

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

## Extraordinary Council

To the Members of Thurrock Council

The next meeting of the Council will be held at **7.00 pm** on  
**11 December 2018**

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

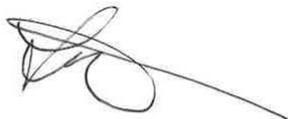
### Membership of the Council:

Barbara Rice (Mayor)  
Terry Piccolo (Deputy Mayor)

Qaisar Abbas  
Tim Aker  
Abbie Akinbohun  
John Allen  
Alex Anderson  
James Baker  
Clare Baldwin  
Russell Cherry  
Colin Churchman  
Gary Collins  
Mark Coxshall  
Jack Duffin  
Tony Fish  
Mike Fletcher  
Leslie Gamester  
Oliver Gerrish

Robert Gledhill  
Garry Hague  
James Halden  
Graham Hamilton  
Shane Hebb  
Victoria Holloway  
Deborah Huelin  
Andrew Jefferies  
Barry Johnson  
Tom Kelly  
Cathy Kent  
John Kent  
Martin Kerin  
Angela Lawrence  
Steve Liddiard  
Susan Little

Sue MacPherson  
Ben Maney  
Bukky Okunade  
Jane Potheary  
David Potter  
Joycelyn Redsell  
Gerard Rice  
Elizabeth Rigby  
Sue Sammons  
Sue Shinnick  
Peter Smith  
Luke Spillman  
Pauline Tolson  
Aaron Watkins  
Lynn Worrall



**Lyn Carpenter**  
**Chief Executive**

Agenda published on: 3 December 2018



## **Agenda**

Open to Public and Press

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<b>4 Political Balance and Allocation of Seats on Committees</b>	<b>127 - 132</b>
<b>5 Appointments to Committees and Outside Bodies, Statutory and Other Panels</b>	
The Council are asked to agree any changes to the appointments made to committees and outside bodies, statutory and other panels, as requested by Group Leaders.	
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### **Queries regarding this Agenda or notification of apologies:**

Please contact Jenny Shade, Senior Democratic Services Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

### **Future Dates of Council:**

30 January 2019, 27 February 2019 (Budget), 20 March 2019 (Provisional)

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## **Information for members of the public and councillors**

### **Access to Information and Meetings**

Members of the public can attend all meetings of the council and its committees and have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

### **Recording of meetings**

This meeting will be recorded with the audio recording being published on the Council's website. The meeting will also be filmed and live streamed. Members of the public not wishing to be filmed the Mayor will give them the opportunity to leave the chamber. At the start of the meeting the Chair will confirm if all or part of the meeting is to be recorded.

Members of the public not wishing any speech or address to be recorded for publication to the Internet should contact Democratic Services to discuss any concerns.

If you have any queries regarding this, please contact Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

### **Guidelines on filming, photography, recording and use of social media at council and committee meetings**

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at [CommunicationsTeam@thurrock.gov.uk](mailto:CommunicationsTeam@thurrock.gov.uk) before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

## Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

## Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

## How to view this agenda on a tablet device



You can view the agenda on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#) with the free modern.gov app.

Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

# 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.**

## PROCEDURE FOR MOTIONS

No speech may exceed 3 minutes without the consent of the Mayor [Rule 19.8], except for the proposer of any motion who shall have 5 minutes to move that motion (except on a motion to amend where the 3 minute time shall apply) [Rule 19.8(a)]			
<b>All Motions will follow Section A and then either Section B or C</b>			
<b>A.</b>	A1 Motion is moved A2 Mover speaks A3 Seconded A4 Secunder speaks or reserves right to speak	[Rule 19.2] [Rule 19.8(a) (5 minutes)] [Rule 19.2] [Rule 19.3] (3 minutes)	
Then the procedure will move to either B or C below:			
<b>B.</b>		<b>C.</b>	
<b>IF there is an AMENDMENT (please see Rule 19.23)</b>		<b>If NOT amended i.e. original motion</b>	
B1	The mover of the amendment shall speak (3 mins).	C1	Debate.
B2	The seconder of the amendment shall speak unless he or she has reserved their speech (3 mins).	C2	If the seconder of the motion has reserved their speeches, they shall then speak.
B3	<b>THEN debate on <u>the subject</u>.</b>	C3	The mover of the substantive motion shall have the final right of reply.
B4	If the seconder of the substantive motion and the amendment reserved their speeches, they shall then speak.	C4	Vote on motion.
B5	The mover of the amendment shall have a right of reply.		
B6	The mover of the substantive motion shall have the final right of reply.		
B7	Vote on amendment.		
B8	A vote shall be taken on the substantive motion, as amended if appropriate, without further debate.		

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

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<b>11 December 2018</b>	<b>ITEM: 3</b>
<b>Extraordinary Council</b>	
<b>Lower Thames Crossing (LTC) – Consultation Response</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Rob Gledhill, Leader, Councillor Mark Coxshall, Cabinet Member for Regeneration	
<b>Accountable Assistant Director:</b> Anna Eastgate, Assistant Director – Lower Thames Crossing	
<b>Accountable Director:</b> Steve Cox, Corporate Director – Place	
<b>This report is Public</b>	

## Executive Summary

This report sets out the draft response of the Council to the Statutory Consultation from Highways England (HE) on the proposals for the Lower Thames Crossing (LTC) which commenced on 10 October 2018 and closes on 20 December 2018.

Members will recall that in April 2017, the preferred route for the proposed LTC was announced. The council has been clear in its unanimous objections to the LTC, setting up the cross-party LTC Taskforce, including resident and business representation, and continued to raise objections to the proposals.

The council has been actively working with stakeholders in sharing its concerns about the proposal including no discernible benefits for Thurrock or the surrounding South Essex areas.

The summary of the detail of the consultation response is as follows:

1. On the basis of the consultation information provided, including the information set out in the Preliminary Environmental Information Report (PEIR), the following conclusions and recommendations to HE are presented in this report:
  - i. The Consultation Scheme does not meet several of the national and HE’s strategic policy tests and scheme objectives, particularly relating to option testing, the delivery of economic growth and achieving sustainable local growth;

