, Gerard Rice, Sue Sammons, Angela Lawrence and Sue Shinnick, Angela Sheridan, and Sue Shinnick.

Against: (0)

Abstain: (0)

**RESOLVED:**

**That the application be approved, subject to conditions.**

**23. Declaration of Interests**

Councillor Kelly declared an interest on Item 9, Planning Application 17/01527/HHA 2 Oval Gardens, due to a close relative living extremely close to the property in question. Councillor Kelly removed himself from the Chamber on two items (17/01527/HHA) & (18/00343/FUL) as he was not present for the second item when this was discussed at June's Committee.

Councillor Piccolo declared a non-pecuniary interest and shared with the Committee that, although he visited (18/00343/FUL) Stanford Tyres with a Planning Officer prior to the item being brought to Committee, he would not have predetermined views on this application.

Councillors S Sammons, S Shinnick, C Churchman and Mr S Taylor stated that they had also attended the site however they were all keeping an open mind.

Councillors S Shinnick and A Sheridan did not attend the Committee meeting in June. Therefore they were unable to vote on item 8 18/00343/FUL Stanford Tyres

**The meeting finished at 9.04 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)**