

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

Planning Committee

The meeting will be held at **6.00 pm** on **20 April 2017**

Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL.

Membership:

Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Steve Liddiard, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice

Richard Bowyer, Thurrock Business Association Representative
Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors John Kent, John Allen, Jan Baker, Brian Little and Graham Snell

Agenda

Open to Public and Press

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1 Apologies for Absence	
2 Minutes	5 - 14
To approve as a correct record the minutes of the Planning Committee meeting held on 16 March 2017.	
3 Item of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declaration of Interests	
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

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7 Public Address to Planning Committee

The Planning Committee may allow objectors and applicants/planning agents, and also 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, Part 3 (c).

8 16/00307/FUL: Land to rear & north of Bannatynes Sports Centre, Howard Road, Chafford Hundred, Grays 19 - 72

9 16/01574/FUL: C.Ro Ports London Ltd, Purfleet Thames Terminal, London Road, Purfleet, RM19 1SD 73 - 114

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12 17/00194/FUL: Coryton Asset Ltd, Offices At Former Petroplus Refinery, The Manorway, Coryton, Essex, SS17 9LN 231 - 252

13 16/00767/TBC: Open Space Adjacent Delargy Close Defoe Parade And Brentwood Road, Chadwell St Mary, Essex 253 - 278

Queries regarding this Agenda or notification of apologies:

Please contact Lottie Raper, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **10 April 2017**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Vision: Thurrock: A place of **opportunity**, **enterprise** and **excellence**, where **individuals**, **communities** and **businesses** flourish.

To achieve our vision, we have identified five strategic priorities:

1. Create a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

3. Build pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

4. Improve health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

5. Promote and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

Minutes of the Meeting of the Planning Committee held on 16 March 2017 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Tunde Ojetola, Terry Piccolo, David Potter, Gerard Rice and John Kent (substitute for Steve Liddiard)

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillor Steve Liddiard

In attendance: Andrew Millard, Head of Planning & Growth
Leigh Nicholson, Development Management Team Leader
Nadia Houghton, Principal planner
Chris Purvis, Principal Planner (Major Applications)
Vivien Williams, Planning Lawyer
Charlotte Raper, 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.

93. Minutes

The minutes of the Planning Committee meeting held on 23 February 2017 were approved as a correct record.

94. Item of Urgent Business

There were no items of urgent business.

95. Declaration of Interests

The Vice-Chair declared a Non-Pecuniary Interest regarding Item 10: 16/01649/FUL: Athlone House, Dock Road, Tilbury, RM18 7BL in that he had attended a meeting with the Head of Planning and Growth and the Development Management Team Leader to discuss the application.

96. 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 declared, on behalf of all Members of the Committee, that regarding Item 9: 17/00099/FUL: Church Hall, Rigby Gardens, Chadwell St Mary, Essex, RM16 4JJ an email had been sent to the Committee by the

Agent, James Ware. He had also received some correspondence from residents regarding the same item.

Councillor Kent declared that, regarding Item 8: 17/0086/CV: St Thomas of Canterbury Catholic Primary School, Ward Avenue, Grays, Essex, RM17 5RW, he had been lobbied by residents as the Ward Councillor. He assured the Committee he was not predetermined but in the interests of transparency he would not participate in that item.

97. Planning Appeals

Councillor Piccolo noted that the Committee had been presented with an updated version of the Planning Appeals Report. The figures did not add up correctly, though they did in the report included in the Agenda. Members were advised that the data would be updated before the next meeting.

98. 17/00086/CV: St Thomas of Canterbury Catholic Primary School, Ward Avenue, Grays, Essex, RM17 5RW

Members were advised that since publication of the Agenda further correspondence from residents had been received regarding the application and therefore there had been 19 letters in total, 18 of which had been letters of objection. The application sought permission to remove condition 7 (Traffic Management Scheme) from the original permission granted in 1997. Since the School closed its gates to vehicles in September 2016 Highways had received an increased amount of complaints and therefore the need for the Traffic Management Scheme remained. The application was recommended for refusal by officers.

A resident, John Seal, was invited to the Committee to give his statement of objection.

The Applicant, Chris Birtles, was invited to the Committee to give his statement of support.

Councillor Piccolo queried whether there were any other schools in the borough where vehicles entered the site. Members were informed that there were two other schools with this model; St Thomas of Canterbury Catholic Primary School had been the first and the model had been passed on to other schools and was considered favourable.

The Vice-Chair asked whether there were any public car parks nearby for parents to park in to avoid congestion in the immediate vicinity of the school. There were none within a ten minute walking distance although the Highways Department tried to encourage systems where parents and children walked to schools from nearby car parks where possible. Councillor Rice explained that the nearest parking facilities were either Sockett's Heath or Grays Library which were both quite a long way away.

Councillor Ojetola asked whether the Committee could compel the School to leave the gates open to parents. Members were asked to consider whether it was appropriate to remove the condition from the planning permission, if they wished to make an amendment that would be their prerogative. All the letters of objection highlighted the fact that congestion in the local area had become worse since the decision to shut the gates had been made and the number of complaints received by the Highways Department had increased since that time. A copy of the police report regarding the accident which occurred in September 2016 was read to the Committee. The report stated that the driver had failed to look correctly. A pedestrian was struck by the vehicle as it turned into the school whilst crossing the road. The casualty fell to the floor and had been carrying a small child at the time; the child also fell to the floor and hit its head on the tarmac.

Councillor Rice recalled, as a former pupil of the school, that there had always been problems with parking hence the introduction of the Traffic Management Scheme when the School was extended in 1997. The roads nearby were chaos at peak time. He supported the Officer's recommendation. There were issues across the borough around school gates and this type of system worked to alleviate some of the pressures. The responsibility to police the parking management and separate children from cars fell to the School.

Councillor Piccolo understood the school's concern for the safety of pupils. He felt it would be easier to ensure this safety in an area where the school itself had authority, there would be less risk to children than allowing them to try to manoeuvre through traffic and parked cars outside the school gates and therefore he supported the Officer's recommendation.

Councillor Ojetola expressed sympathy for the head teacher and understood the concern for health and safety, and sympathy for the parent involved in the accident which had taken place. He could not understand how this accident was any less likely to happen on the busy road outside of the school gates, something similar had occurred at Tudor Court the year before. This Traffic Management Scheme was more user friendly for residents nearby and the many schools in the borough without off-street drop off points experienced further issues. He could not support the application as there was no guarantee it would prevent further accidents.

Councillor Baker expressed that he would listen to the Head teacher as he had the most knowledge of the situation at the school. He felt the safety of the children was paramount and he would support the application.

The Chair expressed sympathy for both sides and recognised that there was an ongoing issue. The Committee was concerned about what was happening in the Ward Avenue area and the Chair insisted he would liaise further with the Highways Department to see what more could be done.

It was proposed by Councillor Rice and seconded by Councillor Piccolo that the application be refused as per the Officer recommendation.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Colin Churchman, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice

Against: Councillor Chris Baker

Abstain: (0)

The Head of Planning and Growth advised that there was a need to vote separately on the matter of enforcement.

It was proposed by the Chair and seconded by Councillor Rice that enforcement action be taken to ensure the applicant complied with condition 7 of the 1997 planning permission.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Colin Churchman, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice

Against: (0)

Abstain: Councillor Chris Baker

99. 17/00099/FUL: Church Hall, Rigby Gardens, Chadwell St Mary, Essex, RM16 4JJ

The Committee heard that there had been seven letters of objection received since publication of the agenda. Residents' objections covered:

- Parking
- Traffic / access
- Overdevelopment of the site
- That the development would be out of character of the area
- Overlooking of nearby properties
- Noise concerns
- Biodiversity

These were similar in nature to the objections to the previous application for this site. The application complied with all policies, aside from failing to provide sufficient evidence demonstrating that the church hall was reasonably and robustly marketed since it became vacant in May 2016 which was contrary to Policy CSTP10; the application was therefore recommended for refusal.

The Chair clarified for the Committee that the previous application had been for 6 homes and had been refused on the grounds of overdevelopment of the site and the loss of the community facility. The application was now for 4 homes which was acceptable but there was still the overlying issue of the

community facility. There had been no meaningful evidence submitted by the applicant that there was no demand to retain its use

The Vice-Chair had queried whether there was a time period for such buildings to remain vacant and it was confirmed that the Riverview Methodist Church had been vacant for 5 years before Members agreed to its redevelopment and that Members had more recently applied this same policy in relation to The Bricklayers Arms regarding the loss of a community facility.

Councillor Rice notified the Committee that he had spoken to residents regarding this application; they were not opposed necessarily to the development. They wanted fewer houses but that was a matter of planning. He queried why the application referred to the church hall when the space had most recently been used as a play centre for children. It had not been a church hall for years and he was concerned that, if refused, the applicant might appeal and the Council could be seen as pedantic over its advertisement. The Committee was informed that whether or not it was a church hall was irrelevant. The issue was a lack of evidence provided by the applicant, namely robust marketing, that there was no desire to retain the community facility. The applicant had not advertised the site to let as a community facility; it had only been marketed for sale and as a residential opportunity.

The Head of Planning and Growth interjected that there was also a need for consistency from the Planning Committee; other similar applications had been refused due to a lack of proper marketing.

The Agent, James Ware, was invited to the Committee to give his statement of support.

Councillor Ojetola queried section 6.6 of the application which advised that the information provided had been limited and was not considered sufficient. The Agent had stated otherwise in his statement and Officers were asked to verify the issue. The evidence submitted by the applicant was the same as with the previous application, which had been refused. There was still no clear evidence of justifiable marketing for use as a community facility.

Councillor Ojetola also asked what weighting Members should give to the information they received from the Agent via email. The information had been submitted with the application and was considered fully within the report but details were not made public due to the applicant's confidentiality clause stated on the document.

Page 40 of the report stated that "Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application". Officers were asked to clarify the situation for Members. The Development Management Team Leader advised the Committee that it highlighted the fact that outstanding issues, which had been raised with the applicant but could not be resolved, still remained.

Councillor Rice queried whether there were any planning considerations within the objections from local residents. Members heard that while issues such as parking, traffic, access and the character of the development were indeed planning matters the proposal complied with Council Policy for each.

The Chair recognised the conflict of opinion between the applicant and Officers regarding the evidence provided. He asked whether there was any example in Thurrock of similar, community facilities being given up. The Council's Policy was to ensure residential values could not usurp all community facilities. The fundamental point was the desire, or lack thereof, to retain a community facility should be demonstrated by the applicant through reasonable and robust marketing exercises.

Councillor Ojetola asked whether there were other community facilities in the local area and whether they could be shown on the map. Councillor Rice expressed that Chadwell was quite well covered and indicated to the location of nearby community facilities.

Councillor Piccolo interjected that a number of them were heavily used and while there may be other halls nearby if they were fully utilised and no proper marketing exercise had been carried out there could be a need to retain the community facility in Rigby Gardens. Other applications had been refused for a lack of evidence whilst those that demonstrated reasonable exercises had been approved. He did not wish to risk setting a precedent for future applicants and so would support the Officer's recommendation.

Councillor Rice expressed his view, as the local Councillor for the area, that there were a number of halls which were underused. He also highlighted that residents were mostly concerned that the road was very narrow and parking would be an issue. He felt torn as he wished to support residents but believed the applicant could win an appeal. The matter of advertising the site sufficiently had been argued by the agent. He proposed a site visit to see if the proposal was reasonable. Councillor Ojetola added that he did not feel he knew the area well enough and seconded the site visit to provide clarity, and also to see what other facilities were available in the local area.

Councillor Kent asked whether deferring the application for a site visit would allow time for the applicant to obtain and provide evidence of marketing exercises. The Head of Planning and Growth advised that if there was evidence which had not been submitted that could come forward but a deferral would not provide enough time for a new marketing exercise to be completed. He reminded the Committee that the recommendation for refusal was not a matter of detail, but how the site had been marketed by the applicant. The number of other community facilities in the vicinity was irrelevant to the application. Members were being asked whether the proper process had been followed

The proposal for a site visit was put to the Committee and Members voted against the proposal.

Councillor Churchman stressed how difficult it was to book halls in the local area and community facilities were starting to disappear, so he would object to the application.

Councillor Piccolo clarified that the boxing club paid full rent for its premises for full time occupancy. Even when not in use it may not be suitable for other purposes. He stressed that if the Committee did not continue with its stance from previous applications it could affect its ability to refuse applications in future.

Councillor Kent recognised that it was a good scheme but also understood concern around setting a precedent and the fear that community facilities would be picked off by developers. He was cautious that the applicant may be able to appeal the decision and expressed disappointment that the issue of evidence provided was not straightforward.

Councillor Ojetola echoed these views. In all other areas the application complied with Council Policy and the applicant had reduced the number of properties since the previous application. There was a real concern that officers advised there had not be robust marketing exercises demonstrated but the agent was of the view that there had. The Committee was advised that in 2014 the site had been marketed for 6 residential units, the marketing for use as a community facility had occurred much later.

The Chair approved of the 4 homes and recognised that the applicant had improved the proposal based on feedback from the Committee previously. Officers were of the view there was insufficient evidence regarding marketing while the applicant felt there had been. The matter might go to appeal; however, as nothing had changed in relation to the advertising and marketing of the site for D1 and associated uses, and the previous application was refused Members should not approve this application.

It was proposed by the Councillor Rice and seconded by Councillor Churchman that the application be refused as per the Officer recommendation.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, John Kent, Terry Piccolo and Gerard Rice.

Against: Councillor David Potter

Abstain: Councillor Tunde Ojetola

100. 16/01649/FUL: Athlone House, Dock Road, Tilbury, RM18 7BL

Members were informed that the application sought permission for the redevelopment of the former sports and social club site for residential purposes. An independent viability assessment had found the development to be unviable and so there would be no social housing provision. The

Committee was advised that since publication of the agenda the applicant had increased the offered NHS contribution to meet the full figure of £38,000.

Councillor Ojetola asked the Senior Highways Engineer to confirm that the routes leading to the development would not be overly affected by car movements of the additional residents and visitors. As not all residents and visitors would be using their cars at peak times there was not deemed to be a significant impact on the highways, especially given the proximity to the train station and bus routes.

Councillor Ojetola expressed concern about the viability report and the lack of affordable housing. The development looked lovely but Tilbury was an area of financial depravity and he requested further information. He also sought clarity as to the need for any educational contribution and whether all these aspects had been considered together by Officers. The Committee was informed that the viability report had been independently assessed as valid. Land values in Tilbury were lower than other parts of the borough and there were a number of abnormal costs compared to sites outside of the flood zone area. The development had been assessed as financially unviable therefore the decision to progress was at the risk of the applicant, not the Local Authority. It could not be guaranteed that another applicant would develop the site and the applicant had offered the full NHS contribution. The Educational Authority had advised that no contribution was required due to the high number of 1 bedroom flats. Officers had considered all material planning matters, particularly the quality of the design and the need for 1 bed flats in the area.

Councillor Piccolo requested clarity as to whether the scheme had been assessed as unviable with financial contributions and social housing or unviable altogether. He was concerned that if the current application had been considered financially unviable there was a risk that development could come to a halt before completion. The site had been considered financially unviable. The applicant had offered of his own choice to provide the NHS contribution as the health issues in Tilbury had been raised by the NHS and the Health and Wellbeing Board. The Committee could not refuse planning permission due to the viability assessment; its purpose was to show what range of contributions could be taken.

Councillor Rice sought clarification that the low land values in Tilbury had impacted the provision for social housing. Land value was a big factor within viability assessments, as was property prices; the proposed 1 bedroom flats had a sale value of approximately £120,000 - £130,000.

A Ward Councillor, Councillor John Allen, was invited to the Committee to give his statement of objection.

The Applicant, Steve Boyling, was invited to the Committee to give his statement of support.

Councillor Ojetola highlighted the need for housing across Thurrock and particularly within Tilbury. The lack of social housing was a worry as the development might not benefit the people of Tilbury aspiring to own their own home. Parking was also a concern as each 1 bedroom flat could house 2 adults, each with their own car. This might be mitigated by the proximity to the station but the impact on the local highways network was a real concern. The lack of social housing was his real concern and he asked whether there was any room to amend the application. The Committee was reminded that the development had been assessed as unviable even without the £38,000 NHS contribution the applicant had offered. Members were also warned that 10% of 0 was 0 and if the scheme was made even more unviable it was likely no development would take place.

Councillor Rice noted that the viability report did not support a social housing provision and that the application was recommended for approval. The land value in Tilbury was very low and it was pleasing that the applicant had offered the full NHS contribution. There was ongoing work by the NHS to provide comprehensive GP care in Tilbury. The site was close to Asda and the new Amazon site, which would provide 2000 additional jobs and people liked to live close to where they worked. He supported the application and congratulated officers on a good scheme for Tilbury.

Councillor Piccolo outlined that he had been unhappy with the lack of social housing but had not considered the cost of these properties, which in reality was very affordable compared to much of Thurrock. He welcomed that the viability report could be reassessed in 2 years if the development had not progressed above slab level. He had been swayed and now supported the application.

Councillor Baker admitted it was sad that there would be no social housing but the reasons were known and understandable. The strain on the NHS was a concern, as was the overlooking of nearby properties from the roof gardens. The Committee was reassured that the full figure requested by the Health Authority had been met. Condition 7 did cover the issue of overlooking but could be reworded to reflect the Committee's concerns.

The Campaign to Protect Rural England representative welcomed the clarification between 'social' and 'affordable' housing. He added that the entry was off the main roundabout by Asda which fed straight to the A13 and as such the smaller, local road networks should not be too greatly affected.

The Vice-Chair had originally had concerns but the proposed sale values were actually quite affordable and he felt the design looked lovely. The Chair agreed it had not been a straightforward application but the debate had confirmed that Officers had made the right recommendation. The viability had been assessed independently and the applicant had still offered an NHS contribution, which had now been amended to meet the full figure.

It was proposed by the Chair and seconded by Councillor Churchman that the application be approved as per the Officer recommendation, subject to an

obligation under section 106 of the Town and Country Planning Act 1990 and conditions.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, John Kent, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice.

Against: (0)

Abstain: (0)

The meeting finished at 8.20 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

20th April 2017		ITEM: 6
Planning Committee		
Planning Appeals		
Wards and communities affected: All	Key Decision: Not Applicable	
Report of: Leigh Nicholson, Development Management Team Leader		
Accountable Head of Service: Andy Millard, Head of Planning and Growth		
Accountable Director: Steve Cox, Director of Environment and Place		

Executive Summary

This report provides Members with information with regard to planning appeal performance.

1.0 Recommendation(s)

1.1 To note the report

2.0 Introduction and Background

2.1 This report advises the Committee of the number of appeals that have been lodged and the number of decisions that have been received in respect of planning appeals, together with dates of forthcoming inquiries and hearings.

3.0 Appeals Lodged:

3.1 **Application No:** 16/01226/HHA

Location: 68 River View, Chadwell St Mary

Proposal: Drop kerb to front of property.

3.2 Application No: 16/01469/HHA

Location: 23 Manor Road, Stanford Le Hope

Proposal: First floor extension to side elevation, new timber frame. construction to existing front and rear dormers. Lantern installed to existing kitchen flat roof

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 15/01510/FUL

Location: 30 Whitehall Road, Grays

Proposal: Demolition of existing dilapidated garages at the rear of 30 Whitehall Road and construction of 2 No 2 bedroom dwellings

Decision: Appeal Allowed

Summary of decision:

4.1.1 The Inspector considered the main issues to be the effect of the dwellings on (a) the character and appearance of the area and (b) the living conditions of existing occupiers with particular regard to daylight and sunlight and the garden area of No.30 Whitehall.

4.1.2 In relation to (a), the Inspector did not agree with the Council and found that the roof design would not harm the character and appearance of the area.

4.1.3 In relation to (b) the Inspector gave significant weight to a daylight and sunlight report prepared by the appellant and concluded that the proposal would not have a harmful effect on the living conditions of existing occupiers. The Inspector consequently allowed the appeal.

4.1.4 The full appeal decision can be found [here](#)

4.2 Application No: 16/01270/HHA

Location: Mariner 55 Drake Road Chafford Hundred Grays

Proposal: First floor side and rear extension

Decision: Appeal Allowed

Summary of decision:

- 4.2.1 The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the area.
- 4.2.2 The Inspector observed that the dwellings in this area do not have a uniform relationship with the street and in this context the proposal would not appear excessively dominant or obtrusive. The Inspector concluded that the proposal would not disrupt a spacious street scene and it would not conflict with the objectives of Annex 1 or CS Policies PMD1, PMD2 and CSTP22. The Inspector consequently allowed the appeal.
- 4.2.3 The full appeal decision can be found [here](#)

5.0 Forthcoming public inquiry and hearing dates:

- 5.1 The following inquiry and hearing dates have been arranged:
- 5.2 None.

6.0 APPEAL PERFORMANCE:

6.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	5	2	4	0	0	4	1	3	1	0	9	2	31
No Allowed	2	0	0	0	0	4	1	1	1	0	3	2	14
% Allowed													45%

7.0 Consultation (including overview and scrutiny, if applicable)

7.1 N/A

8.0 Impact on corporate policies, priorities, performance and community impact

8.1 This report is for information only.

9.0 Implications

9.1 Financial

Implications verified by: **Sean Clark**
Head of Corporate Finance

There are no direct financial implications to this report.

9.2 Legal

Implications verified by: **Vivien Williams**
Principal Regeneration Solicitor

The Appeals lodged will either have to be dealt with by written representation procedure or (an informal) hearing or a local inquiry.

Most often, particularly following an inquiry, the parties involved will seek to recover from the other side their costs incurred in pursuing the appeal (known as 'an order as to costs' or 'award of costs').

9.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

There are no direct diversity implications to this report.

9.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

10. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- All background documents including application forms, drawings and other supporting documentation can be viewed online: www.thurrock.gov.uk/planning. The planning enforcement files are not public documents and should not be disclosed to the public.

11. Appendices to the report

- None

Report Author:

Leigh Nicholson
Development Management Team Leader

Agenda Item 8

Planning Committee 20.04.2017	Application Reference: 16/00307/FUL
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Reference: 16/00307/FUL	Site: Land to rear & north of Bannatynes Sports Centre Howard Road Chafford Hundred Grays
Ward: South Chafford	Proposal: Mixed use development to provide 203 no. residential units, landscaping, car/cycle parking, commercial units (370sq.m.) comprising Class A1 (shops) / Class A2 (financial and professional services) / Class A3 (food and drink) / Class A4 (drinking establishments) / Class A5 (hot food takeaways) / Class D1 (non-residential institutions) floorspace and a doctor's surgery (280sq.m.).

Plan Number(s):		
Reference	Name	Received
823-SLP.01	Site Location Plan	19.09.16
823-S.01 Rev. C	Proposed Ground Floor Building Footprint Plan	19.09.16
823-S.02 Rev. C	Proposed Roof Plan	19.09.16
823-S.03 Rev. E	Proposed Basement Plan	19.09.16
823-S.04 Rev D	Proposed Ground Floor Plan	19.09.16
823-S.05 Rev. C	Proposed First Floor Plan	19.09.16
823-S.06 Rev. B	Key Amendments	19.09.16
823-S.11 Rev. C	Illustrative Masterplan	19.09.16
823-S.12 Rev. C	Illustrative Masterplan in Context	19.09.16
823-SS.01 Rev. A	South Elevations	19.09.16
823-SS.02 Rev. A	West Elevations	19.09.16
823-SS.03 Rev. A	Mid and East Street Elevation	19.09.16
823-SS.04 Rev. A	North Elevation	19.09.16
823-SS.11 Rev. A	South Elevations	19.09.16
823-SS.12 Rev. A	South Elevations with Bannatyne Centre and West Elevation Showing Blocks E1 and D	19.09.16
823-SS.13 Rev. A	Mid and East Elevation	19.09.16
823-SS.14 Rev. B	North Elevations	19.09.16
823-A1.01 Rev. B	Block A1 Plans.01	19.09.16
823-A1.02 Rev. A	Block A1 Plans.02	19.09.16
823-A1.11 Rev. C	A1:Elevations	19.09.16
823-A2.01 Rev. B	Block A2 Plans.01	19.09.16
823-A2.02 Rev. A	Block A2 Plans.02	19.09.16
823-A2.03	Block A2 Plans.03	19.09.16

823-A2.11 Rev. C	A2: Elevations	19.09.16
823-B.01 Rev. C	B: Ground Floor Plan	19.09.16
823-B.02 Rev. B	B: First Floor Plan	19.09.16
823-B.06	B: Fifth Floor Plan	19.09.16
823-B.07 Rev. A	B: Sixth Floor Plan	19.09.16
823-B.09 Rev. A	B: Roof Plan	19.09.16
823-B.11 Rev. C	B: Elevations	19.09.16
823-C.01 Rev. C	C: Ground Floor Plan	19.09.16
823-C.02 Rev. B	C: First Floor Plan	19.09.16
823-C.03	C: Second Floor Plan	19.09.16
823-C.08 Rev. A	C: Roof Terrace Plan	19.09.16
823-C.09 Rev. A	C: Roof Plan	19.09.16
823-C.11 Rev. C	C: Elevations	19.09.16
823-D.01 Rev. C	Block D Plans.01	19.09.16
823-D.02 Rev. B	Block D Plans.02	19.09.16
823-D.11 Rev. B	D: Elevations	19.09.16
823-E1.01 Rev. B	Block E1 Plans.01	19.09.16
823-E1.02 Rev. A	Block E1 Plans.02	19.09.16
823-E1.11 Rev. C	E1: Elevations	19.09.16
823-E2.01 Rev. B	Block E2 Plans.01	19.09.16
823-E2.02 Rev. A	Block E2 Plans.02	19.09.16
823-E2.11 Rev. C	E2: Elevations	19.09.16
823-F.01 Rev. B	Block F Plans.01	19.09.16
823-F.02 Rev. A	Block F Plans.02	19.09.16
823-F.03 Rev. A	Block F Plans.03	19.09.16
823-F.11 Rev. C	F:Elevations	19.09.16

The application is also accompanied by:

- Air Quality Assessment;
- Design and Access Statement;
- Energy and Water Statement;
- Extended Phase 1 Habitat Survey;
- Flood Risk and Drainage Assessment;
- Noise Assessment;
- Planning Statement with Statement of Community Involvement;
- Services Appraisal;
- Sunlight and Daylight Assessment;
- Transport Assessment; and
- Travel Plan

<p>Applicant: Sutherland House Limited</p>	<p>Validated: 11 March 2016 Date of expiry: 31 May 2017 (Extension of time requested)</p>
<p>Recommendation: Grant planning permission subject to completion of a s106 legal agreement and planning conditions.</p>	

1.0 BACKGROUND

- 1.1 At the meeting of the Planning Committee held on 23rd February 2017 Members considered a report for the above proposal. The report recommended that planning permission be granted subject to the completion of a planning obligation and planning conditions.
- 1.2 A copy of the report presented to the 23rd February 2017 meeting is attached as Appendix 1.
- 1.3 At the February meeting determination of the application was deferred to enable further information and clarification to be provided on a number of issues under the following headings:
- amount and management of car parking on site;
 - scope for off-site parking provision at Sainsbury's;
 - timescale for decision on whether surgery is provided on-site or NHS contribution made;
 - arrangements for assessing any uplift in S106 contributions should the doctor's surgery / commercial units ultimately be used for additional residential units;
 - arrangements for drop-off of internet shopping purchases;
 - restrictions on potential number of Class A5 take-aways in the commercial units;
 - controls over allocation of units to Thurrock residents.
- 1.4 Following the deferral, the applicant has provided a written response to these points as follows:

"Amount and management of car parking on site:

The scheme will provide 170 parking spaces in total. Of these 170 spaces, 56 spaces will be allocated to the affordable units – 1 space per unit. This reflects the agreement in place with the RSL Family Mosaic.

Of the remainder, 47 spaces will be for private rental tenants. 12 spaces will be for visitors (to the residential units). The parking will be zoned by coloured markings and / or signage to provide clear demarcation of the various parking areas. The 56 spaces for the affordable units will be numbered to correspond to the various units – at one space per unit. Signage will communicate that these are private spaces. The 47 spaces for private rental tenants will be allocated to the private units at 1 space per three bed unit, and the remainder available for rental on a first come-first serve basis. They will be colour zoned and numbered. Again, signage will be used communicate that these spaces are for private use.

The 12 residential visitor spaces will again be zoned. Vehicles parking in these spaces will be required to display a visitor badge – provided by the resident they are visiting. Spaces will be booked on behalf of visitors by the tenant.

The 25 spaces for the car club will again be zoned. Signage will make clear that these spaces are for car club use only. A car club provider will be appointed to offer a car club scheme.

The 30 spaces which will be allocated to the Commercial units / GP surgery will be available on a 'pay at meter' basis subject of a 60 min parking time restriction. The above will be managed by a parking management company. On other scheme's the applicants have used UK Parking Control Limited who will provide the relevant signage and infrastructure to support the clear communication of conditions and restrictions of parking and means of payment. They will also be appointed to provide a Warden Patrol Service to enforce the terms and conditions of parking. Note that the allocation of any financial income resulting from operation of the car park management scheme will be a matter for the freehold owner and the parking company.

All proposed tenancies granted to the private rented tenants will highlight the parking control measures in place at the site and the availability of an on-site car club for use by residents. It will also highlight the CPZ operating in the area (to be secured via a financial contribution as part of the proposed s106). As such tenants, will understand in the absence of a parking space in the basement, they will have no scope to park a private vehicle in the area.

The above measures would be captured within a parking management plan which is a requirement of proposed Condition 21 of the Planning permission. 25 spaces will be for the car club and 30 spaces (at surface level) will be allocated to the Commercial units/ GP surgery.

Scope for off-site parking provision at Sainsburys:

As was highlighted in your officers' report, the development accords with Thurrock Standards in terms of parking provision and as such there can be no planning policy basis for rejection of the current planning application on alleged grounds of inadequate car parking. Nonetheless, in response to a request raised by members, an approach has been made to J Sainsbury regarding the possibility of a portion of their car park fronting the B186 being utilised as overspill parking by future residents. A formal response is awaited from J Sainsbury but it is anticipated that any tenants wishing to utilise these spaces will need to purchase a licence from J Sainsbury. It will not be a free service.

Timescale for decision on whether Surgery is provided on-site or NHS contribution made:

As was noted in your report on the application, there has been no response from the NHS regarding the requirement for a Doctor's Surgery on this site although they had originally indicated that a surgery in this location may not accord with future NHS Strategy and their preference was for a financial contribution in-lieu of a new surgery. This either / or option is reflected in the heads of terms of the proposed S106. In addition, members have not unreasonably suggested that a time period be included within which a decision is made. To this end we would suggest that a trigger of 6 months from the commencement of development be included as part of the S106.

Arrangements for assessing any uplift in S106 contributions should the doctor's surgery / commercial units ultimately be used for additional residential units:

Obviously, should the NHS conclude that a doctor's surgery is not required, any proposals for the alternative use of this part of the development would need to be the subject of an NMA at which time any additional viability / contribution issues could also be addressed. Equally, if after construction, there is no demand for the commercial units, any application for change of use would be the subject of a separate planning application.

Arrangements for drop-off of internet shopping purchases:

Members were concerned that given the likelihood of much of the accommodation being occupied by young single or two-person households, there would be a high degree of drop-offs from on-line purchases. In terms of the managed private rented accommodation, an on-site concierge office would ordinarily take such deliveries which are then collected by the tenants from the office. This arrangement could also be adopted here potentially utilising one of the commercial units as a delivery point utilised by both private and housing association tenants.

Restrictions on potential number of A5 takeaways in the commercial units:

Concern was expressed by members that the commercial units should not all become occupied by A5 units. This is acceptable to the applicant and we would suggest it is the subject of a planning condition to the effect that no more than 3 of the approved units shall be utilised at any one time for A5 use.

Controls over allocation of units to Thurrock residents:

Finally, a request was made at committee that a proportion of the units should be retained for Thurrock residents. As you will be aware, whilst such local occupancy conditions are operated in areas of severe housing restraint such as National Parks, there is no such policy restraint in Thurrock and an attempt to control occupancy in the way would be ultra-vires. Family Mosaic may have an operating policy which prioritises Thurrock residents as part of their obligations as an RSL. This however would be a control that sits outside of planning and is not a matter than can legitimately be controlled via the grant of planning permission.”

- 1.5 The information set out in the paragraphs above provides a response to the points of clarification requested by the Committee. The substantive planning considerations remain as per the report attached at the Appendix.
- 1.6 The recommendation to grant planning permission, subject to a s106 agreement and planning conditions remains substantially unchanged. The applicant's response makes reference to a timescale for a decision on whether a financial contribution is provided if the proposed surgery is not occupied and suggests a period of 6 months from the commencement of development. Whilst a definite timeframe will give some certainty to Members, it is considered that the proposed timeframe is relatively short. In order to allow for more time for negotiations between the applicant, NHS England and a potential surgery practice, it is recommended that the timeframe should be 6 months from the first occupation of Block D. This suggested timeframe is set out in the recommendation below. It is also recommended that the applicant's suggested restriction on the number of Class A5 units forms an additional planning condition.

2.0 RECOMMENDATION

- 2.1 That planning permission is granted subject to the s106 heads of terms and planning conditions set out within the appended report, as amended below:

- (i) Recommendation A (b) - delete and replace with “an appropriate tenure split for the affordable housing referred to by (a) to be approved in writing by the local planning authority;
- (ii) Recommendation (A) (i) – delete and replace with “in the event that the approved accommodation for the doctor’s surgery is not occupied for its intended purposes within 6 months from the first occupation of Block D, to pay a financial contribution of £41,000 (index linked) towards the enhancement of existing medical facilities locally;
- (iii) Recommendation B – new planning condition –

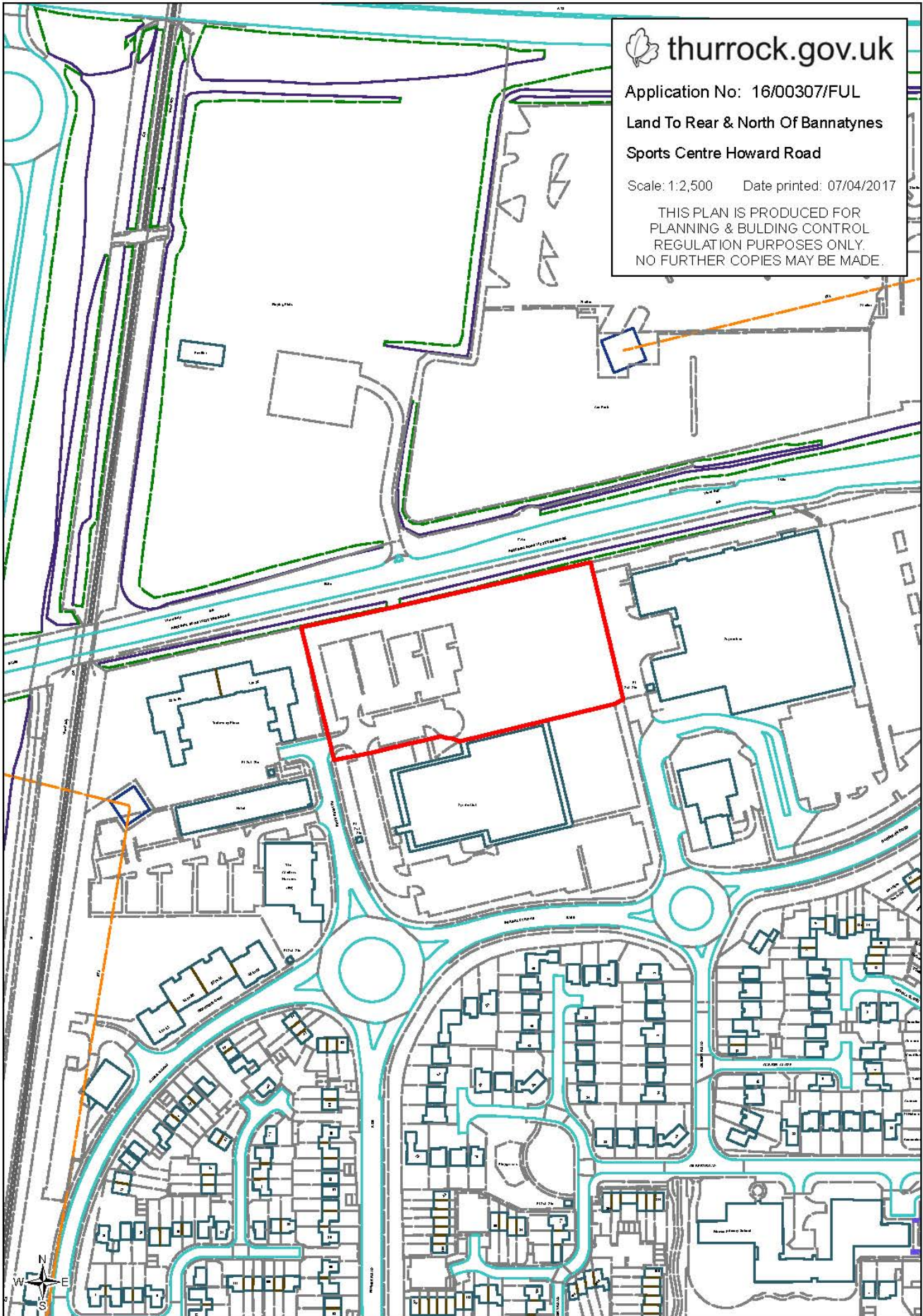
“No more than three of the ground floor commercial units hereby approved shall be operated for purposes within Use Class A5 at any one time, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).”

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



 **thurrock.gov.uk**
Application No: 16/00307/FUL
Land To Rear & North Of Bannatynes
Sports Centre Howard Road
Scale: 1:2,500 Date printed: 07/04/2017
THIS PLAN IS PRODUCED FOR
PLANNING & BUILDING CONTROL
REGULATION PURPOSES ONLY.
NO FURTHER COPIES MAY BE MADE.

Reference: 16/00307/FUL	Site: Land to rear & north of Bannatynes Sports Centre Howard Road Chafford Hundred Grays
Ward: South Chafford	Proposal: Mixed use development to provide 203 no. residential units, landscaping, car/cycle parking, commercial units (370sq.m.) comprising Class A1 (shops) / Class A2 (financial and professional services) / Class A3 (food and drink) / Class A4 (drinking establishments) / Class A5 (hot food takeaways) / Class D1 (non-residential institutions) floorspace and a doctor's surgery (280sq.m.).

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823-S.03 Rev. E	Proposed Basement Plan	19.09.16
823-S.04 Rev D	Proposed Ground Floor Plan	19.09.16
823-S.05 Rev. C	Proposed First Floor Plan	19.09.16
823-S.06 Rev. B	Key Amendments	19.09.16
823-S.11 Rev. C	Illustrative Masterplan	19.09.16
823-S.12 Rev. C	Illustrative Masterplan in Context	19.09.16
823-SS.01 Rev. A	South Elevations	19.09.16
823-SS.02 Rev. A	West Elevations	19.09.16
823-SS.03 Rev. A	Mid and East Street Elevation	19.09.16
823-SS.04 Rev. A	North Elevation	19.09.16
823-SS.11 Rev. A	South Elevations	19.09.16
823-SS.12 Rev. A	South Elevations with Bannatyne Centre and West Elevation Showing Blocks E1 and D	19.09.16
823-SS.13 Rev. A	Mid and East Elevation	19.09.16
823-SS.14 Rev. B	North Elevations	19.09.16
823-A1.01 Rev. B	Block A1 Plans.01	19.09.16
823-A1.02 Rev. A	Block A1 Plans.02	19.09.16
823-A1.11 Rev. C	A1:Elevations	19.09.16
823-A2.01 Rev. B	Block A2 Plans.01	19.09.16
823-A2.02 Rev. A	Block A2 Plans.02	19.09.16
823-A2.03	Block A2 Plans.03	19.09.16
823-A2.11 Rev. C	A2: Elevations	19.09.16
823-B.01 Rev. C	B: Ground Floor Plan	19.09.16

823-B.02 Rev. B	B: First Floor Plan	19.09.16
823-B.06	B: Fifth Floor Plan	19.09.16
823-B.07 Rev. A	B: Sixth Floor Plan	19.09.16
823-B.09 Rev. A	B: Roof Plan	19.09.16
823-B.11 Rev. C	B: Elevations	19.09.16
823-C.01 Rev. C	C: Ground Floor Plan	19.09.16
823-C.02 Rev. B	C: First Floor Plan	19.09.16
823-C.03	C: Second Floor Plan	19.09.16
823-C.08 Rev. A	C: Roof Terrace Plan	19.09.16
823-C.09 Rev. A	C: Roof Plan	19.09.16
823-C.11 Rev. C	C: Elevations	19.09.16
823-D.01 Rev. C	Block D Plans.01	19.09.16
823-D.02 Rev. B	Block D Plans.02	19.09.16
823-D.11 Rev. B	D: Elevations	19.09.16
823-E1.01 Rev. B	Block E1 Plans.01	19.09.16
823-E1.02 Rev. A	Block E1 Plans.02	19.09.16
823-E1.11 Rev. C	E1: Elevations	19.09.16
823-E2.01 Rev. B	Block E2 Plans.01	19.09.16
823-E2.02 Rev. A	Block E2 Plans.02	19.09.16
823-E2.11 Rev. C	E2: Elevations	19.09.16
823-F.01 Rev. B	Block F Plans.01	19.09.16
823-F.02 Rev. A	Block F Plans.02	19.09.16
823-F.03 Rev. A	Block F Plans.03	19.09.16
823-F.11 Rev. C	F:Elevations	19.09.16

The application is also accompanied by:

- Air Quality Assessment;
- Design and Access Statement;
- Energy and Water Statement;
- Extended Phase 1 Habitat Survey;
- Flood Risk and Drainage Assessment;
- Noise Assessment;
- Planning Statement with Statement of Community Involvement;
- Services Appraisal;
- Sunlight and Daylight Assessment;
- Transport Assessment; and
- Travel Plan

Applicant:

Sutherland House Limited

Validated:

11th March 2016

Date of expiry:

10th June 2016

Recommendation: Grant planning permission subject to completion of a s106 legal

agreement and planning conditions.

The application is scheduled for determination by the Planning Committee because of the scale and strategic nature of the proposals and the level of response to the public consultation exercise.

1.0 DESCRIPTION OF PROPOSAL

1.1 In summary, this application proposes a residential-led mixed use redevelopment of the site. The principal elements of the proposals are summarised in the table below:

Site Area	1.1 Ha
Residential Uses	<u>Block A1:</u> 15 no. one-bed flats / 10 no. two-bed flats Total – 25 no. flats
	<u>Block A2:</u> 6 no. one-bed flats / 15 no. two-bed flats / 8 no. three-bed flats Total – 29 no. flats
	<u>Block B (Affordable Housing):</u> 18 no. one-bed flats / 18 no. two-bed flats Total – 36 no. flats
	<u>Block C:</u> 14 no. one-bed flats / 21 no. two-bed flats Total – 35 no. flats
	<u>Block D:</u> 12 no. one-bed flats / 6 no. two-bed flats Total – 18 no. flats
	<u>Block E1:</u> 14 no. one-bed flats / 4 no. two-bed flats Total – 18 no. flats
	<u>Block E2:</u> 11 no. one-bed flats / 11 no. two-bed flats Total – 22 no. flats
	<u>Block F (Affordable Housing):</u> 9 no. one-bed flats / 11 no. two-bed flats Total – 20 no. flats
	TOTAL: 99 no. one-bed flats (27 affordable) 96 no. two-bed flats (29 affordable) 8 no. three-bed flats
	203 no. one, two and three bed flats (56 no. affordable – 27.6%)

Non-Residential Uses	<u>Ground Floor Block B:</u> 2 x commercial / non-residential institutions units (Use Classes A1 / A2 / A3 / A4 / A5 / D1). Total: c.133 sq.m.
	<u>Ground Floor Block C:</u> 4 x commercial / non-residential institutions units (Use Classes A1 / A2 / A3 / A4 / A5 / D1). Total: c. 237 sq.m.
	Total Floorspace Use Classes A1 / A2 / A3 / A4 / A5 / D1 – 370 sq.m. (Blocks B & C)
	<u>Ground Floor Block D:</u> Concierge – 63.8 sq.m. Surgery (Use Class D1) – 280 sq.m.
Building Height	Block A1 – Five storeys
	Block A2 – Part six / part seven storeys
	Block B – Part six / part seven storeys
	Block C – Five storeys
	Block D – Four storeys
	Block E1 – Part four / part five storeys
	Block E2 – Part five / part six storeys
Parking	Car Parking: Basement – 148 no. car parking spaces (including 6 no. spaces for disabled users) Ground floor – 22 no. car parking spaces (including 3 no. spaces for disabled users)
	Cycle Parking: Ground floor cycle storage to Blocks B and E2

- 1.2 As noted in the ‘Relevant History’ section below, planning permission was granted in 2009 for residential development on the site by the Thurrock Thames Gateway Development Corporation (ref. 08/01156/TTGFUL). Construction works commenced shortly after consent was issued, however building works were abandoned because the developer experienced financial difficulties. As the 2009 planning permission was implemented, the scheme could be lawfully completed, subject to compliance with relevant planning conditions and s106 obligations. The site has however lain dormant for several years. The site was acquired by the present applicant in 2014.
- 1.3 The current application proposes a predominantly residential development using the existing basement car park and foundations to the various building blocks which have already been constructed pursuant to 08/01156/TTGFUL. The various elements of the proposals are described in more detail below.

1.4 Residential Development:

The existing partially completed dwellings would be demolished and the site redeveloped to provide a total of 203 one, two and three bedroom flats. The mix between different sizes of dwelling is provided in the table at paragraph 1.1 above. Dwellings would be arranged within 8 no. blocks, referred to as A1, A2, B, C, D, E1, E2 and F. Blocks A2 and E2 are physically connected, although there is no internal connection between the two.

1.5 The majority of the residential units (147 no. / 72.4%) are proposed to be let and managed through a private rented sector (PRS) model, rather than built for sale. The applicant states that these private rented units would be operated by MiFlats, who are described as one of the UK’s leading managed private rented sector operators. Information from the MiFlats web-site (miflats.com) shows that the company has a portfolio of over 3,100 units either occupied, under construction or in the planning stage. The majority of this property portfolio is based in central London, although the company operates Trafford House located opposite Basildon railway station (384 units). The remainder of the proposed dwellings (56 no. / 27.6%) are proposed as affordable units to be operated by Family Mosaic.

1.6 The arrangement of building blocks follows the pattern established by the extant planning permission (08/01156/FUL) with a row of blocks arranged parallel with the alignment of the A1306 across the northern part of the site (Blocks A1, A2, E1, E2 and F). Blocks B, C and D would be aligned north-south and perpendicular to the northern row of blocks. A description of the proposed residential accommodation per block is provided in the table below:

Block	Accommodation	Floorspace (GIA)	Height
A1	15 no. one-bed 10 no. two-bed	44.4 sq.m. to 53.8 sq.m. 66.2 sq.m. to 68.5 sq.m.	Five storeys
A2	6 no. one-bed 15 no. two-bed 8 no. three-bed	41.0 sq.m. to 49.4 sq.m. 55.1 sq.m. to 79.2 sq.m. 80.8 sq.m. to 85.9 sq.m.	Part six / part seven storeys
B	18 no. one-bed 18 no. two-bed	50.2 sq.m. to 57.9 sq.m. 70.2 sq.m. to 78.2 sq.m.	Part six / part seven storeys
C	14 no. one-bed 21 no. two-bed	49.4 sq.m. to 56.0 sq.m. 60.2 sq.m. to 75.0 sq.m.	Five storeys
D	12 no. one-bed 6 no. two-bed	45.0 sq.m. to 61.3 sq.m. 66.9 sq.m. to 69.3 sq.m.	Four storeys
E1	14 no. one-bed 4 no. two-bed	46.4 sq.m. to 60.8 sq.m. 63.9 sq.m. to 67.3 sq.m.	Part four / part five storeys
E2	11 no. one-bed 11 no. two-bed	57.1 sq.m. to 61.6 sq.m. 63.0 sq.m. to 70.9 sq.m.	Part five / part six storeys
F	9 no. one-bed 11 no. two-bed	50.2 sq.m. to 59.3 sq.m. 66.8 sq.m. to 75.5 sq.m.	Part six / part seven storeys

1.7 The residential blocks would be modern in appearance with the majority of units having access to a balcony area. Proposed finishing materials are not specified on the submitted drawings, however the Design and Access Statement refers to a palette of brick and coloured render. All blocks incorporate a “zig-zag roof character” with roofing materials comprising seamed metal or other similar roof sheeting.

1.8 Non-Residential Floorspace:

Alongside the residential development, the application proposes a limited amount of non-residential / commercial development arranged at ground floor level. A proposed doctor’s surgery (Use Class D1) would be located on the ground floor of Block D (sited at the south-western corner of the site, closest to the point of access). The surgery would total 280 sq.m (GIA) and, in describing this use, the applicant’s Planning Statement notes that:

“The previously approved development (ref. 08/01156/TTGFUL) also included provision of a doctors surgery. We have also conducted our own research and found that the current provision of local doctors surgeries is oversubscribed. Therefore, the applicant has included the space necessary to host a doctors surgery on the ground floor of block D.”

1.9 Adjacent to this surgery within Block D, the proposals include floorspace (63.8 sq.m. GIA) for use as concierge space serving the residential units.

1.10 The proposals also include the provision of 6 no. commercial units located on the ground floor of Block C (4 no. units) and Block B (2 no. units). The composition of the proposed commercial units by Block is shown in the table below:

Block C	Unit 1	76.3 sq.m. (GIA)
	Unit 2	26.8 sq.m. (GIA)
	Unit 3	58.6 sq.m. (GIA)
	Unit 4	75.0 sq.m. (GIA)
Block B	Unit 5	62.0 sq.m. (GIA)
	Unit 6	71.3 sq.m. (GIA)
		TOTAL 370 sq.m. (GIA)

1.11 Permission is sought for a range of uses across Use Classes A1, A2, A3, A4, A5 and D1. For reference, a guide to the Use Classes sought is provided below:

Use Class	Use
A1 - Shops	Shops, retail warehouses, post offices, tick and travel agencies, sale of cold food for consumption off premises,

	hairdressers, funeral directors, hire shops, dry cleaners, internet cafes.
A2 – Financial and Professional Services	Banks, building societies, estate and employment agencies, professional services (not health or medical services)
A3 – Food and Drink	Restaurants and cafes
A4 – Drinking Establishments	Public houses, wine bars or other drinking establishments
A5 – Hot Food Takeaways	Use for the sale of hot food for consumption off the premises
D1 – Non-Residential Institutions	Clinics, health centres, creches, day nurseries, schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship

1.12 The proposals for commercial floorspace can be considered as speculative as there are no identified end-users for the floorspace. The size and arrangement of the proposed commercial units may also influence the type of businesses which could occupy the floorspace.

1.13 Access / Parking:

Access to the site for vehicles, pedestrians and cyclists would be via an existing point of access located at the south-western corner of the site which links to Howard Road. Currently Howard Road is effectively a cul-de sac with a ‘hammerhead’ turning area at its northern-end. The western spur of this hammerhead provides access to Trelawney Court whereas the eastern spur accesses both the application site and the parking area for Bannatynes health club. Although not within the red-line defined by the application site, the submitted plans show alterations to the hammerhead to form a mini-roundabout junction. The plans also show that access to the car parking spaces for the health club would be moved a short distance to the south.