- ii. The Consultation Scheme does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the Borough and for the wider South Essex area as set out in the emerging Local Plan;
- iii. There are specific design elements of the Consultation Scheme which require modification and/or further consideration by HE in order to contribute to meeting the Government's and LTC's policy and scheme objectives. These are:
  - a. Re-instatement of the Tilbury Link Road into the Consultation Scheme;
  - b. Options for alternative sites inside and outside the Borough for the proposed Rest and Services Area (RaSA) proposed in East Tilbury;
  - c. Reconfiguration of the A13 connections: Orsett Cock junction, A13 widening works and Manor Way junction, and the alignment of Rectory Road;
  - d. Alternative design options for the treatment of the crossing through the Mardyke Valley to reduce potential adverse environmental effects;
  - e. Alternative design options for the treatment of the viaduct over the Tilbury Loop Line to reduce potential adverse environmental effects;
  - f. Consideration and assessment of suitable alternative locations for the Traveller site at Gammon Field which will be affected by the LTC and;
  - g. Proposed physical design mitigation to address potential adverse effects on the Borough's residents eg bunds, cut and cover tunnels or lowering vertical alignment particularly where it is close to residential areas.
2. It is considered that the information contained in the consultation materials and the consultation undertaken with HE to date do not satisfactorily explain the options tested which give rise to the configuration of the Consultation Scheme. The traffic modelling output available as part of the consultation materials does not include the results of any option testing and has insufficient detail to understand the impacts of the Consultation Scheme on the local networks as well as residents, businesses, open countryside and designated environmental areas in the Borough.
3. Health and Environmental effects: in relation to the information presented in the PEIR, there are significant information gaps and potential under reporting of potential impacts, such that the effects of the scheme have not been and cannot be properly considered. Further engagement is required, particularly in relation to the assessment of health impacts.
4. Construction effects: whilst it is acknowledged that the information relating to the construction phase and the proposed off-site and on-site enabling works

are still at an early stage, it is recommended that the Council actively engages with the HE design team to ensure that the areas of potential concern, highlighted in this report, can be appropriately addressed by the team as the scheme design and assessment work progresses. Areas for further engagement are listed in the report.

5. Development Consent Order (DCO) process and Environmental Impact Assessment (EIA) scoping: it is considered that the recent changes to the application boundary and the scheme made since the EIA Scoping Opinion was issued are likely to give rise to new or altered likely significant environmental effects. It is recommended that the Consultation Scheme should undergo a further scoping exercise to ensure that all potential likely significant environmental effects are identified and that any Scoping Opinion will reflect the scheme for which consent is being sought.
6. The nature of the DCO process is to encourage close and meaningful engagement with the promoter as the design proceeds. A programme of engagement with HE is suggested as one of the next steps in the process, which should cover the following key areas:
  - Emerging Local Plan and delivering growth;
  - Option testing/traffic modelling;
  - Treatment of northern portal;
  - Specific aspects including: Tilbury Link Road, Junctions, Motorway Rest Area, passive provision for potential future development;
  - Health and environmental impacts;
  - Construction phase works and effects, including off- and on-site enabling works, and related mitigation (including the Code of Construction Practice) and;
  - Securing local benefits.

In relation to the Council's landholdings, the response can be summarised as:

1. We believe there could be as many as 212 land parcels affected in which the Council has an interest. The effects include direct impacts where the land will be compulsorily acquired either permanently or temporarily as well as impacts arising from a right to claim compensation as a consequence of environmental impacts to a property in a number of ways including affects as a consequence of noise
2. Gammon Field travellers site is adversely impacted by the scheme. The Council has statutory obligations to make provision for gypsy and traveller sites and HE must engage with the council to help fulfil these obligations.

3. Some parcels of land are either severed or the rights to use the land in the way intended are impacted. HE must engage with the Council to help understand when and how these issues can be minimised
4. Loss of value and impacts on residential amenity affects some of the Council's interests for which the Council has an obligation to ensure an appropriate standard of accommodation for its residents
5. Loss of potential future development is a concern as the Council will be required to support future growth and regeneration in the Borough which may come forward as a result of the emerging local plan. There is also a specific concern in relation to the proximity of the scheme to Coalhouse Fort and the ability to bring forward opportunities at the site whilst preserving it as a heritage asset
6. Some parcels are adversely affected by the diversion of utilities needed to facilitate the LTC. The impact of the utilities as currently shown require further discussion with HE to ensure that there is no further sterilisation of Council land
7. Where the scheme is in proximity to public open space there is a concern that there could be a detrimental impact in relation to the enjoyment and use of that space

Despite personal and face to face commitments from Highways England to provide the council with appropriate time to consider the Consultation Document on the LTC, which runs to over thousands of pages, the documents were only provided to the authority on 11 October 2018. The reason for the urgent Council Meeting is that HE has also said it will not allow the authority additional time, on behalf of its residents and businesses, to consider the proposal and impact on the Borough.

This report comprises two parts as follows:-

- (1) The consultation response from the Council in its capacity as a statutory consultee pursuant to Section 42(1)(b) of the Planning Act 2008, that is a local authority for the purposes of the area in which a Development Consent Order (DCO) application is to be made (**Appendix A**); and
- (2) The consultation response from the Council in its capacity as a landowner pursuant to Section 42(1)(d) of the Planning Act 2008, that is being an owner, lessee, tenant or occupier of land (**Appendix B**).

## **1. Recommendation(s)**

- 1.1 That the Council maintains its opposition to the Lower Thames Crossing in Thurrock and pursuant to Section 42 (1)(b) of the Planning Act 2008 objects in principle to the proposed scheme;**
- 1.2 That the Council agrees the consultation responses set out in Appendix A (Local Authority response) and B (Interests in land) and submits these to Highways England by 20 December 2018;**

- 1.3 **That the Council agrees to delegate authority to the Chief Executive and Corporate Director Place, in consultation with Group Leaders, Portfolio Holder for Regeneration and Chair of the LTC Task Force to make any final, minor changes to the consultation response which may arise during the consideration of the consultation response by Council on the night;**

## **2. Introduction and Background**

### **Preferred Route Announcement (April 2017) to July 2018**

- 2.1 The Secretary of State for Transport announced the preferred route for the Lower Thames Crossing in April 2017. In November 2017, Highways England made a further announcement in relation to changes to the proposed scheme announced seven months earlier. Those changes included a link road at Tilbury to facilitate access to the area south of Tilbury and the removal of the link road from the LTC to the Orsett Cock roundabout. It is understood that these changes were made in response to feedback received to the preferred route announcement earlier that year.
- 2.2 Since November 2017 there has been little further information released or shared either with Thurrock Council or its residents and businesses. During this period however, Thurrock Council has been preparing for the statutory consultation phase of the project. This is the point at which Highways England consult on its proposed application for development consent and represents a significant milestone in being the last opportunity Thurrock Council, its partners, residents and businesses have, to influence the design of the scheme by providing feedback.
- 2.3 Thurrock Council established a Task Force specifically for LTC in September 2017 which is representative of the Council and its affected residents and businesses. Councillors across all three groups are involved and are working alongside representatives from the Thurrock Business Board, Port of Tilbury, residents and the Thames Crossing Action Group. This provides a valuable platform to challenge and review the development of the scheme which has culminated in the production of the mitigation schedule which captures the measures the Task Force want put in place to mitigate the impact and maximise the opportunities of the LTC in the event that it proceeds. This document continues to provide focus and has helped to define Thurrock Council's formal consultation response
- 2.4 One of the key points in the mitigation schedule relates to the inclusion of a Health Impact Assessment (HIA) as part of the development consent order application. Officers worked collaboratively with other neighbouring authorities to bring significant pressure to bear on Highways England to obtain agreement to produce an HIA. This is a significant step forward and will enable that collaboration to continue between the affected authorities to get a positive outcome for the health and wellbeing of residents. However the HIA has not yet been completed and therefore the council is currently unable to

comment fully on the health impacts of the LTC and any mitigation arising from it. This will form a significant part of the council's ongoing work regarding the LTC post submission of the consultation response.