1.14 The proposals include the provision of 170 no. car parking spaces, the majority of which (148 no.) would be at basement level with the remaining 22 no. spaces at ground floor level close to the site access and southern boundary. The proposed allocation of the basement and ground floor car parking is described in the table below:

<u>Basement Car Parking</u>	
Residential (affordable)	50 no. spaces
Residential (affordable – disable users)	6 no. spaces
Residential (private)	47 no. spaces
Residential (visitor)	12 no. spaces

Car Club	25 no. spaces
Staff (surgery / commercial units)	8 no. spaces
	Sub total – 148 no. spaces
<u>Ground Level Car Parking</u>	
Multi-function	19 no. spaces
Multi-function (disabled users)	3 no. spaces
	Sub-total – 22 no. spaces
	Grand total – 170 no. spaces

- 1.15 The above table includes an allocation of parking spaces for use by members of a proposed car club. The applicant has also offered to contribute financially towards a controlled parking zone, if this is considered to be necessary, in order to prevent overspill parking from the development. The applicant has also confirmed that future residents will be unable to apply for residential parking permits as part of any planning condition imposed. .
- 1.16 The proposals include a new footpath link through the site to connect Howard Road (at the south-western corner of the site) with the A1306 Arterial; Road (at the site's north-eastern corner). At ground floor level, and above the basement car park, two areas of public open space are proposed comprising a 'Main Square' located in between Block C and D, and a 'Garden Courtyard' located in between Blocks B and C.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises a broadly rectangular-shaped plot of land located to the rear of the Bannatynes health club, at the northern end of Howard Road and immediately south of the A1306 Arterial Road. The area of the site is 1.1 hectares and has maximum dimensions of approximately 150m (measured east-west) and 73m (measured north-south). The western part of the site formerly comprised car parking associated with the adjacent health club. However, as noted in the 'Relevant History' set out below, the site has been partially developed pursuant to a planning permission for residential development (ref. 08/01156/TTGFUL). At the eastern-end of the site an approved four-storey residential block has been partially constructed, whilst adjacent to the site's northern boundary 3no. separate three-storey terraces of townhouses have been partly constructed. However, all of these residential buildings have not been fully completed and, as a result of their exposure to weather, have become dilapidated. A basement car park has been excavated and a reinforced concrete deck covers a section of this car park. The remaining parts of the site are vacant and becoming overgrown with vegetation.
- 2.2 Ground levels across the site are generally flat, aside from the exposed area of basement car parking which sits below adjoining levels. The A1306 Arterial Road adjacent to the northern boundary of the site is located on an embankment between 2.5m and 5m above ground levels on-site. The site is located within the

low risk flood zone (Zone 1). The site formed part of a gravel pit which was worked during the 1960's and 1970's.

2.3 The site is adjoined to the east by the service yard and HGV loading area serving the Sainsbury's supermarket. South of the site is the Bannatynes health club with ancillary parking areas and outdoor tennis courts. Immediately to the west of the site is Trelawney Place, a development of 64 no. flats within three and four-storey buildings constructed in the early 2000's. The site, along with the health club, Trelawney Court, the Chafford Hundred public house and adjoining Premier Inn hotel are accessed from Howard Road, which forms the northern arm of the Fleming Road / Burghley Road / Fenner Road roundabout junction.

3.0 RELEVANT HISTORY

Reference	Description	Decision
08/00152/TTGFUL	Redevelopment of site to provide 153 residential units including doctor's surgery, with provision of basement and surface parking, associated servicing and landscaping, works to fitness centre nursery and alterations to fitness centre car park layout, together with other works incidental to the proposals and associated works.	Approved, subject to s106 legal agreement
08/01156/TTGFUL	Redevelopment of site to provide 140 residential units including doctor's surgery, with provision of basement and surface parking, associated servicing and landscaping, works to fitness centre nursery and alterations to fitness centre car park layout, together with other works incidental to the proposals and associated works.	Approved, subject to s106 legal agreement
09/50060/TTGDCCD	Discharge of conditions.	Withdrawn
09/50080/TTGDCCD	Discharge of conditions 2, 3, 4, 5, 9, 11, 12, 13, 15, 17, 18, 19, 20, 22, 23, 24, 25, 26, 29, 30, 31, 32, 34, 35, 36, 38 and 39 (of planning permission ref. 08/01156/TTGFUL).	Part discharged
11/50301/TTGNMA	Revision of external materials: 1) House type first and second storey's amended from blue engineering brick to light grey render on rear and side elevations. 2) House type balcony party walls amended from blue engineering brick to Siberian larch cladding.	Withdrawn
11/50316/TTGNMA	Revision of external materials: 1) House type first and second storeys amended from blue	Approved

	engineering brick to light grey render on rear and side elevations. 2) House type balcony party walls amended from blue engineering brick to Siberian larch cladding.	
16/00349/SCR	Request for Environmental Impact Assessment (EIA) screening opinion - proposed development comprising 239 no. residential units, landscaping, car / cycle parking and a doctor's surgery (206 sq.m.).	EIA not required

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's web-site at: www.thurrock.gov.uk/planning

4.2 PUBLICITY:

The application, as first submitted in March 2016, was publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. Following the receipt of revised plans in September 2016 the application was re-advertised via press and site notice and re-consultation with neighbours. The proposals have been advertised as a major development.

4.3 In March 2016 neighbour consultation letters were sent to 92 surrounding properties. 50 letters objecting to the application were received in response to the March 2016 consultation, raising the following concerns:

- parking problems;
- inadequate access;
- traffic congestion;
- pollution;
- litter;
- proposals out of character;
- overlooking / loss of privacy;
- increased noise;
- loss of views;
- security concerns; and
- disturbance during construction.

A number of the above letters, although objecting, support the proposed doctor's surgery. An anonymous objection letter has also been received. The letters of objection have been sent from a range of addresses across Chafford Hundred and as far away as Grays.

4.4 Two letters have also been received from a local ward Councillor which neither

support nor object to the proposals but note local highway conditions etc.

4.5 An on-line petition containing 831 names was established on the “38 Degrees” web-site (38degrees.org.uk). A sample of comments submitted to this web-site has been provided by the lead petitioner, which contains names, postcodes and an extract of comments.

4.6 In response to the revised plans consultation in September 2016, 36 letters of objection have been received from 30 different addresses objecting on the following grounds:

- disturbance from proposed drinking establishments;
- development would be out of character;
- excessive height of development;
- additional traffic;
- loss of views;
- inadequate access;
- traffic congestion
- pollution;
- pressure on local school places;
- litter;
- cooking smells; and
- increased noise.

4.7 The following consultation replies have been received:

4.8 ANGLIAN WATER:

No objections.

4.9 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objections.

4.10 ESSEX & SUFFOLK WATER:

No objections.

4.11 ENVIRONMENT AGENCY:

No reply received.

4.12 NHS ENGLAND:

In response to the application as first submitted, the NHS advised that the doctor's surgery proposed (206 sqm) would not align with current NHS England and CCG requirements. The NHS requested a capital contribution towards a project to increase capacity in the area.

The plans have since been revised, increasing the floorspace of the doctor's surgery to 280 sq.m however no further comment has been provided.

4.13 EDUCATION:

A financial contribution of £354,917 would be required to mitigate the increased pressure on nursery, primary and secondary school places locally.

4.14 ENVIRONMENTAL HEALTH:

Noise: road traffic noise (A1306) is the dominant noise source affecting the site and noise mitigation will be required to provide a reasonable internal noise environment. The required internal noise levels can be achieved by standard thermal double glazing and acoustic ventilation. Planning conditions are required to require submission of a scheme of noise mitigation and soundproofing for fixed plant.

Construction: planning conditions are required to limit hours of working, hours of piling and to require a Construction Environment Management Plan.

Air Quality: no objections.

Contaminated Land: no objection subject to gas monitoring, details of any piling and measures to deal with any unforeseen contamination.

4.15 FLOOD RISK MANAGER:

A surface water drainage strategy is required for the site.

4.16 HOUSING:

No reply received.

4.17 HEALTH & WELL BEING ADVISORY GROUP:

Offer general comments on the impacts and benefits of the proposals.

4.18 HIGHWAYS:

No objections, subject to planning conditions and a legal agreement

4.19 DESIGN COUNCIL / CABE:

Following submission of the original proposals (for 239 no. dwellings) in March 2016, those proposals were subject to a Design Review Panel in April 2016. The summary of the Panel comments noted that the current design approach is more successful compared to the uncompleted scheme. However, it was recommended that the proposed number of dwellings (239 no.) was reduced and that a wider mix of uses introduced.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

1. Building a strong, competitive economy;
4. Promoting sustainable transport;
6. Delivering a wide choice of high quality homes;
7. Requiring good design;
8. Promoting healthy communities; and
10. Meeting the challenge of climate change, flooding and coastal change.

5.2 Planning Practice Guidance (PPG)

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 48 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of a future planning application comprise:

- Air quality;
- Climate change;
- Design;
- Determining a planning application;
- Flood risk and coastal change;
- Noise;
- Planning obligations;

- Renewable and low carbon energy;
- Travel plans, transport assessments and statements in decision-taking; and
- Use of planning conditions.

5.3 Local Planning Policy

Thurrock Local Development Framework (as amended) (2015)

The Council originally adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Core Strategy was updated in 2015 following an independent examination of the Core Strategy focused review document on consistency with the NPPF. The Adopted Interim Proposals Map accompanying the LDF shows the site as land with no specific notation. However, as noted above, the site benefits from an extant planning permission for residential development which has been commenced. The following Core Strategy policies apply to the proposals:

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP2: The Provision of Affordable Housing
- CSTP9: Well-being: Leisure and Sports
- CSTP10: Community Facilities
- CSTP11: Health Provision
- CSTP14: Transport in the Thurrock Urban Area: Purfleet to Tilbury
- CSTP18: Green Infrastructure
- CSTP20: Open Space
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP25: Addressing Climate Change
- CSTP26: Renewable or Low-Carbon Energy Generation
- CSTP27: Management and Reduction of Flood Risk

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD3: Tall Buildings
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities
- PMD8: Parking Standards
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans
- PMD12: Sustainable Buildings

- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment
- PMD16: Developer Contributions

5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the spring of 2017.

6.0 **ASSESSMENT**

6.1 The planning issues to be considered in this case are:

- I. Development plan designation & principle of development
- ii. Site layout & design
- iii. Landscape & visual impact
- iv. Impact on amenity
- v. Highways & transportation issues
- vi. Noise & air quality
- vii. Flood risk
- viii. Sustainability
- ix. Viability & planning obligations

6.2 It is relevant that the planning permission for residential redevelopment of the site (ref. 08/01156/TTGFUL) has been implemented and, as such, could be completed subject to compliance with the associated planning conditions and s106 obligations. The comparison between the extant consented scheme and the current proposals therefore forms part of the analysis below.

I. DEVELOPMENT PLAN DESIGNATION & PRINCIPLE OF DEVELOPMENT:

6.3 The principle of the re-development of this site for residential development has been established by the grant of planning permission under 08/01156/TTGFUL. As that planning permission has been implemented and the consent remains live, there can be no objection to the principle of residential redevelopment. Building works on-site ceased several years ago and the above ground structures are in a dilapidated condition. These dilapidated structures are visible from a prominent road frontage in this part of the Borough (A1306) which is elevated above ground levels at the site. In broad terms, the principle of removing the part-built structures and completing development of the site is supported.

- 6.4 In addition to the proposed residential development, the application includes a number of commercial, (Use Classes A1 / A2 / A3 / A4 / A5) and non-residential institutional uses (Use Class D1). As first submitted in March 2016, the application proposed a doctor's surgery (Use Class D1) with a gross internal area (GIA) of 206 sq.m. The current proposals retain the doctor's surgery with an increase of the GIA to 280 sq.m. In justifying this floorspace, the applicant's planning statement notes that the previously approved development (ref. 08/01156/TTGFUL) included provision of a doctor's surgery. Furthermore, the statement explains that the applicant has *"conducted our own research and found that the current provision of local doctor's surgeries is oversubscribed. Therefore, the applicant has included the space necessary to host a doctor's surgery on the ground floor of block D."*
- 6.5 In their consultation response to the application dated 28th April 2016 NHS England states that:
- "...the intention of NHS England is to promote Primary Healthcare Hubs with co-ordinated mixed professionals ... The planning application includes provision of a doctor's surgery of 206m² to mitigate the healthcare impacts arising from the proposed development. However, a provision of this size does not align with current NHS England and CCG Estates Strategies to create care hubs. NHS England would be happy to engage with the developer if they would like to discuss the potential provision of a larger facility at this site. Alternatively, a capital contribution would be required towards a project to increase capacity in the area."*
- 6.6 The proposed provision of a doctor's surgery at this site formed part of the first approval for residential development (ref. 08/00152/TTGFUL). The applicant's Planning Statement, dated January 2008, supporting that application noted that the doctor's surgery was *"introduced following pre-application consultation with local residents and stakeholders who identified a need within the local area"*. During the consideration of 08/00152/TTGFUL a letter was submitted from the Chafford Hundred Medical Centre (Drake Road) which stated that partners at the Centre were *"committed to the proposed project contained within the new development at Howard Road"*. The consultation response (dated May 2008) from the then South West Essex Primary Care Trust (PCT) for 08/00152/TTGFUL confirmed that the PCT had been working with the Medical Centre *"to identify premises to enable the practice to extend the surgery"* and that the PCT was committed to working with the practice in developing a branch surgery in Howard Road should the development proceed.
- 6.7 The subsequent s106 agreement placed obligations on the developer to provide a doctor's surgery of not less than 182 sq.m. (GIA) plus ancillary car parking prior to the completion of 50 no. private residential dwellings. The agreement also required the developer to submit the heads of terms for the surgery tenancy etc. agreed with the end user.

- 6.8 The revised planning permission (ref. 08/01156/TTGFUL) essentially left the proposals for a doctor's surgery unchanged. However, after the application was considered at the Planning Committee of the former Development Corporation a letter was received from the PCT confirming that the *"PCT pulled out of discussions with this developer earlier this year due to the need to undertake a full health review for the Chafford Hundred area before being able to confirm the PCT's support for such an inclusion to the proposed development"*. Nevertheless, planning permission was granted for 08/01156/TTGFUL with the accompanying s106 agreement securing similar obligations for the provision of the surgery as the earlier agreement.
- 6.9 The Planning Statement accompanying the current application refers to the consultation response from NHS England (para. 6.5 above) and states that *"despite this response ... the applicant is dedicated to delivering a new surgery as part of this scheme. The applicant has therefore increased the area allocated to the doctor's surgery from 206 sq.m. to 280 sq.m. ... it is our understanding that Dr Abela's surgery (Chafford Hundred Medical Centre) is interested in running the new surgery."*
- 6.10 Both NHS England and the Chafford Hundred Medical Centre have been consulted in relation to the revised plans increasing the floorspace of the proposed surgery, however no responses have been received. Notwithstanding the original consultation response from NHS England, the planning application including the proposed doctor's surgery, should be considered on its planning merits. Adopted Core Strategy CSTP11 (Health Provision) states, inter-alia, that the Council will work with partners to deliver:
- III. Health care facilities that are located according to need, and which are accessible to all people in the Borough, including by public transport, cycling or walking.
 - IV. Health care facilities that meet existing and future community needs, including those needs arising from the new housing and employment that will be developed in the Borough over the lifetime of the plan.

At face value the proposals to include a doctor's surgery comply with the broad intentions of Thematic Policy CSTP11. Nevertheless, as the current position of NHS England is that the proposed surgery provision does not align with their strategy of creating care hubs, consideration does need to be given to alternative scenarios. For example, if planning permission were to be granted for the development as proposed and if the doctor's surgery floorspace was to be provided, it could be the case that the floorspace would remain unoccupied as it is not considered 'fit for purpose' by NHS England. If this situation were to occur any s106 agreement would need to include the flexibility to secure a financial contribution towards healthcare provision as an alternative to built floorspace.

- 6.11 Recent revisions to the application have also introduced a number of ground floor commercial uses (Use Classes A1 / A2 / A3 / A4 / A5 / D1) within the development. These additional uses respond to comments raised during a CABE design review of the application, where the applicant was encouraged to introduce a mix of uses into the development in order to create a 'destination' and encourage activity. At present there are no end-users for the 6 no. commercial units and the applicant seeks permission for a wide range of uses. If approved as submitted, the development would allow for all of the units to be used for any use within the Use Classes sought or any combination across the Use Classes. In reality, the various sizes of the commercial units, their proximity to residential uses and amenity implications could limit the operation of individual uses.
- 6.12 The proposed mix of uses would be classed as "main town centre uses" as defined by the NPPF and paragraph 24 of the NPPF requires the application of a sequential test whereby main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out-of-centre sites be considered. In this case, the site of the Sainsbury's store immediately east of the site is defined as a 'Shopping Centre'. Given this location and as the total of proposed commercial floorspace falls well below the threshold where a retail impact assessment is required, it is considered that the sequential test is passed in this instance. It is also of note that under the heading of 'Promoting healthy communities' paragraph 69 of the NPPF states that planning decisions should aim to achieve places which promote, inter-alia "opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity".
- 6.13 Accordingly, under this heading it is concluded that principle of the proposed land uses are acceptable. In particular, the proposals would make a valuable contribution towards new housing supply.

II. SITE LAYOUT & DESIGN

- 6.14 The implemented planning permission for residential development (ref. 08/01156/TTGFUL) included the entire site area of the health club (approximately 2.5 hectares). This was because the description of development included works to the fitness centre nursery (currently operated by Busy Bees) and alterations to the health club and nursery car park. The approved works to the nursery and car park alterations have been largely implemented although a number of former nursery car parking spaces remain within the site area of the current application. For reference, the amendments to the car park layout which have been implemented have led to a small increase in the number of spaces available for the health club and nursery.
- 6.15 The proposed layout of the site largely corresponds to the approved and implemented development of the site (ref. 08/01156/TTGFUL) and in particular to

the site access and basement parking area. The partly implemented development on-site involves a vehicular access from Howard Road at the south-western corner of the site. This approved access ramps down to a basement parking level providing a total of 146 parking spaces. The approved basement car park has been largely excavated and partially covered with a concrete podium. The current proposals retain the existing basement parking level, with adaptations and amendments to increase the number of spaces to 148, to accommodate a basement-level energy centre and to provide additional access stairwells to ground floor level.

- 6.16 At ground floor level, the approved scheme comprises a series of terraced houses and flat blocks aligned east-west along the northern part of the site (parallel with the A1306), with 3no. flat blocks aligned north-south. The approved building footprint can therefore be described as an inverted 'E' shape. Of these approved residential blocks, the 3 no. terraces of houses (totalling 16 no. 3/4/5-bed units) and Block B (22 no. 1/2/3-bed units) were progressed above ground level before building works ceased.
- 6.17 The proposed arrangement of building blocks would closely resemble the approved footprint in terms of both the position and extent of buildings. Although, with the proposed deletion of houses and substitution with flats there is some increase in built footprint on the northern part of the site, compared to the approved scheme. Nevertheless, the proposed position of buildings in relation to the boundaries of the site remains substantially unchanged compared with the approved development.
- 6.18 With regard to the density of residential development the current proposals would result in a density of approximately 184 dph (dwellings per hectare), compared to approximately 127 dph for the approved and implemented development (ref. 08/01156/TTGFUL) and 139 dph for the previously approved but unimplemented development of 153 dwellings (ref. 08/00152/TTGFUL). National planning policy and guidance within the NPPF and PPG does not contain details of density ranges which may be considered appropriate and it may be stated that the measure of density, on its own, is a crude measure of assessing the acceptability of development proposals. Under the heading of "Requiring good design", paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area;
 - establish a strong sense of place;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;

- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments; and
- are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 65 of the NPPF goes on to states that *“local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design”*. The NPPF is therefore principally concerned with the quality of a development rather than relying on a measure of quantity, such as density, to determine acceptability.

6.19 Advice within PPG amplifies and expands upon the core principle of the NPPF that development should seek to secure high quality design. Paragraph 015 (ref. ID: 26-015-20140306) of PPG defines a well-designed place as:

- functional;
- supporting mixed uses and tenures;
- including successful public spaces;
- adaptable and resilient;
- having a distinctive character;
- attractive; and
- encouraging ease of movement.

An assessment of the proposals against these heading is provided below:

6.20 Functional – in order to be functional PPG advises that a development should be fit for purpose, designed and delivered in a way that delivers the intended function and achieves value for money in terms of lifetime costs. The proposed units are purpose-built and would provide satisfactory gross internal areas as follows:

One-bedroom units:	41.0 sq.m. – 61.6 sq.m.
Two-bedroom units:	55.1 sq.m. – 75.5 sq.m.
Three-bedroom units:	80.8 sq.m. – 85.9 sq.m.

The vast majority of proposed dwellings (200 of the 203 flats) would have access to a private balcony area and Block C would incorporate a roof terrace area. The proposals provide for convenient access to the basement car park and cycle storage areas via a number of service cores. Further cycle storage and refuse storage areas are located at ground floor level within Blocks B, C, D, E1 and E2, consequently there are no proposed external bin enclosures, a feature which can be unsightly. The proposals also provide floorspace for a concierge, located at the entrance to the site within Block D, which would assist in the function of the

development. An Energy and Water Strategy accompanies the submission to demonstrate compliance with the Council's environmental sustainability targets. The proposals include a gas fired CHP plant located within the basement. Under this heading it is considered that the development meets the functional test for a well-designed place.

- 6.21 Supporting mixed uses and tenures – revisions to the scheme which were submitted in September 2016 introduced 6 no. ground floor commercial units into the development. Although the potential occupiers of these units is unknown, the range of use classes for which permission is sought have the potential to provide facilities to future residential occupiers, as well as the wider community. As noted above, the proposals would provide for affordable housing as well as managed private sector rented dwellings. Accordingly, a range of residential tenures would be supported.
- 6.22 Including successful public spaces – PPG makes reference to public spaces (streets, squares and parks) which are available for everyone for use and enjoy. The proposals include two landscaped squares referred to as the 'Garden Courtyard' located in between Blocks B and C and the 'Main Square' located in between Blocks C and C. These two areas are described as incorporating formal tree planting, lawn and space for seating. The applicant does not intend that these spaces are used for active outdoor play and relies on proximity to the health club to satisfy these requirements. The two squares would more likely provide both an informal sitting out area to be used in good weather and a setting for the adjacent building blocks. Compared to the approved development, the proposals for these two squares have the potential to provide better public spaces, subject to further details reserved by planning condition. Routes available to motor vehicles within the site would provide access to a small number of ground floor level parking spaces at the site's southern boundary and access to refuse stores. Therefore, streets within the site would be pedestrian friendly. Consequently it is considered that, subject to suitable conditions, the public spaces within the site would add to the design quality of the development.
- 6.23 Adaptable and resilient – PPG advises that well designed places are able to respond to a range of future needs and are practical to manage. With regard to the adaptability of a design there is a balance to be struck with the way in which a development functions and the fact that the development principally comprises purpose-built flats intended for the private rented sector market. Nevertheless, the development includes two wheelchair designed units to be located within one of the affordable housing blocks. Furthermore, it is possible that future sub-division or combination of the 6 no. ground floor commercial units could occur to meet the potential demands of future occupiers. Within the constraints of a purpose-built residential redevelopment it is considered that some adaptability in the design of the proposals is possible. PPG notes that resilient designs are easily managed and supported, for example, by natural surveillance. The arrangement of building blocks across the site and the position of window openings on all elevations results

in public spaces and access routes being overlooked. The applicant's Design and Access Statement supporting the submission includes reference to 'Secured by Design' and on this point it is concluded that the design of the development would be resilient.

- 6.24 Distinctive character – PPG states that a well-designed place has a distinctive character with reference to, inter-alia, building form, details, materials, style and vernacular. At this point it is worth emphasising the 'backland' nature of the application site which is located on the northern edge of the Lakeside basin, below the level of the A1306 to the north, west of the Sainsburys superstore service yard, rear (north) of the health club and east of the flats at Trelawney Place and the Premier Inn hotel. The site is therefore located within a range of large-footprint commercial and residential buildings, which are detached from the suburban residential form of development to the south of Burghley Road / Fleming Road (B186). Although the residential development south of the B186 displays a defined form and character of predominantly two-storey, 1990's-constructed dwellinghouses, the site sits with a different context and the principle of flatted development on a larger footprint and scale has already been established. It is worth noting that existing three and four-storey flats are located close to the site at Trelawney Place and Nightingale Court. It is considered that the built form of the development, architectural detailing (such as the recessed balconies, 'zig-zag' roof form and variation in the size of window openings) and the modern style of the development would result in a distinctive character.
- 6.25 Attractive – PPG defines a well-designed place as attractive with reference to streetscapes, landscapes, buildings and elements within them. The judgement as to whether a development is 'attractive' is to a degree subjective and is based on a correlation between the elements which make up a development (principally the buildings and spaces in-between). Advice at paragraph 60 of the NPPF clearly states that planning decisions should not attempt to impose architectural styles or particular tastes and paragraph 61 goes on to state that, although visual appearance and the architecture of individual buildings are important factors, "securing high quality and inclusive design goes beyond aesthetic considerations". The proposals comprise a purpose-built, predominantly residential development with a modern appearance. The proposed public squares within the site have the potential to provide a high quality setting for the building blocks and streetscapes within the development would provide pedestrian-friendly and landscaped routes. Therefore, as assessed against the guidance within the NPPF and PPG, it is considered that the development would meet the description of a well-designed place with regard to its attractiveness.
- 6.26 Ease of movement – PPG refers to the success of a development with reference to safe, convenient and efficient movement through the site, as well as legibility and connections. Currently, due to the position of the site south of the A1306 embankment, adjacent to the Sainsbury's service yard, private flats at Trelawney Place and north of the health club, the site is effectively a cul-de-sac with only one

possible connection to the road network at the site's south-western corner. It is neither possible nor desirable to connect the site to adjacent sites to the east and west. Similarly, due to the change in levels between the site and the A1306, it is not possible to provide a vehicle connection to the north. However, the proposals accommodate a footpath connection from the Howard Road access to the A1306 at the north-eastern corner of the site (where the embankment to the Arterial Road is at its lowest). Routes through the site and to the various building block entrances are clear and it is considered that the development would be easy to navigate for occupiers and users. Within the context of the constraints operating upon the site, it is considered that the development would promote ease of movement.

III. LANDSCAPE & VISUAL IMPACT

- 6.27 Due to the height of the proposed buildings, the potential impact of the development on landscape and visual receptors is an important consideration.
- 6.28 With regard to landscape impact, the site is located within the 'Grays / Chadwell St. Mary Urban Area' landscape character type, as defined by the Thurrock Landscape Capacity Study 2005. The Study clearly places the site within an urban, built-up landscape character area. However, land to the north of the A1306 is defined as an urban fringe landscape character area (North Stifford Corridor) which displays key characteristics including the visual clutter of pylons and an extensive road network. Overhead high voltage power lines and pylons are positioned to the north and west of the site and views of the site from a number of vantage points are seen in the context of this electrical infrastructure. The A1306 immediately north of the site is elevated approximately 5m above ground levels at the western end of the site, and approximately 2.5m above ground levels at the site's eastern boundary. The embankment between the A1306 carriageway and the site is vegetated and provides a visual screen at lower levels.
- 6.29 As noted in the table at paragraph 1.1 above the proposals involve building heights ranging between four and seven-storeys. The approved and implemented development (ref. 08/01156/TTGFUL) comprised a small number of dwellinghouses between two and three-storeys high, although the majority of development comprised four and five-storey buildings. Compared with the implemented scheme, the current proposals generally increase buildings heights across the site, although Block D (located at the south-western corner) would remain unchanged at four-storeys. For the purposes of comparison, the health club to the south of the site is approximately the equivalent height of a three-and-a-half storey residential building and the Sainsbury's superstore is the approximate equivalent height of a four-storey residential building. Trelawney Place to the west is a three and part four-storey high residential block.
- 6.30 Policy PMD3 of the adopted Core Strategy (as amended) (2015) refers to tall buildings and defines such structures as:

- I. *buildings of more than six storeys or a height of two storeys above the prevalent form of development, whichever is the lesser, within an established primarily residential area; or*
- II. *buildings of more than six storeys in other locations including recently developed, predominantly residential neighbourhoods.*

Judged against these criteria, those elements of the development which are seven-storeys in height should be considered as 'tall buildings' under PMD3. The policy goes on to state that the Council will assess applications for tall buildings based on evaluation criteria set out in CABE / English Heritage guidance dating from 2007. This 2007 guidance was superseded in 2015 by an advice note published by Historic England. This updated guidance refers principally to the impact of development proposals on designated heritage assets and so is not directly applicable to the current case. However, the 2015 guidance notes that "*where full planning permission for a tall building is to be sought, suitable planning conditions and obligations can be used for the detailed design, materials and finishes, and treatment of the public realm*". It is relevant that the Historic England guidance does not provide a definition of a tall building but instead notes that what might be considered a tall building will vary according to the nature of the local area. Given the wording of PMD3 referred to above, it is considered that only part of the development, namely the seven storey elements of Blocks A2, B and F, which should be considered as 'tall'.

6.31 Notwithstanding the fact that the 2007 guidance referred to by Policy PMD3 is no longer relevant, the Policy states, inter-alia, that:

- i. *The Council will only support those applications, which respond positively to all the relevant criteria. The relevant criteria in Thurrock are:*
 - a) *the relationship to context*
 - b) *the effect on historic assets*
 - c) *the relationship to transport infrastructure*
 - d) *the architectural quality of the proposal*
 - e) *the sustainable design and construction of the proposal*
 - f) *the credibility of the design, both technically and financially*
 - g) *the contribution to public space and facilities*
 - h) *the effect on the local environment*
 - i) *the contribution made to permeability*
 - j) *the provision of a well-designed environment*

6.32 An assessment against these criteria is provided as follows:

- a) the site is adjoined by the elevated A1306 Arterial Road to the north and by large-footprint commercial uses to the east and south. The site lies within an urban landscape character area, with an urban fringe landscape to the north

which is partly characterised by electricity pylons and overhead lines. Although generally taller than existing surrounding buildings, the proposals are not considered to be materially harmful to the character of surrounding area and would offer the benefit of regenerating an abandoned building site;

- b) the proposals would not impact on any designated heritage assets;
- c) the transportation implications of the development are considered more fully elsewhere in this report. However, the site access is located approximately 740m walking distance to Chafford Hundred railway station and bus services are routed along both the B186 and A1306. The site is therefore conveniently located for access to public transport.
- d) the architectural quality of the development is considered in more detail from paragraph 6.14 above. It is concluded that the proposals comprise a modern, purpose-built development which, subject to relevant planning conditions, would achieve architectural quality. It is of note that the dwellings have been designed for the private rented sector, rather than for general sale by, for example a volume housebuilder. The applicant has instructed an architectural practice to prepare drawings rather than relying on 'standard' housing typologies.
- e) an energy and water strategy accompanies the planning application which confirms that the proposals would comply with relevant development plan policies for energy efficiency and use of renewable or decentralised energy generation.
- f) the design of the development is considered credible and would create a distinct "place". Financial viability is considered later in this report.
- g) although a predominantly residential development, the proposals include commercial floorspace and provide accommodation for a potential healthcare provision. Two areas of public realm are included within the proposals.
- h) the effect of the proposals on the local environment is a wide-ranging judgement taking into account all of the chapter headings set out in this report. In summary, it is considered that the proposals would not be materially harmful to the local environments and in a number of respects would be of benefit.
- i) although the site is essentially in a cul-de-sac location, the proposals include for a footpath connection across the site to the benefit of permeability.
- j) as assessed by the analysis set out earlier in this report, it is considered that the development would be a well-designed place.

It is considered therefore that the scheme would generally score positively as assessed against the Policy PMD3 criteria.

- 6.33 Nevertheless, parts of the development are tall and a planning judgement needs to be reached as to whether part-seven storey development is acceptable in this location. The Council's general planning policy for design and layout (PMD2 – as amended) requires proposals to respond to the sensitivity of a site and its surroundings and to optimise the potential of the site to accommodate development. As ever, a balanced judgement is required to weigh the visual impact of the proposals.
- 6.34 Views of the site from the A1306 to the north are limited to road and cyclepath / footway users on this heavily trafficked route. As noted above, the A1306 is between approximately 2.5m and 5m above ground levels on-site and there is existing planting on the embankment which provides a low-level screen. On the western part of the site, where the embankment is at its greatest height, building heights on those blocks closest to the A1306 would be four to five storeys (blocks E1, A1 and E2). Due to the mitigating impact of the change in levels and existing planting, the visual impact of development on the western part of the site as seen from the north would not be harmful. As seen from the A1306 the eastern part of the development (blocks A2, F and part of block E2) would be six to seven storeys high. However, the height of the A1306 embankment reduces to the east such that the full height of these blocks would be more apparent. Although the eastern part of the development would be more visually prominent this impact needs to be seen in the context of the busy A1306 and adjoining Sainsbury's superstore. As a matter of balanced judgement it is not considered that the six and seven storey height of the proposals would be materially harmful to visual amenity as seen from the north of the site. Indeed, there could be benefits in the presence of a modern, well-designed building as a visible feature on a main route in this part of the Borough.
- 6.35 The Sainsbury's store service yard adjoins the site to the east and as such public views of the development from this direction are at distance. Views from Burghley Road east of the site are influenced by the power lines and pylons, the Sainsbury's building and car park and tree planting around the perimeter of the superstore site. As a matter of judgement, it is considered that the proposed height of the development would not be visually prominent from public vantage points to the east of the site.
- 6.36 To the south-east of the site there would be a largely unimpeded view from the Burghley Road / Gilbert Road / Sainsbury's store roundabout of the six and seven storey elements of the development. Although at this point the development would be taller than the implemented four and five storey development, public views from the footpath on the northern side of this junction are some 90m from the development. Furthermore, views from this vantage point would be within the context of the health club and superstore buildings in the foreground and overhead

electricity lines in the background. On balance it is considered that the development would not be visually intrusive as seen from the south east.

- 6.37 Views of the development from the south and south-west (Burghley Road and Howard Road) are also within the context of the health club building and associated car park in the foreground. Consequently the development would not be visually intrusive from this viewpoint.
- 6.38 Given the presence of the private Trelawney Place development with the Ockendon to Chafford Hundred railway line beyond, there are no public views of the site from the west.
- 6.39 In summary under this heading the development would involve higher buildings compared to the implemented scheme and elements of the proposals would comprise “tall buildings” are defined by policy PMD3. A balanced judgement assessing the visual impact of the proposals in the context of the surrounding area and the policy requirement to maximise the development potential of the site is required. The proposals would not be harmful to the urban landscape character south of the A1306 or the urban fringe landscape character to the north. As a matter of balanced judgement it is also concluded that there would be no material harm by way of visual impact.

IV. IMPACT ON AMENITY

- 6.40 Impact on surrounding amenity is confined to the potential impacts on existing residential occupiers at Trelawney Place to the west of the site.
- 6.41 Primary windows at ground, first, second and part-third floor level within the east-facing elevation of Trelawney Place face towards the site. There is a minimum distance of approximately 10m between these windows and the site boundary and there would be an approximate minimum distance of 19m between existing windows and new development. As noted above, the proposed position of residential blocks in relation to Trelawney Place is very similar to the implemented development.
- 6.42 The application is accompanied by a Daylight / Sunlight Assessment, produced to appraise the impact of the development on adjacent buildings in accordance with the Building Research Establishment (BRE) report, “Site layout planning for daylight and sunlight” Second Edition 2011. Although this document is not specifically referred to by national or local planning policies, it is accepted as the industry-standard measure of good practice. The applicant’s assessment identifies east facing windows at Trelawney Court as potentially affected and therefore assesses impact on daylight and sunlight to windows, as well as the potential effect of overshadowing on outdoor amenity space. The conclusions of the daylight assessment are that all modelled windows will continue to receive the minimum recommended 27% VSC (vertical sky component) and/or the proposed level of

daylight would be greater than 0.8 times the former level. Assessed against the BRE guidance the impact upon daylight would be “negligible”. As none of the potentially affected windows face within 90° of due south, in accordance with BRE guidance the assessment of sunlight is not required. Regarding the potential overshadowing of outdoor amenity space, with the proposed development in place, over 50% of the adjoining amenity space will continue to receive at least two full hours of direct sunlight on the 21st March. Therefore, whilst there will be an increase in shadowing to the amenity space at Trelawney Place, according to the BRE Guidance this increase is considered to be insignificant.

- 6.43 Distances between existing windows at Trelawney Place and proposed windows within the development would be similar to relationships within the approved development. It is considered that there would be sufficient separation to ensure a reasonable degree of privacy

V. HIGHWAYS & TRANSPORTATION ISSUES

- 6.44 With regard to car parking provision the arrangements for the implemented development and the current proposals are set out in the table below:

<u>08/01156/TTGFUL</u>	
Basement	146 spaces (including 6 disabled user spaces and 6 surgery staff spaces)
Ground Level	14 residential visitor spaces 8 surgery visitor spaces
TOTAL	168 spaces
<u>16/00307/FUL</u>	
Basement	148 spaces (including 6 disabled user spaces)
Ground Level	22 spaces (including 3 disabled user spaces)
TOTAL	170 spaces

The applicant has submitted a ‘Parking Management Plan’ which states that 140 of the proposed 148 basement spaces will be allocated for residential users (either general purpose residential spaces, spaces for car-club users or spaces for residential visitors). The applicant also proposes that the 22 ground floor parking spaces would operate as multi-function spaces to provide visitor parking and / or loading facilities for the non-residential uses as required. Consequently a maximum of 162 parking spaces would be potentially available to the residential use at a ratio of 0.8 spaces per dwelling. The Parking Management Plan confirms that the enforcement of parking spaces would be managed by a parking management company. The proposals therefore involve a small increase of two parking spaces compared to the implemented scheme. However, in comparison with 08/01156/TTGFUL the current proposals involve both an increase in residential units and non-residential floorspace. A summary of proposed car parking spaces by land use is provided below:

Land Use	Units / Floorspace	Proposed Parking
Residential (C3)	Affordable	56
	Private	47
	Visitors	12
	Car club	25
Commercial (A1-A5, D1)	370 sq.m.	30*
Surgery (D1)	280 sq.m.	
Total		170

* 8 parking spaces at basement level allocated for the GP surgery and commercial staff with 22 multi-function visitor spaces available at ground floor level.

6.45 The draft ‘Thurrock Parking Standards and Good Practice’ (2012) document includes a range of suggested parking provision for proposed residential and commercial land uses. Proposed flats in a high accessibility area (defined as within 1km walking distance of a rail station and within an existing or proposed controlled parking zone) attract a suggested range of 0 – 1.0 spaces per dwelling and 0.25 spaces per dwelling for visitors. As noted in paragraph 6.32 above the site is comfortably within a 1km walking distance from Chafford Hundred railway station. In addition, existing waiting restrictions apply on Burghley Road, Fenner Road and Fleming Road south of the site and the applicant has offered a contribution towards implementation of a controlled parking zone in the immediate vicinity of the site (i.e. Howard Road). Consequently, the site can be considered as a high accessibility location. For residential developments the draft standards promote the use of car clubs, where appropriate. With regard to commercial floorspace, the draft 2012 document suggests parking provision based on floorspace or staff numbers. However, it is recognised that lower car parking provision may be appropriate in areas where there is good access to alternative forms of transport. The range of suggested parking standards (2012) as applied to the development proposals is set out in the table below:

Proposed Use	Units / floorspace	Suggested parking range	Minimum parking	Maximum parking
Residential	203 flats	0 – 1.0 space per dwelling 0.25 visitor spaces per dwelling	0 spaces 51 spaces Total 51 spaces	203 spaces 51 spaces Total 254 spaces
Class A1*	370 sq.m.	1 space per 20 sq.m.	19 spaces	19 spaces
Class A2*				
Class A5*				
Class A3*	370 sq.m.	1 space per 5 sq.m.	74 spaces	74 spaces
Class A4*				

Class D1**	370 sq.m.	Dependent upon employees etc.		
Surgery***	280 sq.m.	Dependent upon employees / consulting rooms		
<p>* The split between proposed Class A1/A2/A3/A4/A5 uses is unknown. Therefore the broad range of 19 to 74 spaces reflects the conceivable maximum range without taking public transport accessibility into account.</p> <p>** The 370 sq.m. commercial floorspace could be occupied by a Class D1 use. Parking standards for this Use Class depend upon staff, accommodation etc. and these details are currently unknown.</p> <p>*** The draft parking standard for the proposed surgery is dependent upon staff and consulting rooms. These details are currently unknown.</p>			TOTAL 124 spaces	TOTAL 328 spaces

Assessed against the draft 2012 parking standards the proposed provision of 170 car parking spaces exceeds the suggested minimum.

6.46 Paragraph 39 of the NPPF refers to parking standards and states that, if setting local parking standards, local planning authorities should take into account (inter-alia):

- the accessibility of the development;
- the type, mix and use of development; and
- the availability of and opportunities for public transport.

Advice within PPG notes that local planning authorities should seek to ensure that “parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable”. (Ref. ID: 42-008-20140306). Therefore, although national planning policy requires that local parking standards should take locational factors and the characteristics of a proposal into account, a judgement is required as to what is “reasonable” parking provision for an individual development.

6.47 Comments received from the Highways Officer raise no objections to the proposals, subject to appropriate s106 obligations and planning conditions. With regard to car parking, the Officer notes that the site is relatively close to the railway station and local amenities and that a relaxation of maximum standards could be agreed to reflect these local circumstances. In particular, the Highways Officer notes the applicant’s intention to implement a car club scheme which is seen as an attractive alternative to car ownership.

6.48 In forming a view whether the proposed level of car parking is “reasonable”, Members are reminded that two residential schemes (153 and 140 dwellings) with a doctor’s surgery have been approved with a parking provision at the lower-end of the possible range of parking standards. The number of car parking spaces

previously approved and currently proposed is similar and reflects the physical capabilities of the site to accommodate car parking. If the overall quantum of parking which the site can accommodate is 'fixed' the judgement is whether the impact of additional dwellings and non-residential floorspace as proposed can be adequately mitigated. In this case, Officers are satisfied that the combination of the site location, the availability of public transport, the nature of the proposals (i.e. the nature of tenancies and management of the car parking areas) and the proposed parking measures (i.e. car club, parking management plan, funding for potential extension to the controlled parking zone) adequately mitigate the impact of the additional development compared to the approved development. Consequently the level of car parking provision is considered to be reasonable.

- 6.49 With reference to potential impact on the surrounding road network, the Highways Officer concludes that, with mitigation to be secured through a s106 planning obligation, the proposals are acceptable. The extant s106 (ref. 08/01156/TTGFUL) includes an obligation securing a financial contribution of £77,500 (index linked) towards the former 'West Thurrock Strategy', which principally addressed highways infrastructure improvements. The Infrastructure Requirement List effectively replaces the Strategy and identifies Pilgrims Lane / A1306 junction capacity improvements as a highways infrastructure requirement within the South Chafford ward. Applying indexation to the original £77,500 contribution (which was not paid by the then developer of the site) results in a current figure of £95,354. The applicant has agreed to this financial contribution.
- 6.50 It is concluded that, subject to mitigation to be secured through the above planning obligations and suitable planning conditions, there are no highways objections to the proposals.

VI. NOISE & AIR QUALITY

- 6.51 A noise assessment accompanies the planning application which includes the results of a noise monitoring survey. The survey concludes that noise from road traffic on the A1306 is the primary noise source affecting the site and that, based on the noise level recorded, mitigation will be required to achieve a reasonable internal noise level. The assessment recommends that standard thermal double glazing and acoustic ventilation is required to achieve reasonable internal noise levels and this matter can be addressed via a standard planning condition. The Environmental Health Officer has confirmed that the position of the buildings will act as a noise barrier such that noise levels at the proposed landscaped squares are reasonable. A planning condition can also address the issue of soundproofing to items of fixed external plant associated with the commercial uses. Therefore, subject to planning conditions, there are no objections to the proposals on noise grounds.
- 6.52 An air quality assessment of the proposals concludes that there would be a negligible increase in levels of nitrogen dioxide (NO₂) at receptors close to Howard

Road. The EHO agrees with this conclusion and confirms that there would be no breach in air quality objectives as a result of the development.

VII. FLOOD RISK

- 6.53 The site is located within the low risk flood zone (Zone 1) and therefore the requirement for the local planning authority to apply the sequential test does not apply. Residential development is classified as “more vulnerable” within the flood risk vulnerability classification set out by Table 2 of PPG and therefore this land use is “appropriate” as defined within Table 3 of PPG (flood risk vulnerability and flood zone compatibility). Although the site is within the low risk flood zone, as the site area exceeds 1 hectare the application is accompanied by a flood risk assessment (FRA).
- 6.54 The implemented planning permission (ref. 08/01156/TTGFUL) was subject to a planning condition requiring submission an approval of foul and surface water drainage details. Details pursuant to this condition were submitted and approved, and it is evident that elements of the approved drainage infrastructure have been installed on-site. Nevertheless, the current proposals are materially different from the implemented scheme and both Anglian Water and the Flood Risk Manager have requested updated details of the surface water drainage strategy. This matter can be addressed by planning condition.

VIII. SUSTAINABILITY

- 6.55 Adopted Core Strategy policies PMD12 and PMD13 provide the local policy context for assessing the development proposals. PMD12 states that “proposals for new or conversion to residential development must achieve a “Code for Sustainable Homes” level 4 rating, except in respect of any of the Code’s requirements that have been officially superseded by mandatory national standards”. In March 2015 the Government withdrew the Code for new developments. Accordingly the requirements of PMD12 no longer apply to new residential developments.
- 6.56 Despite the withdrawal of the Code requirements, the applicant has submitted an Energy and Water Strategy which refers to measures to reduce energy demand and water usage.
- 6.57 Policy PMD13 requires that from the year 2015 major residential developments secure, as a minimum, 15% of their predicted energy from decentralised and renewable or low-carbon sources. The applicant’s Strategy proposes a gas-fired combined heat and power (CHP) system for the development. The plant associated with the CHP would be located within the basement and it is estimated that the 15% target figure would be exceeded.

IX. VIABILITY & PLANNING OBLIGATIONS

- 6.58 Policy CSTP2 of the adopted Core Strategy (amended 2015) states that the Council will seek the minimum provision of 35% of the total number of residential units built to be provided as affordable housing. However, this target is subject to, inter-alia, the economics of providing affordable housing. The policy goes on to state that “the Council recognises that the majority of Thurrock’s identified housing land supply is on previously developed land often subject to a variety of physical constraints. The capacity of a site to deliver a level of affordable housing that can be supported financially will be determined by individual site ‘open book’ economic viability analysis where deemed appropriate”.
- 6.59 The applicant has submitted draft heads of terms for a s106 agreement as follows:
- provision of 56 affordable housing units (28% rounded of total dwellings);
 - affordable housing mix of 27no. one-bedroom units and 29no. two-bedroom units (including two wheelchair units);
 - education contribution of £354,917.00;
 - Pilgrims Lane / A1306 junction capacity improvements contribution of £95,354,00; and
 - controlled parking zone funding (unspecified – but assumed to be no more than c. £10,000
- 6.60 The applicant has also submitted a financial viability assessment which concludes that the development is unable to support any additional s106 contributions above those set out in the paragraph above. As is usual practice, the applicant’s assessment has been independently appraised on behalf of the local planning authority. The conclusions of the independent appraisal are that the inputs and assumptions used by the applicant in assessing viability are on the whole reasonable. The independent viability review concludes that the development would generate a negative residual land value and with an “optimistic” assessment of values and costs the site is not considered to be viable to provide any additional affordable housing or s106 contributions.
- 6.61 As noted earlier in this report, the applicant is proposing the provision of floorspace for a doctor’s surgery within the development, although NHS England’s stated position is that a financial contribution towards improved facilities at Chafford Hundred medical centre and St. Clement’s Health centre is preferable. As NHS England has identified that the proposals would impact on healthcare provision, it would be undesirable for the applicant to provide surgery accommodation and for that accommodation to remain vacant. Any s106 agreement will therefore need to include provision for a financial contribution if the surgery were not to be occupied within a reasonable timeframe.
- 6.62 The Infrastructure Requirement List includes capacity improvements at the Pilgrims Lane / A1306 junction and any contribution from the current scheme would be within the five permissible contributions for this infrastructure item. With reference to education contributions, Warren Primary (Grays primary planning area) and

Harris Academy (central planning area) schools have been identified as the catchment schools for this development. The list identifies extensions to existing nursery, primary and secondary schools within the relevant education planning areas as infrastructure items (references IRL 0041 / 0057 / 0059) within the permissible five contributions.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 7.1 The principle of residential development on the site has been established and an existing planning permission has been implemented but not completed. Compared to the approved development the current proposals introduce a greater range of land uses, however the principle of a residential-led, mixed use development is supported. The proposed layout of the development would be similar to the existing planning permissions and assessed against national planning guidance it is considered that the proposals would result in a high quality development. Elements of the proposals comprise 'tall buildings' as defined by Core Strategy policy. The landscape and visual impact of the development is therefore an important consideration. However, as assessed against detailed policy criteria, it is considered that the height of the buildings would not be materially harmful to landscape character or visual receptors. No objections to the proposals are raised on the grounds of impact on amenity, flood risk, noise, air quality or sustainability.
- 7.2 Compared to the approved development, the current proposals increase both the number of dwellings and non-residential floorspace with only a marginal increase in the number of parking spaces available. Nevertheless, the proposed car parking provision is above the minimum level suggested in the Council's draft standards (2012). The applicant proposes a range of measures to mitigate the highways impact of the development, including use of a car club, parking management and contributions towards junction improvement and a controlled parking zone. Subject to these measures, no objections are raised on highways grounds.
- 7.3 Accordingly, subject to planning obligations to be secured by a s106 agreement and planning conditions, the application is recommended for approval.

8.0 RECOMMENDATION

Grant planning permission subject to:

A: the applicant and those with an interest in the land entering into an obligation under section 106 of the Town and Country Planning Act 1990 with the following heads of terms:

- (a) the provision of 56 units as affordable housing in perpetuity, in accordance with the mix set out in the 'Schedule of Accommodation – Rev.D';
- (b) 70% of the affordable housing referred to by (a) above to be provided as

social rented accommodation and the remaining 30% affordable housing to be provided as intermediate housing tenures;

- (c) the transfer of 56 no. allocated parking spaces within the basement to the affordable housing provider for use by occupiers of the affordable housing,
- (d) financial contribution of £95,354.00 (subject to indexation) payable prior to first occupation towards the cost of capacity improvements at the Pilgrims Lane / A1306 junction;
- (e) financial contribution of £354,917.00 (subject to indexation) payable prior to first occupation towards the cost of additional nursery and primary school places within the Grays primary planning area and secondary school places within the central planning area;
- (f) financial contribution of £10,000 (subject to indexation) payable prior to first occupation towards the costs extended controlled parking zones in the immediate vicinity of the site;
- (g) the submission to the local planning authority for approval of full details of the proposed Car Club, the establishment and operation of the approved Car Club on first occupation of the development and the maintenance of Car Club throughout the lifetime of the development;
- (h) prior to the construction of Block D (as identified on the approved plans) to provide full details to the local planning authority for approval of the proposed specification, occupation and timescales thereof of the proposed ground floor doctor's surgery. To provide the surgery accommodation in accordance with the agreed details;
- (i) in the event that the approved accommodation for the doctor's surgery is not occupied for its intended purposes within a timescale to the agreed with the local planning authority, to pay a financial contribution of £41,000 (index linked) towards the enhancement of existing medical facilities locally.
- (j) in the event that development has not been commenced and completed above slab level within 2 years of the grant of planning permission, a financial viability review shall be undertaken by the applicant / developer / owner to assess whether the development can generate a commuted sum towards affordable housing and / or relevant infrastructure.

B: The following planning conditions:

Time Limit

1. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Accordance with Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

823-SLP.01	Site Location Plan
823-S.01 Rev. C	Proposed Ground Floor Building Footprint Plan
823-S.02 Rev. C	Proposed Roof Plan
823-S.03 Rev. E	Proposed Basement Plan
823-S.04 Rev D	Proposed Ground Floor Plan
823-S.05 Rev. C	Proposed First Floor Plan
823-S.06 Rev. B	Key Amendments
823-S.11 Rev. C	Illustrative Masterplan
823-S.12 Rev. C	Illustrative Masterplan in Context
823-SS.01 Rev. A	South Elevations
823-SS.02 Rev. A	West Elevations
823-SS.03 Rev. A	Mid and East Street Elevation
823-SS.04 Rev. A	North Elevation
823-SS.11 Rev. A	South Elevations
823-SS.12 Rev. A	South Elevations with Bannatyne Centre and West Elevation Showing Blocks E1 and D
823-SS.13 Rev. A	Mid and East Elevation
823-SS.14 Rev. B	North Elevations
823-A1.01 Rev. B	Block A1 Plans.01
823-A1.02 Rev. A	Block A1 Plans.02
823-A1.11 Rev. C	A1:Elevations
823-A2.01 Rev. B	Block A2 Plans.01
823-A2.02 Rev. A	Block A2 Plans.02
823-A2.03	Block A2 Plans.03
823-A2.11 Rev. C	A2: Elevations
823-B.01 Rev. C	B: Ground Floor Plan
823-B.02 Rev. B	B: First Floor Plan
823-B.06	B: Fifth Floor Plan
823-B.07 Rev. A	B: Sixth Floor Plan
823-B.09 Rev. A	B: Roof Plan
823-B.11 Rev. C	B: Elevations
823-C.01 Rev. C	C: Ground Floor Plan
823-C.02 Rev. B	C: First Floor Plan
823-C.03	C: Second Floor Plan
823-C.08 Rev. A	C: Roof Terrace Plan

823-C.09 Rev. A	C: Roof Plan
823-C.11 Rev. C	C: Elevations
823-D.01 Rev. C	Block D Plans.01
823-D.02 Rev. B	Block D Plans.02
823-D.11 Rev. B	D: Elevations
823-E1.01 Rev. B	Block E1 Plans.01
823-E1.02 Rev. A	Block E1 Plans.02
823-E1.11 Rev. C	E1: Elevations
823-E2.01 Rev. B	Block E2 Plans.01
823-E2.02 Rev. A	Block E2 Plans.02
823-E2.11 Rev. C	E2: Elevations
823-F.01 Rev. B	Block F Plans.01
823-F.02 Rev. A	Block F Plans.02
823-F.03 Rev. A	Block F Plans.03
823-F.11 Rev. C	F:Elevations

Reason: For the avoidance of doubt and in the interest of proper planning.

Landscaping

3. Prior to the commencement above ground level of the development a scheme of proposed hard and soft landscaping of the development, including details of the proposed roof terrace to Block C, shall be submitted to and approved in writing by the local planning authority. All planting, seeding or turfing etc. comprised in the approved scheme shall be carried out in the first planting and seeding season following completion of the development or part thereof and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (amended 2015).

Boundary Treatments

4. No occupation of any part of the development shall take place until details of the locations, heights, designs and materials of all boundary treatments to be erected on site have been submitted to and agreed on writing by the local planning authority. The boundary treatments shall be completed in

accordance with the agreed details before the first occupation of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policies CSTP22 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Opening Hours – Class A3/A4/A5 Uses

5. Notwithstanding the terms of any licence issued for premises within the development, any premises used within Use Classes A3, A4 or A5 shall not be open to customers outside of the following times 0800-2200 hours Monday to Saturdays and 1000-2100 on Sundays, Bank and Public Holidays.

Reason: In the interests of amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Extract Ventilation Equipment

6. Prior to the first operational use of any premises to be used within Use Classes A3, A4 or A5, details of the siting, design and technical specification of any fume extraction and ventilation systems to serve the premises together with details of any external flue(s) or ducting, specification of filtration, deodorising systems (where applicable), noise output and termination points shall be submitted to and agreed in writing with the local planning authority. Installation shall be undertaken in accordance with the agreed details prior to the first operation of the use and the extraction and ventilation system shall thereafter be retained in the agreed form and maintained in proper working order thereafter throughout the occupation of the premises for Use Class A3, A4 or A5 purposes. The extraction equipment shall be operated at all times when cooking is being carried out on the premises.

Reason: In the interests of residential amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

External Materials

7. Notwithstanding the information on the approved plans, no development above ground level shall take place until samples of the materials to be

used in the construction of the external surfaces of the development have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its surroundings in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD(as amended 2015).

Noise Insulation

8. Prior to the commencement of development above ground level a scheme for noise insulation of the proposed dwellings shall be submitted to and agreed in writing with the local planning authority. The scheme shall include appropriate measures to ensure that all habitable rooms will achieve reasonable internal noise levels as specified by BS8233:2014. The scheme shall identify the locations and state the specification for acoustic ventilation, where appropriate. The approved measures shall be incorporated into the residential units in the manner detailed prior to their residential occupation and shall thereafter be permanently retained as agreed, unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of future residential occupiers and to ensure that the development can be integrated within its immediate surroundings in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Noise from Plant

9. Prior to the first operational use of any of the non-residential floorspace a scheme of soundproofing of any fixed plant and / or machinery, to ensure that the installed plant and / or machinery produces a predicted noise rating level of no more than 43dB L_{Aeq} at night and 51dB L_{Aeq} during the day at the nearest residential receptor shall be submitted to and agreed by the local planning authority. The agreed scheme shall be implemented before the first use of the plant and / or machinery and shall be permanently retained in the agreed form, unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of amenity and to ensure that the proposed development is integrated within its immediate surroundings as required

by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Working Hours

10. No demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours

Saturdays 0800 – 1300 hours.

If impact piling or the removal of the existing foundations is required, these operations shall only take place between the hours of 0900 - 1700 hours on Monday to Friday.

Reason: In the interest of protecting surrounding residential amenity and in accordance with policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

CEMP

11. No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and agreed in writing by the local planning authority. The CEMP should contain or address the following matters:

- (a) wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off-site;
- (b) measures for dust suppression;
- (c) a procedure to deal with any unforeseen contamination, should it be encountered during development.

Works on site shall only take place in accordance with the approved CEMP.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Access

12. Prior to the first occupation or operation of any part of the development details showing the layout, dimensions and construction specification of

the proposed access to the highway shall be submitted to and agreed in writing by the local planning authority. The agreed details shall be completed prior to the first occupation or operation of any part of the development.

Reason: In the interests of highways safety and efficiency in accordance with policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Estate Roads etc.

13. Prior to the first occupation of any dwelling or non-residential floorspace the proposed estate road(s), footways, footpaths and turning areas shall be properly consolidated and surfaced in accordance with the details of hard landscaping pursuant to condition number 3 of this permission.

Reason: In the interests of highways safety and residential amenity in accordance with policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Retention of Parking Spaces

14. Prior to the first occupation or operational use of the development, the car parking spaces shown on approved plan numbers 823-S.03 Rev. E and 823-S.04 Rev. D shall be provided and delineated on-site in accordance with the approved plans. The car parking spaces shall be available for occupiers, users and visitors to the development in their entirety during the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety and amenity and to ensure that reasonable car parking provision is available in accordance with policy PMD8 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Decentralised, Renewable or Low Carbon Energy

15. The proposed measures for energy and water efficiency set out within the submitted 'Energy and Water Planning Statement' (ref. 15535 Rev. B) shall be implemented and operational of first occupation of any part of the development and shall be maintained thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that development takes place in an environmentally sensitive way in accordance with Policy PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Landscape Management

16. Prior to the first occupation of any of the development a scheme to describe the proposals for the management and maintenance of the areas of public open space and public realm within the development shall be submitted to and agreed in writing by the local planning authority. These areas shall be permanently managed and maintained in accordance with the agreed scheme from first occupation of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the appropriate management and maintenance of open space on the site in accordance with Policy PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Surface Water Drainage

17. Prior to the commencement of development a surface water management strategy shall be submitted to and agreed in writing by the local planning authority. The agreed surface water drainage scheme shall be constructed in accordance with the approved strategy and maintained thereafter. There shall be no occupation of the development until the approved surface water drainage system is operational, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Use of Surgery

18. The area shown on the approved plans as a 'surgery' within Block D shall only be used for purpose and for no other purpose (including any purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of amenity and to ensure that the development remains integrated with it's immediate as required by policy PMD1 of the

adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Site Levels

19. Prior to the commencement of the development, details showing the existing and proposed site levels and the proposed finished ground floor levels of the buildings hereby permitted shall be submitted to and agreed in writing by the local planning authority . The development shall be completed in accordance with the agreed details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of protecting adjoining amenity in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Basement Parking Access

20. Prior to the first occupation of any of the development, a scheme detailing measures for the control of access to the basement car parking area shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented upon first occupation of the development and shall thereafter be permanently retained and maintained in the agreed form, unless otherwise agreed in writing by the local planning authority.

Reason: In order to control access to the basement car parking spaces in the interests of highways safety and amenity in accordance with policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Parking Management Plan

21. The measures set out within the submitted 'Parking Management Plan' (report no. 15-168-04 September 2016), including arrangements for review and revision shall be implemented and operational upon first occupation of any of the development. The measures within the Plan shall be maintained thereafter throughout the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the efficient and effective use of the on-site car parking spaces in the interests of highways safety and amenity in accordance with policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Delivery Hours

22. No deliveries shall be taken at or dispatched from any of the non-residential floorspace on the site outside of 0800-2200 hours on Mondays to Saturdays and 1000-2100 hours on Sundays, Bank or Public Holidays.

Reason: In the interests of amenity and to ensure that the proposed development is integrated within its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

INFORMATIVE:

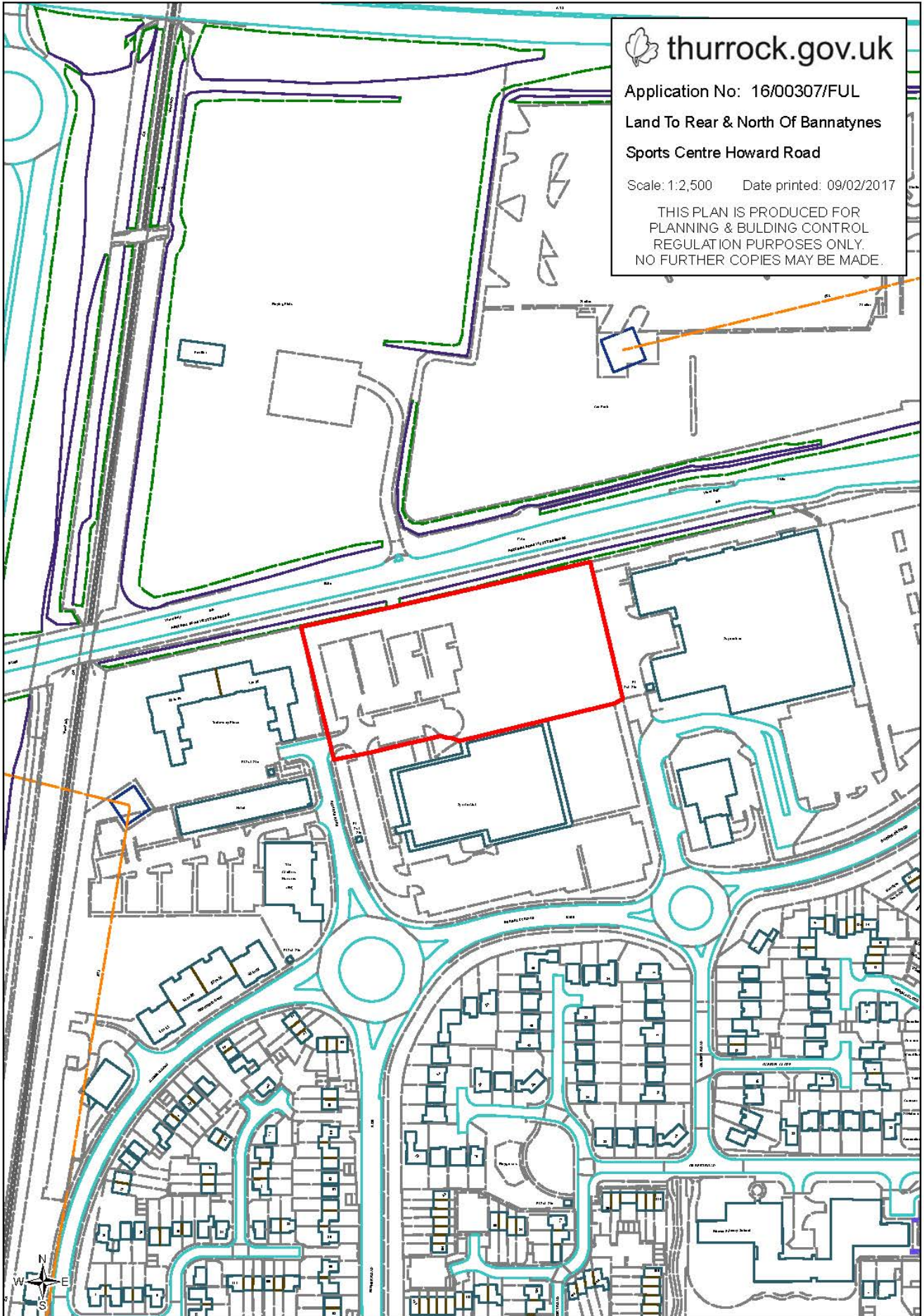
1. The applicant is reminded that under the Wildlife and Countryside Act 1981 (section 1) it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present.
2. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



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Reference: 16/01574/FUL	Site: C.Ro Ports London Ltd Purfleet Thames Terminal London Road Purfleet RM19 1SD
Ward: West Thurrock and South Stifford	Proposal: Demolition of existing structures and construction of new roundabout and highway works at Stonehouse Corner/London Road, new secure site entrance and exit facilities, along with landscaping, drainage and associated works.

Plan Number(s):		
<u>Reference</u>	<u>Name</u>	<u>Received</u>
C116039-TG-00-XX-DR-C-0015 Rev. P5	Proposed Roundabout Works Site Location Plan	17.11.16
C116039-TG-00-XX-DR-C-0016 Rev. P4	Proposed Roundabout Works Existing Site Layout Plan	17.11.16
C116039-TG-00-XX-DR-C-8000 Rev. P3	Proposed Roundabout Works Existing Key Plan	17.11.16
C116039-TG-00-XX-DR-C-8001 Rev. P3	Proposed Roundabout Works Existing Layout Plan Sheet 1 of 2	17.11.16
C116039-TG-00-XX-DR-C-8002 Rev. P2	Proposed Roundabout Works Existing Layout Plan Sheet 2 of 2	17.11.16
C116039-TG-00-XX-DR-C-8003 Rev. P1	Proposed Roundabout Works Existing Cross Sections Sheet 1 of 2	17.11.16
C116039-TG-00-XX-DR-C-8004 Rev. P1	Proposed Roundabout Works Existing Cross Sections Sheet 2 of 2	17.11.16
C116039-TG-00-XX-DR-C-8050 Rev. P5	Proposed Roundabout Works Key Plan and Proposed Layout	17.11.16
C116039-TG-00-XX-DR-C-8051 Rev. P5	Proposed Roundabout Works Layout Plan Sheet 1 of 2	17.11.16
C116039-TG-00-XX-DR-C-8052 Rev. P4	Proposed Roundabout Works Layout Plan Sheet 2 of 2	17.11.16
C116039-TG-00-XX-DR-C-8053 Rev. P3	Proposed Roundabout Works Typical Cross Sections Sheet 1 of 4	17.11.16
C116039-TG-00-XX-DR-C-8054 Rev. P4	Proposed Roundabout Works Typical Cross Sections Sheet 2 of 4	17.11.16
C116039-TG-00-XX-DR-C-8055 Rev. P5	Proposed Roundabout Works Typical Cross Sections Sheet 3 of 4	17.11.16
C116039-TG-00-XX-DR-C-	Proposed Roundabout Works Typical	17.11.16

8056 Rev. P4	Cross Sections Sheet 4 of 4	
5394_SK018	Lighting Strategy - Roundabout	17.11.16
5394_SK020	Landscape Treatment - Roundabout	17.11.16

The application is also accompanied by:

- Cultural Heritage Impact Assessment;
- Design & Access Statement;
- Environmental Statement with technical appendices with the following chapter headings
 - Introduction
 - EIA Methodology
 - Alternative sites and design iterations
 - Project description
 - Traffic and transport impact assessment
 - Air quality
 - Noise and vibration
 - Water resources
 - Ground conditions
 - Other environmental considerations
 - Cumulative assessment
 - Summary of mitigation measures
- Environmental Statement Non-Technical Summary;
- Planning Statement;
- Site Waste Management Plan;
- Statement of Community Involvement;
- Transport Statement;
- Waste Assessment Report; and
- Waste Hierarchy Report.

Applicant:

Mr Joost Rubens
Purfleet Real Estate Ltd.

Validated:

23 November 2016

Date of expiry:

30 April 2017

(Extension of time requested)

Recommendation: Grant planning permission subject to conditions

1.0 BACKGROUND

- 1.1 By way of background information, this application is one of four planning applications submitted for consideration in November and December 2016. These applications are:
- 16/01582/FUL Demolition of existing structures and construction of new internal access roads, structures (including bridge over railway) and railways, along with landscaping, drainage and associated works.
 - 16/01601/FUL Demolition of the existing downstream jetty and demolition of the out-of-service part of the existing upstream jetty. Construction of a new replacement downstream jetty.
 - 16/01698/FUL Full planning permission for the demolition of existing buildings and structures and the erection of new buildings, structures, port infrastructure (including road, railways, tracks, gantries and surfacing) landscaping, drainage, and other ancillary works in association with continued use of the port for the storage and transfer of trailers, containers and cars, including the erection of a car storage building on the former Paper Mills land, a workshop in South Park, and a new areas of open storage and transfer trailers, containers and cars on land at Purfleet Farm and south of the railway line. Outline planning permission for the expansion of the existing Pre-Delivery Inspection Building.
- 1.2 Application reference 16/01601/FUL proposes works to existing jetties on the site's river frontage and, as the associated application site only involves land on the seaward side of the tidal defences, this submission can be treated as, to a degree, separate from the other three applications (involving the landward side of the tidal defence). Consequently application ref. 16/01601/FUL will be determined under delegated powers. The remaining three submissions (16/01574/FUL / 16/01582/FUL / 16/01698/FUL) are related and the red-line application site boundaries in part overlap. Despite this overlap, there are contractual reasons why the applicant has made three separate submissions. These related applications are for development requiring assessment under the Environmental Impact Assessment (EIA) Regulations and Environmental Statements accompany the submissions.
- 1.3 The applications involve land within and adjacent to the Purfleet Thames Terminal (PTT) which is owned by Purfleet Real Estate and operated by C.RO Ports London Ltd. The existing PTT site extends to approximately 42 Ha in area and handles approximately 400,000 trailers and containers and the import / export of some 200,000 vehicles annually. The terminal is served by a roll-on roll-off (RO-RO) jetty

which can accommodate two vessels. The terminal is served by sailings to and from Rotterdam and Zeebrugge.

- 1.4 C.RO Ports also operate from a terminal at Dartford downstream of the QEII Bridge. However, the applicant suggests that in the future the PTT site will be the main focus of future operations on the River Thames.
- 1.5 Historic Ordnance Survey mapping suggests that the PTT site was originally developed after the First World War as the 'Purfleet Wharf & Saw Mill' south of the railway line. This site was served by a pier on the Thames and a number of railway sidings within the site. After the Second World War the site was known as 'Purfleet Deep Wharf', with land at 'North Park' south of Jarrah Cottages used as an oil storage depot. By the 1970's further jetties had been developed on the river frontage and land immediately south of Jarrah Cottages was used as a transport depot. The oil storage use on North Park ceased during the 1980's, with the entire PTT site operated by C.RO Ports since 1992.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 In summary, the proposals involve new access arrangements for the PTT site comprising a new roundabout on London Road, secure entrance and exit facilities and associated landscaping and drainage works. The main elements of the proposals are described below.
- 2.2 New four-arm roundabout – the proposals involve a new 'London Road roundabout' junction to be located approximately 140m (centre to centre) to the south-west of the existing Stonehouse Corner roundabout junction. The section of London Road between the existing and proposed junction would be effectively re-aligned via the provision of a new section of road, with the existing part of London Road (underneath the HS1 viaduct) stopped-up to vehicles, but still available as a pedestrian route. The new section of road between Stonehouse Corner and the new junction would be dual lane, with the opposite carriageway comprising a left slip lane (onto the westbound A1090) and a single lane onto the Stonehouse junction. Travelling south-west, first arm of the roundabout would serve the Unilever site, via a re-alignment of Jurgen's Road. The second road arm would comprise a dedicated in / out access for the PTT site with the final arm linking into London Road (towards Purfleet).
- 2.3 PTT entrance & exit facilities – accessed from the PTT road arm the proposals include an entrance security gate complex for inbound vehicles. This complex involves three lanes for proposed customs control (scanners etc.) and six lanes and entrance gates for vehicles. On the northern (outbound) side of the gate complex would be two exit gates.

- 2.4 Associated landscaping, drainage and lighting – the proposals include a ‘masterplan’ for the provision of new soft landscaping adjacent to the new road and roundabout junction, as well as the retention of existing planting to the rear and east of Jarrah Cottages. The application site boundary accommodates a new carrier drain running south from the proposed security gate complex to discharge at an existing outfall on the river frontage. A lighting strategy drawing has been submitted showing a potential arrangement of new and replacement lighting in the form of 5m, 6m, 10m and 20m high columns to illuminate the new road junction and security gates.
- 2.5 Demolition of existing structures – the proposals would necessitate the demolition of a number of small ancillary buildings on the North Park site. Replacement security fencing is also indicated.

3.0 SITE DESCRIPTION

- 3.1 The site comprises an irregularly shaped parcel of land extending to 5.1 hectares in area and generally located to the south of Jarrah Cottages (London Road) and south-west of the Stonehouse Corner road junction. There are two components to the application site: firstly land to the rear (south) of Jarrah Cottages which forms the ‘North Park’ area of the Purfleet Thames Terminal (PTT) site; and secondly part of the currently open Purfleet Farm site located south-west of the London Road (A1090) / Purfleet Bypass (A1090) / Stonehouse Lane roundabout junction.

3.2 North Park site:

This is an area of the PTT site north of the Purfleet – Grays railway line and south of London Road which is used principally for the storage of new vehicles imported and exported via the terminal. The entire North Park area extends to approximately 8.5 Ha in area and the current proposals only involve land on the northern part of this area. The site is entirely hardsurfaced with lanes and bay marked-out for the storage of vehicles. The North Park site is floodlit and its boundaries are defined by secure fencing. Aside from the floodlighting columns and fencing, the site is open apart from a small number of buildings and structures. Access for vehicles into North Park is via the main terminal access road to the west, which links to London Road (to the north). An egress point for vehicle transporters is located on the eastern boundary of the site onto Jurgen’s Road. A strip of soft landscaping separates the North Park from the railway line to the south. As noted above the main port access road adjoins the site to the west, with Jurgen’s Road to the east. To the north-west of the site is Long Reach House, the office building for the terminal and its associated car parking. To the north of the site are residential properties at Jarrah Cottages (London Road). The rear gardens of these dwellings are separated from North Park by a rear access road serving the houses and a

landscaped area. Due to falling ground levels to the south, the landscaped area is raised above levels at the North Park site by some 2.7m.

3.3 Purfleet Farm site:

The remainder of the application site comprises the north-western corner of the Purfleet Farm area. Purfleet Farm is generally located south of London Road and east of Jurgen’s Road. This area has historically comprised open land but was recently used for purposes associated with the construction of the High Speed 1 railway line. This line passes through the site on a viaduct in a north-west to south-east alignment. Original ground levels were raised at Purfleet Farm as a result of these works and three raised platforms created above the height of low lying land to the south.

3.4 In the wider area surrounding the site residential uses and the High House Production Park are located to the north-west, with commercial uses to the north-east along London Road and Stonehouse Lane. To the east is the remainder of the Purfleet Farm site and the un-named road accessing the Purfleet aggregates terminal. The A282 and QEII Bridge is located further east. To the south of the site is the remainder of the PTT site alongside the Unilever Foods, Pura Foods and Aggregate Industries sites. To the west of the PTT site is the Esso Purfleet Terminal site.

4.0 RELEVANT HISTORY

4.1 The majority of the application site comprises land at the north-eastern corner of the Purfleet Thames Terminal (PTT) site and adjacent land to the east of the site forming part of Purfleet Farm. Both the PTT and Purfleet Farm sites have a long planning history, with the relevant elements summarised below:

PTT site (north-eastern part)		
Application Ref.	Description of Proposal	Decision
64/00808/OUT	Use of land for storage purposes with offices and maintenance workshop	Approved
64/00808A/REM	Office and storage building	Approved
64/00815/FUL	Extension of storage and transport facilities on applicants adjacent land	Refused
67/00852/OUT	Covered parking area and timekeeper’s office	Approved
67/00852A/REM	Vehicle Maintenance Shop, Offices and Amenity Block and Fencing on Northern Boundary. (Amended by letter dated 18 th May 1972)	Approved
69/00399/FUL	Covered parking area and timekeeper's office - Request for waiver of condition No. 4 on	Refused

	application THU/852/67.	
72/01574/FUL	Lorry Contractor Offices, Stores and Gate Office	Approved
83/01229/OUT	Use of land for industrial / warehousing - BP Oil Purfleet Terminal North Site	Approved
92/00002/LDC	Use of the site for the parking and storage of cars in transit. - Land adjacent to Long Reach House	
92/00676/FUL	Re-arrangement of parking layout, provision of lighting	Approved
93/00213/FUL	Resurfacing, fencing and lighting of the site and use for the parking and storage of cars in transit with trailers parking and ancillary buildings, together with the construction of a continuous landscaped mound behind Jarrah Cottages	Approved
93/00643/FUL	Use of the site for parking and storage of cars for a limited period of 6 months	Approved
94/00334/FUL	Use of existing parking area for care storage	Approved
98/00186/TBC	Construction of Purfleet Relief Road	Withdrawn
16/00877/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed expansion of port facilities to increase capacity and improve operational efficiencies comprising (i) new primary site access in the form of a new roundabout at the London Road / Jurgen's Road junction (ii) secondary (optional) access onto London Road (iii) internal four lane bridge crossing the Purfleet Grays railway line (iv) new internal access road network (v) realignment of internal railroad tracks (vi) demolition / removal and replacement of existing berths and construction of new berths (vii) surface multi-purpose storage and multi-storey car decks (viii) new container yard equipment and (ix) new workshop, hanger and employees' facilities.	Advice Given
<u>Purfleet Farm site (western part)</u>		
62/00412/OUT	Use of land as sports field	Approved
63/00507/FUL	Industrial development	Refused
90/00030/FUL	Commercial development North site.	Withdrawn
98/00921/CTRL	Construction arrangements for West Thurrock	Approved

	viaduct package	
98/00922/CTRL	West Thurrock viaduct & associated earth works, noise barrier Oliver Road bridge, modifications to QE2 bridge, location of auto-transformer and associated works.	Approved
02/01367/CTRL	Mitigation and restoration.	Approved
07/01217/TTGOUT	Mixed use development of B2 {general industry} and B8 {storage and distribution}.	Approved
11/50431/TTGETL	Extension of time limit - Original application 07/01217/TTGOUT	Approved
14/00797/SCR	Environmental Impact Assessment Regulations Screening 2011 surface car storage at Purfleet farm adjacent to the Purfleet Thames Terminal. (site referred to as Site 1: 6.1ha Purfleet Farm)	EIA not required
14/01392/FUL	Use of part of land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated landscape and infrastructure works including erection of a gatehouse building, lighting columns, erection of fencing, drainage infrastructure including a surface water balancing pond, infill and alteration to levels, alterations to vehicular access to London Road.	Resolution to grant planning permission subject to s106
16/00947/CONDC	Application for approval of details reserved by condition nos. 12 (Archaeology) and 21 (Site Levels) of planning permission ref. 11/50431/TTGETL (Infilling and levelling of existing development platforms and mixed use development of up to 20,000 sq.m. Class B2 / B8 development).	Advice given
16/00953/SCR	Request for Environmental Impact Assessment (EIA) Screening Opinion: Proposed subsequent application for the approval of reserved matters following outline planning permission ref. 07/01217/TTGETL, as extended by 11/50431/TTGETL (Infilling and levelling of existing development platforms and mixed use development of up to 20,000 sq.m. Class B2 / B8 development).	EIA not required
16/00958/REM	Application for the approval of reserved matters (layout, scale, access (within the site),	Approved

	appearance, landscaping) following outline approval ref. 11/50431/TTGETL (Infilling and levelling of existing development platforms and mixed use development of up to 20,000 sq.m. Class B2 / B8 development) together with details to discharge condition no. 22 (ecological survey).	
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4.2 In addition to the planning history for the site set out above, the following recent applications are relevant to the wider PTT site:

14/01387/FUL	Use of part of the land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, drainage infrastructure on land at the former Exxon Mobil Lubricants site, London Road, Purfleet.	Approved
15/00268/FUL	Use of land for vehicular storage, formation of hardstanding and associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, and drainage infrastructure on land at the former Paper Mills site, London Road, Purfleet.	Approved
16/00644/FUL	Construction of a private estate road on land to the east of Purfleet Thames Terminal, south of railway line.	Approved

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link: www.thurrock.gov.uk/planning

5.2 PUBLICITY:

The application has been publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. The proposals have been advertised as a major development, accompanied by an Environmental Statement and affecting a public footpath.

5.3 Neighbour consultation letters have been sent to 55 surrounding properties. Five letters of representation have been received raising the following concerns:

- access to the site;
- additional traffic;
- increased pollution;
- increased noise;
- increased traffic congestion;
- effect on air quality;
- visual impact;
- proposals incompatible with the potential redevelopment of Purfleet Centre; and
- limited job opportunities.

5.4 The following consultation replies have been received:

5.5 ANGLIAN WATER:

No response received.

5.6 ENVIRONMENT AGENCY:

No objections. Detailed advice is offered on the matter of flood risk.

5.7 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objections, subject to planning conditions.

5.8 ESSEX FIRE & RESCUE:

No response received.

5.9 ESSEX & SUFFOLK WATER:

No objection, subject to a condition requiring connection to the company's network (N.B. such a planning condition would not meet the relevant tests).

5.10 HIGHWAYS AGENCY:

Offer no objection.

5.11 HIGH SPEED 1:

Request that planning conditions are attached to any grant of planning permission.

5.12 NATURAL ENGLAND:

Further information required (in relation to application reference 16/01601/FUL).

5.13 NETWORK RAIL:

No objections, subject to protection of Network Rail assets.

5.14 PORT OF LONDON AUTHORITY:

Note that the proposed access arrangements will improve existing port operations and, as such, the PLA supports the application.

5.15 PURFLEET VILLAGE FORUM:

The proposed access arrangement could be considered as a benefit to residents of Jarrah Cottages. In combination, the applicant's proposals will increase road traffic, with an effect on air quality and noise. The proposal will impact on visual amenity. The C.RO proposals may be prejudicial to the redevelopment of Purfleet Centre.

5.16 PURFLEET CENTRE REGENERATION LTD:

No response received.

5.17 EMERGENCY PLANNING OFFICER:

No objection, subject to a planning condition requiring a flood warning and evacuation plan.

5.18 ENVIRONMENTAL HEALTH:

Air Quality – (comments apply to all four current applications) it is agreed that the proposed new access and roundabout junction will improve air quality and lead to removal of HGV's from that section of London Road which passes through Air Quality Management Area (AQMA) 10. However, some of the submitted modelling is queried and a separate sensitivity analysis has been undertaken by the Environmental Health Officer (EHO). AQMA 10 (Jarrah Cottages) has existing air quality issues and Port activities have contributed greatly to this situation. Any further expansion of the Port will need a suitable new entrance which takes HGV's off London Road before it reaches AQMA 10. There are no objections to the proposed new site access and junction improvements on the basis that the

infrastructure works i.e. the new Port entrance and roundabout junction on London Road are completed before any major expansion of the Port's activities is undertaken. Failure to implement this proposal will adversely affect residential amenity and public health in terms of air quality should any of the other proposed developments go forward alone or in-combination without this road and access improvements being completed. Clearly the proposed developments can be implemented in parallel, but the road and access should be completed before any increase in operational activities which may arise as a result of the other applications.

Contaminated Land – the conclusions and recommendations within the submitted contaminated land assess are agreed, i.e. intrusive investigation and risk assessment.

Noise and Vibration - the Environmental Statement has comprehensively assessed the noise impact of the construction and operation phases of the proposed development. Noise mitigation for the construction works, by the implementation of best practicable means, should render the effects insignificant for local residents. Noise mitigation measures should be secured by planning condition.

Construction – subject to the implementation of measures within a management plan, the impact on receptors would be mitigated.

5.19 FLOOD RISK MANAGER:

Object on the grounds that the submitted Drainage Strategy is inadequate.

5.20 HIGHWAYS:

No objections, subject to conditions and s106 agreement – the proposal will reduce traffic on sections of London Road. However, delivery of the road infrastructure will need to be phased appropriately in relation to other proposals at the site. Standard planning conditions are requested.

5.21 LANDSCAPE & ECOLOGY ADVISOR:

No objection on landscape or ecology ground subject to conditions.

5.22 LISTED BUILDINGS & CONSERVATION ADVISOR:

No response received.

5.23 PUBLIC RIGHTS OF WAY:

No response received.

5.24 UK POWER NETWORKS:

No response received.

6.0 POLICY CONTEXT

6.1 National Planning Guidance

National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Building a strong, competitive economy;
- Promoting sustainable transport;
- Requiring good design;
- Promoting healthy communities;
- Meeting the challenge of climate change, flooding and coastal change; and
- Conserving and enhancing the natural environment.

Planning Practice Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 48 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Air quality;

- Design;
- Determining a planning application;
- Environmental Impact Assessment;
- Flood risk and coastal change;
- Light pollution;
- Natural environment;
- Noise;
- Travel plans, transport assessments and statements; and
- Use of planning conditions.

6.2 Local Planning Policy

Thurrock Local Development Framework (2015)

The Council adopted the Core Strategy and Policies for the Management of Development Plan Document (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

OSDP1: Promoting Sustainable Growth and Regeneration in Thurrock;

Spatial Policies:

- CSSP2 (Sustainable Employment Growth);

Thematic Policies:

- CSTP6: Strategic Employment Provision
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP18: Green Infrastructure
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP25 (Addressing Climate Change)
- CSTP27 (Management and Reduction of Flood Risk)
- CSTP28 (River Thames)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)

- PMD15 (Flood Risk Assessment)

Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

Draft Site Specific Allocations and Policies DPD

This Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February 2014 meeting of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call

for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the summer of 2017.

7.0 ASSESSMENT

7.1 Procedure:

The development proposal is considered to be a development requiring Environmental Impact Assessment (EIA), therefore the application has been accompanied by an Environmental Statement (ES). The ES considers the environmental effects of the proposed development during construction and operation and includes measures to prevent, reduce or offset any significant adverse effects on the environment. The ES is accompanied by technical appendices. The contents of the ES comprise:

1. Introduction
2. EIA methodology;
3. Alternative sites and design iterations
4. Project description
5. Traffic and transport impact
6. Air quality
7. Noise and vibration
8. Water resources
9. Ground conditions
10. Other environmental considerations
11. Cumulative assessment
12. Summary of mitigation measures.

7.2 The Council has a statutory duty to consider environmental matters and an EIA is an important procedure for ensuring that the likely effects of new development are fully understood and fully taken into account before development proceeds. EIA is, therefore, an integral component of the planning process for significant developments. EIA leads to improved decision making by providing the development management process with better information. EIA not only helps to determine whether development should be permitted but also facilitates the drafting of planning conditions and legal agreements in order to control development, avoid or mitigate adverse effects and enhance beneficial effects. Therefore, it is vital that the environmental issues raised by the application are assessed in a robust and transparent manner.

7.3 In order to fulfil the requirements of the EIA Regulations it is necessary to ensure (a) that the Council has taken into account the environmental information

submitted, and (b) that any planning permission granted is consistent with the development which has been assessed. To achieve this second objective the Council has the ability to impose conditions and secure mitigation measures by Section 106 obligations.

7.4 The issues to be considered in this case are largely as set out in the submitted ES and comprise:

- I. Principle of the development
- II. Traffic and transport impact
- III. Impact on air quality
- IV. Noise and vibration
- V. Flood risk and drainage
- VI. Ground conditions
- VII. Other environmental considerations
- VIII. Cumulative impact

7.5 I. PRINCIPLE OF THE DEVELOPMENT

With reference to the Core Strategy Local Plan policies map, the vast majority of the application site is described as either land within 'Primary Industrial and Commercial Areas' or 'Land for New Development in Primary Areas'. That part of the site within North Park and the north-western corner of the Purfleet Farm site being allocated as 'Primary Industrial and Commercial Areas', with the remainder of the Purfleet Farm element of the site designated as 'Land for New Development in Primary Areas'. The part of the application site immediately adjacent to the Stonehouse Corner roundabout has no policy designation and partly comprises the adopted highway.

7.6 Core Strategy policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) therefore apply to the vast majority of the site. Spatial policy CSSP2 defines the Borough's Key Strategic Economic Hubs and states that the Council will "*promote and support economic development in the Key Strategic Economic Hubs that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors*". Purfleet is described as a Hub possessing the Core Sectors of storage, warehousing and freight transport. In referring to the Primary and Secondary Industrial and Commercial Areas, thematic policy CSTP6 safeguards land for employment uses. In general terms, the proposals would support the operation of the existing PTT site and consequently there is no conflict with these relevant Core Strategy policies.

7.7 Core Strategy policy CSTP28 (River Thames) is also considered to be partly relevant to the proposals. This policy recognises the role which the river and its

associated ports play in the economy and the policy generally promotes the economic and commercial function of the river.

7.8 The NPPF states that *“the purpose of the planning system is to contribute to the achievement of sustainable development”* (paragraph 6). The following paragraph of the Framework describes the three dimensions to sustainable development as including an economic role, as well as social and environmental roles. One of the core land-use planning principles described by paragraph 17 of the NPPF is that planning should *“proactively drive and support sustainable economic development to deliver the ... business and industrial units, infrastructure and thriving local places that the country needs”*. Under the heading of ‘Building a strong, competitive economy’ paragraph 19 of the NPPF notes that *“planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”* Finally, under the heading of ‘Promoting sustainable transport’, paragraph 22 of the NPPF states that *“when planning for ports, airports and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business ... needs”*.

7.9 As the proposals would improve access arrangements for the terminal, it is concluded under this heading that the land-use principle of the proposals are acceptable and would raise no conflict with local or national planning policies. Indeed, as the proposals would support the operational efficiency of the terminal, the NPPF strongly supports this economic role.

7.10 II. TRAFFIC AND TRANSPORT IMPACT

Baseline conditions:

The planning application is accompanied by a Transport Statement (TS) and the issue of traffic and transport impact forms a chapter within the submitted ES.

7.11 Currently the principal access into the PTT site is via the ‘Exxonmobil’ road located on the southern side of London Road in between Long Reach House and The Fleet public house. The TS notes that this access is used by:

- all HGVs associated with freight (trailers, containers and other cargo);
- staff and visitors associated with the Terminal;
- the departure of car to be stored at the C.RO Dartford site;
- the arrival of cars from the C.RO Dartford site for pre-delivery inspection (PDI); and
- the arrival of cars undergoing vehicle testing.

This road is not adopted and the route uses a private level crossing to access the ‘South Park’ area of the Terminal and the riverside berths.

7.12 The TS also highlights a secondary access for the Terminal onto Jurgen’s Road, on the eastern boundary of the PTT site. Jurgen’s Road, which provides access for the Unilever and Pura Foods sites via a level crossing, is a private road linking to London Road a short distance to the west of the HS1 viaduct. The PTT access onto Jurgen’s Road is used by the Terminal for:

- all car transporters associated with stored cars; and
- departure of cars undergoing testing.

7.13 According to the TS, cargo unloaded via the two berths is stored at the following locations with the following capacities:

<u>Cargo</u>	<u>Storage Location</u>	<u>Location Capacity (2016)</u>
Cars	Purfleet North Park	3,986
	Purfleet West Park	1,234
	C.RO Dartford	7,500
	Total	12,720
Trailers	Purfleet South Park	804
	Total	804
Containers	Purfleet RTG Stack	386
	Purfleet Container Storage	410
	Total	796

7.14 Some cars imported into Purfleet by river are therefore driven to C.RO Dartford for initial storage before returning to Purfleet for PDI and final delivery to customers. This activity involves a double-movement of vehicles on the highway network. Cars which are stored at North Park will move within the Terminal site for PDI at the West Park. Cars awaiting collection are also test-driven on local roads. Cars delivered from the Terminal are moved by transporters, each transporter having capacity for approximately 7 cars. Weekly records for the year 2016 show 716 average weekly two-way transporter movements. However during peak periods, such as new car registrations, this total increases. Weekly movements of freight to and from the Terminal are cited in the TS as 5,350 trailers, 5,406 containers and 306 other cargo.

7.15 The TS also highlights that planning applications have been recently granted permission, or resolved to grant permission, for further vehicle storage and Class B2 / B8 on land adjacent and close to the Terminal which is within the control of the applicant. These permissions have not been implemented, but if built would add the following storage capacity to the Terminal:

- 14/01392/FUL (land at Purfleet Farm) 2,280 car storage spaces;
- 14/01387/FUL (part of former Exxon Mobil lubricants plant) 1,652 car storage spaces
- 15/00268/FUL (part of former Board Mills site) 1,836 car storage spaces.

7.16 London Road as it passes through the centre of Purfleet, close to the railway station, is subject to a weight restriction. Therefore, HGV’s leaving the PTT site via the principal and secondary access routes are likely to turn right onto London Road in order to access the Stonehouse Corner roundabout and the A1090 / A13 / M25 beyond.

7.17 The development proposed by the current by the current application does not involve any additional employment generating floorspace (apart from the security gate kiosks) and does not increase the operational area of the Terminal. Therefore, the proposals do not inherently generate any material additional traffic movements. The TS includes highway capacity assessments which conclude that the proposed roundabout would operate within its design capacity with queues at less than one vehicle per arm during peak periods. Nevertheless, the ES considers the potential effects during the construction and operational phases as follows.

7.18 Construction Effects:

The ES predicts a construction phase for the roadworks lasting up to 8 months. The percentage increase attributed to construction HGV traffic, based on annual average daily traffic, is modelled as 1.1% on London Road (east of the site) and 0.8% on Stonehouse Lane. This temporary increase in HGV traffic flows is considered to be of negligible impact.

7.19 Operational Effects:

As noted above, the proposed roundabout and road access works will not themselves generate any additional traffic. However, the effect of moving the main Terminal to the east as proposed is modelled to result in the following net change of site traffic by access:

Net Change	A.M. Peak (0800-0900 hours)			P.M. Peak (1700-1800 hours)		
	Inbound	Outbound	Total	Inbound	Outbound	Total
Main Access	-85	-83	-168	-66	-106	-172
Jurgen’s Road	-12	-19	-31	-6	-19	-25
New Site Access	98	102	200	84	114	198

7.20 The ES predicts a number of beneficial traffic and transportation impacts as a result of the proposals including a minor improvement in ease of access for pedestrians and cyclists as a result of the enhancement of routes and crossing facilities for those road users.

7.21 Mitigation:

The only measure suggested by the ES to mitigate the impact on traffic and transportation is a construction logistics plan to manage the routing and frequency of construction vehicles.

7.22 As the site is located close to the strategic road network (A13 and M25), Highways England have been consulted and offer no objection. In relation to the local road network, the Highways Officer notes that the proposals will be likely to result in a significant reduction in traffic on London Road Purfleet. Subject to certainty regarding the timing of delivery of the proposals (in the context of the other application currently under consideration) and standard planning conditions, no highways objections are raised.

7.23 III. IMPACT ON AIR QUALITY

Baseline conditions:

There are 16 designated Air Quality Management Areas (AQMAs) in Thurrock. For the purposes of assessing the impact on air quality, the ES considers a 350m buffer drawn around the site boundary. The existing and proposed AQMAs within this 350m radius study area are:

- AQMA 8 – hotel to west of jct. 31 of the M25 (NO₂ & PM₁₀)
- AQMA 9 - hotel to north of jct. 31 of the M25 (NO₂)
- AQMA 10 – Jarrah Cottages, London Road NO₂ & PM₁₀)
- AQMA 12 – Watts Wood estate, A1306 (NO₂)
- AQMA 21 – hotel on Stonehouse Lane (NO₂)
- AQMA to be declared on Purfleet Bypass

(NO₂ – Nitrogen Dioxide. PM₁₀ – Particulates)

7.24 The Council undertakes air quality monitoring using automatic analysing and diffusion tube methods. The results of annual mean NO₂ monitoring for locations close to the site between 2011 and 2015 are shown in the table below.

Location	Type	Monitored annual mean NO ₂ concentration (² g.m ⁻³)				
		2011	2012	2013	2014	2015
Jarrah Cottages	Automatic	62.00	63.00	63.00	62.00	56.00

Jarrah Cottages	Diffusion	47.03	52.51	58.84	57.39	53.43
Ibis Hotel, London Road	Diffusion	46.02	45.78	46.25	49.66	52.65
London Road Arterial Road	Diffusion	50.27	57.23	58.28	59.16	52.15
Purfleet Railway Station	Diffusion	31.88	35.71	35.26	35.08	33.50
Stonehouse Lane	Diffusion	40.50	42.49	41.38	-	-
London Road Arterial Road	Diffusion	30.46	34.26	33.93	35.12	32.81
London Road Arterial Road	Diffusion	28.62	31.55	30.00	32.96	27.73
Purfleet Bypass	Diffusion	41.96	41.11	40.69	38.51	37.00
Purfleet Bypass	Diffusion	-	-	-	36.06	32.93
London Road Arterial Road	Diffusion	-	44.52	44.51	43.87	38.10
London Road Arterial Road	Diffusion	-	39.35	38.79	40.11	33.87

The figures shown in bold within the table represent monitored annual mean NO₂ concentrations which exceed the air quality objective figure of 40²g.m⁻³. The exceedences in the table above can be attributed to traffic using busy routes in the area (London Road / A282 / A1090).

7.25 Construction impacts:

For the purposes of assessment the ES models potential impact on air quality at a number of sensitive receptor locations on London Road and Stonehouse Lane. During the construction of the development the ES considers impacts from both dust / particulates and construction vehicle traffic emissions. The risks to human health as a result of dust generated during construction (earthworks, construction activities etc.) are assessed as of low / negligible risk. Whereas the potential impact of dust soiling from earthworks and trackout is assessed as a medium / high risk. However, with the implementation of best practice dust control measures secured via a CEMP the residual impacts after mitigation are assessed as 'not significant'.

7.26 During the temporary construction phase the ES predicts an increase in heavy duty vehicles of up to 100 vehicles per day. In the context of a baseline scenario where there are up to 2,700 heavy duty vehicles per day on London Road, the ES considers that the impact of emissions from the additional vehicles for a temporary period would not be significant.

7.27 Operational impacts:

Modelling of air quality with the development in place (i.e. a relocation of the main Terminal access to the east) predicts a reduction in annual mean concentrations of NO₂ and particulates at all of the modelled receptor locations. This reduction is attributed to the re-routing of HGVs from the existing to the proposed access, which would substantially reduce vehicle movements on London Road. The effect on local air quality of the proposals is assessed to be of beneficial significance.

7.28 Comments received from the Environmental Health Officer (EHO):

“agree that the new proposed roundabout junction and new site access to the Port, will improve air quality and will ultimately lead to the removal of HGVs associated with the Purfleet Port from the London Road where it goes through AQMA 10 will lead to an overall improvement in air quality within this AQMA”.

However, the EHO notes that activities associated with the Terminal have contributed to poor air quality at AQMA 10. Therefore, any further expansion of the Terminal (as proposed by application ref. 16/01698/FUL) will need the proposed new entrance to take HGVs off London Road before they reach AQMA 10. Accordingly, the EHO has no objection to the proposed new site access and junction improvements, on the basis that the Terminal entrance and roundabout infrastructure are completed before any major expansion of the Ports activities is undertaken. Clearly the proposed developments (the current proposals and the works associated with 16/01582/FUL and 16/01698/FUL) can be implemented in parallel but the road and access should be completed before any increase in operational activities which may arise as a result of the other applications.

7.29 IV. NOISE AND VIBRATION

Baseline conditions:

The ES includes the results from a noise survey, using measurements recorded at locations along London Road, Purfleet Bypass and the A1306 Arterial Road. The noise climate at all of the survey stations is dominated by road traffic noise and noise associated with commercial and residential activity.

7.30 Construction impacts:

Based on a number of modelled receptor locations close to the site, the ES predicts that noise levels generated from construction operations do not exceed the identified threshold noise limits at any of the closest residential receptor location during the daytime and Saturday a.m. period, with the exception of during the site clearance phase. With regard to vibration associated with construction activity, modelling predicts that one receptor location close to the site will be impacted such that mitigation measures are warranted.

7.31 Operational Impacts – road traffic noise:

As a result of the re-routing of HGVs associated with the site access relocation, a number of modelled residential receptors on London Road are predicted to experience a reduction in road traffic noise. The difference in road traffic noise levels at other receptor locations as a result of the proposals is considered to be negligible. The ES also considers the operational noise impacts of the proposed entrance gate complex which would be located to the south of Jarrah Cottages. For both daytime and night-time hours noise impacts on these residential receptors would require mitigation.

7.32 Mitigation Measures:

During construction activities noise and vibration control measures are proposed, to be incorporated into a CEMP. In order to mitigate noise impact on residents at Jarrah Cottages during operation the ES proposes an acoustic fence to replace an existing fence which is located on the northern site boundary. With mitigation in place, the impact of operational noise is assessed as of no or low adverse significance.

7.33 In commenting on noise issues the EHO confirms that *“the ES has comprehensively assessed the noise impact of the construction and operation phases of the proposed development ... and has adequately determined the impacts of the development”*. It is considered that with the proposed mitigation measures in place and with the diversion of HGV road traffic from London Road, the development should result in a beneficial reduction in noise for the majority of local residents.

7.34 V. FLOOD RISK & DRAINAGE

The application is accompanied by a Flood Risk Assessment (FRA) and the issue of water resources forms a chapter within the ES. The majority of the application site south of London Road is located within the medium and high risk flood areas (Zones 2 and 3). The north-western extremity of the site immediately adjacent to the Stonehouse Corner roundabout is located within the low risk flood area (Zone 1). The Stonehouse Sewer, described by the Environment Agency as a ‘main river’ is a short distance from the site on the southern side of the railway line.

7.35 The risk of fluvial (river) flooding at the site from Stonehouse Sewer and the River Mardyke is considered by the FRA to be low. However, it is the risk of tidal flooding from the River Thames which places parts of the application site, and the wider Purfleet and West Thurrock area, within the higher flood risk zones. Nevertheless, the site benefits from existing tidal flood defences adjacent to the Thames foreshore which offer a 1 in 1,000 year event standard of protection. The actual risk of tidal flooding is low, though there is a residual risk flooding if the defences

were overtopped (by wave action) or if there was a breach event resulting from a failure of the tidal defence.

7.36 Sequential / Exception Test:

The general aim of national planning policy and guidance for flood risk is to steer new development to areas with the lowest probability of flooding, by applying the Sequential Test (where relevant). As noted above, the application site includes elements of all three flood risk classifications (low risk, medium risk and high risk). National PPG allocates new land uses / development to a 'flood risk vulnerability classification' in order to assess whether the uses / development are compatible with their flood zone. In this case, elements of the proposals fall within the 'essential infrastructure' classification (transport infrastructure), the 'less vulnerable' classification (security gate complex) and the 'water-compatible' classification (carrier drain).

7.37 Table 3 of PPG describes a flood risk vulnerability and flood zone compatibility matrix within which water-compatible development is compatible within all flood zones and less vulnerable development is compatible in Flood Zone 3a, subject to the Sequential Test. The transport infrastructure elements of the development located within the high risk flood zone are also subject to the Exception Test. The security gate complex and access would be located within the high risk flood zone. However, the gates and access are a functional element of the Terminal and are needed within the operational land of the Terminal. There are no other locations within the Terminal which are at a lower risk of flooding and accordingly it is considered that the Sequential Test is passed for the less vulnerable development proposed within the high risk flood area. Elements of the proposed road infrastructure are located within Zone 3a and are subject to the Exception Test. For this test to be passed it must be demonstrated that the development provides wider sustainability benefits which outweigh the flood risk and that the FRA demonstrates the development will be safe. It is considered that the proposed road infrastructure would provide sustainability benefits through improved air quality and an improved noise environment. The relocation of the site access would place access and egress arrangements for the Terminal closer to the low risk flood zone, assisting in the provision of safe access and escape routes. The submitted FRA notes that the existing flood plan for the Terminal will be updated and this matter can be secured through a planning condition. In these circumstances it is considered that the Exception Test for the proposed access infrastructure is passed.

7.38 The consultation response received from the Environment Agency raises no objection on flood risk grounds, but reminds the local planning authority to consider its responsibilities in applying the Sequential and Exception Tests. The Agency confirm that the site is protected from tidal flooding by existing defences, and that there are no concerns related to fluvial flooding from the Mardyke or Stonehouse

Sewer. The need for a flood evacuation plan is confirmed to ensure safety in the event of a breach of tidal defences.

7.39 Surface Water Drainage:

The Terminal Site has a number of existing surface water and highways drainage systems which ultimately discharge, via pumping stations and interceptors, to Stonehouse Sewer and the River Thames. The FRA includes a proposed high level drainage strategy which involves a number of discrete design solutions.

7.40 Essex County Council was appointed as the Lead Local Flood Authority's statutory consultee for Thurrock last year. The consultation response from the County Council objects and considers the the proposed surface water drainage strategy to be inadequate, with particular regard to highways drainage capacity, pumping stations capacity and water treatment. The FRA concedes that further information about the existing London Road highways drainage system and further details regarding the operation and capabilities if pumping stations are required. However, as the proposed drainage strategy is only a high level framework, it is considered that a planning condition can be used to require submission and approval of detailed surface water drainage arrangements.