- 2.5 In July 2018 Highways England also released an enlarged red line boundary for the proposed scheme, increasing the land take from approximately 12 square km to over 21 square km. This change constituted approximately a 68% increase in the land required for the scheme and has had a significant impact upon the Borough and its green belt. Further changes to the red line boundary were made at the beginning of statutory consultation without prior knowledge of this Borough.
- 2.6 As late as September 2018, HE were conducting public information events which included reference to the Tilbury Link Road being part of the scheme. The link road was removed when consultation began on 10 October 2018.

### **Consultation Scheme**

- 2.7 On Wednesday 10 October 2018, Highways England announced the commencement of its statutory consultation which will run until Thursday 20 December 2018. Further changes have been made to the proposed scheme which is subject to consultation. The main elements of those changes are:

#### **South of the River Thames:**

- the tunnel portal has been extended by approximately 600m south. This change is as a consequence of a Ramsar site and would reduce the impact on this designation;
- Removal of the A226 junction and widening of the M2 and A2 junction

#### **North of the River Thames:**

- the removal of the Tilbury link road which was announced in November 2017;
- the inclusion of a Tilbury junction which provides access to a Motorway Rest and Service area;
- routing between Tilbury and A13 junction has been moved approximately 80 metres east as well as lowering the road by approximately 5 metres;
- changes to the design of the scheme at the A1089/A13 junction resulting in no access to the LTC (either north or south) from the Orsett Cock junction; no eastbound connections to the LTC (either north or south) when travelling from the M25 along the A13. Further, no access to the A1089 from the southbound LTC onto the A1089 or from the A128 without travelling to the Manorway junction
- three lanes of carriageway north of the A13 junction;
- a viaduct across the Mardyke at approximately 5-6 metres high;
- a change to the route near Ockendon to avoid the landfill site;
- the LTC now goes under the M25 and Ockendon Road and widening the M25 up to Junction 29 (this section is in the London Borough of Havering).

- 2.8 Experienced consultants were appointed earlier this year to provide advice and support at an early opportunity to ensure they were up to speed ready to analyse the consultation information and support the Council in producing a robust consultation response.
- 2.9 Highways England was due to commence the statutory consultation in September 2018, however that date slipped by a month. Officers formally wrote to Highways England on 24 October 2018 to seek confirmation of their verbal agreement to allow the Council until after Council in January 2019 by which to submit our consultation response. Despite previous assurances made in person to senior Council members and officers, Highways England then refused an extension until this time and has requested that the Council get a draft response submitted by 20 December 2018 deadline with a view to submitting a final response after Council in January. The issue with this is that Highways England does not have a statutory obligation to take into account any late response and only gave a commitment to the Council to endeavour to take any changes to that response into account. This extraordinary meeting has been arranged in December to ensure a consultation response is submitted before the end of the consultation period which sets out the Council's agreed position. In October 2018 the Council agreed a motion which states: *'We call on the elected Members of Thurrock Council to support any judicial review, or other legal action, that may be possible against Highways England's proposals for the Lower Thames Crossing.'*
- 2.10 The impact of this refusal for additional time to analyse thousands of pages of consultation information is that as of the publication date of this report, officers and the consultant team have only had a little over seven weeks to review, analyse and consider the voluminous consultation material. This is considered an inadequate period within which to completely understand and assess the impacts of this nationally significant infrastructure project on the borough, particularly given that over 50% of the scheme is within this Council's administrative area and uses approximately 7% of borough greenbelt land. Further, Highways England does not have a duty to consider a response to statutory consultation which is received after the deadline of 20 December 2018. In summary, HE have placed an almost impossible task on the Council to respond by the deadline of 20 December but, on behalf of residents and businesses, this authority has ensured we will respond as fully and comprehensively as is possible, despite the inappropriate time provided.
- 2.11 Current guidance relating to consultation is set out in DCLG Planning Act 2008: Guidance on the pre-application process March 2015. In that guidance, reference is made to the communities and environment in which infrastructure projects are located and therefore a 'one size fits all' approach is not appropriate. The guidance goes on to reference that consultation should be thorough, effective and proportionate with sufficient time for consultees to understand proposals and formulate a response. Paragraph 30 specifically states that 'The Planning Act recognises the role that local authorities play as

bodies with expert knowledge of the local community, business and other interests as well as responsibility for development of the local area’.

- 2.12 Part of the role of the Council in the DCO process is to provide an ‘Adequacy of Consultation’ representation at the point at which any DCO application is made (currently anticipated to be autumn 2019). The Secretary of State, in determining whether to accept the DCO application, must have regard to this representation made by the Council, although this will not be the only determining factor in deciding to accept the application or not, as the case may be. As part of the representation, it is important to note that the Council can reference and evidence issues and concerns from the local community that have been raised about the consultation.

### **3. Issues, Options and Analysis of Options**

- 3.1 Officers continue to make clear the Council’s objection in principle to the LTC scheme. This position will not change as a result of the current proposal which delivers very little benefit for local people or indeed does not deliver on Highways England’s own scheme objectives ‘to support sustainable local development and regional economic growth in the medium to long term’ or to ‘minimise adverse impacts on health and the environment’.
- 3.2 Officers will continue to engage with Highways England in order to fulfil the Council’s statutory obligations and to protect the interests of the borough. This is important in order to comply with the Planning Inspectorate Advice Note two: The role of local authorities in the development consent order process, which states at paragraph 6.2 ‘Local authorities should engage proactively with a developer even if they disagree with the proposal in principle...Local authorities are not undermining an ‘in principle’ objection to a scheme by engaging with a developer at the pre-application stage’.
- 3.3 With this in mind, the Council is negotiating a draft Planning Performance Agreement (PPA) which it is intended will provide financial support for resources needed to respond and engage with Highways England on technical matters whilst continuing to object strongly to the scheme. This aligns with the Council’s usual practice for major development applications within the borough.
- 3.4 Thurrock residents should continue to be encouraged as much as possible to attend consultation events and engage in the consultation process and submit their responses by the relevant date. It is an important part of the DCO process to provide feedback on the proposals. Highways England has a statutory obligation under Section 49 of the Planning Act 2008 to have due regard to the responses received by the deadline. Residents should also be encouraged to report any concerns they have about the consultation to the Council at the earliest opportunity to ensure that officers can provide the necessary support in an attempt to resolve concerns, albeit this consultation is a Highways England initiative.