7.41 VI. GROUND CONDITONS

Based on the history of the site it is clear that parts of the North Park have been used for 'heavy' industrial uses, including as an oil storage depot and transport depot. The Ground Conditions chapter of the ES considers that these former uses could have resulted in ground contamination (spillages etc.) as well as the possibility that the site has been contaminated through the movement of groundwater from nearby activities.

7.42 Ground investigation works associated with previous development proposals have been undertaken for parts of the site and have encountered potential contaminants, including hydrocarbons and metals. However, the ES concedes that there are large areas of the site where no ground contamination data is available.

7.43 The potential of ground contamination presents a risk to both human health and groundwater and the ES includes a conceptual site model to identify those risks during the construction and operational phases. A range of mitigation measures are proposed to manage these risks and, with the mitigation measures in place, the residual risks from ground contamination are assessed as either negligible or minor.

7.44 The consultation response received from the Council's EHO refers to the content of the submitted 'Land Quality Phase 1 Preliminary Risk Assessment'. The

recommendations within this assessment refer to the need for further intrusive investigation in order to corroborate existing data, investigate areas of the site not previously assessed and provide further clarification. The EHO agrees with these recommendations and a planning condition can be used to secure future ground investigation, sampling, risk assessment and remediation as necessary.

7.45 VII. OTHER ENVIRONMENTAL CONSIDERATIONS

Due to the nature of the application site the issues of landscape and visual impact and impact on ecology have been scoped-out of the ES, the likely impacts upon these receptors not being “significant”. However, under the heading of ‘Other Environmental Considerations’ these matters are addressed in the ES and in a separate ‘Ecology Report’.

7.46 Regarding landscape character, the application site is located in the wider ‘West Thurrock and Purfleet Urban Area’ as defined by the Thurrock Landscape Capacity Study (2005). The key characteristics of this area noted within the Study include “*a range of large commercial buildings and warehouses dominate the area. Closer to the River Thames, heavy industrial buildings associated with the Purfleet Thames Terminal (e.g. Esso) combine with the strong influence of associated utilities infrastructure*”. Within this landscape context there are no objections to the development. The proposals include new soft landscaping around the new roundabout and new tree and shrub planting, secured subject to condition, could enhance the visual appearance of this eastern entrance to Purfleet.

7.47 With regard to ecological interests, the majority of the application site comprises existing areas of hardurfaced car parking within the Terminal site which is of negligible ecological value. Part of the site includes the north-western corner of Purfleet Farm which has a habitat of neutral grassland, scrub vegetation and features of open mosaic habitat. The Landscape & Ecology advisor confirms that the development would not impact on the southern part of the Purfleet Farm site, which has the highest ecological value. Nevertheless, the proposals would result in the loss of a small area of grassland / scrub / ruderal habitat which provides some habitat for invertebrates and therefore requires mitigation. There is an existing requirement for ecological management of the southern part of the Purfleet Farm site (secured via previous planning permission) and the applicant has confirmed that the management provision will be put in place as part of the current application as a measure to compensate for the loss of the small area of habitat. Subject to a condition to this effect, no ecology objections are raised.

7.48 VIII. CUMULATIVE IMPACT

Schedule 4, Part 1(4) of the Environmental Impact Assessment Regulations (2011) requires an ES to include:

“a description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development ...”

7.49 The Regulations do not provide a definition of what cumulative effects means. However, the European Commissions’ “Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions” (May 1999) refers to a definition of “cumulative impacts” as:

“Impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project”

7.50 The ES submitted for this application includes a cumulative assessment which considers major development and infrastructure projects within a 1km radius of the site and “which have a reasonable prospect of coming forward before or at the same time” as the current proposals. Based on these criteria the ES considers those EIA developments with planning permission which are either under construction or have not yet commenced and those EIA developments where an application has been submitted and there is a resolution to grant planning permission.

7.51 The ES therefore considers the following list of projects:

Ref.	Site	Proposal	Status
11/50431/TTGETL	Purfleet Farm	Class B2 / B8 development	Permission granted – not implemented
11/50401/TTGOUT	Purfleet Centre	Mixed use redevelopment – residential, Use Classes A1 / A2 / A3 / A4 / A5 / B1 / B2 / B8 / D1 / D2, relocation of railway station etc.	Permission granted – not implemented
12/00337/OUT	Former Seaborne containers, Oliver Road	Class B1(c) / B2 / B8	Permission granted – development implemented
13/01231/FUL	Land east of Euclid Way,	Class A1 / A3 / A5 / D1 / D2 / C3 development	Permission granted – not

	south of West Thurrock Way		implemented
14/01387/FUL	Part of former Exxon site	Vehicle storage	Permission granted – not implemented
14/01392/FUL	Purfleet Farm	Vehicle storage	Permission granted – not implemented
15/00268/FUL	Part of former Paper Mills site	Vehicle storage	Permission granted – not implemented

- 7.52 The potential for cumulative impacts of the current proposal in combination with the projects listed above is presented in a topic by topic basis within the ES. Cumulative impacts for traffic and transport, air quality, noise and vibration, water resources and ground conditions are assessed as either not perceptible, not significant or minor.
- 7.53 At the time when the current application was submitted, the associated applications elsewhere within the Terminal site (16/01582/FUL / 16/01698/FUL) had not been submitted and the ES does not refer to these projects in the cumulative assessment. However, as these projects are now known and reported elsewhere in this agenda consideration should be given to the potential cumulative impact of these associated applications.

8.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 8.1 In coming to its view on the proposed development the Council has taken into account the content of the ES submitted with the application as well as representations that have been submitted by third parties. The ES considers the potential impacts of the proposal and on occasions sets out mitigation measures. Subject to appropriate mitigation, which can be secured through planning conditions, the ES concludes that any impact arising from the construction and operation of the development would be within acceptable limits. Having taken into account representations received from others, Officers consider that the proposed development is acceptable, subject to with a number of planning conditions that are imposed upon the permission. Therefore, it is recommended that planning permission is granted subject to the recommendation set out below.
- 8.2 The proposals involve the relocation of the principal access for the Terminal, as well upgrading access arrangements for the Unilever, Pura Foods and Aggregates Industries sites. The new access arrangements would result in benefits with regard to local air quality and noise as a result of fewer HGV movements along the section

of London Road in between the Stonehouse Corner roundabout and existing main site access. There are no objections to the proposals with regard to impact on the highway network, flood risk, ground conditions or other environmental receptors. It is considered that the proposals would increase the operational efficiency of the Port, which is a long-standing and important employer in Purfleet. Both national and local planning policies support, in principle, economic growth and these proposals underpin the economic role of sustainable development.

9.0 RECOMMENDATION

Grant planning permission subject to the following conditions:

Definitions

1. Within the following conditions the definitions listed below apply -

Site Preparation Works:

includes the following works required to prepare the site for development :

- site clearance works;
- demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing-up foundations;
- removal of existing and surplus rubble;
- removal of services including service trenches;
- archaeological and ground investigations;
- remedial work;
- carrying out CAT scans to confirm all existing services are clear;
- the erection of a hoarding line;
- providing piling matting;
- providing clear health and safety information;
- piling works.

Advanced Infrastructure Works: includes the following enabling infrastructure:

- installing drainage infrastructure;
- installing services and utilities;
- construction of foundations and ground floor/level slab;
- ground levelling works.

Highways Works	surface works required to amend existing, or form new vehicle access
Construction	superstructure works above the ground level/slab required to erect a building or structure
Landscape Works	surface landscaping works required to implement internal routes, storage areas and green infrastructure
First Operation	refers to the first commencement of the use of the development

Time Limit

- The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- The development hereby permitted shall be carried out in accordance with the following approved plans:

<u>Ref.</u>	<u>Title</u>
C116039-TG-00-XX-DR-C-8050 Rev. P5	Proposed Roundabout Works Key Plan and Proposed Layout
C116039-TG-00-XX-DR-C-8051 Rev. P5	Proposed Roundabout Works Layout Plan Sheet 1 of 2
C116039-TG-00-XX-DR-C-8052 Rev. P4	Proposed Roundabout Works Layout Plan Sheet 2 of 2
C116039-TG-00-XX-DR-C-8053 Rev. P3	Proposed Roundabout Works Typical Cross Sections Sheet 1 of 4
C116039-TG-00-XX-DR-C-8054 Rev. P4	Proposed Roundabout Works Typical Cross Sections Sheet 2 of 4
C116039-TG-00-XX-DR-C-8055 Rev. P5	Proposed Roundabout Works Typical Cross Sections Sheet 3 of 4
C116039-TG-00-XX-DR-C-8056 Rev. P4	Proposed Roundabout Works Typical Cross Sections Sheet 4 of 4
5394_SK018	Lighting Strategy - Roundabout

5394_SK020

Landscape Treatment - Roundabout

Reason: For the avoidance of doubt and in the interest of proper planning.

CEMP

4. Prior to the commencement of any works, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the local planning authority. The details within the submitted CEMP shall include:
 - I. construction vehicle routing;
 - II. construction access;
 - III. areas for the loading and unloading of plant and materials during construction;
 - IV. wheel washing facilities;
 - V. Flood Warning and Evacuation Plan for the construction stage;
 - VI. measures to be in place for control and minimisation of fugitive dust during construction;
 - VII. water management during construction, including waste water and surface water discharge;
 - VIII. method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals, during construction; and
 - IX. Construction Stage Waste Management Plan.

The development shall thereafter be implemented in accordance with the agreed measures detailed within the CEMP.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Ecological Mitigation & Management Plan

5. Prior to the commencement of any development, an Ecological Mitigation and Management Plan (EMMP) shall be submitted to, and approved in writing by, the local planning authority. The details within the submitted EMMP shall include:
 - I. details of mitigation measures on the length of the former London Road which will no longer be in use (0.09ha) and the north section of the

- embankment on the southern edge of the new London Road roundabout (0.03ha) in accordance with plan 5394_SK020 (early successional vegetation/flower-rich open grassland, native and shrub planting);
- II. details of habitat management to encourage reptiles to move away from the working area (applies to the 0.16ha to the west of Purfleet Farm);
 - III. long term management / maintenance arrangements.

The development shall thereafter be implemented in accordance with the agreed measures detailed within the EMMP.

Reason: To ensure that the effects of the development upon the natural environment are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Landscape Protection

6. All vegetation to be retained on the site shall be protected by chestnut paling fencing for the duration of the construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any construction works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing and no changes in ground level may be made or underground services installed within the spread of any tree or shrub (including hedges) without the previous written consent of the local planning authority.

Reason: To ensure that all existing vegetation to be retained is properly protected in the interests of visual amenity and to accord with Policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Nesting Birds

7. Demolition and clearance of vegetation or other potential bird nesting sites shall not be undertaken within the bird breeding season (1st March to 31st July) except where a suitably qualified ecological consultant has confirmed in writing to the local planning authority that such clearance works would not affect any nesting birds. In the event that an active bird nest is discovered outside of this period and once works have commenced, then a suitable stand-off period and associated exclusion zone shall be implemented until the young have fledged the nest.

Reason: To ensure effects of the development upon the natural environment are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Working Hours

8. No Construction works shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours
Saturdays 0800 – 1300 hours

unless in association with an emergency or the prior written approval of the local planning authority has been obtained.

Reason: In the interests of protecting surrounding residential amenity in accordance with Policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Contamination

9. Prior to Site Preparation Works, a Preliminary Contamination Risk Assessment and Scheme of Investigation shall be submitted to and approved in writing by the local planning authority. The submitted details shall include:
 - a. a Preliminary Risk Assessment that has identified all previous uses; potential contaminants associated with those uses; and a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risk arising from contamination at the site; and
 - b. a Scheme of Investigation based on the Preliminary Risk Assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

10. Prior to Advanced Infrastructure Works, the Preliminary Contamination Risk Assessment and Site Investigation shall be conducted in accordance with the approved Scheme of Investigation and Preliminary Risk Assessment, and the Remediation Scheme shall be submitted and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

11. Prior to First Operation of the development, the Contamination Remediation Scheme shall be implemented as approved and a Verification Report shall be submitted and approved in writing by the local planning authority. The details shall include:
 - a. results of sampling and monitoring; and
 - b. a long term monitoring and maintenance plan with arrangements for contingency action.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Unforeseen Contamination

12. If, during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and

other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Site Levels

13. Prior to Advanced Infrastructure Works, details of finished site levels and the associated levelling and infilling works required shall be submitted to, and approved in writing by, the local planning authority. The development shall accord with the agreed details.

Reason: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site in accordance with policies PMD1 and PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Infrastructure Assets

14. Prior to Advanced Infrastructure Works, details of measures to identify and protect HS1 or UK Power Networks buried services shall be submitted to, and approved in writing by, the local planning authority. Thereafter the approved measures shall be implemented.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

15. Prior to Advanced Infrastructure Works, the following details shall be submitted to, and approved in writing by, the local planning authority in order to protect HS1 assets:
 - I. the size, depth and proximity to HS1 of any excavations on site;
 - II. the size, loading and proximity to HS1 of any additional ground loads such as stockpiles;
 - III. construction plant and equipment which are likely to give rise to vibration, together with predicted vibration levels.

Thereafter the approved details shall be implemented.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Surface Water Drainage

16. Prior to Advanced Infrastructure Works, details of the surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall include:
- I. assessment of suitability for infiltration based on soil types and geology;
 - II. detailed drainage plan;
 - III. detailed SuDS Design Statement;
 - IV. confirmation of land ownership of all land required for drainage and relevant permissions;
 - V. SuDS Management Plan; and
 - VI. plan showing the allocation of volume storage and discharge rate given to the plot as part of a wider SuDS strategy.

The development shall accord with the agreed details.

Reason: To ensure that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Archaeology

17. Prior to Site Preparation Works, a Written Scheme of Archaeological Investigation shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

18. Prior to Advanced Infrastructure Works, an Archaeological Mitigation Strategy shall be submitted to, and approved in writing by, the local planning authority. All works shall be carried out in accordance with the approved Mitigation Strategy.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

19. Within six months of the completion of field work, as set out in the approved Archaeological Mitigation Strategy, a Post-Excavation Assessment and Full Site Archive shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Errant Vehicle Protection

20. Prior to the First Operation of the development, details of permanent errant vehicle protection measures to protect the viaduct piers of HS1 shall be submitted to, and approved by, the local planning authority. The approved measures shall be implemented prior to the first operation of the development and retained thereafter.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Landscaping

21. Prior to implementation of Landscaping Works, details of the landscaping scheme and a long term management plan shall be submitted to, and approved in writing by, the local planning authority. The details shall include:
- I. details of the design, colour and materials, all boundary treatments, including the 1.8m trespass proof fence along the development side of the existing boundary fence;
 - II. details of the design, colour and materials of surface treatments, including the low noise road surface, in accordance with plan 5394_SK020;
 - III. details of the species, mix, planting centres etc. of the proposed tree, shrub and grass planting;
 - IV. details for the provision and long term maintenance of an entrance feature or item(s) of 'public art' to be located on the new entrance roundabout.

All planting, seeding, turfing etc. comprised in the approved scheme shall be completed in the first planting and seeding season following completion of the development (or such other period as may be agreed in writing by the local planning authority) and any trees, shrubs or plants which within a period of 5 years from the completion of the development die, are removed or become

seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Acoustic Barrier

22. Prior to First Operation of the development, details of the acoustic barrier shall be submitted to, and approved in writing by, the local planning authority. The acoustic barrier shall be implemented in accordance with the approved details prior to first operation of the development, in accordance with the details set out in the Environmental Statement (paragraph 7.7.6).

Reason: To protect the amenities of surrounding occupiers and to ensure that the development can be integrated within its surroundings in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Flood Warning & Evacuation Plan

23. Prior to the First Operation of the development, a Flood Warning and Evacuation Plan (FWEP) shall be submitted to, and approved in writing by, the local planning authority. The approved FWEP shall be operational upon first use of the development and shall include details of internal refuge facilities, signage and an on-site warning system.

Reason: In order to ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

HS1 Viaduct

24. No storage of combustible gases or hazardous materials shall occur on-site within 200m of the High Speed 1 structure, unless agreed in writing by the local planning authority.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Entrance Gate Complex

25. Prior to Construction, details of elevations and finishing materials of the proposed customs control and entry / exit gate structures shall be submitted to an approved in writing by the local planning authority. These structures shall be constructed or installed in accordance with the approved details.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

External Lighting

26. Unless otherwise agreed in writing by the local planning authority, the proposed external lighting shall be installed and maintained in accordance with the details shown on drawing number 5394_SK018 and paragraph 4.10 of the 'Purfleet Thames Terminal: London Road and Roundabout and Entrance / Exit Gate Works Design and Access Statement (November 2016)'.

Reason: In order to minimise impact on the amenity of adjoining occupiers in accordance with policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

ES Mitigation

27. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement submitted with the planning application, unless otherwise provided for in any of the conditions or subject to any alternative mitigation measures as may be approved in writing with the local planning authority, provided that such measures do not lead to there being any significant environmental effects other than those assessed in the Environmental Statement.

Reason: To ensure that the development is carried out in accordance with the principles of mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development and ensure compliance with a range of development plan policies set out within the planning committee report.

INFORMATIVE:

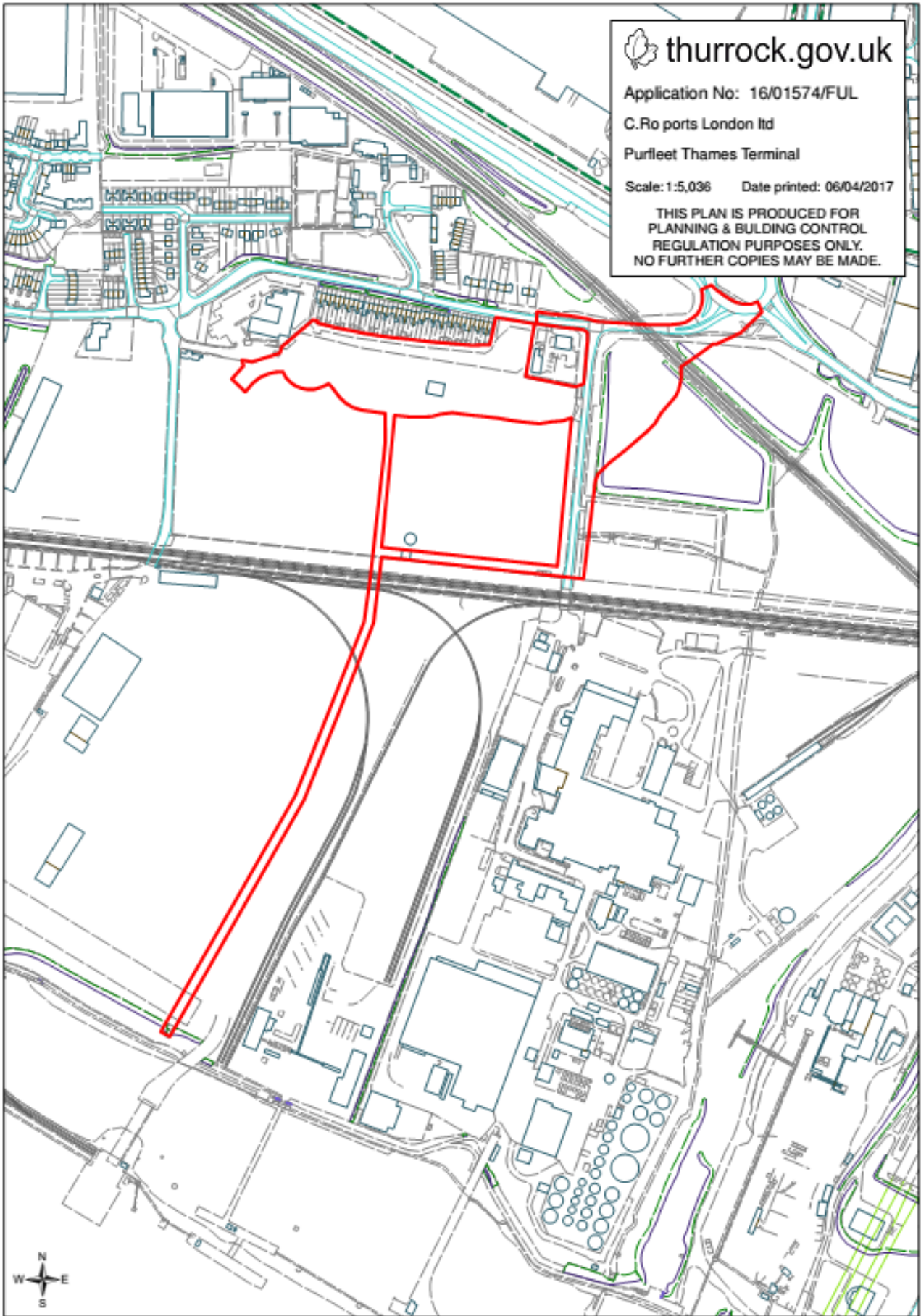
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



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Reference: 16/01582/FUL	Site: C.Ro Ports London Ltd Purfleet Thames Terminal London Road Purfleet RM19 1SD
Ward: West Thurrock and South Stifford	Proposal: Demolition of existing structures and construction of new internal access roads, structures (including bridge over railway) and railways, along with landscaping, drainage and associated works.

Plan Number(s):		
<u>Reference</u>	<u>Name</u>	<u>Received</u>
C116039-TG-00-XX-DR-C-0017 Rev. P4	Proposed Bridge Works Site Location Plan	18.11.16
C116039-TG-00-XX-DR-C-0018 Rev. P4	Proposed Bridge Works Existing Site Layout Plan	18.11.16
C116039-TG-00-XX-DR-C-8100 Rev. P3	Proposed Bridge Works Existing Key Plan	18.11.16
C116039-TG-00-XX-DR-C-8101 Rev. P2	Proposed Bridge Works Existing Layout Plan Sheet 1 of 6	18.11.16
C116039-TG-00-XX-DR-C-8102 Rev. P2	Proposed Bridge Works Existing Layout Plan Sheet 2 of 6	18.11.16
C116039-TG-00-XX-DR-C-8103 Rev. P2	Proposed Bridge Works Existing Layout Plan Sheet 3 of 6	18.11.16
C116039-TG-00-XX-DR-C-8104 Rev. P2	Proposed Bridge Works Existing Layout Plan Sheet 4 of 6	18.11.16
C116039-TG-00-XX-DR-C-8105 Rev. P2	Proposed Bridge Works Existing Layout Plan Sheet 5 of 6	18.11.16
C116039-TG-00-XX-DR-C-8106 Rev. P3	Proposed Bridge Works Existing Layout Plan Sheet 6 of 6	18.11.16
C116039-TG-00-XX-DR-C-8107 Rev. P1	Proposed Bridge Works Existing Cross Sections	18.11.16
C116039-TG-00-XX-DR-C-8150 Rev. P5	Proposed Bridge Works Key Plan and Proposed Layout	18.11.16
C116039-TG-00-XX-DR-C-8151 Rev. P4	Proposed Bridge Works Layout Plan Sheet 1 of 6	18.11.16
C116039-TG-00-XX-DR-C-8152 Rev. P4	Proposed Bridge Works Layout Plan Sheet 2 of 6	18.11.16
C116039-TG-00-XX-DR-C-8153 Rev. P3	Proposed Bridge Works Layout Plan Sheet 3 of 6	18.11.16

C116039-TG-00-XX-DR-C-8154 Rev. P3	Proposed Bridge Works Layout Plan Sheet 4 of 6	18.11.16
C116039-TG-00-XX-DR-C-8155 Rev. P4	Proposed Bridge Works Layout Plan Sheet 5 of 6	18.11.16
C116039-TG-00-XX-DR-C-8156 Rev. P4	Proposed Bridge Works Layout Plan Sheet 6 of 6	18.11.16
C116039-TG-00-XX-DR-C-8157 Rev. P4	Proposed Bridge Works Typical Cross Sections Sheet 1 of 5	18.11.16
C116039-TG-00-XX-DR-C-8158 Rev. P4	Proposed Bridge Works Typical Cross Sections Sheet 2 of 5	18.11.16
C116039-TG-00-XX-DR-C-8159 Rev. P4	Proposed Bridge Works Typical Cross Sections Sheet 3 of 5	18.11.16
C116039-TG-00-XX-DR-C-8160 Rev. P3	Proposed Bridge Works Typical Cross Sections Sheet 4 of 5	18.11.16
C116039-TG-00-XX-DR-C-8161 Rev. P3	Proposed Bridge Works Typical Cross Sections Sheet 5 of 5	18.11.16
5394_SK019	Lighting Strategy - Bridge	18.11.16
5394_SK021	Landscape Treatment – Bridge 1	18.11.16
5394_SK022	Landscape Treatment – Bridge 2	18.11.16
5394_SK023	Landscape Treatment – Bridge 3	18.11.16

The application is also accompanied by:

- Cultural Heritage Impact Assessment;
- Design & Access Statement;
- Environmental Statement with technical appendices with the following chapter headings
 - Introduction
 - EIA Methodology
 - Alternative sites and design iterations
 - Project description
 - Traffic and transport impact assessment
 - Air quality
 - Noise and vibration
 - Water resources
 - Ground conditions
 - Other environmental considerations
 - Cumulative assessment
 - Summary of mitigation measures
- Environmental Statement Non-Technical Summary;
- Planning Statement;

<ul style="list-style-type: none"> • Site Waste Management Plan; • Statement of Community Involvement; • Transport Statement; • Waste Assessment Report; and • Waste Hierarchy Report. 	
<p>Applicant: Joost Rubens Purfleet Real Estate Ltd.</p>	<p>Validated: 23 November 2016 Date of expiry: 30 April 2017 (Extension of time requested)</p>
<p>Recommendation: Grant planning permission subject to conditions</p>	

1.0 BACKGROUND

1.1 By way of background information, this application is one of four planning applications submitted for consideration in November and December 2016. These applications are:

16/01574/FUL Demolition of existing structures and construction of new roundabout and highway works at Stonehouse Corner/London Road, new secure site entrance and exit facilities, along with landscaping, drainage and associated works

16/01601/FUL Demolition of the existing downstream jetty and demolition of the out-of-service part of the existing upstream jetty. Construction of a new replacement downstream jetty.

16/01698/FUL Full planning permission for the demolition of existing buildings and structures and the erection of new buildings, structures, port infrastructure (including road, railways, tracks, gantries and surfacing) landscaping, drainage, and other ancillary works in association with continued use of the port for the storage and transfer of trailers, containers and cars, including the erection of a car storage building on the former Paper Mills land, a workshop in South Park, and a new areas of open storage and transfer trailers, containers and cars on land at Purfleet Farm and south of the railway line. Outline planning permission for the expansion of the existing Pre-Delivery Inspection Building.

1.2 Application reference 16/01601/FUL proposes works to existing jetties on the site's river frontage and, as the associated application site only involves land on the seaward side of the tidal defences, this submission can be treated as, to a degree,

separate from the other three applications (involving the landward side of the tidal defence). Consequently application ref. 16/01601/FUL will be determined under delegated powers. The remaining three submissions (16/01574/FUL / 16/01582/FUL / 16/01698/FUL) are related and the red-line application site boundaries in part overlap. Despite this overlap, there are contractual reasons why the applicant has made three separate submissions. These related applications are for development requiring assessment under the Environmental Impact Assessment (EIA) Regulations and Environmental Statement accompany the submissions.

- 1.3 The applications involve land within and adjacent to the Purfleet Thames Terminal (PTT) which is owned by Purfleet Real Estate and operated by C.RO Ports London Ltd. The existing PTT site extends to approximately 42 Ha in area and handles approximately 400,000 trailers and containers and the import / export of some 200,000 vehicles annually. The terminal is served by a roll-on roll-off (RO-RO) jetty which can accommodate two vessels. The terminal is served by sailings to and from Rotterdam and Zeebrugge.
- 1.4 C.RO Ports also operate from a terminal at Dartford downstream of the QEII Bridge. However, the applicant suggests that in the future the PTT site will be the main focus of future operations on the River Thames.
- 1.5 Historic Ordnance Survey mapping suggests that the PTT site was originally developed after the First World War as the 'Purfleet Wharf & Saw Mill' south of the railway line. This site was served by a pier on the Thames and a number of railway sidings within the site. After the Second World War the site was known as 'Purfleet Deep Wharf', with land at 'North Park' south of Jarrah Cottages used as an oil storage depot. By the 1970's further jetties had been developed on the river frontage and land immediately south of Jarrah Cottages was used as a transport depot. The oil storage use on North Park ceased during the 1980's, with the entire PTT site operated by C.RO Ports since 1992.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 In summary, the proposals involve the construction of a new road bridge over the Purfleet to Grays railway line, the realignment of private railway lines within the Terminal site and associated landscaping, drainage other works. The main elements of the proposals are described below.
- 2.2 New four lane road bridge crossing the railway lane – located to the south of the proposed entrance gate complex and new access roundabout junction (ref. 16/01574/FUL) this application proposes a dedicated two-lane access road to serve the Unilever, Pura Foods and Aggregate Industries sites and a separate two-lane

access to serve the Terminal. This 'combined' four-lane access serving would cross the existing Purfleet-Grays section of railway line via a new steel and concrete bridge. For security purposes, the carriageways serving the Terminal and the Unilever etc. sites would be separated by a fence as the road passes over the railway. Both Terminal and Unilever accesses would include a footpath. The bridge would 'ramp' up in height to a maximum of approximately 10.8m above existing levels in order to maintain clearance to overhead lines on the railway.

- 2.3 On the southern side of the new bridge the Unilever access would turn to the east in order to access the Unilever, Pura Foods and Aggregate Industries sites. The two-lane Terminal access would continue on a north-south alignment to access the 'South Park' and river berths. The roads are of a modern specification and would incorporate associated carrier drains, footpaths and lighting columns.
- 2.4 Realigned railways – the Terminal is currently served by three internal railheads which connect to the southern side of the main Purfleet-Grays line. These railheads are located in between Jurgen's Road (to the east) and the existing main Terminal access road (to the west). Two of the lines converge into a single railhead. The application proposes the consolidation of the three existing lines into a two track railhead (with an ancillary spur) and the construction of a new line which will access the western part of the Terminal, which is not currently rail connected. The proposed Unilever access road will cross above the consolidated railhead a short distance to the south-east of the main road bridge.
- 2.5 Landscaping etc. – an indicative soft landscape drawing has been submitted showing new soft landscaping adjacent to that section of the Unilever access road located adjacent to the proposed gate complex (16/01574/FUL). A drainage strategy is also proposed for the new roads. The proposals would involve the demolition of a number of small ancillary structures.

3.0 SITE DESCRIPTION

The site comprises an irregularly shaped parcel of land extending to 9.5 hectares in area and located within the PTT site. The site includes parts of the Terminal's 'North Park' and 'South Park', described in detail below.

3.1 North Park site:

This is an area of the PTT site north of the Purfleet – Grays railway line and south of London Road which is used principally for the storage of new vehicles imported and exported via the terminal. The entire North Park area extends to approximately 8.5 Ha in area and the current proposals only involve land on the northern part of this area. The site is entirely hardsurfaced with lanes and bays marked-out for the storage of vehicles. The North Park site is floodlit and its boundaries are defined by

secure fencing. Aside from the floodlighting columns and fencing, the site is open apart from a small number of buildings and structures. Access for vehicles into North Park is via the main terminal access road to the west, which links to London Road (to the north). An egress point for vehicle transporters is located on the eastern boundary of the site onto Jurgen’s Road. A strip of soft landscaping separates the North Park from the railway line to the south. As noted above the main port access road adjoins the site to the west, with Jurgen’s Road to the east. To the north-west of the site is Long Reach House, the office building for the terminal and its associated car parking. To the north of the site are residential properties at Jarrah Cottages (London Road). The rear gardens of these dwellings are separated from North Park by a rear access road serving the houses and a landscaped area. Due to falling ground levels to the south, the landscaped area is raised above levels at the North Park site by some 2.7m.

- 3.2 The ‘South Park’ area of the terminal is located south of the railway line and in between the Esso fuels terminal to the west and the Unilever, Pura Foods and Aggregate Industries sites to the east. The area is level, hardsurfaced and floodlight and currently used for the storage of vehicles, trailers and containers associated with the Terminal.
- 3.3 In the wider area surrounding the Terminal site residential uses and the High House Production Park are located to the north, with commercial uses to the north-east along London Road and Stonehouse Lane. To the east is the Purfleet Farm site and the Unilever Foods, Pura Foods and Aggregate Industries sites. The A282 and QEII bridge is located further east. To the south of the site is the River Thames. To the west of the PTT site is the Esso Purfleet Terminal site.

4.0 RELEVANT HISTORY

- 4.1 The majority of the application site comprises land on the eastern part of the Purfleet Thames Terminal (PTT) site. The PTT site has a long planning history, with the relevant elements summarised below:

<u>Application Ref.</u>	<u>Description of Proposal</u>	<u>Decision</u>
83/00901/FUL	Construction of 2 weighbridges with associated new site roads, office and lorry wash, repositioning of existing rail track and plant stores and the laying out of the site for aggregate storage and distribution	Approved
83/01229/OUT	Use of land for Industrial/Warehousing - BP Oil Purfleet Terminal North Site	Approved
84/00956/FUL	Modernisation of Existing Lube Oil Blending/Packaging & Distribution Facility	Approved

86/01077/FUL	Covered rock storage, asphalt and concrete plants	
89/00395/FUL	Construction of ship unloading facilities covered storage coated stone plant etc.	Approved
89/00405/FUL	Installation of 9 No additional lubricating oil storage tanks.	Approved
91/00614/FUL	Proposed replacement to tanks 8615 8616 8617 and relocation tanks 8641-42-43-44-& 45	Approved
92/00265/FUL	Erection of 5 No. lighting towers and ancillary external lighting	Approved
93/00051/FUL	Recycling centre	Approved
93/00213/FUL	Resurfacing, fencing and lighting of the site and use for the parking and storage of cars in transit with trailers parking and ancillary buildings, together with the construction of a continuous landscaped mound behind Jarrah Cottages	Approved
93/00643/FUL	Use of the site for parking and storage of cars for a limited period of 6 months	Approved
94/00365/FUL	7 No. lubricants. storage tanks and impervious bund	Approved
96/00339/FUL	Demolition of buildings to enable storage and distribution of goods and motor vehicles	Withdrawn
96/00377/FUL	Demolition of buildings to allow storage and distribution of goods and vehicles (smaller site)	Approved
04/00987/FUL	Installation of 2 no 6 metre high CCTV support columns and 2 no 7.5 meter high CCTV support columns to be situated around site perimeter	Approved
10/00232/HSC	Hazardous substances consent for storage of gas oils/diesel	Approved
14/00795/SCR	Environmental Impact Assessment Regulations Screening 2011 surface car storage at the former Esso site adjacent to the Purfleet Thames Terminal (Referred to as Site 2 - 5.7ha land at Esso)	EIA not required
16/00877/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed expansion of port facilities to increase capacity and improve operational efficiencies comprising (i) new primary site	Advice given

	<p>access in the form of a new roundabout at the London Road / Jurgen's Road junction (ii) secondary (optional) access onto London Road (iii) internal four lane bridge crossing the Purfleet Grays railway line (iv) new internal access road network (v) realignment of internal railroad tracks (vi) demolition / removal and replacement of existing berths and construction of new berths (vii) surface multi-purpose storage and multi-storey car decks (viii) new container yard equipment and (ix) new workshop, hanger and employees' facilities</p>	
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4.2 In addition to the planning history for the site set out above, the following recent applications are relevant to the wider PTT site:

<u>Application Ref.</u>	<u>Description of Proposal</u>	<u>Decision</u>
14/01387/FUL	Use of part of the land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, drainage infrastructure on land at the former Exxon Mobil Lubricants site, London Road, Purfleet	Approved
14/01392/FUL	Use of part of land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated landscape and infrastructure works including erection of a gatehouse building, lighting columns, erection of fencing, drainage infrastructure including a surface water balancing pond, infill and alteration to levels, alterations to vehicular access to London Road	Resolution to grant planning permission subject to s106
15/00268/FUL	Use of land for vehicular storage, formation of hardstanding and associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, and drainage infrastructure on land at the former Paper Mills site, London Road, Purfleet	Approved
16/00644/FUL	Construction of a private estate road on land	Approved

	to the east of Purfleet Thames Terminal, south of railway line	
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5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: www.thurrock.gov.uk/planning

5.2 PUBLICITY:

The application has been publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. The proposals have been advertised as a major development, accompanied by an Environmental Statement and affecting a public footpath.

5.3 Neighbour consultation letters have been sent to 93 surrounding properties. Two letters of representation have been received raising the following concerns:

- access to the site;
- additional traffic;
- increased pollution;
- increased noise;
- increased traffic congestion;
- effect on air quality;
- visual impact;
- proposals incompatible with the potential redevelopment of Purfleet Centre; and
- limited job opportunities.

5.4 The following consultation replies have been received:

5.5 ANGLIAN WATER:

No response received.

5.6 C2C:

No response received.

5.7 ENVIRONMENT AGENCY:

No objections. Detailed advice is offered on the matter of flood risk.

5.8 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objections, subject to planning conditions.

5.9 ESSEX FIRE & RESCUE:

No response received.

5.10 HEALTH & SAFETY EXECUTIVE:

No objection – does not advise, on safety grounds, against the granting of planning permission.

5.11 HIGHWAYS AGENCY:

Offer no objection.

5.12 NATURAL ENGLAND:

Further information required (in relation to application reference 16/01601/FUL).

5.13 NETWORK RAIL:

No objections, subject to conditions to protect Network Rail assets.

5.14 PORT OF LONDON AUTHORITY:

Supports the proposals – the development would improve the operational efficiency and safety of the Terminal. The bridge crossing would provide more direct access between the south and north parts of the Terminal. The PLA has identified in the Thames Vision the need to improve road access to port operations and the constraints that can be experienced from crossing railway lines. The proposed development and in particular the provision of the bridge would therefore be of direct benefit to the Terminal.

5.15 PURFLEET VILLAGE FORUM:

The proposed access arrangement could be considered as a benefit to residents of Jarrah Cottages. In combination, the applicant's proposals will increase road traffic, with an effect on air quality and noise. The proposal will impact on visual amenity. The C.RO proposals may be prejudicial to the redevelopment of Purfleet Centre.

5.16 PURFLEET CENTRE REGENERATION LTD:

No response received.

5.17 EMERGENCY PLANNING OFFICER:

No objection, subject to a planning condition requiring a flood warning and evacuation plan.

5.18 ENVIRONMENTAL HEALTH:

Air Quality – there are no air quality implications from this proposed development on its own. It should be noted that this application is part of a suite of applications for the overall development of the Terminal site and comments with regard to applications refs. 16/01698/FUL and 16/01574/FUL which advise that:

“It is evident however that the proposed new junction improvements with accompanying roundabout and new site entrance in application 16/01574/FUL will lead to an improvement in air quality for AQMA 10. Therefore need for an overarching air quality assessment would not be necessary be required subject to application 16/01574/FUL being approved. Therefore there will be no issue with any of the other applications on air quality grounds”.

Contaminated Land – the conclusions and recommendations within the submitted contaminated land assess are agreed, i.e. intrusive investigation and risk assessment.

Noise and Vibration – the Environmental Statement has comprehensively assessed the noise impact of the construction and operation phases of the proposed development. Noise mitigation for the construction works, by the implementation of best practicable means, should render the effects insignificant for local residents. Noise mitigation measures should be secured by planning condition.

Construction – subject to the implementation of measures within a management plan, the impact on receptors would be mitigated.

5.19 FLOOD RISK MANAGER:

Object on the grounds that the submitted Drainage Strategy is inadequate.

5.20 HIGHWAYS:

No objections, subject to controls over the phasing of delivery for the submitted applications.

5.21 LANDSCAPE & ECOLOGY ADVISOR:

No objection on landscape or ecology grounds.

5.22 LISTED BUILDINGS & CONSERVATION ADVISOR:

No objections.

5.23 PUBLIC RIGHTS OF WAY:

No response received.

6.0 POLICY CONTEXT**6.1 National Planning Guidance**National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Building a strong, competitive economy;
- Promoting sustainable transport;
- Requiring good design;
- Promoting healthy communities;
- Meeting the challenge of climate change, flooding and coastal change; and
- Conserving and enhancing the natural environment.

Planning Practice Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was

launched. PPG contains 48 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Air quality;
- Design;
- Determining a planning application;
- Environmental Impact Assessment;
- Flood risk and coastal change;
- Light pollution;
- Natural environment;
- Noise;
- Travel plans, transport assessments and statements; and
- Use of planning conditions.

6.2 Local Planning Policy

Thurrock Local Development Framework (2015)

The Council adopted the Core Strategy and Policies for the Management of Development Plan Document (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

OSDP1: Promoting Sustainable Growth and Regeneration in Thurrock;

Spatial Policies:

- CSSP2 (Sustainable Employment Growth);

Thematic Policies:

- CSTP6: Strategic Employment Provision
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP18: Green Infrastructure
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP25 (Addressing Climate Change)
- CSTP27 (Management and Reduction of Flood Risk)
- CSTP28 (River Thames)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)

- PMD2 (Design and Layout)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD15 (Flood Risk Assessment)

Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February 2014 meeting of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough’s Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the ‘parking’ of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the summer of 2017.

7.0 ASSESSMENT

7.1 Procedure:

The development proposal is considered to be a development requiring Environmental Impact Assessment (EIA), therefore the application has been accompanied by an Environmental Statement (ES). The ES considers the environmental effects of the proposed development during construction and operation and includes measures to prevent, reduce or offset any significant adverse effects on the environment. The ES is accompanied by technical appendices. The contents of the ES comprise:

1. Introduction
2. EIA methodology;
3. Alternative sites and design iterations
4. Project description
5. Traffic and transport impact
6. Air quality
7. Noise and vibration
8. Water resources
9. Ground conditions
10. Other environmental considerations
11. Cumulative assessment
12. Summary of mitigation measures.

7.2 The Council has a statutory duty to consider environmental matters and an EIA is an important procedure for ensuring that the likely effects of new development are fully understood and fully taken into account before development proceeds. EIA is, therefore, an integral component of the planning process for significant developments. EIA leads to improved decision making by providing the development management process with better information. EIA not only helps to determine whether development should be permitted but also facilitates the drafting of planning conditions and legal agreements in order to control development, avoid or mitigate adverse effects and enhance beneficial effects. Therefore, it is vital that the environmental issues raised by the application are assessed in a robust and

transparent manner.

7.3 In order to fulfil the requirements of the EIA Regulations it is necessary to ensure (a) that the Council has taken into account the environmental information submitted, and (b) that any planning permission granted is consistent with the development which has been assessed. To achieve this second objective the Council has the ability to impose conditions and secure mitigation measures by Section 106 obligations.

7.4 The issues to be considered in this case are largely as set out in the submitted ES and comprise:

- I. Principle of the development
- II. Traffic and transport impact
- III. Impact on air quality
- IV. Noise and vibration
- V. Flood risk and drainage
- VI. Ground conditions
- VII. Other environmental considerations
- VIII. Cumulative impact

7.5 I. PRINCIPLE OF THE DEVELOPMENT

With reference to the Core Strategy Local Plan policies map, the application site is described as either land within 'Primary Industrial and Commercial Areas' or 'Land for New Development in Primary Areas'. That part of the site within North Park and South Park being allocated as 'Primary Industrial and Commercial Areas', with the small part of the application site within Purfleet Farm designated as 'Land for New Development in Primary Areas'.

7.6 Core Strategy policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) therefore apply to the vast majority of the site. Spatial policy CSSP2 defines the Borough's Key Strategic Economic Hubs and states that the Council will "*promote and support economic development in the Key Strategic Economic Hubs that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors*". Purfleet is described as a Hub possessing the Core Sectors of storage, warehousing and freight transport. In referring to the Primary and Secondary Industrial and Commercial Areas, thematic policy CSTP6 safeguards land for employment uses. In general terms, the proposals would support the operation of the existing PTT site and consequently there is no conflict with these relevant Core Strategy policies.

- 7.7 Core Strategy policy CSTP28 (River Thames) is also considered to be partly relevant to the proposals. This policy recognises the role which the river and its associated ports play in the economy and the policy generally promotes the economic and commercial function of the river.
- 7.8 The NPPF states that *“the purpose of the planning system is to contribute to the achievement of sustainable development”* (paragraph 6). The following paragraph of the Framework describes the three dimensions to sustainable development as including an economic role, as well as social and environmental roles. One of the core land-use planning principles described by paragraph 17 of the NPPF is that planning should *“proactively drive and support sustainable economic development to deliver the ... business and industrial units, infrastructure and thriving local places that the country needs”*. Under the heading of ‘Building a strong, competitive economy’ paragraph 19 of the NPPF notes that *“planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”* Finally, under the heading of ‘Promoting sustainable transport’, paragraph 22 of the NPPF states that *“when planning for ports, airports and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business ... needs”*.
- 7.9 As the proposals would improve access arrangements for the terminal by avoiding the existing level crossings, it is concluded under this heading that the land-use principle of the proposals are acceptable and would raise no conflict with local or national planning policies. Indeed, as the proposals would support the operational efficiency of the terminal, the NPPF strongly supports this economic role.

7.10 II. TRAFFIC AND TRANSPORT IMPACT

The baseline conditions for the site are set out in the report for application ref. 16/01574/FUL elsewhere on this agenda. As the proposals for the road bridge in particular are closely associated with the new access proposals (16/01574/FUL) the baseline for traffic and transport is identical and, for convenience, is replicated below.

- 7.11 Currently the principal access into the PTT site is via the ‘Exxonmobil’ road located on the southern side of London Road in between Long Reach House and The Fleet public house. The Transport Statement (TS) notes that this access is used by:

- all HGVs associated with freight (trailers, containers and other cargo);
- staff and visitors associated with the Terminal;
- the departure of car to be stored at the C.RO Dartford site;

- the arrival of cars from the C.RO Dartford site for pre-delivery inspection (PDI); and
- the arrival of cars undergoing vehicle testing.

This road is not adopted and the route uses a private level crossing to access the ‘South Park’ area of the Terminal and the riverside berths.

7.12 The TS also highlights a secondary access for the Terminal onto Jurgen’s Road, on the eastern boundary of the PTT site. Jurgen’s Road, which provides access for the Unilever and Pura Foods sites via a level crossing, is a private road linking to London Road a short distance to the west of the HS1 viaduct. The PTT access onto Jurgen’s Road is used by the Terminal for:

- all car transporters associated with stored cars; and
- departure of cars undergoing testing.

7.13 According to the TS, cargo unloaded via the two berths is stored at the following locations with the following capacities:

<u>Cargo</u>	<u>Storage Location</u>	<u>Location Capacity (2016)</u>
Cars	Purfleet North Park	3,986
	Purfleet West Park	1,234
	C.RO Dartford	7,500
	Total	12,720
Trailers	Purfleet South Park	804
	Total	804
Containers	Purfleet RTG Stack	386
	Purfleet Container Storage	410
	Total	796

7.14 Some cars imported into Purfleet by river are therefore driven to C.RO Dartford for initial storage before returning to Purfleet for PDI and final delivery to customers. This activity involves a double-movement of vehicles on the highway network. Cars which are stored at North Park will move within the Terminal site for PDI at the West Park. Cars awaiting collection are also test-driven on local roads. Cars delivered from the Terminal are moved by transporters, each transporter having capacity for approximately 7 cars. Weekly records for the year 2016 show 716 average weekly two-way transporter movements. However during peak periods, such as new car registrations, this total increases. Weekly movements of freight to and from the Terminal are cited in the TS as 5,350 trailers, 5,406 containers and 306 other cargo.

7.15 The TS also highlights that planning applications have been recently granted permission, or resolved to grant permission, for further vehicle storage and Class B2 / B8 on land adjacent and close to the Terminal which is within the control of the applicant. These permissions have not been implemented, but if built would add the following storage capacity to the Terminal:

- 14/01392/FUL (land at Purfleet Farm) 2,280 car storage spaces;
- 14/01387/FUL (part of former Exxon Mobil lubricants plant) 1,652 car storage spaces
- 15/00268/FUL (part of former Board Mills site) 1,836 car storage spaces.

7.16 London Road as it passes through the centre of Purfleet, close to the railway station, is subject to a weight restriction. Therefore, HGV’s leaving the PTT site via the principal and secondary access routes are likely to turn right onto London Road in order to access the Stonehouse Corner roundabout and the A1090 / A13 / M25 beyond.

7.17 The development proposed by the current by the current application does not involve any additional employment generating floorspace and does not in itself increase the operational area of the Terminal. Nevertheless, the ES considers the potential effects during the construction and operational phases as follows.

7.18 Construction Effects:

The ES predicts a construction phase for the bridge and roadworks lasting up to 9 months. The percentage increase attributed to construction HGV traffic, based on annual average daily traffic, is modelled as 1.1% on London Road (east of the site) and 0.8% on Stonehouse Lane. This temporary increase in HGV traffic flows is considered to be of negligible impact.

7.19 Operational Effects:

As noted above, the proposed bridge and roadworks will not themselves generate any additional traffic. The TS includes an assessment of potential traffic movements on the new bridge during peak hours shown in the table below:

Future baseline (with unimplemented permissions)	A.M. Peak (0800-0900)		P.M. Peak 17.00-18.00)	
	All vehicles	HGVs	All vehicles	HGVs
PTT site	192	137	328	139
Unilever	91	57	70	21
Total	283	194	398	160

The use of the bridge will potentially remove a large number of vehicles from using the existing level crossings on Jurgen's Road and the Exxonmobil road.

7.20 The TS notes that the new bridge will enable the existing level crossing on Jurgen's Road to be closed as all traffic previously using this route would be served by the new bridge. Members may be aware that Network Rail has a national programme to close level crossings where appropriate and improve the safety of others as part of a commitment to improve the safety on the rail network. The proposals would contribute to this aim. The TS also notes the heavy use of the Exxonmobil road level crossing and to a small number of reported misuse incidents. The proposals would enable traffic using the 'South Park' to be diverted to the bridge from the level crossing. However, this level crossing is proposed to remain open for occasional operational activities, maintenance vehicles, emergency vehicles and activities associated with the Esso fuel terminal. Nevertheless, the proposal would result in a significant reduction in the use of this crossing.

7.21 Mitigation:

The only measure suggested by the ES to mitigate the impact on traffic and transportation is a construction logistics plan to manage the routing and frequency of construction vehicles.

7.22 As the site is located close to the strategic road network (A13 and M25), Highways England have been consulted and offer no objection. In relation to the local road network, the Highways Officer raises no objection, subject to certainty regarding the timing of delivery of the proposals (in the context of the other application currently under consideration).

7.23 III. IMPACT ON AIR QUALITY

Baseline conditions:

As noted by the report for planning application ref. 16/01574/FUL, there are a number of existing and proposed AQMAs within a 350m radius study area drawn around the application site as follows:

- AQMA 8 – hotel to west of jct. 31 of the M25 (NO₂ & PM₁₀)
- AQMA 9 - hotel to north of jct. 31 of the M25 (NO₂)
- AQMA 10 – Jarrah Cottages, London Road NO₂ & PM₁₀)
- AQMA 12 – Watts Wood estate, A1306 (NO₂)
- AQMA 21 – hotel on Stonehouse Lane (NO₂)
- AQMA to be declared on Purfleet Bypass

(NO₂ – Nitrogen Dioxide. PM₁₀ – Particulates)

7.24 The Council undertakes air quality monitoring using automatic analysing and diffusion tube methods. The results of annual mean NO₂ monitoring for locations close to the site between 2011 and 2015 are shown in the table below.

Location	Type	Monitored annual mean NO ₂ concentration (² g.m ⁻³)				
		2011	2012	2013	2014	2015
Jarrah Cottages	Automatic	62.00	63.00	63.00	62.00	56.00
Jarrah Cottages	Diffusion	47.03	52.51	58.84	57.39	53.43
Ibis Hotel, London Road	Diffusion	46.02	45.78	46.25	49.66	52.65
London Road Arterial Road	Diffusion	50.27	57.23	58.28	59.16	52.15
Purfleet Railway Station	Diffusion	31.88	35.71	35.26	35.08	33.50
Stonehouse Lane	Diffusion	40.50	42.49	41.38	-	-
London Road Arterial Road	Diffusion	30.46	34.26	33.93	35.12	32.81
London Road Arterial Road	Diffusion	28.62	31.55	30.00	32.96	27.73
Purfleet Bypass	Diffusion	41.96	41.11	40.69	38.51	37.00
Purfleet Bypass	Diffusion	-	-	-	36.06	32.93
London Road Arterial Road	Diffusion	-	44.52	44.51	43.87	38.10
London Road Arterial Road	Diffusion	-	39.35	38.79	40.11	33.87

The figures shown in bold within the table represent monitored annual mean NO₂ concentrations which exceed the air quality objective figure of 40²g.m⁻³. The exceedences in the table above can be attributed to traffic using busy routes in the area (London Road / A282 / A1090).

7.25 Construction impacts:

For the purposes of assessment the ES models potential impact on air quality at a number of sensitive receptor locations on London Road and Stonehouse Lane. During the construction of the development the ES considers impacts from both dust / particulates and construction vehicle traffic emissions. The risks to human health as a result of dust generated during construction (demolition, earthworks, construction activities etc.) are assessed as of low risk. Whereas the potential impact of dust soiling from trackout is assessed as a high risk. However, with the implementation of best practice dust control measures secured via a CEMP the residual impacts after mitigation are assessed as ‘not significant’.

7.26 During the temporary construction phase the ES predicts an increase in heavy duty vehicles of up to 100 movements per day. In the context of a baseline scenario where there are up to 2,700 heavy duty vehicles per day on London Road, the ES considers that the impact of emissions from the additional vehicles for a temporary period would not be significant.

7.27 Operational impacts:

The ES does not predict any increase in vehicle movements associated with the operation of the bridge which, as noted above, will largely replace two existing level crossings. As the bridge would be likely to result in the free-flow of traffic as opposed to vehicles waiting at the level crossings with engines idling, the ES anticipates a benefit to local air quality.

7.28 Comments received from the Council's Environmental Health Officer note that there are no air quality implications from this proposal on its own. Although it is noted that the current application is associated with a range of proposed developments at the site (16/01574/FUL and 16/01698/FUL) and that the proposed new junction improvements will lead to an improvement at the closest AQMA (Jarrah Cottages).

7.29 IV. NOISE AND VIBRATION

Baseline conditions:

The ES includes the results from a noise survey, using measurements recorded at locations along London Road, Purfleet Bypass and the A1306 Arterial Road. The noise climate at all of the survey stations is dominated by road traffic noise and noise associated with commercial and residential activity.

7.30 Construction impacts:

The ES models predicted noise levels at the closest residential receptor for the full range of construction activities associated with the development. The results confirm that construction noise would not exceed identified threshold noise limits. Similarly, for the closest residential receptor at Jarrah Cottages, no impacts from vibration during construction works are predicted.

7.31 Operational Impacts – road traffic noise:

The ES models the predicted change in noise levels at residential receptors as a consequence of the proposed new bridge road network (accessed from the proposed roundabout – ref. 16/01574/FUL). For the closest receptors at Jarrah Cottages a reduction in noise levels is modelled. Although one receptor to the north of the site is predicted to experience a 0.2dB increase in noise levels (on one façade of the building), this level of increase is considered to be negligible.

7.32 Mitigation Measures:

During construction activities noise and vibration control measures are proposed, to be incorporated into a CEMP. Similar to the proposed mitigation measures for 16/01574/FUL, in order to mitigate noise impact on residents at Jarrah Cottages during operation the ES proposes an acoustic fence to replace an existing fence which is located on the northern site boundary. With mitigation in place, the impact of operational noise is assessed as of no or low adverse significance.

7.33 In commenting on noise issues the EHO confirms that *“the ES has comprehensively assessed the noise impact of the construction and operation phases of the proposed development ... and has adequately determined the impacts of the development”*. Proposed mitigation measures for construction works should render the residual effects “insignificant” for local residents. Noise mitigation measures are required and can be secured by planning condition. With mitigation measures in place, the development should result in a beneficial reduction in noise for the majority of local residents. A standard planning condition to control hours of construction, including piling operations, is required.

7.34 V. FLOOD RISK & DRAINAGE

The application is accompanied by a Flood Risk Assessment (FRA) and the issue of water resources forms a chapter within the ES. All of the application site falls within the high risk flood area (Zone 3). The Stonehouse Sewer, described by the Environment Agency as a ‘main river’ is a short distance from the site on the southern side of the railway line.

7.35 The risk of fluvial (river) flooding at the site from Stonehouse Sewer and the River Mardyke (to the west of the site) is considered by the FRA to be low. However, it is the risk of tidal flooding from the River Thames which places the application site, and the wider Purfleet and West Thurrock area, within the high flood risk zone. Nevertheless, the site benefits from existing tidal flood defences adjacent to the Thames foreshore which offer a 1 in 1,000 year event standard of protection. The actual risk of tidal flooding is low, though there is a residual risk flooding if the defences were overtopped (by wave action) or if there was a breach event resulting from a failure of the tidal defence.

7.36 Sequential / Exception Test:

The general aim of national planning policy and guidance for flood risk is to steer new development to areas with the lowest probability of flooding, by applying the Sequential Test (where relevant). National PPG allocates new land uses / development to a ‘flood risk vulnerability classification’ in order to assess whether the uses / development are compatible with their flood zone. In this case, the FRA states that elements of the proposals fall within the ‘essential infrastructure’ classification (new bridge) and the ‘less vulnerable’ classification (road / railheads).

- 7.37 Table 3 of PPG describes a flood risk vulnerability and flood zone compatibility matrix within which less vulnerable development is appropriate in Flood Zone 3a, subject to the Sequential Test. The table also requires essential infrastructure located within the high risk flood zone to be subject to the Exception Test. The proposed access roads, associated road bridge railheads are a functional element of the Terminal and are needed within the operational land of the Terminal. There are no other locations within the Terminal which are at a lower risk of flooding and accordingly it is considered that the Sequential Test is passed for the development proposals. For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits which outweigh the flood risk and that the FRA demonstrates the development will be safe. It is considered that the proposed roadbridge infrastructure would provide sustainability benefits through improved air quality and an improved noise environment. The associated relocation of the site access would place access and egress arrangements for the Terminal closer to the low risk flood zone, assisting in the provision of safe access and escape routes. The submitted FRA notes that the existing flood plan for the Terminal will be updated and this matter can be secured through a planning condition. In these circumstances it is considered that the Exception Test for the proposed access infrastructure is passed.
- 7.38 The consultation response received from the Environment Agency raises no objection on flood risk grounds, but reminds the local planning authority to consider its responsibilities in applying the Sequential and Exception Tests. The Agency confirm that the site is protected from tidal flooding by existing defences, and that there are no concerns related to fluvial flooding from the Mardyke or Stonehouse Sewer. The need for a flood evacuation plan is confirmed to ensure safety in the event of a breach of tidal defences.
- 7.39 Surface Water Drainage:
The Terminal Site has a number of existing surface water and highways drainage systems which ultimately discharge, via pumping stations and interceptors, to Stonehouse Sewer and to the River Thames. The FRA includes a proposed high level drainage strategy which involves a number of discrete design solutions.
- 7.40 Essex County Council was appointed as the Lead Local Flood Authority's statutory consultee for Thurrock last year. The consultation response from the County Council objects and considers the proposed surface water drainage strategy to be inadequate, with particular regard to pumping station capacity and water treatment. The FRA concedes that further information about the design and operation of the surface water drainage system is required. However, as the proposed drainage strategy is only a high level framework, it is considered that a planning condition

can be used to require submission and approval of detailed surface water drainage arrangements.

7.41 VI. GROUND CONDITONS

Based on the history of the site, it is clear that the vast majority of the area, aside from a small part of the Purfleet Farm site, has a longstanding industrial use. That part of the site within North Park has previously been used for 'heavy' industrial uses, including as an oil storage depot and transport depot. The part of the site within South Park formerly comprised part of the Purfleet Wharf & Saw Mills site and the Caspian Wharf oil storage depot. The Ground Conditions chapter of the ES considers that these former uses could have resulted in ground contamination (spillages etc.) as well as the possibility that the site has been contaminated through the movement of groundwater from nearby activities.

7.42 Ground investigation works associated with previous development proposals have been undertaken for parts of the site and have encountered potential contaminants, including hydrocarbons and metals. However, the ES concedes that there are parts of the site where no ground contamination data is available.

7.43 The potential of ground contamination presents a risk to both human health and groundwater and the ES includes a conceptual site model to identify those risks during the construction and operational phases. A range of mitigation measures are proposed to manage these risks and, with the mitigation measures in place, the residual risks from ground contamination are assessed as either negligible or minor.

7.44 The consultation response received from the Council's EHO refers to the content of the submitted 'Land Quality Phase 1 Preliminary Risk Assessment'. The recommendations within this assessment refer to the need for further intrusive investigation in order to corroborate existing data, investigate areas of the site not previously assessed and provide further clarification. The EHO agrees with these recommendations and a planning condition can be used to secure future ground investigation, sampling, risk assessment and remediation as necessary.

7.45 VII. OTHER ENVIRONMENTAL CONSIDERATIONS

Due to the nature of the application site the issues of landscape and visual impact and impact on ecology have been scoped-out of the ES, the likely impacts upon these receptors not being "significant". However, under the heading of 'Other Environmental Considerations' these matters are addressed in the ES and in a separate 'Ecology Report'.

7.46 Regarding landscape character, the application site is located in the wider 'West Thurrock and Purfleet Urban Area' as defined by the Thurrock Landscape Capacity Study (2005). The key characteristics of this area noted within the Study include "a range of large commercial buildings and warehouses dominate the area. Closer to the River Thames, heavy industrial buildings associated with the Purfleet Thames Terminal (e.g. Esso) combine with the strong influence of associated utilities infrastructure". Although the proposed roadbridge is, in its own right, a substantial feature, it will be seen from outside the site in the context of a working port terminal. Within this landscape context there are no objections to the development. The proposals include new soft landscaping where the new access road meets the proposed new gate complex (16/01574/FUL) which can be subject to a standard planning condition.

7.47 With regard to ecological interests, the vast majority of the application site comprises existing areas of hardurfaced car parking and trailer storage within the Terminal site which is of negligible ecological value. A small part of the site includes the north-western corner of Purfleet Farm which has a habitat of neutral grassland, scrub vegetation and features of open mosaic habitat. The Landscape & Ecology advisor confirms that the development would not have any significant adverse ecological impacts. The submitted soft landscaping plans show a mix of new tree, shrub and grass plants to mitigate for the loss of the small area of habitat at Purfleet Farm

7.48 VIII. CUMULATIVE IMPACT

Schedule 4, Part 1(4) of the Environmental Impact Assessment Regulations (2011) requires an ES to include:

"a description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development ..."

7.49 The Regulations do not provide a definition of what cumulative effects means. However, the European Commissions' "Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions" (May 1999) refers to a definition of "cumulative impacts" as:

"Impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project"

7.50 The ES submitted for this application includes a cumulative assessment which considers major development and infrastructure projects within a 1km radius of the

site and “which have a reasonable prospect of coming forward before or at the same time” as the current proposals. Based on these criteria the ES considers those EIA developments with planning permission which are either under construction or have not yet commenced and those EIA developments where an application has been submitted and there is a resolution to grant planning permission.

7.51 The ES therefore considers the following list of projects:

Ref.	Site	Proposal	Status
11/50431/TTGETL	Purfleet Farm	Class B2 / B8 development	Permission granted – not implemented
11/50401/TTGOUT	Purfleet Centre	Mixed use redevelopment – residential, Use Classes A1 / A2 / A3 / A4 / A5 / B1 / B2 / B8 / D1 / D2, relocation of railway station etc.	Permission granted – not implemented
12/00337/OUT	Former Seaborne containers, Oliver Road	Class B1(c) / B2 / B8	Permission granted – development implemented
13/01231/FUL	Land east of Euclid Way, south of West Thurrock Way	Class A1 / A3 / A5 / D1 / D2 / C3 development	Permission granted – not implemented
14/01387/FUL	Part of former Exxon site	Vehicle storage	Permission granted – not implemented
14/01392/FUL	Purfleet Farm	Vehicle storage	Permission granted – not implemented
15/00268/FUL	Part of former Paper Mills site	Vehicle storage	Permission granted – not implemented
16/01574/FUL	Part of North Park and Purfleet Farm	Roundabout, access road and gate complex	Under consideration

7.52 The potential for cumulative impacts of the current proposal in combination with the projects listed above is presented in a topic by topic basis within the ES. Cumulative impacts for traffic and transport, air quality, noise and vibration, water

resources and ground conditions are assessed as either not perceptible, not significant or minor.

- 7.53 At the time when the current application was submitted, the associated application elsewhere within the Terminal site (16/01698/FUL) had not been submitted and the ES does not refer to this project in the cumulative assessment. However, as this project is now known and reported elsewhere in this agenda consideration should be given to the potential cumulative impact of the projects in the table above as well as 16/01698/FUL.

8.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 8.1 In coming to its view on the proposed development the Council has taken into account the content of the ES submitted with the application as well as representations that have been submitted by third parties. The ES considers the potential impacts of the proposal and on occasions sets out mitigation measures. Subject to appropriate mitigation, which can be secured through planning conditions, the ES concludes that any impact arising from the construction and operation of the development would be within acceptable limits. Having taken into account representations received from others, Officers consider that the proposed development is acceptable, subject to with a number of planning conditions that are imposed upon the permission. Therefore, it is recommended that planning permission is granted subject to the recommendation set out below.
- 8.2 The proposals for a new road bridge offers operational benefits for the Terminal and adjoining commercial uses to the east in providing a route to the public road network which avoids the use of existing private level crossings. In association with the revised access arrangements for the Terminal, detailed within application ref. 16/01574/FUL, the current proposals would deliver local air quality and noise improvements. There are no objections to the proposals with regard to impact on the highway network, flood risk, ground conditions or other environmental receptors. It is considered that the proposals would increase the operational efficiency of the Port, which is a long-standing and important employer in Purfleet. Both national and local planning policies support, in principle, economic growth and these proposals underpin the economic role of sustainable development.

9.0 RECOMMENDATION

Grant planning permission subject to the following conditions:

Definitions

1. Within the following conditions the definitions listed below apply -

Site Preparation Works:	<p>includes the following works required to prepare the site for development :</p> <ul style="list-style-type: none"> - site clearance works; - demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing-up foundations; - removal of existing and surplus rubble; - removal of services including service trenches; - archaeological and ground investigations; - remedial work; - carrying out CAT scans to confirm all existing services are clear; - the erection of a hoarding line; - providing piling matting; - providing clear health and safety information; - piling works.
Advanced Infrastructure Works:	<p>includes the following enabling infrastructure:</p> <ul style="list-style-type: none"> - installing drainage infrastructure; - installing services and utilities; - construction of foundations and ground floor/level slab; - ground levelling works.
Highways Works	<p>surface works required to amend existing, or form new vehicle access</p>
Construction	<p>superstructure works above the ground level/slab required to erect a building or structure</p>
Landscape Works	<p>surface landscaping works required to implement internal routes, storage areas and green infrastructure</p>
First Operation	<p>refers to the first commencement of the use of the development</p>

Time Limit

2. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Ref.	Title
C116039-TG-00-XX-DR-C-8150 Rev. P5	Proposed Bridge Works Key Plan and Proposed Layout Plan
C116039-TG-00-XX-DR-C-8151 Rev. P4	Proposed Bridge Works Layout Plan Sheet 1 of 6
C116039-TG-00-XX-DR-C-8152 Rev. P4	Proposed Bridge Works Layout Plan Sheet 2 of 6
C116039-TG-00-XX-DR-C-8153 Rev. P3	Proposed Bridge Works Layout Plan Sheet 3 of 6
C116039-TG-00-XX-DR-C-8154 Rev. P3	Proposed Bridge Works Layout Plan Sheet 4 of 6
C116039-TG-00-XX-DR-C-8155 Rev. P4	Proposed Bridge Works Layout Plan Sheet 5 of 6
C116039-TG-00-XX-DR-C-8156 Rev. P4	Proposed Bridge Works Layout Plan Sheet 5 of 6
C116039-TG-00-XX-DR-C-8157 Rev. P4	Proposed Bridge Works Typical Cross Sections Sheet 1 of 5
C116039-TG-00-XX-DR-C-8158 Rev. P4	Proposed Bridge Works Sections and Elevations Sheet 2 of 5
C116039-TG-00-XX-DR-C-8159 Rev. P4	Proposed Bridge Works Typical Cross Sections Sheet 3 of 5
C116039-TG-00-XX-DR-C-8160 Rev. P3	Proposed Bridge Works Typical Cross Sections Sheet 4 of 5
C116039-TG-00-XX-DR-C-8161 Rev. P3	Proposed Bridge Works Typical Cross Sections Sheet 5 of 5
5394_SK019	Lighting Strategy – Bridge
5394_SK021	Landscape Treatment – Bridge 1
5354_SK022	Landscape Treatment – Bridge 2
5354_SK023	Landscape Treatment – Bridge 3

Reason: For the avoidance of doubt and in the interest of proper planning.

Phasing

4. The development hereby permitted shall be carried out in accordance with the phasing set out in the Environmental Statement (paragraph 2.19.2) i.e. all HGV traffic associated with the operation of the Purfleet Terminal shall enter the site via the security gate complex (with the exception of vehicle movements entering and exiting the former Paper Mills site) following the construction of the new roundabout (covered by planning application ref. 16/01574/FUL), unless otherwise agreed in writing with the local planning authority.

Reason: In order to comply with the terms of the submitted application and the associated assessments.

CEMP

5. Prior to the commencement of any works, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the local planning authority. The details shall include:
 - I. construction vehicle routing;
 - II. construction access;
 - III. areas for the loading and unloading of plant and materials during construction;
 - IV. wheel washing facilities;
 - V. Flood Warning and Evacuation Plan for the construction stage;
 - VI. measures to be in place for control and minimisation of fugitive dust during construction;
 - VII. water management during construction, including waste water and surface water discharge;
 - VIII. method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals, during construction; and
 - IX. construction Stage Waste Management Plan.

The development shall thereafter be implemented in accordance with the approved measures detailed within the CEMP.

REASON: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Ecological Mitigation & Management Plan

6. Prior to the commencement of any development, an Ecological Mitigation and Management Plan (EMMP) shall be submitted to, and approved in writing by, the local planning authority. The details within the submitted EMMP shall include:
 - I. details of mitigation measures for the south facing embankments of the new access road in accordance with plan 5394_SK021 (early successional vegetation/flower-rich open grassland, native and shrub planting);
 - II. details of habitat management to encourage reptiles to move away from the working area (applies to the 0.16ha to the west of Purfleet Farm);
 - III. long term management/maintenance.

The development shall thereafter be implemented in accordance with the agreed measures detailed within the EMMP.

Reason: To ensure that the effects of the development upon the natural environmental are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Landscape Protection

7. All vegetation to be retained on the site shall be protected by chestnut paling fencing for the duration of the construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any construction works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing and no changes in ground level may be made or underground services installed within the spread of any tree or shrub (including hedges) without the previous written consent of the local planning authority.

Reason: To ensure that all existing vegetation to be retained is properly protected in the interests of visual amenity and to accord with Policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Nesting Birds

8. Demolition and clearance of vegetation or other potential bird nesting sites shall not be undertaken within the bird breeding season (1st March to 31st July)

except where a suitably qualified ecological consultant has confirmed in writing to the local planning authority that such clearance works would not affect any nesting birds. In the event that an active bird nest is discovered outside of this period and once works have commenced, then a suitable stand-off period and associated exclusion zone shall be implemented until the young have fledged the nest.

Reason: To ensure effects of the development upon the natural environment are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Working Hours

9. No Construction works shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours

Saturdays 0800 – 1300 hours

unless in association with an emergency or the prior written approval of the local planning authority has been obtained. If impact piling is required, these operations shall only take place between the hours of 0900 - 1700 hours on weekdays.

Reason: In the interests of protecting surrounding residential amenity in accordance with Policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Contamination

10. Prior to Site Preparation Works, a Preliminary Contamination Risk Assessment and Scheme of Investigation shall be submitted and approved in writing by the local planning authority. The details shall include:
 - a. a Preliminary Risk Assessment that has identified all previous uses; potential contaminants associated with those uses; and a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risk arising from contamination at the site.
 - b. a Scheme of Investigation based on the Preliminary Risk Assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

11. Prior to Advanced Infrastructure Works, the Contamination Risk Assessment and Site Investigation shall be conducted in accordance with the approved Scheme of Investigation and Preliminary Risk Assessment, and the Remediation Scheme shall be submitted and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

12. Prior to first operation of the development, the Contamination Remediation Scheme shall be implemented as approved and a Verification Report shall be submitted and approved in writing by the local planning authority. The submitted details shall include:
 - a. results of sampling and monitoring; and
 - b. a long term monitoring and maintenance plan with arrangements for contingency action.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Unforeseen Contamination

13. If during development, contamination not previously identified is found to be

present at the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Site Levels

14. Prior to Advanced Infrastructure Works, details of finished site levels and the associated levelling and infilling works required shall be submitted to, and approved in writing by, the local planning authority. The development shall accord with the agreed details.

Reason: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site in accordance with policies PMD1 and PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Foundation Design

15. Prior to Advanced Infrastructure Works, details of foundation design and other works below existing ground level shall be submitted to, and approved in writing by, the local planning authority. The development shall accord with the agreed details.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Infrastructure Assets

16. Prior to Advanced Infrastructure Works, details of measures to identify and protect HS1 or UK Power Networks buried services shall be submitted to, and approved in writing by, the local planning authority. Thereafter the approved measures shall be implemented.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

17. Prior to Advanced Infrastructure Works, the following details shall be submitted to, and approved in writing by, the local planning authority in order to protect HS1 assets:
- I. the size, depth and proximity to HS1 of any excavations on site;
 - II. the size, loading and proximity to HS1 of any additional ground loads such as stockpiles;
 - III. construction plant and equipment which are likely to give rise to vibration, together with predicted vibration levels.

Thereafter the approved details shall be implemented.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Surface Water Drainage

18. Prior to Advanced Infrastructure Works, details of the surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall include:
- I. assessment of suitability for infiltration based on soil types and geology;
 - II. detailed drainage plan;
 - III. detailed SuDS Design Statement;
 - IV. confirmation of land ownership of all land required for drainage and relevant permissions;
 - V. SuDS Management Plan; and
 - VI. plan showing the allocation of volume storage and discharge rate given to the plot as part of a wider SuDS strategy.

The development shall accord with the agreed details.

Reason: To ensure that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Archaeology

19. Prior to Site Preparation Works, a Written Scheme of Archaeological Investigation shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

20. Prior to Advanced Infrastructure Works, an Archaeological Mitigation Strategy shall be submitted to, and approved in writing by, the local planning authority. All works shall be carried out in accordance with the approved Mitigation Strategy.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

21. Within six months of the completion of field work, as set out in the approved Archaeological Mitigation Strategy, a Post-Excavation Assessment and Full Site Archive shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Landscaping

22. Prior to Landscaping Works, details of the landscaping scheme and a long term management plan shall be submitted to, and approved in writing by, the local planning authority. The details shall include:

- I. details of the design, colour and materials of all boundary treatments, including the 1.8m trespass proof fence along the development side of the existing boundary fence;
- II. details of the design, colour and materials of surface treatments, including the low noise road surface, in accordance with plans 5354_SK021, 5354_SK022 and 5354_SK023;
- III. details of the species, mix, planting centres etc. of the proposed tree,

shrub and grass planting.

All planting, seeding, turfing etc. comprised in the approved scheme shall be completed in the first planting and seeding season following completion of the development (or such other period as may be agreed in writing by the local planning authority) and any trees, shrubs or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Errant Vehicle Protection

23. Prior to the first operation of the development, details of permanent errant vehicle protection measures to protect the viaduct piers of HS1 shall be submitted to, and approved by, the local planning authority. The approved measures shall be implemented prior to the first operation of the development and retained thereafter.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Flood Warning & Evacuation Plan

24. Prior to the first operation of the development, a Flood Warning and Evacuation Plan (FWEP) shall be submitted to, and approved in writing by, the local planning authority. The approved FWEP shall be operational upon first use of the development and shall include details of internal refuge facilities, signage and an on-site warning system.

Reason: In order to ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

HS1 Viaduct

25. No storage of combustible gases or hazardous materials shall occur on-site within 200m of the High Speed 1 structure, unless agreed in writing by the local planning authority.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

External Lighting

26. Unless otherwise agreed in writing by the local planning authority, the proposed external lighting shall be installed and maintained in accordance with the details shown on drawing number 5394_SK019 and paragraph 4.10 of the 'Purfleet Thames Terminal: Internal Access Roads, Bridge and Railways Works Design and Access Statement (November 2016)'.

Reason: In order to minimise impact on the amenity of adjoining occupiers in accordance with policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

ES Mitigation

27. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement submitted with the planning application, unless otherwise provided for in any of the conditions or subject to any alternative mitigation measures as may be approved in writing with the local planning authority, provided that such measures do not lead to there being any significant environmental effects other than those assessed in the Environmental Statement.

Reason: To ensure that the development is carried out in accordance with the principles of mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development and ensure compliance with a range of development plan policies set out within the planning committee report.

INFORMATIVE:

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

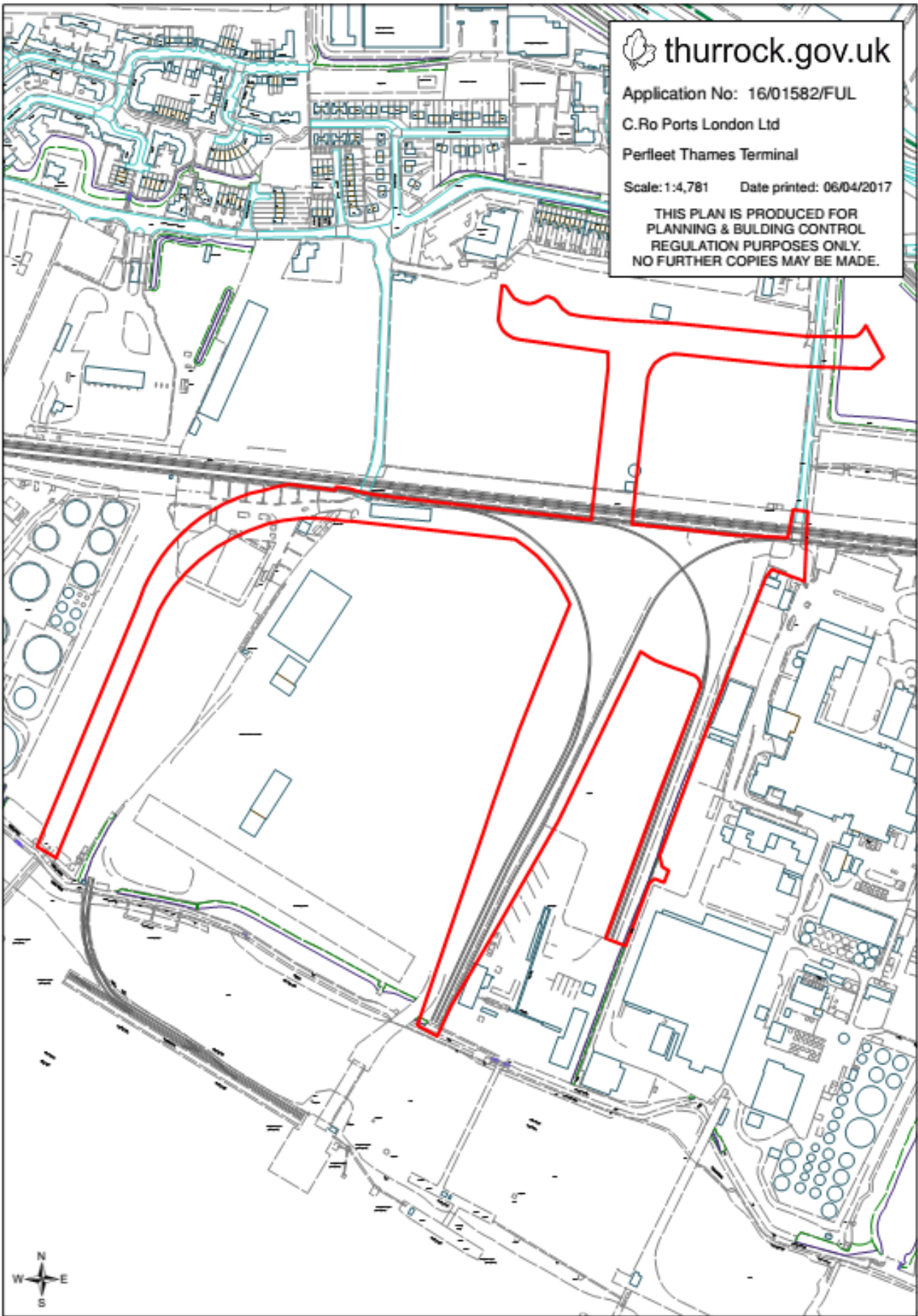
The local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material

considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



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Reference: 16/01698/FUL	Site: C.Ro Ports London Ltd Purfleet Thames Terminal London Road Purfleet RM19 1SD
Ward: West Thurrock and South Stifford	Proposal: Full planning permission for the demolition of existing buildings and structures and the erection of new buildings, structures, port infrastructure (including road, railways, tracks, gantries and surfacing) landscaping, drainage, and other ancillary works in association with continued use of the port for the storage and transfer of trailers, containers and cars, including the erection of a car storage building on the former Paper Mills land, a workshop in South Park, and a new areas of open storage and transfer trailers, containers and cars on land at Purfleet Farm and south of the railway line. Outline planning permission for the expansion of the existing Pre-Delivery Inspection Building.

Plan Number(s):		
<u>Reference</u>	<u>Name</u>	<u>Received</u>
C116039-TG-00-XX-DR-C-9000 Rev. P2	Site Wide Works Site Location Plan	15.12.16
C116039-TG-00-XX-DR-C-9010 Rev. P4	Site Wide Works Proposed Demolition Plan	15.12.16
C116039-TG-00-XX-DR-C-9011 Rev. P3	Site Wide Works Proposed Phasing Plan	15.12.16
C116039-TG-00-XX-DR-C-9100 Rev. P2	Site Wide Works Existing Layout Plan	15.12.16
C116039-TG-00-XX-DR-C-9101 Rev. P2	Site Wide Works Existing Layout Plan Sheet 1 of 5	15.12.16
C116039-TG-00-XX-DR-C-9102 Rev. P2	Site Wide Works Existing Layout Plan Sheet 2 of 5	15.12.16
C116039-TG-00-XX-DR-C-9103 Rev. P2	Site Wide Works Existing Layout Plan Sheet 3 of 5	15.12.16
C116039-TG-00-XX-DR-C-9104 Rev. P2	Site Wide Works Existing Layout Plan Sheet 4 of 5	15.12.16
C116039-TG-00-XX-DR-C-9105 Rev. P2	Site Wide Works Existing Layout Plan Sheet 4 of 5	15.12.16
C116039-TG-00-XX-DR-C-9110 Rev. P2	Site Wide Works Existing Paper Mill Site Sections Sheet 1	15.12.16
C116039-TG-00-XX-DR-C-	Site Wide Works Existing Paper Mill Site	15.12.16

9111 Rev. P1	Sections Sheet 2	
C116039-TG-00-XX-DR-C-9120 Rev. P2	Site Wide Works Existing Canteen Sections Sheet 1	15.12.16
C116039-TG-00-XX-DR-C-9130 Rev. P2	Site Wide Works Existing Sections Sheet 1	15.12.16
C116039-TG-00-XX-DR-C-9131 Rev. P2	Site Wide Works Existing Sections Sheet 2	15.12.16
C116039-TG-00-XX-DR-C-9132 Rev. P2	Site Wide Works Existing Sections Sheet 3	15.12.16
C116039-TG-00-XX-DR-C-9133 Rev. P2	Site Wide Works Existing Sections Sheet 4	15.12.16
C116039-TG-00-XX-DR-C-9200 Rev. P10	Site Wide Works Proposed Layout Plan	15.12.16
C116039-TG-00-XX-DR-C-9201 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 1 of 5	15.12.15
C116039-TG-00-XX-DR-C-9202 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 2 of 5	15.12.16
C116039-TG-00-XX-DR-C-9203 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 3 of 5	15.12.16
C116039-TG-00-XX-DR-C-9204 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 4 of 5	15.12.16
C116039-TG-00-XX-DR-C-9205 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 5 of 5	15.12.16
C116039-TG-00-XX-DR-C-9220 Rev. P3	Site Wide Works Proposed Canteen Sections Sheet 1	15.12.16
C116039-TG-00-XX-DR-C-9230 Rev. P3	Site Wide Works Proposed Sections Sheet 1	15.12.16
C116039-TG-00-XX-DR-C-9231 Rev. P3	Site Wide Works Proposed Sections Sheet 2	15.12.16
C116039-TG-00-XX-DR-C-9232 Rev. P3	Site Wide Works Proposed Sections Sheet 3	15.12.16
C116039-TG-00-XX-DR-C-9233 Rev. P3	Site Wide Works Proposed Sections Sheet 4	15.12.16
C116039-TG-00-XX-DR-C-9234 Rev. P2	Site Wide Works Proposed Sections Sheet 5	15.12.16
C116039-TG-00-XX-DR-C-9235 Rev. P2	Site Wide Works Proposed Sections Sheet 6	15.12.16
C116039-TG-00-XX-DR-C-0560 Rev. P4	Existing Drainage Strategy	15.12.16
C116039-TG-00-XX-DR-C-0565 Rev. P5	Proposed Site Wide Works Drainage Strategy	15.12.16
L004776-104 Rev. A	North and West Elevations Sample	15.12.16

	Finishes	
L004776-201 Rev. A	South Elevation	15.12.16
L004776-202 Rev. A	North Elevation	15.12.16
L004776-203 Rev. A	East Elevation	15.12.16
L004776-204 Rev. A	West Elevation	15.12.16
L004776-206 Rev. A	Cross Section A-A	15.12.16
L004776-207 Rev. A	Cross Section B-B	15.12.16
L004776-208 Rev. A	Cross Section C-C	15.12.16
L004776-209 Rev. A	Cross Section D-D	15.12.16
L004776-210 Rev. A	Ground Level & Level 01 Car Deck Layouts	15.12.16
L004776-211 Rev. A	Level 02 & Level 03 Car Deck Layouts	15.12.16
L004776-212 Rev. A	Level 04 & Level 05 Car Deck Layouts	15.12.16
L004776-213 Rev. A	Level 06 Car Deck Layout & Roof Plan	15.12.16
L004776-220 Rev. A	Proposed Gatehouse	15.12.16
L004776-221 Rev. A	Proposed Pumphouse	15.12.16
L004776-222 Rev. A	Typical Boundary Details	15.12.16
L004778-501 Rev. A	Proposed Ground & First Floor Plans	15.12.16
L004778-502 Rev. A	Proposed Second Floor & Roof Plans	15.12.16
L004778-503 Rev. A	Proposed Elevations & Sections	15.12.16
5369_100	Enhancements to London Road	15.12.16
5394_101	Former Paper Mills Land Planting Plan (1 of 2)	15.12.16
5394_102	Former Paper Mills Land Planting Plan (2 of 2)	15.12.16

The application is also accompanied by:

- Arboricultural Impact assessment & Tree Protection Plan;
- Cultural Heritage Impact Assessment;
- Design and Access Statement;
- Environmental Statement with technical appendices with the following chapter headings
 - Introduction
 - EIA Methodology
 - Project description
 - Landscape and visual impact
 - Terrestrial ecology and nature conservation
 - Ornithology
 - Traffic and transport
 - Air quality

<ul style="list-style-type: none"> - Noise and vibration - Water resources - Ground resources - Other environmental considerations - Cumulative assessment - Summary of mitigation measures <ul style="list-style-type: none"> • Environmental Impact Assessment Non-Technical Statement; • Planning Statement; • Site Waste Management Plan; • Statement of Community Involvement; • Transport Assessment; • Travel Plan; • Waste Assessment Report; • Waste Hierarchy Report 	
Applicant: Joost Rubens Purfleet Real Estate Ltd	Validated: 16 December 2016 Date of expiry: 30 April 2017 (Extension of time requested)
Recommendation: Grant planning permission subject to conditions	

1.0 BACKGROUND

1.1 By way of background information, this application is one of four planning applications submitted for consideration in November and December 2016. These applications are:

- 16/01574/FUL Demolition of existing structures and construction of new roundabout and highway works at Stonehouse Corner/London Road, new secure site entrance and exit facilities, along with landscaping, drainage and associated works
- 16/01582/FUL Demolition of existing structures and construction of new internal access roads, structures (including bridge over railway) and railways, along with landscaping, drainage and associated works
- 16/01601/FUL Demolition of the existing downstream jetty and demolition of the out-of-service part of the existing upstream jetty. Construction of a new replacement downstream jetty.

- 1.2 Application reference 16/01601/FUL proposes works to existing jetties on the site's river frontage and, as the associated application site only involves land on the seaward side of the tidal defences, this submission can be treated as to a degree separate from the other three applications (involving the landward side of the tidal defence). Consequently application ref. 16/01601/FUL will be determined under delegated powers. The remaining three submissions (16/01574/FUL / 16/01582/FUL / 16/01698/FUL) are related and the red-line application site boundaries in part overlap. Despite this overlap, there are contractual reasons why the applicant has made three separate submissions. These related applications are for development requiring assessment under the Environmental Impact Assessment (EIA) Regulations and Environmental Statement accompany the submissions.
- 1.3 The applications involve land within and adjacent to the Purfleet Thames Terminal (PTT) which is owned by Purfleet Real Estate and operated by C.RO Ports London Ltd. The existing PTT site extends to approximately 42 Ha in area and handles approximately 400,000 trailers and containers and the import / export of some 200,000 vehicles annually. The terminal is served by a roll-on roll-off (RO-RO) jetty which can accommodate two vessels. The terminal is served by sailings to and from Rotterdam and Zeebrugge.
- 1.4 C.RO Ports also operate from a terminal at Dartford downstream of the QEII Bridge. However, the applicant suggests that in the future the PTT site will be the main focus of future operations on the River Thames.
- 1.5 Historic Ordnance Survey mapping suggests that the PTT site was originally developed after the First World War as the 'Purfleet Wharf & Saw Mill' south of the railway line. This site was served by a pier on the Thames and a number of railway sidings within the site. After the Second World War the site was known as 'Purfleet Deep Wharf', with land at 'North Park' south of Jarrah Cottages used as an oil storage depot. By the 1970's further jetties had been developed on the river frontage and land immediately south of Jarrah Cottages was used as a transport depot. The oil storage use on North Park ceased during the 1980's, with the entire PTT site operated by C.RO Ports since 1992.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 In summary, the proposals are described by the applicant as comprising development:

“to improve the operational efficiency, safety and sustainability of the existing port as an important business and essential transport infrastructure. The proposal is to reorganise, refurbish and make more flexible the land-side storage and transfer

areas, as well as expanding the capacity for the storage and transfer of goods in the available land areas and infrastructure”.

Within the submitted ES the overarching objective is to achieve an expansion in port capacity through:

1. improving internal circulation routes;
2. reducing the reliance on level crossings; and
3. making more efficient use of land to increase capacity and upgrade facilities in line with market requirements and to address operational inefficiencies such as relying on the C.RO Dartford facility.

The key elements of the proposals are summarised in the table below:

Site area	58 Ha
Existing floorspace (gross internal)	4,614 sq.m.
Existing floorspace (gross internal) lost through demolition or change of use	1,500 sq.m.
Proposed gross internal floorspace (excluding decked car storage building)	8,085 sq.m.
Net additional gross internal floorspace	6,535 sq.m.
Existing employees (FTE)	337
Proposed employees (FTE)	602
Existing vehicle storage capacity	North Park – 2,805
	West Park – 1,234
	C.RO Dartford – 7,500
Existing freight storage capacity	Trailers (South Park) – 616
	Containers (South Park) – 613
Proposed change in storage capacity (compared with extant planning permissions)	Vehicles +5,958
	Trailers + 65
	Containers - 25

2.2 A summary of the key aspects of the Proposed Development are as follows:

- demolition of existing buildings and structures;
- a new six storey (plus ground) car storage building;
- refurbished areas of hardstanding for the flexible storage and transfer of trailers, containers and cars, and staff parking;
- new areas of hardstanding for the flexible storage and transfer of trailers, containers and cars, and staff parking;
- expansion of the existing Pre-Delivery Inspection building;
- a new canteen/workshop building;

- port infrastructure (such as tracks, gantries and substations); and
- associated landscaping, drainage and access works.

2.3 Demolition of existing buildings and structures:

The proposals involve the demolition of a number of existing buildings and structures across the site as follows:

North Park – demolition of ancillary office, gatehouse and kiosk buildings and a water tank structure;

South Park – demolition of security gate shed, maintenance and kiosk buildings, a weighbridge and fencing on the western boundary;

Unilever land – demolition of railhead, associated shed and tank silos.

2.4 Car storage building:

A new car storage building is proposed on the former Thames Board Mills site. This structure would contain seven levels for the storage of vehicles (ground floor plus six upper levels) with a maximum height of 23.65m to roof level. This building would provide storage capacity for 8,800 cars, with a built floorspace of approximately 163,000sq.m. The entry and exit to the building for car would be located on the northern side of the structure and there would be a one-way road system for car transporters around the building's perimeter. A soft landscaped buffer is proposed along the northern and western side boundaries. The upper floors of the structure would be clad with an architectural mesh. A brown roof is proposed for the building. This building would be accessed from London Road via an existing estate road across a level crossing which also provides access to the International Timber site. A small ancillary gatehouse would be located south of the railway line with a drainage pumping station located adjacent to the river frontage.

2.5 Refurbished areas of hardstanding for the flexible storage and transfer of trailers, containers and cars, and staff parking:

Proposed layout plans indicate that the existing North Park, West Park and South Park areas would be retained for generic use as areas for the storage and transfer of containers, trailers and cars, as well as for staff and visitor parking. The submitted ES and transport Assessment note that the Terminal will continue to facilitate the loading and unloading of freight (containers, trailers and vehicles) from roll on-roll off ships. However, it is noted that the amount of freight delivered to the Terminal is expected to increase as a result of the planned introduction of larger vessels and an associate increase in landside facilities to handle this increased freight is required. The TA notes that the proposed arrangement of land uses would still prioritise that land closest to the jetties, gantry and rail infrastructure for the handling and transit of large items (containers and trailers) as this minimises the number of movement required once disembarked from vessels. The site layout plans seek flexibility in the storage and transfer of car, trailers and containers

across the North, South and West Park sites. However, for operational reasons the heavier and less mobile items (containers and trailers) are more likely to be stored on the southern part of the South Park site, close to the jetty and gantry cranes. With regard to container storage, detailed layout drawings show that an existing container gantry crane located on the south-western part of the South Park close to the river frontage would be retained, with a new gantry crane system added to the north. Storage of containers for both existing and proposed cranes would be three containers high.

2.6 New areas of hardstanding for the flexible storage and transfer of trailers, containers and cars, and staff parking:

The proposals include a new hard surfaced area for the storage and transfer of containers, trailers and vehicles located on the Unilever land. This area would extend to approximately 4.2Ha of land, with the remainder of land within this site (on the eastern, western and southern boundaries) retained as 'habitat creation'. This part of the site would be accessed a new section of road parallel to the southern side of the railway line which was approved via planning permission 16/00644/FUL. That part of the existing and currently undeveloped Purfleet Farm site south of the HS1 viaduct is also shown as an area for new storage and handling.

2.7 Expansion of the existing Pre-Delivery Inspection (PDI) building:

The existing PDI building is located adjacent to the western boundary of West Park. Outline permission, with all matters reserved is sought for the expansion of the existing building by up to 3,000 sq.m. additional floorspace. The submitted layout plans show a zone for extension to the east of the existing structure. Permission is also sought for a maximum building height of 8m.

2.8 New canteen/workshop building:

The proposals include a new canteen and workshop building to be located with South Park, adjacent to the site's eastern boundary. This building would comprise a vehicle workshop at ground floor level, with ancillary office, welfare, customs and storage floorspace at both ground and part-first floor levels. A staff canteen, offices changing rooms and other ancillary accommodation are proposed at second floor level. The building would occupy a footprint of approximately 3,150 sq.m. and would be a maximum of 11.7m high. The structure would be flat-roofed and externally clad with grey and blue coloured cladding.

2.9 Port infrastructure (such as tracks, gantries and substations):

The ES notes that the transit, handling and storage of trailers and containers will be at grade (i.e. at surface level) within the North, South and West parks with the exception of a new container stack within South Park. This container stack would be located immediately north of the existing container stack and serviced by Rail

Mounted Gantry (RMG). The container stack would be able to accommodate a stack of up to three containers. Rubber Tyred Gantry cranes would straddle 11 lanes of containers. The gantry cranes would not exceed 22m in height above finished floor level. The existing container stack and Rubber Tyred Gantry Cranes (20m in height) would continue to remain in operation for loading and unloading trailers. Existing Terminal equipment is capable of transporting two containers stacked on top of each other. Other proposed infrastructure would include perimeter security fencing and a side-wide lighting strategy.

2.10 Associated landscaping, drainage and access works

Ecological and landscape mitigation proposals comprise:

- a large brown roof on the decked car storage building;
- soft landscaping along the northern and western boundaries of the former Thames Board Mills site;
- habitat creation / retention adjacent to the river frontage to South Park;
- retained habitat on the southern boundary of the Purfleet Farm site;
- retained habitat on the eastern, western and southern boundaries of the Unilever land; and
- landscape enhancements to the London Road boundary of the site.

2.11 The applicant has provided an indicative construction phasing programme as follows:

Area of Site	Start	Finish
Unilever land	June 2017	October 2017
Workshop / Canteen building	October 2017	July 2018
Former Thames Board Mills site	July 2018	February 2019
South Park	February 2019	August 2020
North Park	August 2020	April 2021
Purfleet Farm	April 2021	January 2022

3.0 SITE DESCRIPTION

The site comprises an irregularly shaped parcel of land extending to 58 hectares in area and comprising the PTT site and land adjacent. The site includes existing operational land within the Terminal comprising ‘North Park’, ‘South Park’ and ‘West Park’, as well as land at Purfleet Farm, the ‘Unilever’ land and land at the former Thames Board Mills site. These elements are described in more detail below.

3.1 North Park:

This is an area of the PTT site north of the Purfleet – Grays railway line and south of London Road which is used principally for the storage of new vehicles imported and exported via the terminal. The entire North Park area extends to approximately 8.5 Ha in area. The site is entirely hardsurfaced with lanes and bays marked-out for the storage of vehicles. The North Park site is floodlit and its boundaries are defined by secure fencing. Aside from the floodlighting columns and fencing, the site is open apart from a small number of buildings and structures. Access for vehicles into North Park is via the main terminal access road to the west, which links to London Road (to the north). An egress point for vehicle transporters is located on the eastern boundary of the site onto Jurgen's Road. A strip of soft landscaping separates the North Park from the railway line to the south. As noted above the main port access road adjoins the site to the west, with Jurgen's Road to the east. To the north-west of the site is Long Reach House, the office building for the terminal and its associated car parking. To the north of the site are residential properties at Jarrah Cottages (London Road). The rear gardens of these dwellings are separated from North Park by a rear access road serving the houses and a landscaped area. Due to falling ground levels to the south, the landscaped area is raised above levels at the North Park site by some 2.7m.

3.2 South Park:

The 'South Park' area of the terminal is located south of the railway line and in-between the Esso fuels terminal to the west and the Unilever, Pura Foods and Aggregate Industries sites to the east. The area is level, hardsurfaced and floodlight and currently principally used for the movement and storage of vehicles, trailers and containers associated with the Terminal.

3.3 West Park:

This area is located to the south of London Road and west of the Terminal access road. A pre-delivery and inspection (PDI) building occupies the western part of this area and is used for the preparation and inspection of vehicles prior to leaving the terminal. The remainder of the West Park site is hardsurfaced, floodlit and used for the storage of vehicles. West Park is accessed from a single point of access on the eastern boundary with the access road. This area is bordered to the south by the railway line and to the west by the Esso fuels terminal. The West Park area wraps around the side and rear boundaries of 'The Fleet' public house, which fronts onto London Road. The West Park area extends to some 3.3Ha in area.

3.4 Purfleet Farm:

Purfleet Farm is generally located south of London Road and east of Jurgen's Road. This area has historically comprised open land but was recently used for

purposes associated with the construction of the High Speed 1 railway line. This line passes through the site on a viaduct in a north-west to south-east alignment. Original ground levels were raised at Purfleet Farm as a result of these works and three raised platforms created above the height of low lying land to the south.

3.5 Unilever land:

This part of the site comprises a roughly triangular-shaped land parcel bordered by the railway line to the north, Stonehouse Sewer and the Unilever site to the west and the private access road serving Purfleet aggregates terminal to the east. The site is largely occupied by open rough grassland. Historic Ordnance Survey mapping suggests that this area formed part of the adjacent margarine works from approximately the 1940's and a railway siding crosses the site from north-east to south-west. This siding is partially covered by a long shed building and a series of storage silos are positioned at the end of the siding. However, the site is unused and largely overgrown with vegetation. This part of the site extends to approximately 5.5Ha in area.

3.6 Former Thames Board Mills site:

This is a roughly rectangular-shaped plot located north of the River Thames, west of the Purfleet fuel terminal site, east of the former Cory's Wharf site and largely south of the railway line. Historic mapping shows that this site formed part of the 'Thames Paper Mills' site from the late 19th century and was extensively occupied by industrial buildings. A river jetty adjacent to the site's frontage was constructed by the 1930's. However, by the mid-1990's all buildings on site had been cleared, although the river jetty, areas of hardstanding and the foundations of now removed tanks remain on-site. The site has been partly colonised by scrub vegetation since removal of the buildings. A small pump house structure remains in the south-west corner of the 'main' site. The 'main' part of the site, located south of the Fenchurch Street to Tilbury railway line, comprises some 3.8Ha of land with the remainder of this land parcel comprising a vehicular access across the railway line (via a private level crossing) and the existing estate road which links to London Road. This area is physically detached from the remainder of the application site.