3.5 The Council's consultation response as a statutory consultee is set out in full at Appendix A. The response is detailed and includes a technical assessment of the consultation scheme. The Council's position in relation to the consultation scheme has three strands as follows:-

- (i) the Council has an in-principle objection to the proposal as it gives rise to substantial harm to the borough;
- (ii) the consultation material has substantial information gaps, inaccurate assessments and under reporting of impacts, such that the effect of the scheme has not been and cannot be properly considered and;
- (iii) if the scheme were to proceed, there will need to be substantial changes to mitigate and compensate for the worst of its impacts (although the Council does not believe full mitigation of these impacts can be secured).

3.6 The summary of the detail of the consultation response is as follows:

1. On the basis of the consultation information provided, including the information set out in the Preliminary Environmental Information Report (PEIR), the following conclusions and recommendations to HE are presented in this report:

- i. The Consultation Scheme does not meet several of the national and HE's strategic policy tests and scheme objectives, particularly relating to option testing, the delivery of economic growth and achieving sustainable local growth;
- ii. The Consultation Scheme does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the Borough and for the wider South Essex area as set out in the emerging Local Plan;
- iii. There are specific design elements of the Consultation Scheme which require modification and/or further consideration by HE in order to contribute to meeting the Government's and LTC's policy and scheme objectives. These are:
  - a. Re-instatement of the Tilbury Link Road into the Consultation Scheme;
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  - c. Reconfiguration of the A13 connections: Orsett Cock junction, A13 widening works and Manor Way junction, and the alignment of Rectory Road;
  - d. Alternative design options for the treatment of the crossing through the Mardyke Valley to reduce potential adverse environmental effects;

- e. Alternative design options for the treatment of the viaduct over the Tilbury Loop Line to reduce potential adverse environmental effects;
  - f. Consideration and assessment of suitable alternative locations for the Traveller site at Gammon Field which will be affected by the LTC;
  - g. Proposed physical design mitigation to address potential adverse effects on the Borough's residents eg bunds, cut and cover tunnels or lowering vertical alignment particularly where it is close to residential areas.
2. It is considered that the information contained in the consultation materials and the consultation undertaken with HE to date do not satisfactorily explain the options tested which give rise to the configuration of the Consultation Scheme. The traffic modelling output available as part of the consultation materials does not include the results of any option testing and has insufficient detail to understand the impacts of the Consultation Scheme on the local networks as well as residents, businesses, open countryside and designated environmental areas in the Borough.
  3. Health and Environmental effects: in relation to the information presented in the PEIR, there are significant information gaps and potential under reporting of potential impacts, such that the effects of the scheme have not been and cannot be properly considered. Further engagement is required, particularly in relation to the assessment of health impacts.
  4. Construction effects: whilst it is acknowledged that the information relating to the construction phase and the proposed off-site and on-site enabling works are still at an early stage, it is recommended that the Council actively engages with the HE design team to ensure that the areas of potential concern, highlighted in this report, can be appropriately addressed by the team as the scheme design and assessment work progresses. Areas for further engagement are listed in the report.
  5. DCO process and EIA scoping: it is considered that the recent changes to the application boundary and the scheme made since the EIA Scoping Opinion was issued are likely to give rise to new or altered likely significant environmental effects. It is recommended that the Consultation Scheme should undergo a further scoping exercise to ensure that all potential likely significant environmental effects are identified and that any Scoping Opinion will reflect the scheme for which consent is being sought.
  6. The nature of the DCO process is to encourage close and meaningful engagement with the promoter as the design proceeds. A programme of engagement with HE is suggested as one of the next steps in the process, which should cover the following key areas:

- Emerging Local Plan and delivering growth;
- Option testing/traffic modelling;
- Treatment of northern portal;
- Specific aspects including: Tilbury Link Road, Junctions, Motorway Rest Area, passive provision for potential future development;
- Health and environmental impacts;
- Construction phase works and effects, including off- and on-site enabling works, and related mitigation (including the Code of Construction Practice); and
- Securing local benefits.

3.7 The Council's consultation response as an affected landowner is set out in full at Appendix B. The Council's position in relation to the consultation scheme is to object to the compulsory acquisition of its land and can be summarised as follows:

1. We believe there could be as many as 212 land parcels affected in which the Council has an interest. The affects include direct impacts where the land will be compulsorily acquired either permanently or temporarily as well as impacts arising from a right to claim compensation as a consequence of environmental impacts to a property in a number of ways including affects as a consequence of noise.
2. Gammon Field travellers site is adversely impacted by the scheme. The Council has statutory obligations to make provision for gypsy and traveller sites and will engage with Highways England to ensure it can fulfil those obligations
3. Some parcels of land are either severed or the rights to use the land in the way intended are impacted. The Council will engage with HE to understand when and how these issues can be minimised
4. Loss of value and impacts on residential amenity affects some of the Council's interests for which the Council has an obligation to ensure an appropriate standard of accommodation for its residents.
5. Loss of potential future development is a concern as the Council will be required to support future growth and regeneration in the Borough which may come forward as a result of the emerging local plan. There is also a specific concern in relation to the proximity of the scheme to Coalhouse Fort and the ability to bring forward opportunities at the site whilst preserving it as a heritage asset
6. Some parcels are adversely affected by the diversion of utilities needed to facilitate the LTC. The impact of the utilities as currently shown require further discussion with HE to ensure that there is no further sterilisation of Council land.

7. Where the scheme is in proximity to public open space there is a concern that there could be a detrimental impact in relation to the enjoyment and use of that space.
- 3.8 The process for preparing the Thurrock Local Plan has already been delayed for over 18 months because of the LTC. The red line boundary and proposed route have a significant impact upon the development options in the Borough.
- 3.9 In terms of the next steps for the DCO process, the period after the close of consultation up to May 2019 will be a critical period in the development of the scheme. On the current programme, Highways England will need to freeze the design of the scheme to enable the environmental impact assessment work to be written up and prepare and formulate the DCO application. Notwithstanding the in-principle objection to the scheme, officers will need to engage with Highways England to discuss the consultation response in more detail with a view to Highways England taking account of that response and to enable changes to be made to the scheme. Those changes may require a re-consultation exercise to be undertaken if they are considered to be material changes.
- 3.10 Officers will be working to produce the local impact report which is a statutory function of the Council in the development consent order process. This will be a detailed and considered document which will set out all of the impacts both positive and negative which the scheme could have on the Borough and its interests. This document will come to Council to be agreed in approximately 12 months on the basis of the current programme. The document will be informed by discussion at the LTC Task Force.

#### **4. Reasons for Recommendation**

- 4.1 The LTC consultation scheme in its current form delivers causes substantial harm but delivers no local benefit for Thurrock. The Council is unanimous in its current position in this regard.
- 4.2 The Council should, in order to protect the interests of the Borough and its resident and business community, submit an agreed consultation response both as a local authority and as a landowner by the deadline.
- 4.3 The consultation response may need to be amended to include any specific issues which arise as part of the debate. As a consequence, a delegation is sought to enable officers to give effect to those changes.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 There has been ongoing engagement with the LTC Task Force in the formulation and approach to the Council's consultation response. Discussions have also taken place with the Thurrock Business Board.