4.0 **RELEVANT HISTORY**

4.1 The application site extends to some 58 hectares in area and includes the majority of the existing Terminal site, comprising the North Park, South Park and West Park area. The site also includes part of the former ExxonMobil lubricants site immediately to the west of the Terminal and part of the former Thames Board Mills site (south of the railway line) located on the western side of the Esso fuel terminal. To the east of the operational Terminal land the site includes a large part of the

Purfleet Farm site and land to the east of the Unilever site. The various components of the application site have a long planning history, with the relevant elements set out below

<u>Application Ref.</u>	<u>Description of Proposal</u>	<u>Decision</u>
North Park site		
54/00003/FUL	Use of land for the open storage of sugar	Approved
64/00815/FUL	Extension of storage and transport facilities on applicants adjacent land - Jarrah Cottages and land adjoining London Road	Refused
73/00038/FUL	Headquarter Offices, Dining Facilities & Computer Room. - Land to West of Jarrah Cottages	Approved
83/01229/OUT	Use of land for Industrial/Warehousing	Approved
86/01077/FUL	Covered rock storage, asphalt and concrete plants	-
87/00551/FUL	Trailer and Lorry Park	Approved
91/00205/FUL	New Warehouse Building	Approved
92/00054/FUL	Extension to offices	Approved
93/00213/FUL	Resurfacing, fencing and lighting of the site and use for the parking and storage of cars in transit with trailers parking and ancillary buildings, together with the construction of a continuous landscaped mound behind Jarrah Cottages	Approved
93/00643/FUL	Use of the site for parking and storage of cars for a limited period of 6 months	Approved
94/00747/FUL	Use of land for parking and storage of motor vehicles trailers and container parking resurfacing fencing security lighting erection of pre-delivery inspection building	Approved
95/00365/FUL	Use of private road for packing and storage of cars in transit and construction of replacement private road	Approved
96/00339/FUL	Demolition of buildings to enable storage and distribution of goods and motor vehicles	Withdrawn
96/00377/FUL	Demolition of buildings to allow storage and distribution of goods and vehicles (smaller site)	Approved
01/00832/FUL	Extension to car park	Approved
02/00336/FUL	Three storey rear extension and additional 3rd floor to existing offices and single storey side extension	Approved

16/00877/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed expansion of port facilities to increase capacity and improve operational efficiencies comprising (i) new primary site access in the form of a new roundabout at the London Road / Jurgen's Road junction (ii) secondary (optional) access onto London Road (iii) internal four lane bridge crossing the Purfleet - Grays railway line (iv) new internal access road network (v) realignment of internal railroad tracks (vi) demolition / removal and replacement of existing berths and construction of new berths (vii) surface multi-purpose storage and multi-storey car decks (viii) new container yard equipment and (ix) new workshop, hanger and employees' facilities	Advice Given
South Park site		
71/01201/FUL	Covered marshalling area for import and export cargo.	Approved
83/00901/FUL	Construction of 2 weighbridges with associated new site roads, office and lorry wash, repositioning of existing rail track and plant stores and the laying out of the site for aggregate storage and distribution	Approved
86/00887/FUL	New warehouses, dolphin and floating pontoon	Approved
89/00395/FUL	Construction of ship unloading facilities covered storage coated stone plant etc.	Approved
92/00265/FUL	Erection of 5 No. lighting towers and ancillary external lighting	Approved
96/00377/FUL	Demolition of buildings to allow storage and distribution of goods and vehicles (smaller site)	Approved
02/00146/FUL	Construction of additional car parking	Approved
West Park site		
94/00747/FUL	Use of land for parking and storage of motor vehicles trailers and container parking resurfacing fencing security lighting erection of pre-delivery inspection building	Approved
99/00570/FUL	Extension to vehicle enhancement centre building and paint booth	Approved

99/00984/FUL	Provision of a fourth single storey paint booth at VEC building	Approved
06/00566/FUL	Extension to existing workshop and offices	Approved
Former ExxonMobil site		
84/00956/FUL	Modernisation of existing lube oil blending/packaging & distribution facility	Approved
89/00405/FUL	Installation of 9 no additional lubricating oil storage tanks.	Approved
91/00614/FUL	Proposed replacement to tanks 8615 8616 8617 and relocation tanks 8641-42-43-44-& 45	Approved
94/00365/FUL	7 No. lubricants. storage tanks and impervious bund	Approved
95/00586/FUL	Extension to road loading stand and erection of two additional storage tanks	Approved
99/00891/HSC	Deemed consent for hazardous substances	Approved
04/00987/FUL	Installation of 2 no 6 metre high CCTV support columns and 2 no 7.5 meter high CCTV support columns to be situated around site perimeter	Approved
10/00232/HSC	Hazardous substances consent for storage of gas oils/diesel	Approved
11/00506/DMI	Existing operational building and tanks will be demolished. All pipe work, pumps etc. will be removed from site. When the site was decommissioned all process residues in tanks and pipe work were removed from site for reprocessing	Refused
11/50387/TTGDMI	Demolition of the Purfleet Lubricants Plant (buildings, tanks, pumps, drums and all associated pipework & steelwork)	Approved
14/00795/SCR	Environmental Impact Assessment Regulations Screening 2011 surface car storage at the former Esso site adjacent to the Purfleet Thames Terminal (Referred to as Site 2 - 5.7ha land at Esso)	EIA not required
14/01387/FUL	Use of part of the land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, drainage infrastructure on land at the former Exxon Mobil Lubricants site, London Road, Purfleet.	Approved
17/00208/CONDC	Application for the approval of details reserved by condition no. 7 (CEMP) of	Under consideration

	planning permission ref. 14/01387/FUL (Use of part of the land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, drainage infrastructure on land at the former Exxon Mobil Lubricants site, London Road, Purfleet.)	
Former Board Mills site		
48/00190/FUL	Alterations to boiler house	Approved
49/00665/FUL	Office addition above No. 4 Machine House.	Approved
50/00260/FUL	Rebuild war damaged jetty	Approved
60/00731/FUL	New boiler and chimney	Approved
96/00606/FUL	Erection of new machine house, warehouse and electricity sub-station	No decision
05/00001/OUT	Re-development for a mix of uses including residential (C3), community uses (including some or all of uses A1/A2/A3/D1/D2) and employment uses(B1/B2/B8) with public open space, enhanced riverside walkway, bridge over railway, landscaping, associated new highway and pedestrian/cycleway access into and within site and associated works	Approved
11/50401/TTGOUT	Demolition of existing buildings; site preparation; redevelopment of the application site for a mix of uses including; Residential (up to 3,000 units); Retail Floorspace - Use Class A1, Financial & Professional Services Floorspace - Use Class A2, Food & Drink Facilities - Use Classes A3, A4 & A5 (6,900sqm); Employment & Business Uses - Use Classes B1, B2 & B8 (31,000sqm); Hotel - Use Class C1 (3,300sqm); Community, School & Civic Facilities - Use Class D1 and Leisure Uses - Use Class D2 (6,500sqm); Car Parking Spaces; Relocation of Existing Station Ticket Hall; Public & Private Open Space and Landscaping, Highways, Access, Engineering and Associated Works	Approved
15/00268/FUL	Use of land for vehicular storage, formation of hardstanding and associated	Approved

	infrastructure works including erection of lighting and CCTV columns, erection of fencing, and drainage infrastructure on land at the former Paper Mills site, London Road, Purfleet.	
16/00877/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed expansion of port facilities to increase capacity and improve operational efficiencies comprising (i) new primary site access in the form of a new roundabout at the London Road / Jurgen's Road junction (ii) secondary (optional) access onto London Road (iii) internal four lane bridge crossing the Purfleet - Grays railway line (iv) new internal access road network (v) realignment of internal railroad tracks (vi) demolition / removal and replacement of existing berths and construction of new berths (vii) surface multi-purpose storage and multi-storey car decks (viii) new container yard equipment and (ix) new workshop, hanger and employees' facilities	Approved
16/01368/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed residential-led, mixed-use redevelopment comprising residential uses, community uses (including a new primary and secondary school), commercial floorspace including business and retail (including food and beverage retail), hotel floorspace, railway station, studio and energy centre uses together with associated infrastructure, amenity space and landscaping	Advice Given
Purfleet Farm site		
62/00412/OUT	Use of land as Sports Field	Approved
63/00507/FUL	Industrial development	Refused
65/00447/FUL	Extension to Car Park for Employees cars	Approved
68/00858/FUL	Extension to Car Park	Approved
90/00030/FUL	Extension to Car Park	Withdrawn
95/00138/FUL	Use of car park for storage of motor vehicles	Approved
98/00145/FUL	Use of the car park for storage of motor	Approved

	vehicles for a period of one year from April 20 1998	
99/00377/FUL	Use of car park for storage of motor vehicles for a period of 1 year from April 20th 1999	Approved
02/01367/CTRL	Mitigation and restoration.	Approved
07/01217/TTGOUT	Mixed use development of B2 (general industry) and B8 (storage and distribution)	Approved
11/50431/TTGETL	Extension of time limit - Original application 07/01217/TTGOUT	Approved
14/00797/SCR	Environmental Impact Assessment Regulations Screening 2011 surface car storage at Purfleet farm adjacent to the Purfleet Thames Terminal. (site referred to as Site 1: 6.1ha Purfleet Farm)	EIA not required
14/01392/FUL	Use of part of land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated landscape and infrastructure works including erection of a gatehouse building, lighting columns, erection of fencing, drainage infrastructure including a surface water balancing pond, infill and alteration to levels, alterations to vehicular access to London Road	Resolution to grant permission, subject to s106
16/00877/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed expansion of port facilities to increase capacity and improve operational efficiencies comprising (i) new primary site access in the form of a new roundabout at the London Road / Jurgen's Road junction (ii) secondary (optional) access onto London Road (iii) internal four lane bridge crossing the Purfleet - Grays railway line (iv) new internal access road network (v) realignment of internal railroad tracks (vi) demolition / removal and replacement of existing berths and construction of new berths (vii) surface multi-purpose storage and multi-storey car decks (viii) new container yard equipment and (ix) new workshop, hanger and employees' facilities	Advice given
16/00953/SCR	Request for Environmental Impact	EIA not

	Assessment (EIA) Screening Opinion: Proposed subsequent application for the approval of reserved matters following outline planning permission ref. 07/01217/TTGETL, as extended by 11/50431/TTGETL (Infilling and levelling of existing development platforms and mixed use development of up to 20,000 sq.m. Class B2 / B8 development)	required
16/00958/REM	Application for the approval of reserved matters (layout, scale, access (within the site), appearance, landscaping) following outline approval ref. 11/50431/TTGETL (Infilling and levelling of existing development platforms and mixed use development of up to 20,000 sq.m. Class B2 / B8 development) together with details to discharge condition no. 22 (ecological survey)	Approved
Unilever land		
49/00131/FUL	New soap works	Approved
54/00315/FUL	Erection of factory premises	Approved
54/00388/FUL	Erection of industrial buildings	Approved
74/01061/FUL	Land to be used for parking of commercial vehicles	Approved
99/00378/FUL	Temporary storage of motor vehicles	Approved
02/00509/TBC	Construction of a two lane single carriage way road from London Road. A new roundabout, a new bridge and other ancillary works	Withdrawn
02/00515/FUL	Construction of a new access to the east of Van Den Bergh foods to the new access road from London Road	Approved
12/00954/FUL	Erection of a Class B8 warehouse and ancillary offices, car parking, manoeuvring area and hard standing and landscaping	Finally disposed of
16/00644/FUL	Construction of a private estate road on land to the east of Purfleet Thames Terminal, south of railway line	Approved
16/00877/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed expansion of port facilities to increase capacity and improve operational	Advice given

	<p>efficiencies comprising (i) new primary site access in the form of a new roundabout at the London Road / Jurgen's Road junction (ii) secondary (optional) access onto London Road (iii) internal four lane bridge crossing the Purfleet - Grays railway line (iv) new internal access road network (v) realignment of internal railroad tracks (vi) demolition / removal and replacement of existing berths and construction of new berths (vii) surface multi-purpose storage and multi-storey car decks (viii) new container yard equipment and (ix) new workshop, hanger and employees' facilities</p>	
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5.0 CONSULTATIONS AND REPRESENTATIONS

Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link: www.thurrock.gov.uk/planning

5.1 PUBLICITY:

The application has been publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. The proposals have been advertised as a major development, accompanied by an Environmental Statement and affecting a public footpath.

5.2 Neighbour consultation letters have been sent to 370 surrounding properties. Four letters of representation have been received raising the following concerns:

- increased air pollution;
- increased traffic congestion;
- noise pollution;
- light pollution;
- prejudicial to the delivery of the Purfleet Centre regeneration proposals; and
- visual impact.

5.3 The following consultation replies have been received:

5.4 ANGLIAN WATER:

No objection – subject to conditions regarding foul and surface water drainage.

5.5 BUGLIFE:

Raise concerns regarding (i) the inclusion of the former Board Mills site as this site was required for ecological mitigation and enhancement in the approved Purfleet Centre development and (ii) potential loss of habitat at Purfleet Farm and the Unilever sites.

5.6 C2C:

Raise concerns regarding the potential increase in the use of the level crossing accessing the former Thames Board Mills site and the potential harm to train services.

5.7 DARTFORD COUNCIL:

No objection to the proposals.

5.8 ENVIRONMENT AGENCY:

No objections. Detailed advice is offered on the matter of flood risk.

5.9 ESSEX COUNTY COUNCIL ARCHAEOLOGY:

No objections, subject to planning conditions.

5.10 ESSEX FIELD CLUB:

Object on the basis that the development would severely reduce the area and harm the value of two potential local wildlife sites (Purfleet Farm and Unilever land). Mitigation proposals are considered to be inadequate.

5.11 ESSEX FIRE & RESCUE SERVICES:

No response received.

5.12 ESSEX POLICE:

No response received.

5.13 ESSEX & SUFFOLK WATER:

No objection.

5.14 HEALTH & SAFETY EXECUTIVE:

Refer to the HSEs Planning Advice WebApp.

5.15 HIGHWAYS ENGLAND:

Offer no objection.

5.16 HIGH SPEED 1:

Request that conditions are attached to any grant of planning permission.

5.17 MARINE MANAGEMENT ORGANISATION:

No response received.

5.18 NATURAL ENGLAND:

No response received.

5.19 NETWORK RAIL:

Request that conditions are attached to any grant of planning permission.

5.20 PORT OF LONDON AUTHORITY:

No response received.

5.21 PURFLEET VILLAGE FORUM:

Object on the grounds of additional traffic, increased air pollution and increased noise.

5.22 PURFLEET CENTRE REGENERATION LTD:

Object on the following grounds:

- i) the application includes land within the site area of the proposed Purfleet Centre regeneration scheme;
- ii) the proposals are not fully supported by development plan policies;
- iii) the proposals would prejudice delivery of Purfleet Centre;

- iv) the ES fails to consider the forthcoming Purfleet Centre planning application;
- v) the baseline used in the ES is unreasonable;
- vi) the ES underestimates traffic impact;
- vii) there is inadequate mitigation for ecological impacts;
- viii) construction traffic impacts are not assessed;
- ix) extra noise information should be submitted;
- x) all submitted applications at the Terminal should be assessed collectively.

5.23 EMERGENCY PLANNING OFFICER:

No objection, subject to a planning condition requiring a flood warning and evacuation plan.

5.24 ENVIRONMENTAL HEALTH OFFICER:

Air Quality – there is some confusion for air quality modelling across the four current applications at the Terminal. However, It is evident however that the proposed new junction improvements with accompanying roundabout and new site entrance in application (16/01574/FUL) will lead to an improvement in air quality for AQMA 10. Therefore need for an overarching air quality assessment would not be necessary, subject to application (16/01574/FUL) being approved and implemented. Therefore there would then be no issue with any of the other applications on air quality grounds. Although application (016/01574/FUL) will be important for improving air quality within AQMA 10 the other proposed developments can be implemented in parallel but the road and access, subject to application (16/01574/FUL), being completed before any increase in operational activities which may arise as a result of the other applications being implemented.

Contaminated Land – the conclusions and recommendations of the submitted Phase 1 Risk Assessment are agreed.

Noise and Vibration – the ES has comprehensively assessed the noise impact of the construction and operation phases of the proposed development and the assessment and has adequately determined the impacts of the development. Noise mitigation for the construction works should render the effects insignificant for local residents and measures should be included submitted in the CEMP. Noise mitigation works for the Security Complex should be required by condition. With the mitigation in place and with the diversion of HGV road traffic from the London Road, the development should result in a beneficial reduction in noise for the majority of local residents.

Construction – no objections subject to condition.

5.25 FLOOD RISK MANAGER:

Object on the grounds that the submitted Drainage Strategy is inadequate.

5.26 HIGHWAYS:

No objections – subject to conditions / obligations.

The proposals will increase traffic in the area. However, the effect of the associated roundabout and bridge planning applications will be to remove a number of HGV movements from sections of London Road, as well as reducing the queuing impact of HGVs when level crossings are closed. The findings of the TA are agreed and potential impact is no worse than current operations when improvements are considered. Phasing of the various developments should be agreed. A routing strategy is required to limit the impact of HGV movements.

5.27 LANDSCAPE & ECOLOGY ADVISOR:

Landscape – in terms of visual impact, one viewpoint would experience significant impact, which cannot be mitigated. However, the viewpoint is influenced by existing industrial features. The proposed landscape scheme, which includes new tree planting belts and better management of existing trees and shrubs, will mitigate the proposed loss of some existing trees. The proposed boundary improvements along London Road, including vegetation management and new fencing, will help to make a positive improvement.

Ecology – some areas of the site are of some ecological value. Measures are proposed to mitigate the loss of habitat. However, additional measures are requested.

5.28 LISTED BUILDINGS & CONSERVATION ADVISOR:

No objections.

5.29 PUBLIC RIGHTS OF WAY:

No response received.

5.30 TRAVEL PLAN CO-ORDINATOR:

Request an updated Travel Plan.

5.31 REGENERATION:

Object to the application on the grounds that the proposals, particularly the decked car storage building, would impact on the delivery of the Purfleet Centre regeneration. The proposals are also considered to be contrary to the Development Plan which promotes residential development within Purfleet.

6.0 POLICY CONTEXT

6.1 National Planning Guidance

National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Building a strong, competitive economy;
- Promoting sustainable transport;
- Requiring good design;
- Promoting healthy communities;
- Meeting the challenge of climate change, flooding and coastal change; and
- Conserving and enhancing the natural environment.

Planning Practice Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 48 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Air quality;
- Design;

- Determining a planning application;
- Environmental Impact Assessment;
- Flood risk and coastal change;
- Light pollution;
- Natural environment;
- Noise;
- Travel plans, transport assessments and statements; and
- Use of planning conditions.

6.2 Local Planning Policy

Thurrock Local Development Framework (2015)

The Council adopted the Core Strategy and Policies for the Management of Development Plan Document (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

OSDP1: Promoting Sustainable Growth and Regeneration in Thurrock;

Spatial Policies:

- CSSP2 (Sustainable Employment Growth);

Thematic Policies:

- CSTP6: Strategic Employment Provision
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP18: Green Infrastructure
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP25 (Addressing Climate Change)
- CSTP27 (Management and Reduction of Flood Risk)
- CSTP28 (River Thames)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD15 (Flood Risk Assessment)

Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February 2014 meeting of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough’s Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the ‘parking’ of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a ‘Call for Sites’ exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the

summer of 2017.

7.0 ASSESSMENT

7.1 Procedure:

The development proposal is considered to be a development requiring Environmental Impact Assessment (EIA), therefore the application has been accompanied by an Environmental Statement (ES). The ES considers the environmental effects of the proposed development during construction and operation and includes measures to prevent, reduce or offset any significant adverse effects on the environment. The ES is accompanied by technical appendices. The contents of the ES comprise:

1. Introduction
2. EIA methodology;
3. Alternative sites and design iteration;
4. Project description;
5. Landscape and visual impact;
6. Terrestrial ecology and nature conservation;
7. Ornithology;
8. Traffic and transport;
9. Air quality;
10. Noise and vibration;
11. Water resources;
12. Ground conditions;
13. Other environmental considerations
14. Cumulative assessment
15. Summary of mitigation measures.

7.2 The Council has a statutory duty to consider environmental matters and an EIA is an important procedure for ensuring that the likely effects of new development are fully understood and fully taken into account before development proceeds. EIA is, therefore, an integral component of the planning process for significant developments. EIA leads to improved decision making by providing the development management process with better information. EIA not only helps to determine whether development should be permitted but also facilitates the drafting of planning conditions and legal agreements in order to control development, avoid or mitigate adverse effects and enhance beneficial effects. Therefore, it is vital that the environmental issues raised by the application are assessed in a robust and transparent manner.

7.3 In order to fulfil the requirements of the EIA Regulations it is necessary to ensure

(a) that the Council has taken into account the environmental information submitted, and (b) that any planning permission granted is consistent with the development which has been assessed. To achieve this second objective the Council has the ability to impose conditions and secure mitigation measures by Section 106 obligations.

7.4 The issues to be considered in this case are largely as set out in the submitted ES and comprise:

- I. Principle of the development
- II. Traffic and transport impact
- III. Impact on air quality
- IV. Noise and vibration
- V. Flood risk and drainage
- VI. Ground conditions
- VII. Ecology
- VIII. Landscape and visual impact
- IX. Cumulative assessment
- X. Other matters

7.5 PRINCIPLE OF THE DEVELOPMENT

With reference to the Core Strategy Local Plan policies map, the application site is described as either land within 'Primary Industrial and Commercial Areas' or 'Land for New Development in Primary Areas'. Those parts of the application site which comprise North Park, South Park and West Park being allocated as 'Primary Industrial and Commercial Areas'. Land at Purfleet Farm and the Unilever land located on the eastern part of the site and land at the former Thames Board Mills site at the south-western corner of the site is allocated as 'Land for New Development in Primary Areas'. That part of the application site which is located within the former ExxonMobil lubricants site has a land use allocation on the Core Strategy Local Plan policies map as 'Oil and Chemical Storage', reflecting the former use of the site and the current use of the adjacent Esso fuels terminal.

7.6 Core Strategy policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) therefore apply to the vast majority of the site (i.e. North Park, South Park and West Park). Spatial policy CSSP2 defines the Borough's Key Strategic Economic Hubs and states that the Council will "promote and support economic development in the Key Strategic Economic Hubs that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors". Purfleet is described as a Hub possessing the Core Sectors of storage, warehousing and freight transport. In referring to the Primary and Secondary Industrial and Commercial Areas, thematic policy CSTP6 safeguards

land for employment uses. In general terms, the proposals would support the continued operation and expansion of the existing Terminal site and consequently there is no conflict with these relevant Core Strategy policies.

- 7.7 The part of the site which previously formed part of the ExxonMobil lubricants site has a different Core Strategy Local Plan policies map allocation from the rest of the site and is subject to 'saved' Local Plan (1997) policy E9 (Oil and Chemical Storage). However, the planning history section above notes that planning permission reference 14/01387/FUL granted consent for storage in association with the Terminal, including the formation of hardstandings and associated infrastructure works including, lighting, CCTV columns, fencing and drainage infrastructure. The approved plans for this development show a mix of vehicle, trailer and container storage. This site has been cleared of all structures associated with the former use and notwithstanding the Oil and Chemical Storage allocation, the principal of Terminal related uses on this part of the application has been established by this permission.
- 7.8 Core Strategy policy CSTP28 (River Thames) is also considered to be partly relevant to the proposals. This policy recognises the role which the river and its associated ports play in the economy and the policy generally promotes the economic and commercial function of the river.
- 7.9 The NPPF states that *"the purpose of the planning system is to contribute to the achievement of sustainable development"* (paragraph 6). The following paragraph of the Framework describes the three dimensions to sustainable development as including an economic role, as well as social and environmental roles. One of the core land-use planning principles described by paragraph 17 of the NPPF is that planning should *"proactively drive and support sustainable economic development to deliver the ... business and industrial units, infrastructure and thriving local places that the country needs"*. Under the heading of 'Building a strong, competitive economy' paragraph 19 of the NPPF notes that *"planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."* Finally, under the heading of 'Promoting sustainable transport', paragraph 22 of the NPPF states that *"when planning for ports, airports and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business ... needs"*.
- 7.10 It should be remembered that those parts of the application site within North Park, South Park and West Park currently form operational elements of the port terminal. The current proposals merely re-configure and add flexibility to the range of existing freight which can be stored across the terminal. However, there is no change to the

land use, per se, of these areas. With regard to those parts of the application site within Purfleet Farm, the former ExxonMobil lubricants site and the former Thames Board Mills site planning permission has been recently granted for the use of these areas for storage (vehicles, trailers and containers) associated with the operation of the Terminal. Consequently the principle of 'port-related' development on these parts of the site has been established. The Unilever land does not form part of the operation Terminal and has not been the subject of recent planning permissions. Nevertheless, this land is allocated for employment generating uses and is bordered by existing industrial uses. The principle of the proposed land use is compatible with surrounding land uses.

7.11 It is concluded under this heading that the land-use principle of the proposals are acceptable and would raise no conflict with local or national planning policies. Indeed, as the proposals would support the operational efficiency of the terminal and would enable the consolidation and expansion of port capacity, the NPPF strongly supports this economic role.

7.12 II. TRAFFIC & TRANSPORT ISSUES

Currently the principal access into the Terminal site is via the 'Exxonmobil' road located on the southern side of London Road in between Long Reach House and The Fleet public house. The Transport Assessment (TA) notes that this access is used by:

- all HGVs associated with freight (trailers, containers and other cargo);
- staff and visitors associated with the Terminal;
- the departure of car to be stored at the C.RO Dartford site;
- the arrival of cars from the C.RO Dartford site for pre-delivery inspection (PDI); and
- the arrival of cars undergoing vehicle testing.

This road is not adopted and the route uses a private level crossing to access the 'South Park' area of the Terminal and the riverside berths.

7.13 The TS also highlights a secondary access for the Terminal onto Jurgen's Road, on the eastern boundary of the Terminal site. Jurgen's Road, which provides access for the Unilever and Pura Foods sites via a level crossing, is a private road linking to London Road a short distance to the west of the HS1 viaduct. The PTT access onto Jurgen's Road is used by the Terminal for:

- all car transporters associated with stored cars; and
- departure of cars undergoing testing.

7.14 The TA also notes that the former Thames Board Mills site is served by an existing access onto London Road via the International Timber site and a private level crossing. Finally, the Purfleet Farm site is served by an existing access onto London Road located approximately half-way along the northern frontage of the site. With regard to baseline trip generation, the TA provides a summary of the total trips generated by the Terminal in 2015 as follows:

Baseline Trip Generation 2015						
	AM		AM		Daily	
	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures
Car transporters	5	4	3	3	69	79
Trailers	24	32	21	26	522	522
Containers	24	32	21	26	527	528
Other cargo	1	2	1	1	29	30
Staff	94	3	19	93	309	301
Visitors	6	0	0	7	25	26
Ship to storage	0	3	0	0	0	24
PDI	1	0	1	0	10	0
Vehicle testing	0	6	0	7	0	160
Total	155	79	66	163	1491	1670

7.15 According to the TA, cargo (vehicles / trailers / containers) unloaded via the two berths is stored at the North, South and Park areas. Vehicles are also driven to the C.RO Dartford site for storage.

7.16 The TA refers to future baseline traffic conditions which could occur if existing planning permissions for parts of the site were to be implemented. These planning permissions for the Purfleet Farm, former Exxon lubricants site and the Board Mills site would add storage capacity to the Terminal site and the table below shows the potential uplift in capacity associated with the permissions:

<u>Cargo</u>	<u>Location</u>	<u>2016 Consents</u>	<u>Uplift from Existing Capacity</u>
Vehicles	North Park	2,805	0
	West Park	1,234	0
	Dartford	7,500	0
	Purfleet Farm	2,290	+2,290
	Exxon site	1,652	+1,652
	Board Mills site	1,836	+1,836

	TOTAL	17,314	+5,778
Trailers	South Park	616	0
	Exxon site	22	+22
	TOTAL	638	+22
Containers	Purfleet RTG stack	328	0
	Purfleet container store	285	0
	Exxon site	195	+195
	TOTAL	808	+195

7.17 As there are potentially two planning permissions for the Purfleet Farm (one involving car storage and one involving Class B2 / B8 development) and as both applications occupy the same site, they cannot be implemented simultaneously. As reserved matters approval has been granted for the Class B2 / B8 development, this permission has been used in the TA as it is considered to be the worst case scenario and will therefore enable a robust assessment of the impacts of the proposals.

7.18 Of the current proposals are added to the baseline described above, additional vehicle and trailer storage capacity is added to the Terminal site, as summarised in the table below:

<u>Cargo</u>	<u>Location</u>	<u>Extant permissions</u>	<u>Current Proposals</u>	<u>Assumed Additional Capacity</u>
Vehicles	Purfleet Farm	2,290	436	-1,854
	Exxon site	1,652		-1,652
	Unilever land		2,500	+2,500
	Board Mills site	1,836	8,800	+6,694
	TOTAL	5,778	11,736	+5,958
Trailers	Purfleet Farm			
	Exxon site	22	87	+65
	Unilever land			
	Board Mills site			
	TOTAL	22	87	+65
Containers	Purfleet Farm			
	Exxon site	195	170	-25
	Unilever land			
	Board Mills site			
	TOTAL	195	170	-25

7.19 The TA therefore suggests that compared to the ‘baseline’ situation of the existing site operations with the recent consents factored-in, the current proposals would

result in a large increase in vehicle storage capacity (+5,958), a small increase in trailer storage capacity (+65) and a small decrease in container storage (-25).

7.20 Proposed Trip Generation:

The TA models future trip generation associated with the current proposals, on the assumption that the extant permissions for storage on the Exxon site and Paper Mills site were to be implemented and assuming the Class B2 / B8 development at Purfleet Farm was operational. Additional trip generation resulting from the current proposal is shown in the table below:

Type	AM		PM		Daily	
	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures
Car transporters	2	2	1	1	28	28
Trailers	3	5	3	4	73	73
Containers	-1	-1	-1	-1	-22	-22
Other cargo	0	0	0	0	1	1
Staff	74	3	14	72	232	220
Visitors	2	0	0	2	8	8
Ship to storage	0	194	0	0	0	1386
PDI	19	0	10	0	164	0
Vehicle testing	0	-2	0	-2	0	-48
Drive to collection	77	0	47	0	1,305	0
Total	176	201	74	76	1,789	1,646

7.21 The above table predicts an increase in vehicle trips associated with car and trailer storage, with a reduction in container associated trips. The table also models the increased trips associated with growth in activity at the Paper Mills site through more PDI, ship-to-storage and drive top collection trips.

7.22 The TA goes on to undertake a technical analysis of the impact of these additional trips of the surrounding highway network. Network assessments for the proposed development scenario indicate a negligible impact and growth in traffic can be accommodated by existing available capacity. In particular the TA notes that the proposals would reduce reliance on the C.RO Dartford site by increasing storage capacity at Purfleet. The effect of the proposal would be to reduce traffic movements between Dartford and Purfleet, using the QEII bridge, in future years. The TA considers the cumulative impact of the development and the extant permission for Class B2 / B8 development at Purfleet Farm and concludes that impact is acceptable, subject to targeted improvement works at the Stonehouse Corner roundabout.

7.23 Highways England has raised no objection to the proposals on the grounds of impact on the strategic road network (A13 and M25). Similarly, the Highways Officer has no objections, subject to mitigation to be secured via planning conditions (phasing, CEMP and GHV routing).

7.24 III. IMPACT ON AIR QUALITY

Baseline conditions:

As noted by the reports for planning application refs. 16/01574/FUL and 16/01582/FUL, there are a number of existing and proposed Air Quality Management Areas (AQMAs) within a 350m radius study area drawn around the application site as follows:

- AQMA 8 – hotel to west of jct. 31 of the M25 (NO₂ & PM₁₀)
- AQMA 9 - hotel to north of jct. 31 of the M25 (NO₂)
- AQMA 10 – Jarrah Cottages, London Road NO₂ & PM₁₀)
- AQMA 12 – Watts Wood estate, A1306 (NO₂)
- AQMA 21 – hotel on Stonehouse Lane (NO₂)
- AQMA to be declared on Purfleet Bypass

(NO₂ – Nitrogen Dioxide. PM₁₀ – Particulates)

7.25 It can be noted from the above list that the closest AQMA to the site is located immediately to its north along London Road. This AQMA includes Jarrah Cottages and land immediately east and west of these residential properties.

7.26 The Council undertakes air quality monitoring using automatic analysing and diffusion tube methods. The results of annual mean NO₂ monitoring for locations close to the site between 2011 and 2015 are shown in the table below.

Location	Type	Monitored annual mean NO ₂ concentration (² g.m ⁻³)				
		2011	2012	2013	2014	2015
Jarrah Cottages	Automatic	62.00	63.00	63.00	62.00	56.00
Jarrah Cottages	Diffusion	47.03	52.51	58.84	57.39	53.43
Ibis Hotel, London Road	Diffusion	46.02	45.78	46.25	49.66	52.65
London Road Arterial Road	Diffusion	50.27	57.23	58.28	59.16	52.15
Purfleet Railway Station	Diffusion	31.88	35.71	35.26	35.08	33.50
Stonehouse Lane	Diffusion	40.50	42.49	41.38	-	-
London Road Arterial	Diffusion	30.46	34.26	33.93	35.12	32.81

Road						
London Road Arterial Road	Diffusion	28.62	31.55	30.00	32.96	27.73
Purfleet Bypass	Diffusion	41.96	41.11	40.69	38.51	37.00
Purfleet Bypass	Diffusion	-	-	-	36.06	32.93
London Road Arterial Road	Diffusion	-	44.52	44.51	43.87	38.10
London Road Arterial Road	Diffusion	-	39.35	38.79	40.11	33.87

7.27 The figures shown in bold within the table represent monitored annual mean NO₂ concentrations which exceed the air quality objective figure of 40²g.m⁻³. The exceedences in the table above can be attributed to traffic using busy routes in the area (London Road / A282 / A1090). With regard to PM₁₀, the annual mean monitoring results for Jarrah Cottages (as recorded by an automatic analyser) are shown in the table below:

Location	Type	Monitored annual mean PM ₁₀ concentration (g.m ⁻³)				
		2011	2012	2013	2014	2015
Jarrah Cottages	Automatic	28.00	24.00	27.00	27.00	25.00

The above table suggests that annual mean concentrations of particulates were within the annual mean objective level of 40²g.m⁻³

7.28 Construction impacts:

For the purposes of assessment the ES models potential impact on air quality at a number of sensitive receptor locations on London Road and Stonehouse Lane. During the construction of the development the ES considers impacts from both dust / particulates associated with demolition / construction activities and construction vehicle traffic emissions. The risks to human health as a result of dust generated during construction (demolition, earthworks, construction activities etc.) are assessed as of low risk. However, the potential impact of dust soiling from demolition, earthworks, construction and trackout is assessed as either medium or high risk. In order to mitigate this risk, the ES promotes the implementation of best practice dust control measures, secured via a CEMP. With the implementation of mitigation measures, the residual impacts of demolition / construction dust and particulates are assessed as 'not significant'.

7.29 The ES also considers impact of construction phase road traffic emissions on receptors. It is predicted that a maximum of up to 100 additional heavy duty vehicle movements would be generated during the construction phase. Nevertheless, as this predicted increase is within the context of a large number of existing heavy

vehicle movements along London Road and as the construction period is temporary, the impacts on air quality associated with construction vehicle emissions are assessed as 'not significant'.

7.30 Operational Impacts:

The ES considers the implications on air quality associated with both operational phase road traffic and vessel exhaust emissions for a total of 14 receptor locations close to the site. Modelling for predicted annual mean concentrations of NO₂ suggest a negligible impact for 6 receptor locations. Two locations on London Road are modelled with a slight or significant beneficial impact on air quality as a result of the re-routing of HGVs along London Road to the proposed new site access (16/01574/FUL). The remainder of modelled receptors are predicted with slight or moderate adverse impacts. However, for these receptors the modelled change in concentrations as a percentage of the air quality objective level is less than 1%.

7.31 With regard to predicted concentrations of particulates (PM_{2.5} and PM₁₀) concentrations are predicted to decrease at some receptor locations, with locations experiencing no change or a slight increase. However, the significance of modelled changes in particulates for all receptor locations is assessed as negligible.

7.32 The ES models short term concentration of sulphur dioxide (SO₂) at receptor locations as a result of vessel emissions and predict that concentrations are within air quality objectives. Significant impacts on air quality from this are not expected.

7.33 The final operation impact on air quality modelled by the ES is the effect on designated ecological sites, comprising the Inner Thames Marshes SSSI (upstream of the site) and West Thurrock Lagoon and Marshes SSSI (downstream from the site). For both nitrogen oxides and sulphur dioxide modelling predicts that Critical Levels are not predicted to be exceeded as a result of the proposed development.

7.34 In order to mitigate the predicted impacts on air quality the ES suggests a number of mitigation measures which could be secured by planning conditions. These measures comprise a CEMP to address construction impacts and Travel Plan measures to minimise the number of staff trips to the site by private car. With mitigation, the ES considers that residual impacts of both the construction and operations phases on both human and ecological receptors will be not significant.

7.35 Consultation comments received from the Environmental Health Officer refer to the associated planning application for the site access roundabout (16/01576/FUL) and new road bridge (16/01582/FUL) and to the inter-relationships between the current submissions and these applications. The EHO queries some of the modelling

within the submitted ES and how the submitted applications have addressed cumulative impacts on air quality. However, the EHO has concluded that:

“the proposed new junction improvements with accompanying roundabout and new site entrance in application 16/01574/FUL will lead to an improvement in air quality for AQMA 10. Therefore (the) need for an overarching air quality assessment would not be necessary, subject to application 16/01574/FUL being approved and implemented. Therefore there would then be no issue with any of the other applications on air quality grounds. Although application 16/01574/FUL will be important for improving air quality within AQMA 10 the other proposed developments can be implemented in parallel but the road and access, subject to application 16/01574/FUL, being completed before any increase in operational activities which may arise as a result of the other applications being implemented.”

7.36 Accordingly, there are no objections to the planning application on air quality grounds, provided that the new access arrangements are completed before any increase in operational activities associated with the current application.

7.37 IV. NOISE & VIBRATION

Baseline conditions:

The ES includes the results from a noise survey undertaken in 2016, using measurements recorded at locations along London Road. The noise climate at all of the survey stations is dominated by road traffic noise and noise associated with commercial and residential activity.

7.38 Construction impacts:

The ES models predicted noise levels, for both human and ecological receptors, for the full range of construction activities associated with the development. Modelling predicts that noise levels from construction would not exceed identified threshold noise limits at most residential receptors. However, for two receptor locations (opposite the existing site entrance and north of the former Thames Board Mills site) exceedance of threshold limits was modelled. In addition to human receptors, the ES models construction noise impacts on ecological receptors at locations on the River Thames foreshore. The magnitude of impact is predicted as between low and moderate during the temporary construction phase. During some construction activities the closest residential receptor to the north of the site is modelled to experience vibration impacts of minor significance.

7.39 Operational Impacts – road traffic noise:

The ES models the predicted change in noise levels at residential receptors as a consequence of operational road traffic associated with the development. A number of receptors located along London Road are predicted as experiencing a

reduction in noise levels from operational traffic as a result of the relocated site entrance (16/01574/FUL). One receptor located to the north of the site is predicted to experience a 0.2dB increase in noise levels (on one façade of the building), however this level of increase is considered to be negligible significance.

7.40 Operational Impacts – daytime / night-time operation:

The ES models predicted daytime and night-time noise levels from the operation of the development, compared to the existing measured levels. During daytime hours, a number of receptor locations along London Road are expected to experience a reduction in noise levels, associated with the proposed relocation of the site access. However, receptors at Jarrah Cottages would experience an increase in noise levels which is assessed as a low to minor impact. Similarly for night-time operational activity, receptors at Jarrah Cottages are modelled to experience increased noise levels of low / minor / moderate impact whereas other receptors would benefit from a reduction in levels.

7.41 Mitigation Measures:

In order to mitigate the potential impact of construction and operation noise and vibration the ES promotes mitigation measures. During construction activities noise and vibration control measures are proposed, to be incorporated into a CEMP. Similar to the proposed mitigation measures for 16/01574/FUL and 16/01582/FUL, in order to mitigate noise impact on residents at Jarrah Cottages during operation the ES proposes an acoustic fence to replace an existing fence which is located on the northern site boundary. With mitigation in place, the impact of operational noise is assessed as of no or minor adverse significance.

7.42 In responding to the application the EHO confirms that the EHO has confirmed that *“the ES has comprehensively assessed the noise impact of the construction and operation phases of the proposed development ... and has adequately determined the impacts of the development”*. Proposed mitigation measures for construction works should render the residual effects “insignificant” for local residents. Noise mitigation measures are required and can be secured by planning condition. With mitigation measures in place, the development should result in a beneficial reduction in noise for the majority of local residents. A standard planning condition to control hours of construction, including piling operations, is required.

7.43 V. FLOOD RISK & DRAINAGE

The application is accompanied by a Flood Risk Assessment (FRA) and the issue of water resources forms a chapter within the ES. All of the application site, with the exception of parts of Purfleet Farm north of the HS1 viaduct, falls within the high risk flood area (Zone 3). The Stonehouse Sewer, described by the Environment

Agency as a 'main river' is forms the western boundary of the Unilever land and discharges to the south into the River Thames.

- 7.44 The risk of fluvial (river) flooding at the site from Stonehouse Sewer and the River Mardyke (to the west of the site) is considered by the FRA to be low. However, it is the risk of tidal flooding from the River Thames which places the application site, and the wider Purfleet and West Thurrock area, within the high flood risk zone. Nevertheless, the site benefits from existing tidal flood defences adjacent to the Thames foreshore which offer a 1 in 1,000 year event standard of protection. The actual risk of tidal flooding is low, though there is a residual risk flooding if the defences were overtopped (by wave action) or if there was a breach event resulting from a failure of the tidal defence.
- 7.45 Sequential Test:
The general aim of national planning policy and guidance for flood risk is to steer new development to areas with the lowest probability of flooding, by applying the Sequential Test (where relevant). National PPG allocates new land uses / development to a 'flood risk vulnerability classification' in order to assess whether the uses / development are compatible with their flood zone. In this case, the FRA states that elements of the proposals fall within the 'less vulnerable' classification (car storage building / extended PDI building / canteen & workshop building / staff parking areas) with remaining elements of the development described as 'water-compatible development' (areas for Terminal-related storage and transfer / ancillary Terminal equipment).
- 7.46 Table 3 of PPG describes a flood risk vulnerability and flood zone compatibility matrix within which 'less vulnerable' and 'water-compatible' development is appropriate in Flood Zone 3a, subject to the Sequential Test. The proposed car storage, workshop / canteen and extended PDI buildings and the storage uses are all functional or ancillary elements of the Terminal and are needed within the operational land of the Terminal. There are no other locations within the Terminal which are at a lower risk of flooding and accordingly it is considered that the Sequential Test is passed for the proposals. The FRA notes that a site specific flood warning and evacuation plan will be developed and maintained for the lifetime of the development.
- 7.47 The consultation response received from the Environment Agency raises no objections to the planning application, providing the local planning authority taking into account the considerations which are their responsibility (i.e. application of the Sequential and Exception Test as appropriate and the submission of a site-specific FRA). The Agency confirms the location of the site within the high risk flood zone and that the site is protected by existing defences. The Agency notes that the FRA includes flood resilience measures and a flood evacuation plan for the site. The

Council's Civil Protection Officer has confirmed the need for a flood evacuation plan.

7.48 Surface Water Drainage:

The Terminal Site has a number of existing surface water and highways drainage systems which ultimately discharge, via pumping stations and interceptors, to Stonehouse Sewer and to the River Thames. The FRA includes a proposed high level drainage strategy which involves a number of discrete design solutions for the component elements of the site. This strategy recognises that drainage arrangements are required for the construction period.

7.49 Essex County Council was appointed as the Lead Local Flood Authority's statutory consultee for Thurrock last year. The consultation response from the County Council objects and considers the proposed surface water drainage strategy to be inadequate, with particular regard to pumping station capacity and water treatment. However, the FRA concedes that further information about the design and operation of the surface water drainage system is required and notes that further information about pumping station capabilities and operational requirements can be confirmed. As the proposed drainage strategy is only a 'high level framework', it is considered that a planning condition can be used to require submission and approval of detailed surface water drainage arrangements.

7.50 VI. GROUND CONDITIONS

Based on the history of the site, it is clear that the vast majority of the area, aside from a small part of the Purfleet Farm site, has a longstanding industrial use. That part of the site within North Park has previously been used for 'heavy' industrial uses, including as an oil storage depot and transport depot. The part of the site within South Park formerly comprised part of the Purfleet Wharf & Saw Mills site and the Caspian Wharf oil storage depot. Land now forming West Park has a history of oil storage use, as has the former Exxon Lubricants land. Land at the former Thames Board Mills site has a long history of industrial use and the Unilever land, although largely open, is crossed by a railhead which served former industrial uses.

7.51 The Ground Conditions chapter of the ES considers that these former uses could have resulted in ground contamination (spillages etc.) as well as the possibility that the site has been contaminated through the movement of groundwater from nearby activities.

7.52 Ground investigation works associated with previous development proposals have been undertaken for parts of the site and have encountered potential contaminants, including hydrocarbons and metals. However, the ES concedes that further

intrusive investigations should be carried out to corroborate existing data and investigate parts of the site previously assessed.

7.53 The potential of ground contamination presents a risk to both human health and groundwater and the ES includes a conceptual site model to identify those risks during the construction and operational phases. A range of mitigation measures are proposed to manage these risks and, with the mitigation measures in place, the residual risks from ground contamination are assessed as either negligible or minor.

7.54 The consultation response received from the Council's EHO refers to the content of the submitted 'Land Quality Phase 1 Preliminary Risk Assessment'. The recommendations within this assessment refer to the need for further intrusive investigation. The EHO agrees with these recommendations and a planning condition can be used to secure future ground investigation, sampling, risk assessment and remediation as necessary.

7.55 VII. ECOLOGY

Under the broad heading of ecology, the ES considers the impacts of the development on terrestrial ecology (including aquatic) and coastal ornithology.

7.56 Terrestrial ecology:

No part of the application site is within a statutory site designated for nature conservation importance. However, within a 2km study area drawn around the site there are a number of non-statutory Local Wildlife Sites and SSSIs. The Purfleet Chalk Pits and Purfleet Road SSSIs are designated for their geological importance. Upstream of the site the Inner Thames Marshes SSSI is designated as a wetland of importance to wildfowl, breeding birds and wetland plants. Downstream of the application site the West Thurrock Lagoon & Marshes SSSI is designated as importance for wintering wading birds and wildfowl.

7.57 A habitat survey of the site was conducted in 2016. Unsurprisingly the existing operation Terminal (North, South and West Parks) are dominated by port activities and hardstandings. Consequently the ecological value of these areas is negligible. As noted above, the former Board Mills site was extensively covered with industrial buildings until demolition in the 1990's. However, the hardstandings and foundations of former structures remain although in the intervening years the site has been partially colonised by sparse ephemeral vegetation, such as buddleia.

7.58 The Purfleet Farm area at the north-eastern corner of the site has historically remained undeveloped apart for the formation of development platforms associated with the construction of HS1 in the 1990's. The majority of the open habitat at

Purfleet Farm comprises neutral grassland, with areas of scrub and ruderal vegetation to boundaries and swamp / reedbed on the lower ground adjacent to the railway line.

7.59 Similarly the Unilever site has historically comprised largely open land, apart from a railway siding, railway shed and storage silos. The existing habitat of this low-lying and flat land parcel comprises bare ground, sparse ephemeral vegetation and ruderal vegetation.

7.60 In addition to the Phase 1 habitat survey, the three areas of the site referred to above (Board Mills / Purfleet Farm / Unilever) were also subject to an invertebrates survey in 2016. The 'headline' results of this survey are:

- Of 306 species encountered, 299 of which are from either the Purfleet Farm or the Unilever Land including four rare and fifteen nationally scarce species, a number of which are new records for the site, and two Species Of Principal Importance.
- Two of the assessed areas within the Site: Purfleet Farm, particularly its southern section, and the Unilever Land meet the criteria for the Habitat of Principal Importance Open Mosaic Habitat on Previously Developed Land (OMH). the Former Paper Mills Land does not.
- Species associated with the Broad Assemblage Types: grassland & scrub matrix, unshaded early successional mosaic and mineral marsh & open water are all well represented from the surveys conducted. In particular, scrub edge is a Specific Assemblage Type that is strongly represented and may be suggestive of a gradual transition at the Site towards a mid-successional environment.

7.61 Consequently both the Purfleet Farm and Unilever land areas are of value to invertebrates, whilst the value of the Board Mills site is limited.

7.62 A bird survey of the entire application site was conducted in 2016 and results show that a number of common breeding birds use part of the site (principally Purfleet Farm and the Unilever land). One species (Cetti's warbler) which is of conservation concern was encountered on the southern part of the Purfleet Farm site.

7.63 The final species survey accompanying the application is a reptile survey report for the Unilever land (2016). Reptile surveys for the Purfleet Farm site have previously been undertaken in 2007, 2011 and 2013. The former Board Mills site is considered to have a low suitability for reptiles. The 2016 survey at the Unilever site confirmed the presence of slow worm and common lizard.

7.64 Construction / operational effects:

The principal impact of the development upon terrestrial ecological interest would be the loss of Open Mosaic Habitat found on part of the Purfleet Farm and Unilever land sites. With reference to Purfleet Farm, it should be noted from the 'Planning History' table above that this site has been subject to recent applications and permission for redevelopment. There is an extant planning permission for development on the northern part of Purfleet Farm (ref. 11/50431/TTGETL) for Class B2 and B8 development. There is also a resolution to grant permission (subject to completion of a s106 agreement) for vehicle storage on the northern part of the site (ref. 14/01392/FUL). Both of these applications make provision for the retention and management of existing habitat on the southern part of the site to mitigate the effect on ecology. The current proposals also retain this southern area and promote the management of the area for the benefit of invertebrates.

7.65 Regarding the Unilever land, the ES notes that the majority of the area will be developed which will involve the loss of c.4Ha. of existing habitat. To mitigate for this loss the proposals include the retention / creation of habitat along the eastern, western and southern boundaries of this land parcel. In total, these retained / habitat creation areas would extend to approximately 0.9Ha in area. In order to provide compensatory habitat, the roof of the proposed decked car storage building would be a 'brown roof'. The ES suggest that this are will be designed and managed specifically to provide a good quality, long-term source of open mosaic habitat. The brown roof would extend to c.2Ha in area. Although there would be a net loss of open mosaic habitat, the ES contends that the management of proposed mitigation and compensation areas would reduce the impact of this net loss. A summary of the post-mitigation residual impacts on terrestrial ecology is presented in the table below:

<u>Feature</u>	<u>Evaluation</u>	<u>Effect</u>	<u>Significance of Effect</u>	<u>Proposed Mitigation</u>	<u>Significance of Residual Impact</u>
Reedbed	Local	Localised habitat loss	Negative, Site	Compensatory planting	Negligible
Open Mosaic Habitat	County / Regional	Habitat loss	Negative, County / Local	Improved management of retained areas, compensatory habitat creation on brown roof	Local / Site
Dittander	Local	Habitat loss	Negative, Local	Translocation of spoil to promote establishment in retained areas	Site / Negligible
Invertebrates	County /	Habitat	Negative,	Improved	Local / Site

	Regional	loss	County / Local	management of retained areas (and monitoring), compensatory habitat creation on brown roof	
Birds	Local	Temporary disturbance and minor habitat loss	Negative, Site	Embedded mitigation and precautionary mitigation only	Negligible
Reptiles	Local	Habitat loss	Negative, Site (of Local)	Embedded mitigation and precautionary mitigation only	Site (or Local)

7.66 Coastal ornithology:

The ES includes an assessment of potential impact on coastal bird populations encountered in the Purfleet to Grays area. In particular the issues of construction / operational noise and disturbance from lighting are assessed. With mitigation measures, including measure to reduce light spillage, the residual impact on coastal ornithology is assessed as minor or negligible.

7.67 Commenting on ecological issues, the consultation response from the Landscape and Ecology Advisor agrees that, as most of the site comprises hardstanding areas, it is only the Purfleet Farm, Unilever land and Board Mills sites which require detailed assessment. With regard to these three areas the Council’s advisor notes:

Purfleet Farm – it is agreed that the northern part of this site, which benefits from planning permission, is not ecologically significant. The southern part of this site which is of the greatest value to invertebrates will be retained and managed.

Unilever land - the site is considered to be of value for invertebrates in, although the areas of highest value were concentrated in the northern and southern areas.

Board Mills site – is of limited ecological value.

7.68 With regard to proposed mitigation measures, the Advisor notes that the proposals for the Unilever site include the development of hardstanding up to the northern boundary adjacent to the railway line. The advisor notes that this northern boundary includes some of the best invertebrate habitat and it is requested that some of this existing habitat is retained as it is opposite to the mitigation area at Purfleet Farm and therefore provides a value link. Finally, the Advisor notes that

part of Purfleet Farm and the Unilever land has been identified as meeting Local Wildlife Site criteria during the current borough-wide Local Wildlife Site review. However the boundary of the site has not been agreed or the designation yet confirmed. The draft citation recognises the value of these sites primarily for invertebrates but also for reptiles which are associated with the areas of Open Mosaic Habitat. It is considered that the proposed mitigation, which includes long-term management together with the requested additional measures should mitigate the loss of some of the proposed site.

7.69 The applicant has been requested to consider the additional retained on the northern boundary of the Unilever land and an update will be provided.

7.70 VIII. LANDSCAPE & VISUAL IMPACT

A Landscape and Visual Impact Assessment forms part of the submitted ES. With regard to existing landscape character, the Thurrock Landscape Capacity Study (2005) was produced on behalf of the Council to assess the sensitivity and capacity of difference landscapes in the Borough to accommodate potential development. Nevertheless, this document is useful in allocating and describing the various landscape character types in Thurrock. This Study place the application site within the 'West Thurrock and Purfleet Urban Area', which exhibits key characteristics including "*heavy industrial buildings associated with the Purfleet Thames Terminal (e.g. Esso)*" and the "*strong influence of associated utilities infrastructure*". With reference to visual receptors, residential properties border the site to the north on London Road and view of the site are available from public footpaths on both the northern and southern banks of the River Thames.

7.71 Construction / operational impacts – landscape character:

The ES considers that the landscape and visual impacts of the construction phase would be short term and temporary and would be unlikely to result in impacts over and above those of the completed (operational) development. Therefore the effects of construction activities on landscape and visual receptors would not be significant.

7.72 The operational impacts of the development are assessed in the ES firstly following completion of construction but when any planting in not mature (and the impacts are likely to be at their greatest) and secondly once planting has become mature (i.e. 15 years after the development is complete). In assessing impacts on landscape character, the ES notes that the majority of the application site, comprising the North, South and West Park areas, is currently an operational port area characterised by open storage of vehicles, trailers and containers, with associated buildings and infrastructure. The Purfleet Farm and former Thames Board Mills sites, although currently open, benefit from existing planning permissions for port-related storage and the former Board Mills site was occupied

with industrial buildings until the 1990's. The ES considers that 'large scale' impacts on landscape would be limited to the site itself and the land immediately to the west of the Board Mills site where the proposed decked car storage building will become *"a more prominent feature in the landscape than the adjacent Esso gas storage structures"*. Medium scale landscape impacts are predicted to London Road where the operation of the development would result in noticeable change to the existing landscape. However, this change has to be seen in a context where existing Terminal activity has a strong influence on landscape character (as noted within the Thurrock Landscape Capacity Study. Beyond these two areas (i.e. immediately west and north of the site) only small scale or negligible impacts on landscape character are predicted.

7.73 The large scale landscape effects referred to above are considered by the ES to occur to no more than 250m from the west of the site boundary of the former Board Mills site. The predicted medium scale impacts on London Road north of the site are predicted to extend up to 150m north of the site where the development would be visible in between existing planting and buildings. For the site boundaries to both London Road and the Board Mills site new planting to mitigate landscape impacts is proposed. A summary of landscape effects is presented in the table below:

<u>Receptor</u>	<u>Comments</u>	<u>Sensitivity</u>	<u>Magnitude</u>	<u>Significance</u>	<u>Positive / Neutral / Adverse</u>
Landscape Character					
West Thurrock & Purfleet Urban Area	Within the site and up to approx. 250m west	Low	Medium	Slight	Adverse
	Up to approx. 150m north		Medium-Low	Slight	Neutral
	Overall effects on the wider character area		Negligible	Minimal	Neutral

7.74 Operational impacts – visual impact:

In line with standard practice for LVIA, the ES assesses the potential visual impact on a number of surrounding representative viewpoints. The chosen viewpoints represent a mixture of residential, road, user, footpath user and cycle path user receptors. The predicted scale of effect at each representative viewpoint is summarised in the table below:

<u>Viewpoint</u>	<u>Receptor</u>	<u>Distance</u>	<u>Scale of effect</u>
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		<u>direction from site</u>	<u>Adverse, Neutral or Positive</u>
View south from High House Production Park	Residents, visitors, workers, road users	120m / North	Negligible / Neutral
View south from London Road / Jurgen's Road	Residents / road users	20m / North	Negligible / Neutral
View south from London Road / Lockyer Road	Residents / road users	60m / North	Medium / Neutral
View south from Coniston Avenue	Residents	120m / North	Medium / Adverse
View from Footpath no. 141 to west of site	Footpath users	230m / West	Large / Adverse
View north from public right of way on south bank of Thames	Footpath / cycle path users	580m / South	Small / Adverse
View north-west from public right of way on south bank of Thames	Footpath users	880m / South-East	Negligible / Neutral
View north-east from public right of way on south bank of Thames	Footpath users	1,500m / West	Negligible / Neutral

- 7.75 In addition to the assessment of visual effects on these representative viewpoints, the ES also more generally considers visual effects on road and rail users and users of public rights of way, in particular footpath no. 141 which runs west-east along the riverfront between Purfleet Railway Station and the Proctor & Gamble factory downstream of the QEII bridge. The significance of visual effects on these receptors is assessed as either minimal or slight. However, for users of the footpath, especially west of the site, the significance of effect is assessed as moderate in relation to the impact of the decked car storage building.
- 7.76 Mitigation measures, in the form of the detailed design of the car storage building new planting to the western boundary of the Board Mills site and the northern boundary with London Road, are proposed. As the existing landscape and visual context of the site is one of an industrial backdrop, the baseline situation would remain largely unchanged. Comments received from the Council's landscape advisor note that one of the representative viewpoints would be close to the proposed car storage structure and that for this section of the footpath there would be no effective visual mitigation. However, along much of the length of this public footpath there are a large number of large scale industrial structures which

influence the character of this route. Within this context no objections are raised to the proposals on the grounds of landscape or visual impact.

7.77 IX CUMULATIVE ASSESSMENT

Schedule 4, Part 1(4) of the Environmental Impact Assessment Regulations (2011) requires an ES to include:

“a description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development ...”

7.78 The Regulations do not provide a definition of what cumulative effects means. However, the European Commissions’ “Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions” (May 1999) refers to a definition of “cumulative impacts” as:

“Impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project”

7.79 The ES submitted for this application includes a cumulative assessment which considers major development and infrastructure projects within a 1km radius of the site and “which have a reasonable prospect of coming forward before or at the same time” as the current proposals. Based on these criteria the ES considers those EIA developments with planning permission which are either under construction or have not yet commenced and those EIA developments where an application has been submitted and there is a resolution to grant planning permission.

7.80 The ES therefore considers the following list of projects:

Ref.	Site	Proposal	Status
11/50431/TTGETL	Purfleet Farm	Class B2 / B8 development	Permission granted – not implemented
11/50401/TTGOUT	Purfleet Centre	Mixed use redevelopment – residential, Use Classes A1 / A2 / A3 / A4 / A5 / B1 / B2 / B8 / D1 / D2, relocation of railway station etc.	Permission granted – not implemented
12/00337/OUT	Former	Class B1(c) / B2 / B8	Permission

	Seaborne containers, Oliver Road		granted – development implemented
13/01231/FUL	Land east of Euclid Way, south of West Thurrock Way	Class A1 / A3 / A5 / D1 / D2 / C3 development	Permission granted – not implemented
14/01387/FUL	Part of former Exxon site	Vehicle storage	Permission granted – not implemented
14/01392/FUL	Purfleet Farm	Vehicle storage	Permission granted – not implemented
15/00268/FUL	Part of former Paper Mills site	Vehicle storage	Permission granted – not implemented
16/01574/FUL	Part of North Park and Purfleet Farm	Roundabout, access road and gate complex	Under consideration (reported elsewhere on this agenda)
16/01582/FUL	Part of North Park and Purfleet Farm	Internal access road, bridge and railways	Under consideration (reported elsewhere on this agenda)
16/01601/FUL	Jetties south of Purfleet Terminal	Demolition / replacement of existing jetties	Under consideration

7.81 The potential for cumulative impacts of the current proposal in combination with the projects listed above is presented in a topic by topic basis within the ES. Therefore, potential cumulative impacts for landscape and visual impact, terrestrial ecology, coastal ornithology, traffic and transport, air quality, noise and vibration, water resources and ground conditions are assessed cumulatively. A summary of the predicted cumulative impacts by topic is presented below.

7.82 Cumulative Landscape & Visual Impact:

Cumulative effect on landscape character has a moderate significance of effect, which is judged to be, on balance, of neutral impact. Cumulative visual effect on settlements (residential areas) on London Road and adjoining local roads is judged to be of major-moderate significance which is, on balance, of neutral impact. Cumulative visual effect on the Tilbury Loop railway is judged to be of slight

significance which is, on balance, of neutral impact. Cumulative visual effect on Footpath 141 along the north bank of the River Thames is of moderate significance and is assessed to be, on balance, of neutral impact. Total cumulative visual effect on Public Rights of Way on the south bank of the River Thames is of major-moderate significance and is assessed to be, on balance, of neutral impact.

7.83 Cumulative Terrestrial Ecology Impact:

The ES identifies a potential for the proposals, in combination with a consented mixed use development at Purfleet Centre (ref: 11/50401/TTGOUT) to give rise to a cumulative impact on invertebrates, since the same area is proposed by both developments for the provision of compensation for habitat loss. Nevertheless principle of development at Purfleet Centre Regeneration and the Paper Mills Land (which is within the current site) has already been considered and accepted. Indeed the planning consent for the Paper Mills site (15/00268/FUL) has already precluded the ability of the approved Purfleet Centre scheme to provide compensatory habitat on the Paper Mills Land. There remains potential for a significant cumulative effect if both the proposals and 11/50401/TTGFUL are implemented, largely due to uncertainty relating to the mitigation / compensation requirements for Purfleet Centre. No residual cumulative impact is anticipated in respect of reptiles.

7.84 Cumulative Coastal Ornithology Impact:

The construction of a new replacement downstream jetty at the Terminal (16/01601/FUL) will not take place concurrently with the proposals and so will not lead to cumulative disturbance effects on coastal ornithology. Furthermore, the works will not lead to a reduced area of available mudflat habitat. As such no significant cumulative effects are anticipated.

7.85 Traffic and Transport Cumulative Impact:

In terms of vehicle delay on the local highway network, a series of junction assessments have been carried out, which demonstrate that all the junctions within the assessment area perform within acceptable levels within the cumulative development scenario. The ES takes into account the delivery of both consented development and development with the potential to achieve consent, and concludes that there would be no residual adverse effects.

7.86 Noise and Vibration Cumulative Impact:

The potential cumulative impact of construction noise would result in, at worst, a minor impact. A sensitivity test has been undertaken to determine the potential cumulative impact associated with the mixed use development of B2 / B8 located on Purfleet Farm and the proposals. The anticipated daytime and night time levels resulting from operational activities is not generally expected to be higher than the existing measured incident environmental sound levels.

7.87 Air Quality Cumulative Impacts:

With mitigation measures, the cumulative effect of construction activities on air quality would be not significant. The cumulative impact assessment concludes that the significance of operational phase road traffic impacts upon local air quality are 'slight adverse' based upon:

- a reduction in pollutant concentrations at two receptor locations, as a result of the new site access arrangements (subject to separate planning applications) off Stonehouse Corner roundabout. It is likely that many receptors along London Road would also experience an air quality benefit as a result of this;
- a reduction in concentrations at receptor R5 to below the annual mean NO₂ Objective;
- receptor R7 which experienced a 'substantial adverse' impact was predicted to do so because the existing baseline concentration was 55.59²g.m⁻³, although a maximum impact of 0.44²g.m⁻³ was predicted above the proposals. In addition, this receptor is isolated and does not represent other relevant exposure in the area;
- the majority of receptors were predicted to experience impacts of a 'negligible' nature.

7.88 Water Resources Cumulative Impacts:

The impact on flood risk due to the proposals alone is negligible. As such, there would be no additive effect in combination with other developments. The proposals would prevent the construction of a balancing pond for the consented mixed use development at Purfleet Centre (ref: 11/50401/TTGOUT). To mitigate this impact, a pumped drainage system could be installed at the Purfleet Centre site or within the Site to accommodate the additional flows. In either case there would be no cumulative impact.

7.89 Ground Conditions Cumulative Impact:

Committed projects are subject to a similar level of risk control and mitigation as the proposals. As such, effects on each individual committed site would, at worst, be minor and any cumulative effect would be indiscernible.

7.90 X. OTHER MATTERS

Major Hazard Sites:

Part of the application site fall within the consultation distances for two major hazard sites in Purfleet. Firstly, the majority of the Unilever land is allocated within the Inner, Middle and Outer zones around the Civil & Marine Slag Cement Ltd major hazard site. Secondly, parts of the Board Mills site, former Exxon site, West Park, North Park and South Park are located within the consultation zones drawn

around the Esso Fuel Terminal site, which is a 'Large Scale Petroleum Storage Site' and thus subject to additional consultation requirements.

- 7.91 The Health and Safety Executive (HSE) direct local planning authorities to utilise their PADHI+ consultation system in order to generate a consultation response. With reference to the proposed storage use on the Unilever land the PADHI+ system has been used to generate a response which "does not advise against" the granting of planning permission.
- 7.92 With regard to the western part of the site, elements of the existing North, West and South Park sites are within the Inner, Middle and Outer consultation zones for the Esso fuels terminal. However, as the proposed uses for these areas are essentially unchanged from their current use there is a negligible effect on terms of the sensitivity of the land use. The eastern part of the Board Mills site and the majority of the former Exxon site is located within the 'Development Proximity Zone' (DPZ) of the fuel terminal. In these circumstances, the HSE have been notified directly and their response is awaited. In any case the HSE have published 'Land Use Planning Advice Around Large Scale Petrol Storage Sites' which states that "*only development which are not normally occupied (within the DPZ) will attract does not advise against advice from HSE*". The HSE define "not normally occupied" development as including outdoor storage and thus it is likely that the use of the Exxon site will be acceptable to the HSE. In respect of the proposed car deck on the Paper Mills site, if this structure is considered to be a 'storage facility' it could meet the HSE definition of 'not normally occupied', subject to meeting occupancy criterion. The HSE's view on this factor are awaited.
- 7.93 Impact of the proposals on the Purfleet Centre Redevelopment Scheme:
Concerns have been raised by some local residents, as well as the planning agent representing Purfleet Centre Regeneration Ltd, that the current proposals may be prejudicial to the delivery of the Purfleet Centre regeneration scheme.
- 7.94 Outline planning permission, with all matters reserved, for redevelopment at Purfleet Centre was granted by the Council in May 2013 (ref. 11/50401/TTGOUT). The full description of development for this outline planning permission was:

"Demolition of existing buildings; site preparation; redevelopment of the application site for a mix of uses including; residential (up to 3,000 units); retail floorspace Use Class A1, financial & professional services floorspace - Use Class A2, food & drink facilities - Use Classes A3, A4 & A5 (6,900sq.m.); employment & business uses - Use Classes B1, B2 & B8 (31,000sq.m.); hotel - Use Class C1 (3,300sq.m.); community, school & civic facilities - Use Class D1 and leisure uses - Use Class D2 (6,500sq.m.); car parking spaces; relocation of existing station ticket hall; public &

private open space and landscaping, highways, access, engineering and associated works.”

7.95 The planning application was originally submitted in October 2011 to the former Thurrock Thames Gateway Development Corporation (TTGDC), who performed a function as the local planning authority for strategic planning applications until 31 March 2012. At the time when the application was submitted TTGDC was also the applicant. The Order transferring the roles and responsibilities of the TTGDC to the Council from 1 April 2012 provided the Council with, inter-alia:

- freehold ownership of all TTGDC land assets and liabilities within the application site, totalling approximately 29 hectares of brownfield land; and
- applicant status for the Purfleet Centre outline planning application.

7.96 The Council has therefore inherited the benefit of the outline planning permission and controls, as landowner, some 50% of the land subject to the Purfleet Centre planning permission. The former Paper Mills site (within the current application site) and the adjoining International Timber site (to the north) are at the south-eastern corner of the Purfleet Centre site, as shown on the site boundary of 11/50401/TTGOUT. However, it is understood that both the Paper Mills site and the International Timber site are not in the Council's ownership.

7.97 In March 2014, following the conclusion of a competitive procurement exercise, Cabinet approved the appointment of Purfleet Centre Regeneration Limited (PCRL) as the Council's development partner which would ultimately take on responsibility for delivering the project. PCRL's formal submission included a high level masterplan which set out a vision for Purfleet Centre. The proposal took elements of the Council's original scheme and augmented them to propose a development featuring:

- a film, television and media studio complex;
- approximately 2,300 new homes set around a new town centre;
- a new primary school;
- a redeveloped station; and local facilities including a supermarket, community hall, health centre, retail units and spaces for cafés/bars.

7.98 PCRL and the Council have progressed towards completing a Development Agreement between the two parties and it is understood that this Agreement is now complete. An update report for the scheme, presented to Cabinet in October 2015, noted that a funding partner (London and Quadrant Housing Trust) had been identified by PCRL and, following an extended due diligence process, terms had been agreed which will secure the funds necessary to secure the delivery of the first phase of the project. This Cabinet report also noted that, following completion

of the Development Agreement a period of around 12 months will be required “*to develop the detailed masterplan, new outline application for the whole scheme and reserved matters application for the first phase of the development.*” It was estimated that a hybrid planning application, comprising outline proposals for the entire site and detailed proposals for the first stage or phase, could be submitted by the end of 2016 or early 2017. However, no planning application has yet been submitted.

- 7.99 It is clear that the development parameters established by the outline planning permission (11/50401/TTGOUT) have been, at least in part, superseded by the emerging masterplan. It is therefore considered extremely unlikely that the Purfleet Centre development will be progressed via the current outline permission.
- 7.100 The outline planning permission (11/50401/TTGOUT) included a number of illustrative “for information only” plans. An “illustrative masterplan” drawing allocated the Paper Mills site partly as a proposed drainage retention pond and partly as a proposed natural landscape habitat with restricted access – the restriction on access reflecting the proximity to the HSE consultation distances drawn around the Esso Purfleet Terminal site. Land to the north of the railway line (the International Timber site) was illustratively allocated for employment uses and car parking by the outline permission. Land to the west of Paper Mills site was illustratively allocated as a riverside park. An illustrative phasing drawing accompanying the outline planning permission also suggested development of the Paper Mills site would be the last of 4 potential phases of development.
- 7.101 By way of background, the consideration of ecological interests, and particularly invertebrates, formed an important element of the outline planning application. Survey work to accompany the 2011 application recorded important invertebrate interests present within parts of Botany Quarry and Cory’s Wharf. As important habitats for invertebrates were shown to be lost by the outline planning application proposals, new compensatory habitat was proposed. This new habitat included a new ‘Riverside Park’ which included the eastern part of Cory’s Wharf and the Paper Mills site. With reference to the outline planning permission, the effect of the current proposals would be to remove the land available for both the compensatory habitat and the area for surface water attenuation. However, as noted above, it is considered extremely unlikely that Purfleet Centre will be developed pursuant to the extant outline permission.
- 7.102 Any new outline planning permission submitted by PCRL will need to:
- establish the area of the application site – it is not known at this stage that the red line boundary of any new hybrid application will correspond with the boundary of the extant planning permission;

- formulate development parameters and establish what mitigation and / or compensation is required for drainage and ecology;
- revisit the ecological surveys submitted with 11/50401/TTGOUT through the Environmental Impact Assessment process.

Therefore, until the new application is submitted and assessed, it cannot be assumed that the land at the Paper Mills site will be required for mitigation and / or compensation purposes.

7.103 The ownership of the current site is also to a degree relevant. Currently, a substantial amount of the land required to deliver the Purfleet Centre redevelopment (as shown by the outline planning permission) is not within the control of either the Council or PCRL, including (as it is understood) the current Paper Mills site. This land must first be acquired in order to deliver the approved Purfleet Regeneration proposals. Accordingly, it is not the proposed car storage use on the Paper Mills site that would prevent redevelopment of Purfleet Centre, rather it is the absence of control over the land.

7.104 PCRL's planning agent also makes reference to the issue of the status of the Local Plan "allocation" of the Paper Mills site as employment land. In particular PCRL note that:

- the Former Paper Mills land has been accepted as forming part of a proposed key regeneration scheme for Purfleet (via 11/50401/TTGOUT);
- much of the Core Strategy Interim Proposals Map was based on retained policies and proposals of the 1997 Local Plan which should only should only attract limited weight;
- there is currently no up to date site specific articulation of the Core Strategy's policies. In the absence of an up to date Proposals Map, PCRL consider that the Purfleet Key Area of Regeneration proposed by the Core Strategy for the regeneration of Purfleet should be accorded the greater weight in planning policy terms.

7.105 In response to these points, whilst it is true that the Paper Mills site forms part of the Purfleet Centre site for which outline permission has been granted, it is also true that this site benefits from a more recent full planning permission for vehicle storage (15/00268/FUL). Consequently, the land use principle of both Terminal related uses and uses which support the Purfleet Centre outline permission have been assessed and found acceptable. It is a matter of fact that the Paper Mills site has an employment denotation as 'Land for New Development in Primary Areas Core Strategy Local Plan policies map (2015). Appropriate weight should be attached to this designation in these circumstances. It is assumed that PCRL are

referring to the 'Key Diagram for Adopted Core Strategy' which appears after the Core Strategy Spatial Policies. This diagram schematically shows 'New Housing on Brownfield Land' within central Purfleet. However, a footnote to this diagram crucially notes that "this Key Diagram is not a Proposals Map". Accordingly, greater weight should not be attached to the Key Diagram rather than the Local Plan policies map.

- 7.106 Chapter 3 of the Core Strategy (The Future of Thurrock) sets out a 'Spatial Vision for 2026' which notes that "*the regeneration of Thurrock will be concentrated in five regeneration areas ... Purfleet will have a new centre with a thriving community at its heart*" (paragraph 3.10). With specific reference to Purfleet, paragraphs 3.20-3.23 of the Core Strategy go on to note:

"Regeneration will be founded on the development of a mix of dwellings, employment and community facilities focused around a new centre adjoining the railway station and riverside. Approximately 3,000 new homes will be built in a variety of dwelling types ... There will be a new Neighbourhood Area at the southern end of Botany Way adjoining the station, with a Community Hub Centre, a Health Centre, school and shopping facilities ... There will be additional employment sites at the northern and eastern ends of Purfleet. Public access to and along the riverfront will be improved ..."

The current proposals would not conflict with this broad spatial vision.

8.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 8.1 In coming to its view on the proposed development the Council has taken into account the content of the ES submitted with the application as well as representations that have been submitted by third parties. The ES considers the potential impacts of the proposal and on occasions sets out mitigation measures. Subject to appropriate mitigation, which can be secured through planning conditions, the ES concludes that any impact arising from the construction and operation of the development would be within acceptable limits. Having taken into account representations received from others, Officers consider that the proposed development is acceptable, subject to with a number of planning conditions that are imposed upon the permission. Therefore, it is recommended that planning permission is granted subject to the recommendation set out below.
- 8.2 The proposals for consideration in many respects replicate existing Terminal activities for large parts of the site. The North, West and South Park areas are currently used for the storage and movement of vehicles containers and trailers and are in this sense port-related. The current proposals would essentially result in no change to the land use from the existing situation in respect of these areas. The

application seeks flexibility in use of the areas for the storage and transfer of vehicles, trailers and containers across the North, West and South Park areas. However, it is likely for operational reasons that trailer and container storage and transfer would still be concentrated on areas south of the railway land and closer to the ship berths.

- 8.3 The proposals for vehicle, container and trailer storage include part of the currently open land at Purfleet Farm. However, the principle of employment-generating and port-related storage development has been recently found acceptable on this site via the grant of planning permission and a resolution to grant permission subject to completion of a s106 legal agreement.
- 8.4 The Unilever land is currently open and unused. However, permission has recently been granted for a road which links this part of the site to the rest of the Terminal site. Furthermore, this land is allocated for employment use and there can be no objection, in land use policy terms, to the proposed storage uses.
- 8.5 Similarly, the former Thames Board Mills land (forming the western part of the application site), is allocated in the current development plan and land for new employment development. In addition, there is an extant planning permission for surface level, port related vehicle storage on this land. There is no objection to the principle of vehicle storage in these circumstances.
- 8.6 Subject to mitigation to be secured through planning conditions, there are no objections to the proposals with regard to impact on the highway network, flood risk, ground conditions or other environmental receptors. It is considered that the proposals would increase the operational efficiency of the Port, which is a long-standing and important employer in Purfleet. Both national and local planning policies support, in principle, economic growth and these proposals underpin the economic role of sustainable development.
- 8.7 A number of representations have been lodged against the proposed, principally the impact of proposed development on the former Paper Mills site in relation to the Purfleet Centre site and EIA issues. The relationship of the site to Purfleet Centre is addressed in details from paragraph 7.93 above.
- 8.8 With regard to EIA issues, in light of the consultation responses received, it is considered that the baseline and mitigation measures set out in the ES are robust. The ES list a number of projects which, in combination with the current proposals, could result in cumulative impacts on the environment. This list of projects includes the extant planning permission for Purfleet Centre. Although a revised hybrid planning application for Purfleet Centre is expected, at the time of writing there has been no formal planning application submission. Understandably it is difficult and

indeed unreasonable for the applicant to model cumulative impacts for potential future planning application if there is no related information in the public domain. In any case, the applicant's cumulative assessment does take into account the effects of the extant Purfleet Centre planning permission.

9.0 RECOMMENDATION

Grant planning permission subject to the following conditions:

Definitions

1. Within the following conditions the definitions listed below apply -

- Development Component: One of components that make up the Proposed Development as set out on the Proposed Layout Plan (reference C116039-TG-00-XX-DR-C-9200). These are as follows:
- North Park Flexible Surface Storage and Transfer Area.
 - South Park Flexible Surface Storage and Transfer Area.
 - Former Paper Mills Land Car Storage Building.
 - Unilever Land Flexible Surface Storage and Transfer Area.
 - Canteen/Workshop Building.
 - London Road Landscape Enhancements.
 - Pre Delivery Inspection (PDI) Building Extension.
- Site Preparation Works: Includes the following enabling work required to prepare the site for development:
- site clearance works.
 - demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.
 - removal of existing and surplus rubble.
 - removal of services including service trenches.
 - archaeological and ground investigations.
 - remedial work.
 - carrying out CAT scans to confirm all

- existing services are clear.
- the erection of a hoarding line.
- providing piling matting.
- providing clear health and safety information.
- piling works.

Advanced Infrastructure Works:	Includes the following enabling infrastructure: <ul style="list-style-type: none">- installing drainage infrastructure.- installing services and utilities.- construction of foundations and ground floor/level slab.- ground levelling works.
Highways Works:	Surface works required to amend existing or form new vehicular access.
Construction Works:	Superstructure works above the ground floor level/slab required to erect a building or structure.
Landscape Works:	Surface landscaping works required to implement internal routes, storage areas and green infrastructure.
First Operation:	Refers to the first commencement of the use of a building or land.

Time Limit

2. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission or before the expiration of 2 years from the date of approval of the Reserved Matters Application.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Applications for the approval of reserved matters (being scale, layout, appearance, landscaping and siting) for the PDI extension shall be made to the local planning authority before the expiration of ten years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

<u>Ref.</u>	<u>Title</u>
C116039-TG-00-XX-DR-C-9010 Rev. P4	Site Wide Works Proposed Demolition Plan
C116039-TG-00-XX-DR-C-9200 Rev. P10	Site Wide Works Proposed Layout Plan
C116039-TG-00-XX-DR-C-9201 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 1 of 5
C116039-TG-00-XX-DR-C-9202 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 2 of 5
C116039-TG-00-XX-DR-C-9203 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 3 of 5
C116039-TG-00-XX-DR-C-9204 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 4 of 5
C116039-TG-00-XX-DR-C-9205 Rev. P4	Site Wide Works Proposed Layout Plan Sheet 5 of 5
C116039-TG-00-XX-DR-C-9220 Rev. P3	Site Wide Works Proposed Canteen Sections Sheet 1
C116039-TG-00-XX-DR-C-9230 Rev. P3	Site Wide Works Proposed Sections Sheet 1
C116039-TG-00-XX-DR-C-9231 Rev. P3	Site Wide Works Proposed Sections Sheet 2
C116039-TG-00-XX-DR-C-9232 Rev. P3	Site Wide Works Proposed Sections Sheet 3
C116039-TG-00-XX-DR-C-9233 Rev. P3	Site Wide Works Proposed Sections Sheet 4
C116039-TG-00-XX-DR-C-9234 Rev. P2	Site Wide Works Proposed Sections Sheet 5
C116039-TG-00-XX-DR-C-9235 Rev. P2	Site Wide Works Proposed Sections Sheet 6
C116039-TG-00-XX-DR-C-0565 Rev. P5	Proposed Site Wide Works Drainage Strategy
L004776-A-201 Rev. A	South Elevation
L004776-A-202 Rev. A	North Elevation
L004776-A-203 Rev. A	East Elevation
L004776-A-204 Rev. A	West Elevation
L004776-A-206 Rev. A	Cross Section A-A

L004776-A-207 Rev. A	Cross Section B-B
L004776-A-208 Rev. A	Cross Section C-C
L004776-A-209 Rev. A	Cross Section D-D
L004776-210 Rev. A	Ground Level & Level 01 Car Deck Layouts
L004776-211 Rev. A	Level 02 & Level 03 Car Deck Layouts
L004776-212 Rev. A	Level 04 & Level 05 Car Deck Layouts
L004776-213 Rev. A	Level 06 Car Deck Layout & Roof Plan
L004776-A-220 Rev. A	Proposed Gatehouse
L004776-A-221 Rev. A	Proposed Pumphouse
L004776-A-22 Rev. A	Typical Boundary Details
L004778-A-501 Rev. A	Proposed Ground & First Floor Plans
L004778-A-502 Rev. A	Proposed Second Floor & Roof Plans
L004778-A-503 Rev. A	Proposed Elevations & Sections
5369_100	Enhancements to London Road
5394_101	Former Paper Mills Land Planting Plan (1 of 2)
5394_102	Former Paper Mills Land Planting Plan (2 of 2)

Reason: For the avoidance of doubt and in the interest of proper planning.

Phasing

5. The development hereby permitted shall be carried out in accordance with the phasing set out in the Environmental Statement and specifically there shall be no increase in capacity (associated with this hybrid application) at the Terminal until the roundabout and security gate complex (subject to planning application ref. 16/01574/FUL) are operational, unless otherwise agreed in writing with the local planning authority.

Reason: In order to comply with the terms of the submitted application and the associated assessments.

CEMP

6. Prior to the commencement of any works, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall include:
 - I. construction vehicle routing;
 - II. construction access;
 - III. areas for the loading and unloading of plant and materials during

- construction;
- IV. wheel washing facilities;
- V. Flood Warning and Evacuation Plan for the construction stage;
- VI. measures to be in place for control and minimisation of fugitive dust during construction;
- VII. water management during construction, including waste water and surface water discharge;
- VIII. method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals, during construction; and
- IX. Construction Stage Waste Management Plan.

The development shall thereafter be implemented in accordance with the approved measures detailed within the CEMP.

REASON: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Ecological Mitigation & Management Plan

7. Ecological Mitigation and Management Plans (EMMPs) shall be submitted to, and approved in writing by, the local planning authority in accordance with the details set out below:
 - I. prior to the commencement of any works at Purfleet Farm, a reptile mitigation strategy shall be submitted and approved in writing by the local planning authority;
 - II. prior to the commencement of any works on the Unilever Land, a reptile mitigation strategy, shall be submitted and approved in writing by the local planning authority;
 - III. prior to the commencement of any works at the South Park, details of mitigation measures and long-term management and maintenance (0.54ha of retained habitat to be the subject of ongoing management to promote floristic vegetation suitable for invertebrates) shall be submitted and approved in writing by the local planning authority;
 - IV. prior to the commencement of Landscaping Works at the former Paper Mills land, details of mitigation measures and long-term management and maintenance (including landscaping strips along north and west boundaries to include further patches of invertebrate habitat, and a design specification for the living roof) shall be submitted and approved in writing by the local planning authority;

- V. prior to the commencement of Landscaping Works at the Unilever land, details of mitigation measures and long term management and maintenance for an area of retained and /or enhanced open mosaic habitat totalling 0.99ha (comprising the southern tip, the north-east corner, a strip alongside the western boundary, and a 631sq.m. area adjacent to the northern boundary parallel to the railway) shall be submitted and approved in writing by the local planning authority;
- VI. prior to the commencement of Landscaping Works at Purfleet Farm, details of mitigation measures and long-term management and maintenance of retained habitats (including the retention of the north-south stretch of the Stanford Boundary Ditch, a new Sustainable Drainage Pond with a sediment forebay for water cleansing and aquatic bench to provide wetland habitat, a new linear vegetated swale along the southern edge of Purfleet Farm parallel to the railway) shall be submitted and approved in writing by the local planning authority. The management of retained habitats will be targeted towards the requirements of Purfleet Farm's invertebrate assemblage.

The development shall thereafter be implemented in accordance with the agreed measures detailed within the EMMP.

Reason: To ensure that the effects of the development upon the natural environmental are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Landscape Protection

8. All vegetation to be retained on the site shall be protected by chestnut paling fencing for the duration of the construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any construction works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing and no changes in ground level may be made or underground services installed within the spread of any tree or shrub (including hedges) without the previous written consent of the local planning authority.

Reason: To ensure that all existing vegetation to be retained is properly protected in the interests of visual amenity and to accord with Policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Nesting Birds

9. Demolition and clearance of vegetation or other potential bird nesting sites shall not be undertaken within the bird breeding season (1st March to 31st July) except where a suitably qualified ecological consultant has confirmed in writing to the local planning authority that such clearance works would not affect any nesting birds. In the event that an active bird nest is discovered outside of this period and once works have commenced, then a suitable stand-off period and associated exclusion zone shall be implemented until the young have fledged the nest.

Reason: To ensure effects of the development upon the natural environment are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Working Hours

10. No Construction works shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours

Saturdays 0800 – 1300 hours

unless in association with an emergency or the prior written approval of the local planning authority has been obtained. If impact piling is required, these operations shall only take place between the hours of 0900 - 1700 hours on weekdays.

Reason: In the interests of protecting surrounding residential amenity in accordance with Policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Contamination

11. Prior to Site Preparation Works, a Preliminary Contamination Risk Assessment and Scheme of Investigation shall be submitted and approved in writing by the local planning authority. The details shall include:
- a. a Preliminary Risk Assessment that has identified all previous uses; potential contaminants associated with those uses; and a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risk arising from contamination at the site.

- b. a Scheme of Investigation based on the Preliminary Risk Assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

12. Prior to Advanced Infrastructure Works within a Development Component, the Contamination Risk Assessment and Site Investigation for that Development Component shall be conducted in accordance with the approved Scheme of Investigation and Preliminary Risk Assessment, and the Remediation Scheme shall be submitted and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

13. Prior to first operation of a Development Component, the Contamination Remediation Scheme for that Development Component shall be implemented as approved and a Verification Report shall be submitted and approved in writing by the local planning authority. The submitted details shall include:

- a. results of sampling and monitoring; and
- b. a long term monitoring and maintenance plan with arrangements for contingency action.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Unforeseen Contamination

14. If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Site Levels

15. Prior to Advanced Infrastructure Works within a Development Component, details of finished site levels and the associated levelling and infilling works required for that Development Component shall be submitted to, and approved in writing by, the local planning authority. The development shall accord with the agreed details.

Reason: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site in accordance with policies PMD1 and PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Foundation Design

16. Prior to Advanced Infrastructure Works within a Development Component, details of foundation design and other works below existing ground level for that Development Component shall be submitted to, and approved in writing by, the local planning authority. The development shall accord with the agreed details.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Surface Water Drainage

17. Prior to Advanced Infrastructure Works within a Development Component,

details of the surface water drainage scheme for that Development Component shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall include:

- I. assessment of suitability for infiltration based on soil types and geology;
- II. detailed drainage plan;
- III. detailed SuDS Design Statement;
- IV. confirmation of land ownership of all land required for drainage and relevant permissions;
- V. SuDS Management Plan; and
- VI. plan showing the allocation of volume storage and discharge rate given to the plot as part of a wider SuDS strategy.

The development shall accord with the agreed details.

Reason: To ensure that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Foul Water Drainage

18. Prior the commencement of Construction Works for any building, details of the Foul Water Management Scheme for that building shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall include:

- I. means of connection;
- II. phasing of provision; and
- III. capacity of the receptor system.

The development shall accord with the agreed details.

Reason: To ensure that adequate measures for the management of foul water are incorporated into the development in accordance with policy PMD15 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Archaeology

19. Prior to Site Preparation Works within a Development Component, a Written Scheme of Archaeological Investigation for that Development Component shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

20. Prior to Advanced Infrastructure Works within a Development Component, an Archaeological Mitigation Strategy for that Development Component shall be submitted to, and approved in writing by, the local planning authority. All works shall be carried out in accordance with the approved Mitigation Strategy.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

21. Within six months of the completion of field work within a Development Component, as set out in the approved Archaeological Mitigation Strategy, a Post-Excavation Assessment and Full Site Archive for that development Component shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Boundary Treatments

22. Prior to Landscaping Works within a Development Component, details of the design, colour and materials of all boundary treatments for that Development Component shall be submitted to, and approved in writing by, the local planning authority. The boundary treatments for that Development Component shall be installed in accordance with the approved details prior to the First Operation of that Development Component.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Landscaping

23. Prior to Landscaping Works along London Road, details of the landscaping scheme in accordance with drawing number 5369_100 and a scheme to the north of Purfleet Farm along London Road shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall include:

- I. details of the species, mix, planting centres etc. of the proposed tree, shrub and grass planting
- II. a timetable for implementation; and
- III. a long term management plan.

any trees, shrubs or plants which within a period of 5 years from their planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

24. Prior to the First Operation of the Former Paper Mills Land Car Storage Building the landscaping scheme shown on drawing numbers 5394_101 and 5394_102 shall be implemented and maintained thereafter during the use of the building, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

HGV Routing

25. Prior to the first operation of any Development Component, a routing strategy for HGVs associated with the operation of that Development Component shall be submitted to, and approved in writing by, the local planning authority. Thereafter, the Development Component shall be operated in accordance with the agreed strategy.

Reason: In the interests of highway and pedestrian safety and amenity in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Flood Warning & Evacuation Plan

26. Prior to the first operation of a Development Component, a Flood Warning and Evacuation Plan (FWEP) for that Development Component shall be submitted to, and approved in writing by, the local planning authority. The approved FWEP shall be operational upon first use of the Development Component and shall include details of internal refuge facilities, signage and an on-site warning system.

Reason: In order to ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Local Employment Strategy

27. Prior to the first operation of a Development Component a Local Employment Strategy (LES) for that Development Component shall be submitted to and approved in writing by the local planning authority. The submitted LES shall include:

- I. details of measures to show how residents of the administrative area of Thurrock could be encouraged to participate in any training, apprenticeship and employment opportunities associated with that Development Component; and
- II. details of monitoring and review arrangements for the LES.

Thereafter the Development Component shall be operated in accordance with the agreed LES.

Reason: In accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Errant Vehicle Protection

28. Prior to the first operation of a Development Component, details of permanent errant vehicle protection measures to protect the viaduct piers of HS1 for that Development Component shall be submitted to, and approved by, the local planning authority. The approved measures shall be implemented prior to the first operation of the development and retained thereafter.

Reason: In order to ensure the satisfactory development of the site in

accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Travel Plan

29. Prior to the first operation of a Development Component, a Travel Plan for that Development Component shall be submitted to, and approved by, the local planning authority. The submitted Travel Plan shall include details of specific measures to reduce the number of journeys made by car to the Terminal and shall include details of the operation, management and review of the proposed measures.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policy PMD10 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Flood Defence

30. Access to a 9m wide strip clear of all containers, trailers and vehicles, from the landward toe of the flood defence wall shall be provided to the Environment Agency within 24 hours of any such request.

Reason: In order to ensure reasonable access arrangements to the existing flood defence structures.

HS1 Viaduct

31. No storage of combustible gases or hazardous materials shall occur on-site within 200m of the High Speed 1 structure, unless agreed in writing by the local planning authority.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Details of Materials

32. Prior to Construction Works for the Former Paper Mills Land Car Storage Building, the Canteen / Workshop Building and the Pre-Delivery Inspection (PDI) Building Extension, details / samples of the materials to be used in the construction of the external surfaces of those buildings shall be submitted to and approved in writing by the local planning authority. These buildings shall

be constructed in accordance with the approved details /samples unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its surroundings in accordance with Policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

External Lighting

33. Unless otherwise agreed in writing by the local planning authority, the proposed external lighting shall be installed and maintained in accordance with the details shown on drawing numbers C116039-TG-00-XX-DR-C-9201 Rev. P4, C116039-TG-00-XX-DR-C-9203 Rev. P4, C116039-TG-00-XX-DR-C-9204 Rev. P4, C116039-TG-00-XX-DR-C-9205 Rev. P4 and paragraph 4.10 of the 'Purfleet Thames Terminal: Site Wide Application Design and Access Statement (December 2016)'.

Reason: In order to minimise impact on the amenity of adjoining occupiers in accordance with policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

ES Mitigation

34. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement submitted with the planning application, unless otherwise provided for in any of the conditions or subject to any alternative mitigation measures as may be approved in writing with the local planning authority, provided that such measures do not lead to there being any significant environmental effects other than those assessed in the Environmental Statement.

Reason: To ensure that the development is carried out in accordance with the principles of mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development and ensure compliance with a range of development plan policies set out within the planning committee report.

INFORMATIVE:

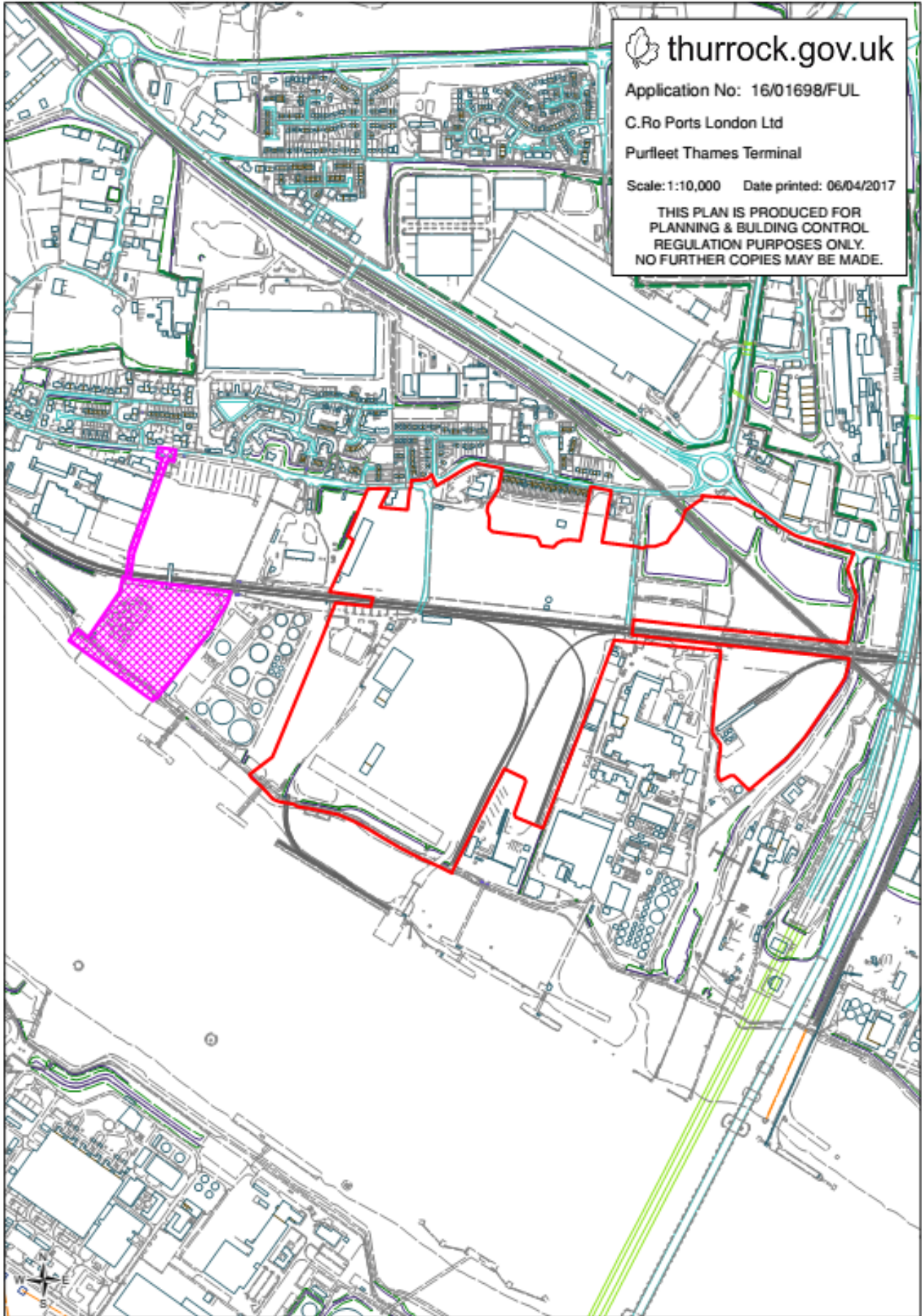
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



 **thurrock.gov.uk**

Application No: 16/01698/FUL

C.Ro Ports London Ltd

Purfleet Thames Terminal

Scale: 1:10,000 Date printed: 06/04/2017

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Reference: 17/00194/FUL	Site: Coryton Asset Ltd Offices At Former Petroplus Refinery The Manorway Coryton Essex SS17 9LN
Ward: Corringham And Fobbing	Proposal: Full planning application for the demolition of existing structures, stockpiling of inert material, excavation and treatment of contaminated soils, creation of a temporary bio-remediation compound, and associated ecological mitigation landscaping.

Plan Number(s):		
Reference	Name	Received
PL01 A	Location Plan	24th February 2017
001A	Drawing	14th February 2017
737_ECO8	Drawing	14th February 2017
15048_PL03	Drawing	14th February 2017
15048_PL05	Drawing	14th February 2017
15048_PL02	Drawing	28th March 2017

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> • Air Quality Assessment • Construction Environmental Management Plan • Ecological Appraisal • Flood Risk and Drainage Assessment • Ground Investigation Plan • Land Contamination Management Framework • Planning and Design and Access Statement • Remediation Works Description • Surface Water Management Plan • Transport Statement 	
Applicant: Marcol Industrial Management LLP on behalf of Marcol and Morzine	Validated: 23 February 2017 Date of expiry: 25 May 2017

Recommendation:

A – formally determine that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects

B - Approve, subject to a s106 agreement and conditions

This application is being determined by the Planning Committee in accordance Part 3(b) Paragraph 2.1 (a) of the Constitution as it is considered to have implications to the future development of this strategic site.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 Full planning permission is sought for the demolition of the existing structures, stockpiling of inert material, excavation and treatment of contaminated soils, the creation of a temporary bio-remediation compound and associated ecological mitigation landscaping. The proposed works are to bring the land to a safe standard and ready for future development, which would be subject of future planning applications. The works would be expected to last between 9-18 months.
- 1.2 The site comprises of six individual land parcels labelled 'A' to 'F' on the plans totalling 55.4 hectares. The largest parcel of land is the western land parcel labelled as 'F' which is 46.3 hectares. This parcel of land is subject to contamination but also areas where ecology and biodiversity has flourished forming an Open Mosaic Habitat. This area also includes grassland, scrub and a young small woodland, which is not subject to any tree preservation order (TPO). The other land parcels, 'A' to 'E', have no historical development and are identified for future ecological enhancement to compensate for the lost ecological areas lost from the western land parcel 'F'.

Remediation Works

- 1.3 The parcel of land labelled 'F' was formerly used for chemical production, processing and storage before closure and demolition in 1990. This included crude oil storage, bitumen processing, lube oil production, paraffin wax production, asphalt packaging, chemical blending of herbicides and pesticides, alkylate production and waste operations. There have been intermittent small scale land uses on the site since but the site is currently vacant. The 'Land Contamination Management Framework' report identifies that the main contaminants found present from intrusive investigations are petroleum hydrocarbons with localised hotspots of hydrocarbon impact, and low concentrations of pesticides. These would be subject to remediation works along with operational building works to remove the remnants of tank bases, hardstandings, access roads and single storey buildings. The remediation would take place in a two phased arrangement with the

western side of land parcel 'F' remediated as phase 1 and the eastern side of land parcel 'F' remediated as phase 2.

Treatment Compound Area

- 1.4 To enable to remediation works and reduce vehicle movements to and from the site a temporary treatment compound area would be located within the former oil refinery site and would link to the western land parcel 'F' via private routes through the former oil refinery site. The treatment compound would occupy a land area of 1.5 hectares and would include a site office, staff facilities, car park, a generator for power, bioremediation treatment area, soils treatment area and a water treatment area.

Ecological Enhancement Works

- 1.5 The other land parcels ['A' to 'E'] do not form contaminated land but would be subject to landscaping and ecological enhancement to compensate for the loss of habitats within the largest land parcel. These five parcels of land follow the route of Shellhaven Creek extending to 7.05 hectares in total. They contain areas of vegetation alongside the creek and areas of grassland to the east and north of the Calor Gas Terminal. The Manorway Fleet Reed Bed Local Wildlife Site (LWS) follows the route of the Shellhaven Creek and therefore falls within part of the site.

2.0 SITE DESCRIPTION

- 1.6 The site is located in the south east corner of the Borough. To the north and east of the site is the former oil refinery and part of the Thames Oil Port along with a gas fired power station. To the west is an oil distribution depot and the London Gateway Port facility. Beyond the existing built environment to the north is open grassland and marshland.
- 1.7 The principle vehicular access to the site is via The Manorway which serves this site. There are rail sidings in the area that pass through the London Gateway Port site before joining with the main line rail network near Linford to the west. This rail access is for freight use only. The wider former oil refinery site provides river connections via a number of jetties that project into the tidal areas of the River Thames.
- 1.8 The site lies within a high risk flood zone [Flood Zone 3] and is located within close proximity of two Special Protection Areas [SPA] of the Holehaven Creek and the Thames Estuary and Marshes SPA, and three Sites of Special Scientific Interest [SSSI] which are Holehaven Creek [to the eastern site boundary], Vange and

Fobbing Marshes [to the north] and Canvey Wick [to the east]. Also the Manorway Fleet Reed Bed Local Wildlife Site [LWS] falls within part of the site ['B' to 'E' land parcels].

3.0 RELEVANT HISTORY

3.1 None relevant to this application but the largest land parcel 'F' within the site has an extensive planning history relating to former oil refinery uses and chemical production, processing and storage.

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: www.thurrock.gov.uk/planning

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which has been displayed nearby. No representations have been received.

4.3 BUGLIFE:

No response.

4.4 ESSEX FIELD CLUB:

No response.

4.5 ESSEX AND SUFFOLK WATER:

No objection.

4.6 ESSEX WILDLIFE TRUST:

No response.

4.7 ENVIRONMENT AGENCY:

No objection subject to conditions

4.8 ENVIRONMENTAL HEALTH:

No objection subject to the mitigation measures listed in the reports being

implemented.

4.9 EMERGENCY PLANNER:

No objection subject to the Flood Warning and Evacuation Plan being implemented.

4.10 FLOOD RISK ADVISOR

No objection as no new impermeable surfaces are proposed

4.11 HIGHWAYS:

No objection subject to the Construction Environment Management Plan (CEMP) being conditioned for implementation.

4.12 HSE:

No objection.

4.13 LANDSCAPE AND ECOLOGY ADVISOR

No objections subject to the Ecological Mitigation and Enhancement Plan measures being introduced. In terms of the Habitat Regulations Assessment the proposal would not have any likely significant effect on the Holehaven potential Special Protection Area (SPA) and the Thames Estuary and Marshes SPA.

4.14 NATURAL ENGLAND:

No comments

4.15 PORT OF LONDON AUTHORITY:

No response.

5.0 POLICY CONTEXT

1.1 National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Core Planning Principles
- Building a strong, competitive economy
- Promoting sustainable transport
- Requiring good design
- Conserving and enhancing the natural environment
- Meeting the challenge of climate change, flooding and coastal change

1.2 Planning Practice Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 48 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Air quality
- Climate change
- Design
- Flood Risk and Coastal Change
- Hazardous Substances
- Land affected by contamination
- Natural Environment
- Noise
- Travel plans, transport assessments and statements in decision-taking
- Transport evidence bases in plan making and decision taking
- Use of Planning Conditions

Local Planning Policy

1.3 Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP2 (Sustainable Employment Growth)

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

Thematic Policies:

- CSTP6 (Strategic Employment Provision)
- CSTP15 (Transport in Greater Thurrock)³
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP27 (Management and Reduction of Flood Risk)²
- CSTP28 (River Thames)²
- CSTP29 (Waste Strategy)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD6 (Development in the Green Belt)²
- PMD7 (Biodiversity, Geological Conservation and Development)²
- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)²
- PMD15 (Flood Risk Assessment)²
- PMD16 (Developer Contributions)²

[Footnote: ¹New Policy inserted by the Focused Review of the LDF Core Strategy. ²Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. ³Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

1.4 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

1.5 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

1.6 Thurrock Borough Local Plan (1997)

The Borough Local Plan was adopted Council in September 1997. By law, although the end date of the Borough Local Plan has passed, its policies were automatically saved. The saved policies were originally intended to be replaced by the Local Development Framework, including the Core Strategy Local Plan, the Site Allocations Local Plan and Minerals and Waste Local Plan, once adopted. In February 2012, Council approved a revised schedule of saved policies and annexes. Policies listed in this schedule still form part of the development plan and are a material consideration when deciding planning applications. For the assessment of this application, Policy E8 (Oil Refineries) is applicable.

1.7 Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough’s Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the ‘parking’ of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

1.8 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a ‘Call for Sites’ exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the summer of 2017.

1.9 Thames Enterprise Park Final Interim Masterplan (2015)

In May 2015 the masterplan was finalised which identifies the development strategy and planning considerations for the creation of the Thames Enterprise Park to occupy the previously developed land at the former Coryton refinery. This masterplan sets out a series of guiding principles to be pursued with future development proposals for creating the vision for the area.