## **6. Impact on corporate policies, priorities, performance and community impact**

6.1 Lower Thames Crossing will have a significant impact on the emerging Local Plan as well as associated policies and documents.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Sean Clark**  
**Director of Finance and IT**

The Planning Performance Agreement (PPA) being negotiated currently caps the financial support being provided to the Council which could add to financial pressures. Further the PPA will not provide financial support for anything which is considered to be a statutory function. This includes the response to statutory consultation.

The Council has currently agreed a recurring annual budget of £50k and a further lump sum of £380k from the 2017/18 budget surplus, whilst also funding a dedicated Assistant Director to lead on this work. Cabinet will consider further allocations at their meeting in December 2018.

### **7.2 Legal**

Implications verified by: **Benita Edwards**  
**Interim Deputy Head of Law (Regeneration)**

This report seeks authority to submit a response to the statutory pre-application consultation being carried out by Highways England as a precursor to its submission of an application for a Development Consent Order ('DCO') in relation to the proposed Lower Thames Crossing, which is classed as a Nationally Significant Infrastructure Project ('NSIP'). The application is expected to be submitted to the Planning Inspectorate in 2019. As the Council will not be the decision-maker in respect of the proposed application, the Council is being consulted in its roles as both statutory consultee and landowner with interest in some of the land comprised in the forthcoming application. The Council will also have an opportunity to participate in the Examination hearings for the DCO.

It should be noted that the DCO process enables the applicant to secure a range of consents (such as planning permission, approvals for highways works and compulsory acquisition of land) that may be required for a scheme. Accordingly, the Council's response should seek to address the key issues raised through the consultation process, which may include (but not be limited to): requirements on the DCO and/or planning obligations that the Council considers should be provided to mitigate the impact of development; the

potential requirement for the stopping up or diversion of highways (including Public Rights of Way and Bridleways); the potential need for highways works and / or Traffic Regulation Orders; any objections that the Council may have including with respect to proposals for acquisition of land (or interests on, under or over land) owned by the Council.

### 7.3 **Diversity and Equality**

Implications verified by: **Rebecca Price**  
**Team Manager - Community Development and Equalities Adults, Housing and Health Directorate**

In September 2018, the Council prepared a detailed response to HE's Draft Statement of Community Consultation incorporating a series of challenges related to the measures HE would put in place to enable interest groups and individuals with cross cutting protected characteristics (as outlined in the Equality Act 2010) to be engaged and participate in the LTC consultation.

Since the consultation launched on 10<sup>th</sup> October 2018, a small number of events have been held or organised by HE with the first taking place in Orsett on Tuesday, 16<sup>th</sup> October. Additional dates for a mobile unit to attend other locations, including those to the East and West of the Borough, have been organised by HE although they are considered to supplement more formal events and may be withdrawn with limited notice. In the meantime, the Council's 'Have my say' web page will continue to provide access to up to date links to the HE website including dates for consultation events in Thurrock.

Whilst Equality and Diversity data is invited in the current LTC Consultation Response Form, it is restricted to a narrow selection of genders, disability, a limited number of ethnicities and age. It is not presently known how this information will support a more thorough understanding of the profile of those individuals or organisations that have provided responses. It is also unknown when and how an Equality Impact Assessment for the scheme will be prepared by HE and nor how it will be informed by health or environmental data either held or already captured by them.

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

The scheme includes the proposal to compulsorily acquire land from the Council to facilitate the delivery of the scheme. Some of the land in question is leased in particular some of the land affected which is agricultural land. The true impacts of this will not be understood until the DCO application is submitted and therefore the red line boundary of the scheme will become fixed. Any acquisition of land will be subject to rigorous scrutiny to ensure it passes the legal, policy and guidance tests. Ultimately any land will not be acquired compulsorily until after the DCO were to be granted which on the

current programme is anticipated to be early 2021. The Council would be compensated under the statutory code for compensation for land taken either permanently or temporarily for the scheme.

**8. 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):

- Thurrock Council Paper 26 July 2017, Lower Thames Crossing
- DCLG Planning Act 2008: Guidance on the pre-application process March 2015
- Planning Inspectorate Advice Note two: The role of local authorities in the development consent order process
- Lower Thames Crossing Your Guide to Consultation  
[www.lowerthamescrossing.co.uk](http://www.lowerthamescrossing.co.uk)

**9. Appendices to the report**

- Appendix A – Local Authority Response
- Appendix B – Interests in Land

**Report Author:**

Anna Eastgate

Assistant Director Lower Thames Crossing, Place

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# Lower Thames Crossing

## Review of Statutory Consultation Documents

Thurrock Council Document Reference – Appendix A

On behalf of **Thurrock Council**



Project Ref: 43879 | Rev: ISSUED | Date: December 2018



## Document Control Sheet

**Project Name:** Lower Thames Crossing  
**Project Ref:** 43879  
**Report Title:** Review of Statutory Consultation Documents (Oct 2018)  
**Doc Ref:** FINAL ISSUED  
**Date:** December 2018

	Name	Position	Signature	Date
<b>Prepared by:</b>				
<b>Reviewed by:</b>	Sarah Matthews	Director	[SM]	03-12-2018
<b>Approved by:</b>	Dermot Scanlon	Director	[DS]	03-12-2018
<b>For and on behalf of Peter Brett Associates LLP</b>				

Revision					Approved

This report has been prepared by Peter Brett Associates LLP ('PBA') on behalf of its client to whom this report is addressed ('Client') in connection with the project described in this report and takes into account the Client's particular instructions and requirements. This report was prepared in accordance with the professional services appointment under which PBA was appointed by its Client. This report is not intended for and should not be relied on by any third party (i.e. parties other than the Client). PBA accepts no duty or responsibility (including in negligence) to any party other than the Client and disclaims all liability of any nature whatsoever to any such party in respect of this report.