6.0 ASSESSMENT

1.10 The planning issues to be considered in this case are:

- I. Principle of the Development
- II. Land Contamination and Remediation Works
- III. Impact upon Biodiversity and Ecology
- IV. Impact upon the Green Belt
- V. Traffic Impact, Access and Car Parking
- VI. Socio-economic Benefits
- VII. Design and Layout
- VIII. Noise and Air Quality
- IX. Flood Risk and Site Drainage
- X. Planning Obligations
- XI. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

1.11 The majority of the site and the wider former Coryton Oil Refinery is allocated in the LDF Proposals Map as employment land but are not specifically referred to in the policy CSSP2 because the LDF was originally adopted [before the focused review] in December 2011 and the oil refinery ceased production in June 2013. Instead the site and the wider former Coryton Oil Refinery are considered as 'Primary and Secondary Industrial and Commercial Areas' through policy CSTP6, apart from land parcel 'A', as identified in the plans which falls within the Green Belt whereby policies CSSP4 and PMD6 apply.

1.12 As the site is part of the former Coryton Oil Refinery site Borough Local Plan 'saved' policy E8 applies and seeks to retain allocated oil refinery sites and allow for their expansion. This saved policy was to be superseded by the Site Specific Allocations DPD through the LDF; however, for the reasons explained above in paragraph 5.7 the Site Specific Allocations DPD is no longer being progressed.

1.13 In terms of national policy the NPPF's three dimensions of sustainable development (para 7) need to be satisfied for the 'presumption of sustainable development' (para

14) to apply, in particular regard to the environmental role with the proposed remediation works and impact that would have upon existing ecology and biodiversity and largest part of the site, land parcel 'F'.

- 1.14 Parts of the wider area of the former oil refinery have been rebranded the Thames Oilport with the existing terminal being refurbished for the bulk import and blending of fuels, but not refining. Since the cessation of oil production at the Coryton refinery this area is now recognised as a Growth Hub with 400 acres of land now available for development. Its historic refining use and supporting infrastructure, together with its location and river access, present an opportunity to create a genuine cluster of energy related industries co-located with supply chain companies and research and development firms. This part of the site has been branded as Thames Enterprise Park aimed at attracting firms from the environmental technologies and energy sectors with the potential to create up to 2,000 new jobs to accord with the LDF policies CSSP2 and CSTP6. The Thames Enterprise Park Final Interim Masterplan (2015) was finalised in May 2015 and whilst not a statutory Development Plan document the 'Masterplan' identifies a vision for the area with guidance to future development proposals.
- 1.15 This application site relates to the six individual land parcels labelled 'A' to 'F' on the plans with the largest parcel of land 'F' is subject to contamination. Instead of this land be remediated as part of a wider masterplanning application for the site the applicant is seeking to remediate the site first so this land is 'ready' for future development without having to remediate and delay the implementation of a future development following any future planning permission for the re-development of the Thames Enterprise Park. The other land parcels, 'A' to 'E', have no historical development and would be subject to ecological enhancement to compensate for any existing ecological areas lost from the western land parcel 'F'.
- 1.16 The proposals would create 15 jobs over the 9-18 month programme for this work.
- 1.17 In conclusion under this heading, the principle of the proposal is considered acceptable.

II. LAND CONTAMINATION AND REMEDIATION WORKS

- 1.18 As detailed in the 'Remediation Works Description' report the contaminated land would be subject to remediation along with operational building works to remove the remnants of tank bases, hardstandings, access roads and single building. The works to remove contaminated soils will be taken to the temporary Treatment Compound. The remediation works comprise of the following:
- Trial pitting to define the extent of contamination,

- Asbestos collection of materials;
- Excavation of shallow soils;
- Recovery of hydrocarbons from shallow perched water;
- Loading of 32t tipper trucks with transportation to the temporary Treatment Compound;
- Processing and reuse of bitumen spills;
- Break up of tank base foundations and hardstandings. Concrete then loaded onto tipper trucks and taken to a mobile concrete crusher on site in the temporary Treatment Compound;
- Any contaminated material that can't be treated will be taken to landfill.

- 1.19 Following the remediation work the ground surface would be re-established to comprise of made ground with excavations backfilled.
- 1.20 The proposed remediation work for land parcel 'F' would take place in a two phased arrangement with the western side of this land parcel remediated as phase 1 and the eastern side as phase 2. The process would support 15 employees for the duration of the works.
- 1.21 The Council's Environmental Health Officer has no objections to the findings of the 'Land Contamination Management Framework' and 'Remediation Works Description' reports subject to the mitigation being carried out, which will be a requirement of a planning condition. The Environment Agency similarly raise no objections subject to conditions being imposed regarding the contamination and remediation works.

III. IMPACT UPON BIODIVERSITY AND ECOLOGY

- 1.22 The application site is located within close proximity [600m] of Holehaven Creek which is a SSSI [UK designation] but has also been identified as a potential Special Protection Area [SPA] [European designation]. The site is also close to the Thames Estuary and Marshes SPA, which is 1.5km to the south. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). In considering the European site interest, the local planning authority, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that the proposals may have. The Habitat Regulations, which are a UK transposition of EU Directives relating to the conservation of natural habitats, flora and fauna and specifically wild birds, apply to certain designated sites including Special Protection Areas (SPA) and Ramsar sites. Of particular relevance to this application, regulation 61 of the Habitats Regulations requires, inter-alia, that:

Before deciding to give any permission for a plan which:

- (a) *is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects), and*
- (b) *is not directly connected with or necessary to the management of that site*

The competent authority must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

- 1.23 It is recognized that the Holehaven Creek and the Thames Estuary and Marshes support nationally important populations of overwintering birds. The Council's Landscape and Ecology Advisor has stated that as the site, and in particular land parcel 'F' in this instance, does not form any primary functional habitats for qualifying species, such as mudflats, saltmarshes and grazing marshes there would not be any likely effects upon the Holehaven Creek potential SPA and the Thames Estuary and Marshes SPA. Furthermore the existing seawall, which is located at a higher ground level than the site, would help reduce the effects of noise and lighting from the remediation works. Any necessary measures to mitigate can be secured through planning conditions, in particular the Construction Environmental Management Plan.
- 1.24 It is therefore recommended that the local planning authority formally determine the Habitat Regulation Assessment that, on the basis of the information available, the proposed works would not have a likely significant impact on a European site either alone or in combination with other plans or projects. This recommendation, set out as 'Recommendation A' below, should be considered before 'Recommendation B' [the recommendation to approve planning permission].
- 1.25 The 'Ecological Appraisal' explains that surveys were undertaken at the site in 2013, 2015, and between April 2016 and January 2017. Land parcels 'A' to 'E' have not been developed and therefore provide natural habitats in terms of terrestrial based ecology and water based ecology within the Shellhaven Creek. These land parcels will remain and are proposed to be enhanced to compensate for lost habitat from land parcel 'F' so there would be no loss of ecological habitat, instead ecological enhancement. Within land parcel 'F' there is a small young woodland area, not covered by any tree preservation order [TPO] but as a brownfield site the ground is dominated by hardstandings, Open Moasic Habit and scrub. Some of this habitat will remain as such, for instance along the river banks of the Shellhaven Creek. The surveys reveal the presence of the following protected species: bats; water voles [within the Shellhaven Creek]; breeding birds; the common lizard and invertebrates in various parts of this land parcel. A translocation exercise would relocate species to the ecological enhancement areas. It is also identified that further ecological enhancement areas would be created following the future re-development of the former oil refinery.

- 1.26 Before any ecological mitigation works are undertaken within the site further survey work would need to take place. A 'Ecological Mitigation Strategy Plan' demonstrates the following:
- Further re-assessment for the presence of Great Crested Newts
 - Selective scrub clearance and overseeding with wildflowers
 - Retention and improvement creating Open Mosaic Habitats through swales, butterfly banks, depressions and deadwood piles
 - Creation of sandy banks providing for nesting habitats
 - Creation of butterfly banks and brownfield swales
 - Improvements to enhance the Shellhaven Creek
- 1.27 The Council's Landscape and Ecology Advisor raises no objections subject to these works/mitigation measures being conditioned requiring implementation.

IV. IMPACT UPON THE GREEN BELT

- 1.28 Land parcel 'A' falls within the Green Belt but no contamination is present within this land parcel and as explained above only ecological enhancement works would take place, which for this land parcel would comprise of overseeding with wildflowers. The openness and permanency of the Green Belt for this land parcel will remain the same to accord with the requirements of the NPPF and policy PMD6.

V. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 1.29 Access to the site is via The Manorway (A1014) which connects to the A13 at the Stanford Le Hope junction. The remediation site, land parcel 'F', is accessed via a private road [Fleet Street] which connects to The Manorway. The Transport Statement [TS] recognises that the development of the London Gateway port and logistics park have led to the highway network being upgraded to accommodate the additional vehicle movements expected in this area when the developments are fully implemented. Because of these works the TS recognises that there is 'considerable spare capacity' on the existing highway network at this current time.
- 1.30 For public transport bus route 300 provides a regular service and the nearest bus stop is at the London Gateway site and this is a less than 1km from the site. The nearest train service can be accessed at Stanford Le Hope railway station on the London, Tilbury and Southend railway line.
- 1.31 The works would involve clearance of structures, crushing of hardstandings and remediation of soil which would require specific plant and machinery to be brought onto the site such as excavators, dump trucks [20t load], concrete crushers, rollers, and bulldozers. The vehicle movements will be from land parcel 'F' to the temporary

treatment compound all within private land and not onto the public highway. When HGV's need to enter and leave the site using the public highway network the TS advises that there would be up to 8 daily vehicle trips and the impact upon the public highway network would be 'negligible'. The Construction Environmental Management Plan (CEMP) includes details of wheel washing facilities, road condition surveys, hours of use, routing method for HGV's to the site. The Council's Highway Officer has raised no objection subject to the CEMP being implemented. The development is considered acceptable with regard to policy PMD9 (Road Network Hierarchy).

VI. DESIGN AND LAYOUT

- 1.32 The proposals would lead to improvements to the site through the removal of contaminated land, hardstandings, tanks and structures. This combined with the ecological enhancement works would lead to visual improvements to the site. The treatment compound would be a temporary arrangement and is acceptable in its location which is surrounded by industrial development. Therefore no objections are raised with regard to policy PMD2.

VII. NOISE AND AIR QUALITY

- 1.33 The background noise environment in this location is based on the surrounding industrial activities so the nearest noise receptors are industrial uses. The nearest residential development is significantly distant from this site and would not be adversely affected by this proposal. The proposal is therefore acceptable with regard to the requirements of policy PMD1.
- 1.34 The site is not within an Air Quality Management Area (AQMA) and there are no residential properties in close proximity of the the site, but an Air Quality Assessment accompanying the application demonstrates that in dry conditions there would be the potential for dust to be generated and dust suppression techniques would be implemented to contain dust and minimise airborne pollution through the CEMP. There are no residential properties in close proximity of the site that would be adversely affected by dust emissions. The proposal is therefore acceptable with regard to the requirements of policy PMD1 (Minimizing Pollution and Impacts on Amenity).

VIII. FLOOD RISK AND SITE DRAINAGE

- 1.35 The site is located within the highest risk flood zone (flood zone 3a) as identified on the Environment Agency flood maps and as set out in the PPG's 'Table 1 - Flood Zones'. This means that the site is subject to a high probability of flooding and the PPG provides guidance on flood risk and vulnerability. Although not specifically

identified it is considered that the proposal is likely fall within the 'less vulnerable' use on the PPG's 'Table 2 - Flood Risk Vulnerability Classification' where development is 'appropriate' for this flood zone as identified in the PPG's 'Table 3 – Flood Risk Vulnerability and Flood Zone Compatibility' table.

- 1.36 Paragraph 104 of the NPPF advises that 'for individual developments on sites allocated in development plans through the 'Sequential Test', applicants need not apply the 'Sequential Test'. As the application is a strategic allocation within the LDF Proposal's Map as an 'Employment' allocation the 'Sequential Test' does not need to be applied. There is also no requirement to apply the 'Exception Test' as the development is 'appropriate' for this flood zone as identified in the PPG's 'Table 3 – Flood Risk Vulnerability and Flood Zone Compatibility' table.
- 1.37 The Flood Risk Assessment (FRA) identifies that the site is protected from tidal flooding by sea defences for a 1 in 1000 year event from the River Thames which would be the main source of tidal flooding. Flooding from surface water run off, reservoir and groundwater is of low risk. The topography of the site is flat with ground levels of between 3-4m (AOD). The geology in this location is underlain by between 11 – 17m of alluvium of mainly sand, silt and clay with sandy clay and firm gravelly clay below. Above the geology is between 0.15 – 3.6m of made ground.
- 1.38 This proposal would result in removal of hardstandings, tank bases, access roads and single storey buildings which would remove the large areas of impermeable surfaces. The remediation works would lead to retention of existing drainage arrangements as advised in the Surface Water Management Strategy, which would be conditioned to any approval to ensure the mitigation measures contained therein are implemented. This will ensure flood risk is minimized on site. Overall the Flood Risk Advisor raises no objections as no new impermeable sources would be created and in fact the proposal would lead to large scale removal of the hardstanding areas which cover the majority of this site. The proposal would not increase flood risk and therefore accords with policy PMD15.
- 1.39 Future re-development of the site, which would be subject to a separate application process which would need to include a surface water management system.
- 1.40 The Flood Warning and Evacuation Plan (FWEP) provide measures for workers on site to evacuate in a flood event, which would be conditioned to any approval as required by the Emergency Planner.

IX. OTHER MATTERS

- 1.41 To the west of the site is the Shell Haven petrol storage facility. Land parcel 'F' is closest to this site but given the remediation works proposed with no end user as

part of this application the proposal would not result in any significant impacts upon this use or any pipelines within this area and the HSE raises no objections.

- 1.42 In the interest of ecology and the wider area details of lighting to be used for the proposal will need to be conditioned for approval before any lighting is installed and is operational.
- 1.43 The agent is offering the potential for a financial contribution to be made towards an appropriate offsite mitigation scheme where certain onsite mitigation is not deemed sufficient. This requirement can only be determined through the findings of the remaining ecological surveys. To allow for a financial payment to be made, if required, a planning obligation through a section 106 agreement is necessary. The Head of Terms for this would be to offer off site financial contribution for ecological mitigation.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 1.44 In summary, the proposed remediation works and ecological mitigation measures proposed through this application would lead to significant environmental improvements to the largest land parcel ['F'] within the site. This large scale remediation work would also allow the site to be made ready for future development [which would be subject to separate planning permission].
- 1.45 The remaining land areas within the site would be used for ecological mitigation as part removing ecological habitats and foraging areas away from land parcel 'F' to land parcels 'A' to 'E', with these areas also enhanced to the benefit of ecology in this area.
- 1.46 The environmental benefits of the proposal therefore accords with LDF policies and the environmental role of the NPPF and PPG.

8.0 RECOMMENDATION

8.1 Recommendation A:

That the local planning authority formally determine pursuant to regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended), and on the basis of the information available, that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects.

8.2 Recommendation B:

Approve subject to the applicant and those with an interest in the land entering into

an obligation under section 106 of the Town and Country Planning Act 1990 with the following heads of terms:

- In the event of the need for off site ecological mitigation measures arising from the additional habitat surveys to be undertaken at the site, as identified in condition 5, a financial contribution for off site ecological mitigation shall be provided to accord with the future details set out in the Habitat Management Plan, as identified in condition 6.

And subject to the following conditions:

Standard Time

1. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission and shall be completed within 3 years following commencement.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The ‘Remediation Works’, ‘Treatment Compound’ and ‘Ecological Enhancement Works’ hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
PL01 A	Location Plan	24th February 2017
001A	Drawing	14th February 2017
737_ECO8	Drawing	14th February 2017
15048_PL03	Drawing	14th February 2017
15048_PL05	Drawing	14th February 2017

Reason: For the avoidance of doubt and in the interest of proper planning.

Land Contamination Management Framework and the Remediation Works Description

3. The ‘Remediation Works’ and use of the ‘Treatment Compound’ hereby permitted shall be carried out in accordance with the strategies and mitigation measures stated within the ‘Land Contamination Management Framework’

dated December 2016 and the 'Remediation Works Description' dated January 2017.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy PMD1 of the adopted LDF Core Strategy and Policies for the Management of Development.

Temporary Lighting

4. Any lighting for the site shall only be temporary lighting for use within the 'Remediation Works' area and within the 'Treatment Compound'. The lighting shall be angled in a direction to illuminate the working areas only to avoid light spillage, shall be switched off when not required and shall only be used in accordance with the hours of use for the site as set out in the 'Construction Environment Management Plan' dated 8 March 2017.

Reason: To minimise light pollution with regard to nearby sensitive ecological areas which are either designated or non designated sites and to accord with policy PMD7 of the adopted LDF Core Strategy and Policies for the Management of Development.

Habitat Surveys

5. Prior to the commencement of Phase 2 as shown on Plan 15048 PL05 detailed habitat surveys and associated management measures and mitigation works for shall be submitted and approved by the Local Planning Authority. The habitat management measures and mitigation works shall be implemented as approved and retained as such thereafter.

Reason: In the interests of ecology and biodiversity at the site in accordance with policy PMD7 of the adopted LDF Core Strategy and Policies for the Management of Development.

Habitat Management Plan

6. No 'Remediation Works' within Phase 2 as shown on Plan 15048 PL05 shall commence until a Habitat Management Plan (HMP) has been submitted to and approved in writing by the local planning authority.

The content of the HMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body(ies) or organization responsible for implementation of the plan, the 'Management Organisation'.
- h) details of the legal and long-term funding mechanism(s) for the approved 'Management Organisation'
- i) Contingencies and/or remedial action so that the scheme delivers the fully functioning biodiversity
- j) Ongoing monitoring and remedial measures.

The HMP shall be implemented in accordance with the details as approved and retained as such thereafter.

The details of any change in the approved 'Management Organisation' shall be provided in writing to the local planning authority within one month of the change taking place.

Reason: In the interests of ecology and biodiversity at the site in accordance with policy PMD7 of the adopted LDF Core Strategy and Policies for the Management of Development.

Ecological and Habitat Enhancements

7. Within 2 months following completion of the 'Remediation Works' the 'Ecological Enhancement Works' as defined within the 'Ecological Mitigation Strategy Plan' and as stated within the 'Ecological Appraisal' report dated January 2017 shall be implemented and retained as such thereafter.

Reason: In the interests of improving ecology and biodiversity at the site in accordance with policy PMD7 of the adopted LDF Core Strategy and Policies for the Management of Development.

Surface Water Management Plan

8. The 'Remediation Works', 'Treatment Compound' use and 'Ecological Enhancement Works' hereby permitted shall be carried out in accordance with details contained within the 'Surface Water Management Plan' dated February 2017.

Reason: To assess and prevent the pollution of groundwater and flooding through development, to protect water quality, to improve habitat and amenity, in accordance with policies PMD1, PMD2 and PMD15 of the adopted LDF Core Strategy and Policies for the Management of Development.

Flood Warning and Evacuation Plan

9. The 'Flood Warning and Evacuation Plan' within Annex G of the 'Flood Risk and Drainage Assessment' dated January 2017 hereby approved with this permission shall be made available for inspection by all users of the site and shall be displayed in a visible location within the 'Treatment Compound' at all times following first use of the site.

Reason: In the interests of safety and to ensure the necessary evacuation processes are followed in a flood event in regard to Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

Construction Environment Management Plan (CEMP)

10. The 'Remediation Works', 'Treatment Compound' and 'Ecological Enhancement Works' hereby permitted shall be carried out in accordance with details contained within the 'Construction Environment Management Plan' dated 8 March 2017, unless otherwise agreed in writing with the local planning authority.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policies PMD1, PMD2, PMD7, PMD8, PMD9 and PMD15 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD

Removal of Treatment Compound

11. Within 4 months following completion of the 'Remediation Works' and/or 'Ecological Enhancement Works' the 'Treatment Compound' and all resulting debris, materials and associated paraphernalia shall be removed from the site, and the land shall then be restored in accordance with details shown within a restoration plan which shall be submitted to and approved by the local planning

authority. The restoration plan shall be implemented as approved within 2 months following its approval.

Reason: In the interests of amenity and environment improvements in accordance with Policies PMD1 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD

Positive and proactive statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



Reference: 16/00767/TBC	Site: Open Space Adjacent Delargy Close Defoe Parade And Brentwood Road Chadwell St Mary Essex
Ward: Chadwell St Mary	Proposal: Residential development of 53 affordable units

Plan Number(s):		
Reference	Name	Received
11B	Proposed Floor Plans	18th November 2016
04B	Proposed Site Layout	18th November 2016
05A	Proposed Site Layout	18th November 2016
10A	Proposed Floor Plans	18th November 2016
12A	Proposed Floor Plans	18th November 2016
13B	Roof Plans	18th November 2016
14A	Sections	18th November 2016
15B	Sections	18th November 2016
16A	Proposed Elevations	18th November 2016
17A	Proposed Elevations	18th November 2016
18B	Proposed Elevations	18th November 2016
19B	Proposed Elevations	18th November 2016
20A	Proposed Elevations	18th November 2016
21A	Proposed Elevations	18th November 2016
22A	Proposed Floor Plans	18th November 2016
23A	Proposed Elevations	18th November 2016
24A	Sections	18th November 2016
25A	Proposed Floor Plans	18th November 2016
25B	Sections	18th November 2016
25C	Proposed Elevations	18th November 2016
26A	Proposed Floor Plans	18th November 2016
26B	Sections	18th November 2016
26C	Proposed Elevations	18th November 2016
27A	Floor Layout	18th November 2016
27B	Sections	18th November 2016

27C	Proposed Elevations	18th November 2016
33A	Roof Plans	18th November 2016
30A	Proposed Floor Plans	18th November 2016
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66	Other	18th November 2016
67	Other	18th November 2016
68	Other	18th November 2016
D	Drawing	18th November 2016
SK1500.P1	Drawing	18th November 2016

The application is also accompanied by:

- Design and Access Statement
- Site Photos
- Energy Statement, Claudian Way
- Claudian Way Arboricultural Impact Assessment
- Claudian Way Landscape Design Statement

Applicant:
Thurrock Council

Validated:
20 June 2016

	Date of expiry: 25 April 2017 [Extension of time agreed with applicant]
Recommendation: Approval, subject to conditions.	

This application is scheduled for determination by the Council’s Planning Committee because the application has been submitted by the Council (in accordance with Part 3 (b) Section 2 2.1 (b) of the Council’s constitution).

1.0 DESCRIPTION OF PROPOSAL

1.1 In summary, this application proposes a residential development of the site for 53 units. Nine dwelling types are proposed as summarised in the table below:

Site Area	1.84 Ha
Residential Uses	8 no. one-bed, 2 person flats Total – 8 no. flats
	14 no. two-bed, 4 person flats Total – 14 no. flats
	11 no. 1 bed, 2 person bungalow Total – 11 no. bungalow
	2 no. two-bed, 3 person bungalow Total – 2 no. bungalow
	6 no. two-bed, 4 person bungalow Total – 6 no. bungalow
	12 no. three-bed, 5 person houses Total – 12 no. houses
Building Height	Type A, B, B1 - Three storeys
	Type C, D, E, F, G - A2 – One storey
	Type H - Two storeys
Parking	Car Parking: 28 spaces for the flats - 125% parking 62 spaces for houses/bungalows – 200% parking

1.4 A spine road would provide access to all the properties, running from Claudian Way this road would run north to south through the site.

1.5 The dwellings would effectively be grouped into three areas, with perimeter blocks for each which look toward the public realm.

- 1.6 The northern half of the site would be occupied by the two storey houses, running north to south, parallel with Brentwood Road. To the southern part would be two distinct areas, the flatted units to the west of the main spine road which look west towards an area of open space and east towards the bungalows. To the east of the spine road would be a complex of bungalows enclosing a space to the rear of the properties.
- 1.7 The dwellings would be modern in appearance. The houses and bungalows would all have their own private amenity space whilst the flats would all have a private balcony area and access to communal open spaces. A palette of brick, slate roofs and aluminium windows and cladding would be used.

2.0 SITE DESCRIPTION

- 2.1 The proposed site sits between Defoe Parade to the north, Delargy Close (a sheltered accommodation complex) to the east, Claudian Way to the south and Brentwood Road to the west. The area of the site is 1.84 hectares and has maximum dimensions of approximately 225m (measured north-south) and 166m (measured east-west) (maximum dimensions). The site is currently open space.
- 2.2 The site is adjoined to the east by Delargy Close, a sheltered housing complex. To the north of the site the parade of shops in Defoe Parade is approximately 100m away. The south west corner of the site faces towards the open space on Orsett Heath.

3.0 RELEVANT HISTORY

None.

4.0 CONSULTATIONS AND REPRESENTATIONS

- 4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's web-site at: www.thurrock.gov.uk/planning
- 4.2 PUBLICITY:

The application, as first submitted in June 2016, was publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. Following the receipt of revised plans in November 2016 the application was re-advertised via re-consultation with neighbours. The proposals have been advertised as a major development.

- 4.3 Four responses have been received raising the following concerns:

- Impact on residential amenity due to noise, disturbance, overlooking, loss of privacy, overshadowing;
- overdevelopment of site;
- visual impact;
- loss of views from neighbouring properties;
- impact on local facilities;
- highways safety and convenience;
- impact on sewers;
- impact on schools.

The following consultation replies have been received:

4.4 ANGLIAN WATER:

No objections subject to condition,

4.5 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objections subject to condition.

4.6 PUBLIC RIGHTS OF WAY:

No objections.

4.7 ENVIRONMENTAL HEALTH:

No objections subject to conditions.

4.8 FLOOD RISK MANAGER:

No objections subject to conditions.

4.9 HIGHWAYS:

No objections subject to conditions.

4.10 LANDSCAPE AND ECOLOGY:

No objection in principle.

4.11 HEALTH AND WELLBEING GROUP:

No objections.

4.12 CABE:

No objections. Recommendations made in relation in increasing site density.

4.13 EDUCATION:

A contribution would be required.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

1. Building a strong, competitive economy;
4. Promoting sustainable transport;
6. Delivering a wide choice of high quality homes;
7. Requiring good design;
8. Promoting healthy communities; and
10. Meeting the challenge of climate change, flooding and coastal change.

5.2 Planning Practice Guidance (PPG)

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 48 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of a future planning application comprise:

- Climate change;
- Design;
- Determining a planning application;
- Flood risk and coastal change;
- Noise;
- Renewable and low carbon energy;
- Travel plans, transport assessments and statements in decision-taking; and
- Use of planning conditions.

5.3 Local Planning Policy

Thurrock Local Development Framework (as amended) (2015)

The Council originally adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Core Strategy was updated in 2015 following an independent examination of the Core Strategy focused review document on consistency with the NPPF. The Adopted Interim Proposals Map accompanying the LDF shows the site as land with no specific notation. However, as noted above, the site benefits from an extant planning permission for residential development which has been commenced. The following Core Strategy policies apply to the proposals:

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP2: The Provision of Affordable Housing
- CSTP10: Community Facilities
- CSTP18: Green Infrastructure
- CSTP20: Open Space
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP25: Addressing Climate Change
- CSTP26: Renewable or Low-Carbon Energy Generation

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities

- PMD8: Parking Standards
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans
- PMD12: Sustainable Buildings
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment

5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the spring of 2017.

6.0 **ASSESSMENT**

6.1 The planning issues to be considered in this case are:

- I. Development plan designation & principle of development
- ii. Site layout & design
- iii. Landscape & visual impact
- iv. Impact on amenity
- v. Highways & transportation issues
- vi. Noise issues
- vii. Flood risk
- viii. Sustainability
- ix. Planning obligations

I. DEVELOPMENT PLAN DESIGNATION & PRINCIPLE OF DEVELOPMENT

6.2 The application site is found within a residentially allocated area and is designated as Open Space on the Adopted Interim proposal Map, which accompanies the Core Strategy (as amended) 2015 to which Policies CSTP20 (Open Space) and PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities) apply.

6.3 Policy CSTP20 acknowledges that the Borough has a broad range of existing public open spaces, parks and recreational areas which provide varied opportunities for activity. The policy indicates that a diverse range of open spaces is provided to meet the needs of the local community.

- 6.4 Policy PMD5 states that the Council will safeguard all existing spaces and development that would result in their complete or partial loss or cause or worsen a deficiency in the area will not be permitted unless:
- i) conveniently located and accessible alternative facilities of an equivalent or improved standards will be provided to serve the current and potential new users; or*
 - ii) improvements to remaining spaces or facilities can be provided to a level sufficient to outweigh the loss and proposals would not negatively affect the character of the area.*
- 6.5 The site measures some 1.84ha and is an open grass space. There is tree planting along the western boundary with Brentwood Road, along the southern boundary with Claudian Way and around the western boundary of the gardens of properties in Delargy Close. There is no seating, no play areas and no high quality trees or landscaping within the site. Worn informal paths run through the site which shows desire lines for pedestrians through the space.
- 6.6 As part of the pre-application submission, the Council's Housing Team commissioned an Open Space Assessment for a number of Council owned sites in Chadwell, which included the application site. The study sought to identify spaces that could be used for residential development within the built up area, assess the type and quality of open spaces and identify where space could be better used. The report highlighted an opportunity to redevelop the application site to make a better use of the land and provide residential accommodation and an improved open space that would serve residents and the local community. The proposal has been developed on this basis and seeks to create a high quality residential environment with improved open space.
- 6.7 The proposal would make provision for 3 distinct areas of open space on the site; an area to the north western corner which would include structured planting hardsurfacing and paths. This would provide legible routes between the site and the area to the north. To the south west would be a large open area with seating and canopies, structured planting and hardsurfaced areas. This would allow open views across the site and to the site from the recreation ground to the west. In addition the smaller area behind the bungalows in the south eastern corner would provide a structured area for occupiers of these properties; this area would also provide opportunity for future residents to operate a community garden and grow produce. These areas amount to some 0.511 ha. In addition, landscaping would be improved on the majority of site boundaries.
- 6.8 The development would not result in the loss of any sport pitches. Members may be aware that improved sports pitches have been recently provided on the Orsett

Heath Recreation ground to the west of the site, secured via a legal agreement accompanying the 2011 application (11/50403/TTGFUL) for the redevelopment of the former Wood View College site. These pitches are maintained by the Council and are available for use by the local community.

- 6.9 In conclusion with regard to the principle of the development, the site lies within a residentially allocated area, close to major road links and a local shopping parade. Whilst the development would lead to the loss of designated Open Space, this space is not used to its maximum capacity and does not fully benefit the area. In addition, the proposal would include improved landscaping, whilst the site is close to other open space which has formal uses and pitches. Accordingly, the proposal is considered to be acceptable when considered against policies PMD5 and CSTEP20 of the Core Strategy. The principle of the redevelopment of the site is considered to be sound.

II. SITE LAYOUT AND DESIGN

- 6.10 The site is a little unusual in shape, curving round, as it does the sheltered homes complex of Delargy Close. The site would be accessed solely from Claudian Way, with a main spine road running north to south through the site. In part the layout of the site has effectively been fixed, by the presence of underground services, which limit the locations of built form on the site.
- 6.11 The overall layout has been divided into 3 distinct areas; the two storey family houses in the northern half of the site would run parallel with Brentwood Road and two bungalows would be located in the most north eastern corner of the site closest to Delargy Close. The pattern of the family housing closely mimics that of the houses on the opposite side of Brentwood Road, running north to south. The plans show landscaping would take place alongside Brentwood Road to enhance the street scene, which would be beneficial for the area.
- 6.12 The proposed flatted accommodation would be located to the south western corner of the site to the west of the spine road. The blocks would be two storey with three storey elements to the centre. The location of the flats on this part of the site would be away from the existing established neighbouring properties and in street scene terms these units would provide a strong visual anchor for the development from the west and coming north along Brentwood Road.
- 6.13 The south eastern corner of the site would be occupied by the majority of the bungalows. These units would be set around a triangular area of space. The proposal to surround this space on all sides would create a sense of enclosure for the potential users of the space and should allow for fostering of a sense of community with the residents. These properties are closest to the established

residential properties and their low height would ensure that that respect the existing built form and do not compromise the existing area.

- 6.14 This part of Chadwell St Mary is characterised predominantly by post – second World War dwellings with regular proportions, design and fenestration patterns. There are few specific notable design features. The site has been designed holistically; the same materials are proposed for the bungalows houses and flat a combination of bricks, slate roofs, render features and aluminium trim.
- 6.15 The overall design of the site would be modern and the use of the same design features and high quality materials across the three different dwelling types would tie the site together. Although the design is different from the surrounding properties given the lack of a recognisable style in the area the proposed design of the new units is considered to be acceptable. The proposal complies with Policies PMD2, CSTP22 and CSTP23 of the Core Strategy in this regard.
- 6.16 All the flatted units would have a private balcony and would also have access to the communal open space. The bungalows would have garden areas of between 43 sqm and 108 sqm. Whilst some of the gardens would be relatively small, these units have been designed specifically for elderly residents, who would also have access to the communal gardens. The two storey houses would have gardens of between 78 – 138 sqm which is considered to be appropriate for these units, particularly given the area of space around the site.
- 6.17 The proposed flats would have a floorspace of between 70 sqm and 80 sqm which is well in excess of the recommended minimum requirements for two bedroom units of 55 sqm.

III. LANDSCAPE AND VISUAL IMPACT

- 6.18 The proposed dwellings represent a change from the existing open nature of the site. The pattern of development surrounding the area is a mixture of predominantly semi-detached and terraced dwellings. The proposed bungalows and houses accord with this typology and are considered to successfully integrate with the surrounding buildings.
- 6.19 Key to the success of this site is the proposed landscaping which will help to link the site with the existing open space at Orsett Heath Recreation ground and along north to south boundary.
- 6.20 Both CABE and the Council's landscape advisor have welcomed the ambitious proposals for high quality landscaped zones and areas along the site boundary with Brentwood Road. The Council's Landscape Advisor has warned that the proposed

landscaping (including poppies, lavender and shrub planting) will require significant management and maintenance in the long term. Subject to an appropriate landscaping and maintenance scheme being submitted it is considered the proposal would be acceptable in regards to the local landscape.

IV. IMPACT ON AMENITY

- 6.21 Impact on surrounding amenity would be confined largely to the properties in Delargy Close, Daniel Close to the potential impacts on existing residential occupiers at Defoe Parade.
- 6.22 The new units adjoining the site boundaries would be bungalows and accordingly the proposals would have limited impact on the adjacent occupiers. All new dwellings would be set more than 10m from the rear walls where they are located behind existing dwellings. This distance, combined with the single storey nature of the bungalows would prevent any harmful impact as a result of the mass and bulk of the dwelling or any loss of light or amenity. In addition, given the properties on the site boundaries are single storey there would not be any harmful overlooking of adjacent properties.

V. HIGHWAYS & TRANSPORTATION ISSUES

- 6.23 The site would take access from Claudian Way, onto Brentwood Road a Classified Road. Due to the number of units the applicant has provided a Transport Assessment and Transport Statement. The highways officer is satisfied that the development would not have a severe impact on the local highways network; the proposal complies with Policies PMD9 and PMD10 in this regard.
- 6.24 The bungalows would be provided with either on plot parking or spaces in communal parking areas directly adjacent to the properties. The flats would be provided with parking spaces in a designated communal parking area and the two storey dwellings would be provided with either on plot parking or in communal parking areas immediately adjacent to the units.
- 6.25 The Council's Highways Officer is satisfied with the site and parking layout subject to technical details of matters such as speed reduction measures, bin and cycle stores and site splays being provided prior to the first occupation of the units. These matters could be covered by condition. Accordingly the proposal also satisfied with relevant criteria of Policies PMD2 and PMD8 in relation to highways and parking.

VI. NOISE ISSUES

- 6.26 The site adjoins the Brentwood Road. The Council's Environmental Health Officer has advised that this should not be a concern, however he has recommended a noise survey, impact assessment and methods to address any identified disturbance be submitted to ensure that the internal noise levels comply with BS 8223:2014 BS 8233:2014 (Guidance on sound insulation and noise reduction for buildings); this could be covered by an appropriate condition.

VII. FLOOD RISK

- 6.27 The site is located within the low risk flood zone (Zone 1) and therefore the requirement for the local planning authority to apply the sequential test does not apply. Residential development is classified as "more vulnerable" within the flood risk vulnerability classification set out by Table 2 of PPG and therefore this land use is "appropriate" as defined within Table 3 of PPG (flood risk vulnerability and flood zone compatibility). Although the site is within the low risk flood zone, as the site area exceeds 1 hectare the application is accompanied by a flood risk assessment (FRA).
- 6.28 Neither Anglian Water nor the Flood Risk Manager raise any objections to the scheme however recommend conditions in relation to a surface water drainage strategy. This matter can be addressed by planning condition.

VIII. SUSTAINABILITY

- 6.29 Adopted Core Strategy policies PMD12 and PMD13 provide the local policy context for assessing the development proposals. PMD12 states that "proposals for new or conversion to residential development must achieve a "Code for Sustainable Homes" level 4 rating, except in respect of any of the Code's requirements that have been officially superseded by mandatory national standards". In March 2015 the Government withdrew the Code for new developments. Accordingly the requirements of PMD12 no longer apply to new residential developments.
- 6.30 Despite the withdrawal of the Code requirements, the applicant has submitted an Energy Statement. The Statement indicates that the scheme will achieve more than a 10% improvement over the Building Regulations criteria.

IX. VIABILITY & PLANNING OBLIGATIONS

- 6.31 Policy CSTP2 of the adopted Core Strategy (amended 2015) states that the Council will seek the minimum provision of 35% of the total number of residential units built to be provided as affordable housing. However, this target is subject to, inter-alia, the economics of providing affordable housing. The policy goes on to state that "the Council recognises that the majority of Thurrock's identified housing

land supply is on previously developed land often subject to a variety of physical constraints. The capacity of a site to deliver a level of affordable housing that can be supported financially will be determined by individual site 'open book' economic viability analysis where deemed appropriate".

- 6.32 The proposed development would provide 100% purposely designed affordable dwellings for a variety of users which would be in excess of the required 35% stipulated in Policy CSTP2 of the Core Strategy. This is an opportunity for Thurrock Council to build, manage and retain its own affordable housing stock using its own assets in Chadwell St Mary.
- 6.33 The applicant has indicated that the viability of the scheme is marginal. As detailed elsewhere in the report, the scheme has been designed around a major pipeline running through the site. There is also the requirement to divert third party infrastructure, including water pipes, gas pipe, fibre optic broadband cables and other cables and ducts to allow the site to be developed. The scheme is 100% affordable with no market units being provided. The scheme is therefore reliant solely on public subsidy. In addition, the proposal would result in three high quality areas of landscaping within the site improving the character and quality of local space in the immediate area for all residents. Finally, the scheme would provide units for existing residents moving within the Borough therefore placing no additional burden on infrastructure provision. Accordingly, based on the set of circumstances put forward it is not considered to be appropriate to require financial contributions at this time.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 7.1 The principle of residential development on the site is considered acceptable given the provision of high quality spaces within the site, the poor quality and underused existing space and the existence of other nearby open space which has been subject to recent improvements. The proposed layout of the development is also considered acceptable, providing a good mix of unit types and creating 3 distinct areas within the wider site which are closely linked within one another.
- 7.2 The proposed dwellings would be of a high quality design and set against the landscaped areas would provide a development of individual character. No objections to the proposals are raised on the grounds of impact on amenity, flood risk, noise, air quality or sustainability.
- 7.3 Accordingly, the application is recommended for approval.

8.0 RECOMMENDATION

Grant planning permission subject to:

Time Limit

1. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Accordance with Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
11B	Proposed Floor Plans	18th November 2016
04B	Proposed Site Layout	18th November 2016
05A	Proposed Site Layout	18th November 2016
10A	Proposed Floor Plans	18th November 2016
12A	Proposed Floor Plans	18th November 2016
13B	Roof Plans	18th November 2016
14A	Sections	18th November 2016
15B	Sections	18th November 2016
16A	Proposed Elevations	18th November 2016
17A	Proposed Elevations	18th November 2016
18B	Proposed Elevations	18th November 2016
19B	Proposed Elevations	18th November 2016
20A	Proposed Elevations	18th November 2016
21A	Proposed Elevations	18th November 2016
22A	Proposed Floor Plans	18th November 2016
23A	Proposed Elevations	18th November 2016
24A	Sections	18th November 2016
25A	Proposed Floor Plans	18th November 2016
25B	Sections	18th November 2016
25C	Proposed Elevations	18th November 2016
26A	Proposed Floor Plans	18th November 2016
26B	Sections	18th November 2016
26C	Proposed Elevations	18th November 2016

27A	Floor Layout	18th November 2016
27B	Sections	18th November 2016
27C	Proposed Elevations	18th November 2016
33A	Roof Plans	18th November 2016
30A	Proposed Floor Plans	18th November 2016
31A	Proposed Floor Plans	18th November 2016
32A	Proposed Floor Plans	18th November 2016
34A	Sections	18th November 2016
35A	Sections	18th November 2016
36A	Proposed Elevations	18th November 2016
37A	Proposed Elevations	18th November 2016
40A	Proposed Floor Plans	18th November 2016
41A	Proposed Floor Plans	18th November 2016
42A	Proposed Floor Plans	18th November 2016
43A	Roof Plans	18th November 2016
44A	Sections	18th November 2016
45A	Sections	18th November 2016
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66	Other	18th November 2016
67	Other	18th November 2016
68	Other	18th November 2016
D	Drawing	18th November 2016
SK1500.P1	Drawing	18th November 2016

Reason: For the avoidance of doubt and in the interest of proper planning.

Landscaping

3. Prior to the commencement above ground level of the development a scheme of proposed hard and soft landscaping of the development, shall be submitted to and approved in writing by the local planning authority. All planting, seeding or turfing etc. comprised in the approved scheme shall be carried out in the first planting and seeding season following completion of the development or part thereof and any

trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

This scheme shall also include updates to the Landscape Masterplan and Maintenance Strategy to address the maintenance of the Poppy meadows, roses and lavender to ensure these areas can be appropriately maintained.

REASON: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (amended 2015).

Boundary Treatments

4. No occupation of any part of the development shall take place until details of the locations, heights, designs and materials of all boundary treatments to be erected on site have been submitted to and agreed on writing by the local planning authority. The boundary treatments shall be completed in accordance with the agreed details before the first occupation of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policies CSTP22 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

External Materials

5. Notwithstanding the information on the approved plans, no development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the development have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its surroundings in accordance with

policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Noise Insulation

6. Prior to construction of the two storey dwellings backing onto Brentwood Road (for the purposes of this condition construction shall exclude site clearance, demolition, remediation and groundworks) hereby approved, a traffic noise survey and impact assessment to confirm that the internal noise levels as recommended in BS 8223:2014 (guidance on sound insulation and noise reduction for buildings) will be achieved with normal secondary glazing shall be submitted to and agreed in writing with the local planning authority. The scheme shall assess the noise impact from Brentwood Road upon the proposed dwellings and shall propose appropriate measures so that all habitable rooms will achieve 'good' internal levels as specified by BS8233:2014. The scheme shall identify and state the glazing specifications for all the affected windows, including acoustic ventilation, where appropriate. The approved measures shall be incorporated into the residential units in the manner detailed prior to their residential occupation and shall thereafter be permanently retained as approved unless otherwise agreed in writing with the local planning authority.

REASON: To protect the amenities of future residential occupiers and to ensure that the development can be integrated within its immediate surroundings in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Construction & Highways Environmental Management Plan (CHEMP)

7. No demolition or construction works shall commence until a Construction Highways Environmental Management Plan [CHEMP] has been submitted to and approved in writing by the local planning authority in writing. The CHEMP should contain or address the following matters:
 - (a) Hours and duration of works on site and hours and duration of any piling operations,(For the avoidance of doubt: No demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday 0800 – 1800 hours ; Saturdays 0800 – 1300 hours. If impact piling or the removal of the existing foundations is required, these operations shall only take place between the hours of 0900 - 1700 hours on Monday to Friday.
 - (b) Vehicle haul routing in connection with construction, remediation and engineering operations,
 - (c) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
 - (d) Details of construction access;

- (e) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems]
- (f) Details of any temporary hardstandings and methods for drainage thereof;
- (g) Details of temporary hoarding;
- (h) Method for the control of noise with reference to BS5228 together with a monitoring regime
- (i) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime
- (j) Dust and air quality mitigation and monitoring,
- (k) Water management including waste water and surface water discharge, including in connection with any temporary hardstanding,
- (l) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
- (m) A Site Waste Management Plan,
- (n) Ecology and environmental protection and mitigation,
- (o) Community liaison including a method for handling and monitoring complaints, contact details for site managers.
- (p) details of security lighting layout and design;
- (q) a procedure to deal with any unforeseen contamination, should it be encountered during development.
- (r) Road condition surveys before demolition and after construction is completed; with assurances that any degradation of existing surfaces will be remediated as part of the development proposals. Extents of road condition surveys to be agreed as part of this CHEMP

Works on site shall only take place in accordance with the approved CHEMP

REASON: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Access

8. Prior to the first occupation or operation of any part of the development details showing the layout, dimensions and construction specification of the proposed access to the highway shall be submitted to and agreed in writing by the local planning authority. The agreed details shall be completed prior to the first occupation or operation of any part of the development.

REASON: In the interests of highways safety and efficiency in accordance with policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Estate Roads etc.

9. Prior to the first occupation of any dwelling the proposed estate road(s), footways, footpaths and turning areas shall be properly consolidated and surfaced in accordance with the details of hard landscaping pursuant to condition number 3 of this permission.

REASON: In the interests of highways safety and residential amenity in accordance with policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Decentralised, Renewable or Low Carbon Energy

10. The proposed measures for energy and water efficiency set out within the submitted 'Energy Strategy Report (Job No 27617) shall be implemented and operational of first occupation of any part of the development and shall be maintained thereafter, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that development takes place in an environmentally sensitive way in accordance with Policy PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Surface Water Drainage

11. Prior to the commencement of development a surface water management strategy shall be submitted to and agreed in writing by the local planning authority. The agreed surface water drainage scheme shall be constructed in accordance with the approved strategy and maintained thereafter. There shall be no occupation of the development until the approved surface water drainage system is operational, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Site Levels

12. Prior to the commencement of the development, details showing the existing and proposed site levels and the proposed finished ground floor levels of the buildings

hereby permitted shall be submitted to and agreed in writing by the local planning authority . The development shall be completed in accordance with the agreed details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interest of protecting adjoining amenity in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

Archaeology (Trial Trenching)

13. No development or groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority

REASON: In the interests of the historical integrity of the site.

SUDS (Surface Water Drainage)

14. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Surface water run-off discharged by infiltration. Further infiltration and groundwater testing should be conducted to confirm infiltration rates and infiltration devices should be sized to reflect these rates found across the site. Any device should be sized to manage the 1in 100+40% climate change storm event with a suitable half drain time. If there is any contaminated ground, detail must be submitted to show how this will be remediated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy. The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental

harm which may be caused to the local water environment Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

SUDS (Off site flooding)

15. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

SUDS (Maintenance Plan)

16. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

SUDS (Yearly Logs)

17. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

SITE SPLAYS AND SPEED REDUCTION

18. Details of sight splays and speed reduction measures shall be provided at all proposed junctions and bends in the road such details shall be submitted to and approved to by the Local Planning Authority prior to commencement on site. Those sight lines thereafter maintained at all times so that no obstruction is present within such area above the level of the adjoining highway carriageway.

REASON: In the interests of highway safety and efficiency

SITE SPLAYS PRIOR TO OCCUPATION

19. Before any vehicle access is first used, clear to ground level sight splays of 1.5 metres x 1.5 metres from the back of the footway shall be laid out either side of the proposed access within the site and maintained at all times.

REASON: In the interests of highway safety

RETENTION OF PARKING AREA

20. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 and Section 55 of the Town and Country Planning Act 1990, the parking areas hereby approved/permitted shall only be used for the parking of cars in connection with the residential use of the site and for no other purposes whatsoever. No development shall take place to prevent the use of these area for vehicle parking.

REASON: To ensure that satisfactory off-street car parking provision is made in accordance with the Local Planning Authority's standards and in the interests of highway efficiency and amenity.

INFORMATIVE:

1. The applicant is reminded that under the Wildlife and Countryside Act 1981 (section 1) it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present.

2. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

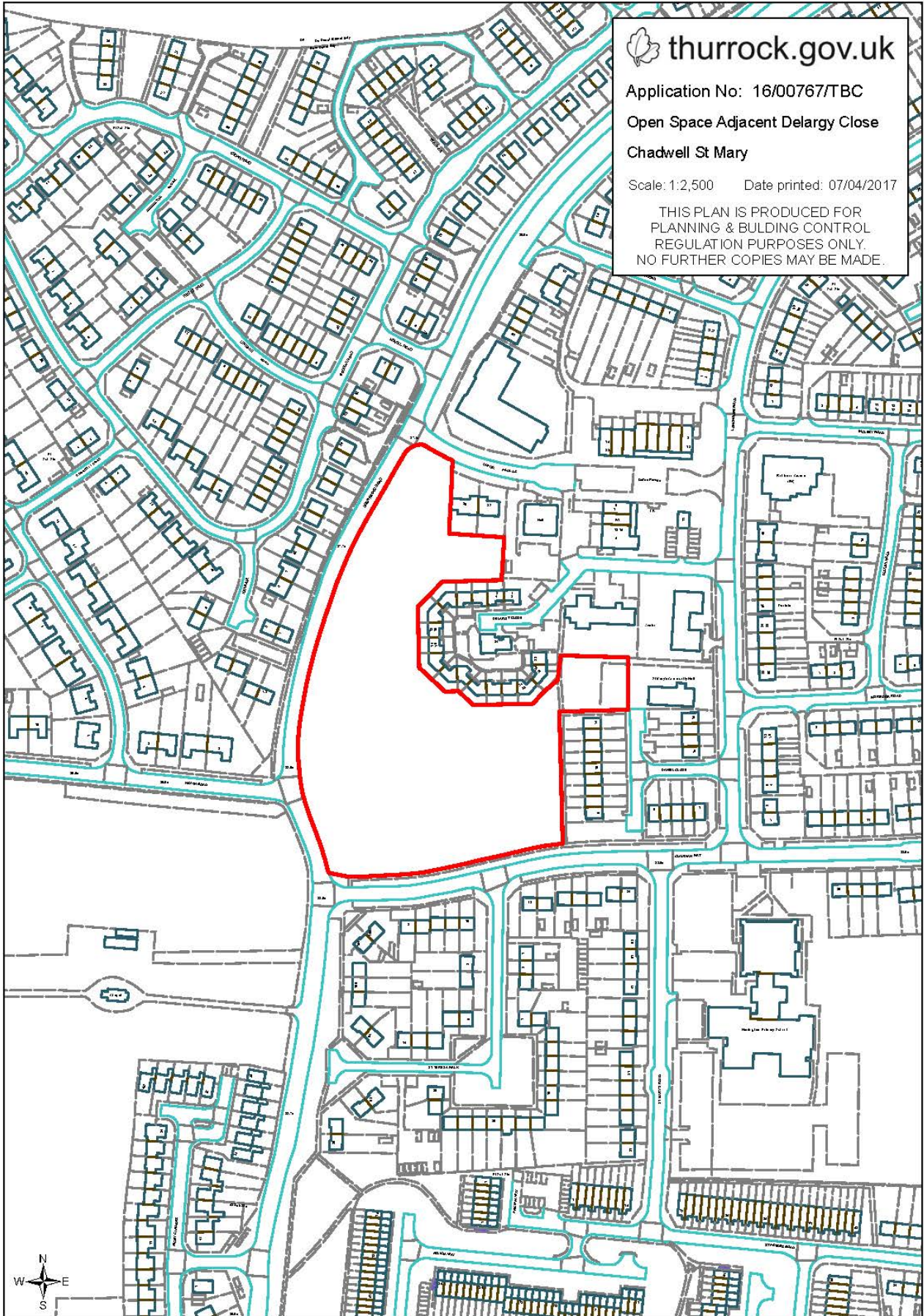
- 3 Any works, which are required within the limits of the highway reserve, require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such works.

Chief Highways
Engineer, Highways
Department, Thurrock
Council,
Civic Offices,
New Road,
Grays
Thurrock,
Essex. RM17 6SL

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



 **thurrock.gov.uk**
Application No: 16/00767/TBC
Open Space Adjacent Delargy Close
Chadwell St Mary
Scale: 1:2,500 Date printed: 07/04/2017
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