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**Appendices**

**Appendix A – Review of LTC PEIR**

## Executive Summary

### Introduction

1. Highways England's (HE) latest proposals for the Lower Thames Crossing (LTC) were published for formal consultation on 10 October 2018. The consultation period closes on 20 December 2018. The Consultation Scheme comprises:
  - a bored tunnel crossing under the River Thames east of Gravesend and Tilbury;
  - a new motorway north of the river which will join the M25 between junctions 29 and 30;
  - a new road south of the river which will join the A2 east of Gravesend;
  - a new Rest and Services Area (RaSA) at the Tilbury Junction (East Tilbury);
  - new structures and changes to existing ones (including bridges, buildings, tunnel entrances, viaducts, and utilities such as electricity pylons) along the length of the new road;
  - Junctions, proposed at the following locations:
    - a new junction with the A2 to the east of Gravesend;
    - a new junction east of Tilbury (to access the proposed RaSA);
    - a modified junction with the A13/A1089 in Thurrock;
    - a new junction with north-facing slip roads on the M25 between junctions 29 and 30.
2. HE proposes that the scheme would include a *'free-flow charging system, where drivers pay remotely, similar to that at the Dartford Crossing'*.
3. If granted consent, HE envisages that construction of the scheme would commence in 2021 with an opening year of 2027.
4. Consent for the project is being sought under the Planning Act 2008 (PA 2008) and, if approved, a Development Consent Order (DCO) will be granted to construct and operate the project. Under this consent process, HE has a duty to consult, among others, local authorities and the local community about the emerging proposals prior to the submission of the DCO application. HE also has a duty to take account of the responses to consultation as it develops the Consultation Scheme further before submitting the DCO application.
5. This report has been prepared for Thurrock Council to provide a review of the Consultation Scheme and related statutory consultation documents. Its purpose is to identify areas of concern, potentially significant issues and suggest areas of further work required by HE, in order to assist the Council in preparing its response to the LTC statutory consultation exercise.

6. Overall, the Council has been actively engaging with Highways England however, based upon the consultation material available, the Consultation Scheme proposals appear contrary to important national and strategic policy tests. Due to deficiencies in the available information, particularly on the option appraisal and likely impacts, it is recommended that the Council should reserve an entitlement to supplement or modify its consultation response in light of additional information which is likely to be forthcoming.

### **Consultation materials**

7. Some 42 separate items have been presented by HE as part of this formal consultation exercise. These include the 'Case for the Project', the 'Approach to Design, Construction and Operation', and the 'Preliminary Environmental Information Report'. The latter is one of the key documents in the consultation exercise as it provides preliminary environmental information on the Consultation Scheme so that consultees are able to develop an informed view of its likely significant environmental effects.

### **Review process**

8. The review of the consultation materials seeks to 'test' the consultation scheme's performance in the following areas:
  - National and strategic policy – the performance of the Consultation Scheme against national and strategic policies as well as HE's scheme objectives;
  - Design elements – the performance of specific design elements of the Consultation Scheme tested against provision in the emerging Local Plan and wider aspirations for growth in Thurrock and the South Essex Region;
  - HE's proposals and assumptions made for construction phase logistics and utilities diversions;
  - Health and environmental effects as reported in the PEIR;
  - DCO process and adequacy of consultation.
9. This report concludes with recommendations for next steps in the engagement process with the HE team and the Planning Inspectorate.

### **Review findings**

10. On the basis of the consultation information provided, including the information set out in the Preliminary Environmental Information Report (PEIR), the following conclusions and recommendations to HE are presented in this report:
  - i. The Consultation Scheme does not meet several of the national and HE's strategic policy tests and scheme objectives, particularly relating to option testing, the delivery of economic growth and achieving sustainable local growth (chapters 4 and 5);
  - ii. The Consultation Scheme does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the

- Borough and for the wider South Essex area as set out in the emerging Local Plan (chapters 3 and 5);
- iii. There are specific design elements of the Consultation Scheme (chapter 5) which require modification and/or further consideration by HE in order to contribute to meeting the Government's and LTC's policy and scheme objectives. These are:
    - a. Re-instatement of the Tilbury Link Road into the Consultation Scheme;
    - b. Options for alternatives sites inside and outside the Borough for the proposed Rest and Services Area (RaSA) proposed in East Tilbury;
    - c. Reconfiguration of the A13 connections: Orsett Cock junction, A13 widening works and Manor Way junction, and the alignment of Rectory Road;
    - d. Alternative design options for the treatment of the crossing through the Mardyke Valley to reduce potential adverse environmental effects;
    - e. Alternative design options for the treatment of the viaduct over the Tilbury Loop Line to reduce potential adverse environmental effects;
    - f. Consideration and assessment of suitable alternative locations for the Traveller site at Gammon Field which will be affected by the LTC;
    - g. Proposed physical design mitigation to address potential adverse effects on the Borough's residents eg bunds, cut and cover tunnels or lowering vertical alignment particularly where it is close to residential areas.
  11. It is considered that the information contained in the consultation materials and the consultation undertaken with HE to date do not satisfactorily explain the options tested which give rise to the configuration of the Consultation Scheme (chapter 5). The traffic modelling output available as part of the consultation materials does not include the results of any option testing and has insufficient detail to understand the impacts of the Consultation Scheme on the local networks as well as residents, businesses, open countryside and designated environmental areas in the Borough.
  12. Health and Environmental effects: in relation to the information presented in the PEIR, there are significant information gaps and potential under reporting of potential impacts, such that the effects of the scheme have not been and cannot be properly considered. Further engagement is required, particularly in relation to the assessment of health impacts (chapter 7).
  13. Construction effects: whilst it is acknowledged that the information relating to the construction phase and the proposed off-site and on-site enabling works are still at an early stage, it is recommended that the Council actively engages with the HE design team to ensure that the areas of potential concern, highlighted in this report, can be appropriately addressed by the team as the scheme design and assessment work progresses. Areas for further engagement are listed in the report (chapter 6).
  14. DCO process and EIA scoping: it is considered that the recent changes to the application boundary and the scheme made since the EIA Scoping Opinion was issued are likely to give rise to new or altered likely significant environmental effects. It is recommended that the Consultation Scheme should undergo a further scoping exercise to ensure that all potential likely significant environmental effects are

identified and that any Scoping Opinion will reflect the scheme for which consent is being sought (chapter 8).

15. The nature of the DCO process is to encourage close and meaningful engagement with the promoter as the design proceeds. A programme of engagement with HE is suggested (chapter 9) as one of the next steps in the process, which should cover the following key areas:
- Emerging Local Plan and delivering growth;
  - Option testing/traffic modelling;
  - Treatment of northern portal;
  - Specific aspects including: Tilbury Link Road, Junctions, Motorway Rest Area, passive provision for potential future development;
  - Health and environmental impacts;
  - Construction phase works and effects, including off- and on-site enabling works, and related mitigation (including the Code of Construction Practice); and
  - Securing local benefits.

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## Acronyms and Abbreviations

AADT	Annual Average Daily Traffic
ASELA	The Association of South Essex Local Authorities
AQMA	Air Quality Management Area
CEMP	Construction Environmental Management Plan
COCP	Code of Construction Practice
CRTN	Calculation of Road Traffic Noise
CTMP	Construction Travel Management Plan
DCO	Development Consent Order
DMRB	Design Manual for Roads and Bridges
EIA	Environmental Impact Assessment
ES	Environmental Statement
FRA	Flood Risk Assessment
HE	Highways England
HIA	Health Impact Assessment
IAQM	Institute of Air Quality Management
IEMA	Institute of Environmental Management and Assessment
JSP	Joint Strategic Plan
LOAEL	Lowest observed adverse effect level (noise criterion)
LTC	Lower Thames Crossing
LVIA	Landscape and Visual Impact Assessment
LWS	Local Wildlife Site
MHCLG	Ministry of Housing, Communities and Local Government
NNNPS	National Networks National Policy Statement
NPPF	National Planning Policy Framework
OHL	Overhead Line
PA 2008	Planning Act 2008

PEI	Preliminary Environmental Information
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
PRoW	Public Right of Way
RaSA	Rest and Service Area
RIS	Road Investment Strategy
SHMA	Strategic Housing Market Assessment
SOAEL	significant observed adverse effect level (noise criterion)
SRN	Strategic Road Network
TBM	Tunnel Boring Machine
WFD	Water Framework Directive
WHO	World Health Organisation

# 1 Introduction

## 1.1 Overview

1.1.1 Highways England's (HE) latest proposals for the Lower Thames Crossing (LTC) were published for formal consultation on 10 October 2018. The consultation period closes on 20 December 2018. The Consultation Scheme comprises:

- a bored tunnel crossing under the River Thames east of Gravesend and Tilbury (Location C);
- a new motorway north of the river which will join the M25 between junctions 29 and 30 (Route 3); and
- a new road south of the river which will join the A2 east of Gravesend (the Western Southern Link).

1.1.2 As the LTC is classified as a Nationally Significant Infrastructure Project, consent for the project will be sought under the Planning Act 2008 (PA 2008). This means that the Planning Inspectorate will consider the application and make a recommendation to the Secretary of State for Transport. If approved, a Development Consent Order (DCO) will be granted to construct and operate the project.

1.1.3 Under the PA 2008 DCO application process, HE has a duty to consult, among others, local authorities and the local community about the emerging proposals in the period prior to the submission of the DCO application. HE also has a duty to take account of the responses to consultation as it develops the Consultation Scheme further before submitting the DCO application.

## 1.2 Purpose of this report

1.2.1 This report has been prepared for Thurrock Council (the 'Council') to provide a review of the LTC Consultation Scheme and related statutory consultation documents published by HE on 10 October 2018. The purpose of both the review and this report is to highlight potentially significant issues and assist the Council in preparing its response to the LTC statutory consultation.

1.2.2 The review seeks to identify those areas which are of concern to the Council as a statutory consultee and any potential deficiencies within the Consultation Scheme and related materials as presented by HE. It is based on an assessment of the October 2018 consultation material and is therefore subject to change as the LTC design and assessment progresses. This report has been prepared by an experienced consultant team supplemented by comments from Council officers, as appropriate.

## 1.3 Review findings and the Council's position

1.3.1 On the basis of the consultation information provided, including the information set out in the Preliminary Environmental Information Report (PEIR), the following conclusions and recommendations are presented in this report:

- a. The Consultation Scheme does not meet several of the national and HE's strategic policy tests and scheme objectives, particularly relating to option testing, the delivery of economic growth and achieving sustainable local growth (see chapters 4 and 5);
- b. The Consultation Scheme does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the Borough and for the wider South Essex area as set out in the emerging Local Plan (see chapters 3 and 5);
- c. There are specific design elements of the Consultation Scheme which require modification and/or further consideration by HE in order to contribute to meeting the Government's and LTC's policy and scheme objectives (see chapter 5). These are:
  - i. Re-instatement of the Tilbury Link Road into the Consultation Scheme;
  - ii. Options for alternative sites inside and outside the Borough for the proposed Rest and Services Area (RaSA) proposed in East Tilbury;
  - iii. Reconfiguration of the A13 connections: Orsett Cock junction, A13 widening works and Manor Way junction, and the alignment of Rectory Road;
  - iv. Alternative design options for the treatment of the crossing through the Mardyke Valley to reduce potential adverse environmental effects;
  - v. Alternative design options for the treatment of the viaduct over the Tilbury Loop Line to reduce potential adverse environmental effects;
  - vi. Consideration and assessment of suitable alternative locations for the Traveller site at Gammon Field which will be affected by the LTC;
  - vii. Proposed physical design mitigation to address potential adverse effects on the Borough's residents eg bunds, cut and cover tunnels or lowering vertical alignment particularly where it is close to residential areas.
- d. It is considered that the information contained in the consultation materials and the consultation undertaken with HE to date do not satisfactorily explain the options tested which give rise to the configuration of the Consultation Scheme (see chapter 5). The traffic modelling output available as part of the consultation materials does not include the results of any option testing and has insufficient detail to understand the impacts of the Consultation Scheme on the local networks as well as residents, businesses, open countryside and designated environmental areas in the Borough.
- e. Specific comments relating to potential effects of the Consultation Scheme and the DCO (and EIA) process are:
  - i. Health and Environmental effects: in relation to the information presented in the PEIR, there are significant information gaps and

potential under reporting of potential impacts, such that the effects of the scheme have not been and cannot be properly considered. Further engagement is required, particularly in relation to the assessment of health impacts (see chapter 7);

- ii. Construction effects: whilst it is acknowledged that the information relating to the construction phase and the proposed off-site and on-site enabling works are still at an early stage, it is recommended that the Council actively engages with the HE design team to ensure that the areas of potential concern, highlighted in this report, can be appropriately addressed by the team as the scheme design and assessment work progresses (see chapter 6);
- iii. DCO process and EIA scoping: it is considered that the recent changes to the application boundary and the scheme made since the EIA Scoping Opinion was issued are likely to give rise to new or altered likely significant environmental effects. It is recommended that the Consultation Scheme should undergo a further scoping exercise to ensure that all potential likely significant environmental effects are identified and that any Scoping Opinion will reflect the scheme for which consent is being sought (see chapter 8).

1.3.2 The nature of the DCO process is to encourage close and meaningful engagement with the promoter as the design proceeds. A programme of engagement with HE is suggested (see chapter 9) as one of the next steps in the process, which should cover the following key areas:

- Emerging Local Plan and delivering growth;
- Option testing/traffic modelling;
- Treatment of northern portal;
- Specific aspects including: Tilbury Link Road, Junctions, Motorway Rest Area, passive provision for potential future development;
- Health and environmental impacts;
- Construction phase works and effects, including off- and on-site enabling works, and related mitigation (including the Code of Construction Practice); and
- Securing local benefits.

## 1.4 Report structure

1.4.1 This report is structured as follows:

### Part 1 – The Consultation Scheme

- Chapter 2 describes the Consultation Scheme, lists the material which HE is consulting upon and sets out the indicative programme for the project;

## **Part 2 – Strategic Context**

- Chapter 3 describes the strategic importance of Thurrock and the south Essex region, providing the development planning context in which the LTC will be set;

## **Part 3 – The Policy Context and Compliance**

- Chapter 4 sets out the LTC’s policy context and scheme objectives and considers how the Consultation Scheme performs against the relevant national and strategic policies and objectives;

## **Part 4 – Reviewing and Testing the Consultation Scheme**

- Chapter 5 considers the specific design elements proposed for the Consultation Scheme and how these perform against policy and objectives as well as the development planning context set out in Chapter 3;
- Chapter 6 considers the approach to construction, logistics and utility diversions required for the Consultation Scheme;
- Chapter 7 provides a review of the information contained in the PEIR;
- Chapter 8 examines the DCO process and the adequacy of consultation;

## **Part 5 - Recommendations and Next Steps**

- Chapter 9 sets out the recommendations and suggested next steps for further engagement with the HE design team.

## 2 The Consultation Scheme

### 2.1 The Lower Thames Crossing Consultation Scheme

2.1.1 Non-statutory public consultation was undertaken in 2013, 2014, and in 2016 on the route options. Following the announcement of the Preferred Route in 2017, HE has undertaken further work to prepare the Consultation Scheme upon which it is now consulting. Details of the Consultation Scheme can be found at the following link: <https://highwaysengland.co.uk/lower-thames-crossing-home/>.

2.1.2 As described in the LTC consultation material (PEI Summary), the Consultation Scheme comprises:

- approximately 14.5 miles (23km) of new motorway connecting to the existing road network from the A2/M2 to the M25;
- two 2.5-mile (4km) tunnels, one southbound and one northbound;
- three lanes in both directions with a maximum speed limit of 70mph;
- improvements to the M25, A2 and A13, where the Lower Thames Crossing connects to the road network;
- a new Rest and Services Area (RaSA) at the Tilbury Junction (East Tilbury);
- new structures and changes to existing ones (including bridges, buildings, tunnel entrances, viaducts, and utilities such as electricity pylons) along the length of the new road; and
- a free-flow charging system, where drivers pay remotely, similar to that at the Dartford Crossing.

2.1.3 Junctions are proposed at the following locations:

- a new junction with the A2 to the east of Gravesend;
- a new junction east of Tilbury (to access the proposed RaSA);
- a modified junction with the A13/A1089 in Thurrock;
- a new junction with north-facing slip roads on the M25 between junctions 29 and 30.

2.1.4 The consultation material continues, stating that '*...the main road between the A2 and the M25 would be 3 lanes in both directions, using technology for lane control and variable speed limits. There would be no hard shoulders but there would be hard strips, motorway vehicle restrictions, emergency refuge areas and a rest and service area. Modern safety measures and construction standards will be used with technology to manage traffic and provide better information to drivers:*

- variable message signs on gantries to display travel information, hazard warnings and both advisory and mandatory signage to drivers;

- CCTV cameras to manage and investigate incidents, monitor onsite activities, protect assets, gauge network usage and prevent and detect crime;
- above ground traffic detectors to control automatic traffic management systems (like variable speed limits) and to collect data on traffic flows;
- Existing side roads affected by the route will be reconnected to ensure that existing communities and public rights of way remain connected. In most locations, the affected side roads would go over the new route' (Section 2, Preliminary Environmental Information Summary).

## 2.2 Consultation materials

2.2.1 The documents which comprise HE's consultation can be viewed and downloaded at this link: <https://highwaysengland.citizenspace.com/ltc/consultation/>. The material available at this link is as follows:

1. Your Guide to Consultation
2. Consultation Response form
3. Information leaflet
4. Consultation events leaflet
5. Case for the Project
6. Approach to Design, Construction and Operation
7. Preliminary Environmental Information Summary
8. Preliminary Environmental Information Report
9. Preliminary Environmental Information Report – Appendices
10. Preliminary Environmental Information Report Figures - Chapter 2 Project Description
11. Preliminary Environmental Information Report Figures - Chapter 6 Air Quality
12. Preliminary Environmental Information Report Figures - Chapter 7 Cultural Heritage
13. Preliminary Environmental Information Report Figures - Chapter 8 Landscape
14. Preliminary Environmental Information Report Figures - Chapter 9 Terrestrial Biodiversity
15. Preliminary Environmental Information Report Figures - Chapter 11 Geology and Soils
16. Preliminary Environmental Information Report Figures - Chapter 12 Materials
17. Preliminary Environmental Information Report Figures - Chapter 10 Marine Biodiversity
18. Preliminary Environmental Information Report Figures - Chapter 13 Noise and Vibration
19. Preliminary Environmental Information Report Figures - Chapter 14 People and Communities
20. Preliminary Environmental Information Report Figures - Chapter 15 Road Drainage and Water Environment
21. Map - Environmental Constraints
22. 2017 Environmental Impact Assessment - Scoping Report
23. 2017 Environmental Impact Assessment - Scoping Report Appendices
24. Environmental Impact Assessment - Scoping Report Appendices A – G
25. Environmental Impact Assessment - Scoping Report Appendix F (PART 1)

26. Environmental Impact Assessment - Scoping Report Appendix F (PART 2)
27. 2017 Environmental Impact Assessment - Scoping Opinion
28. Traffic Forecasts Non-Technical Summary
29. Traffic Forecasting Report
30. Traffic Forecasting Report Appendix
31. Map Book 1 - General Arrangements
32. Map Book 2 – Land Use Plans
33. Map Book 3 - Engineering Plans
34. Map - General Arrangement of Whole Scheme
35. Map - Large Scale General Arrangements
36. Map - Land Use Plan
37. Your Property and Blight
38. Your Property and Compulsory Purchase
39. Your Property and Discretionary Purchase
40. Statement of Community Consultation (SoCC)
41. Section 47 Notice
42. Section 48 Notice

### **Preliminary Environmental Information Report (PEIR)**

- 2.2.2 One of the key documents in the review exercise has been the Preliminary Environmental Information Report (PEIR). The purpose of this is for the applicant [HE] to provide preliminary information on the Consultation Scheme so that consultees are able to develop an informed view of its likely significant environmental effects. Regulation 12(2) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) defines preliminary environmental information as “*information referred to in regulation 14(2) which:*
- a. *has been compiled by the applicant; and*
  - b. *is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development).”*
- 2.2.3 Further details on the intended purpose and contents of a PEIR are provided in Planning Inspectorate Advice Note 7: *EIA: Process, Preliminary Environmental Information, and Environmental Statements*.
- 2.2.4 Chapter 7 and Appendix A provide a review of the information contained in the PEIR.

## 2.3 Project programme

2.3.1 The consultation materials set out the indicative timetable for the LTC, set out in Table 2.1.

Table 2.1: indicative timetable for LTC

Stage	Indicative timetable
Development Consent Order application submitted	2019
Examination	2020
Consent (if granted)	2021
Construction phase	2021 onwards
Opening year	2027

## 3 The Strategic Importance of Thurrock and the South Essex Region

### 3.1 Introduction

3.1.1 Thurrock Council's adopted Core Strategy sets out, as an objective the delivery of 18,300 homes<sup>1</sup> and 21,000 jobs in the period between 2009-26. Thurrock's Economic Growth Strategy (2016) identifies five key components as being necessary to deliver employment and broader economic growth in the borough, namely:

- Strategic employment sites;
- Business spaces and premises;
- Quality access infrastructure, including road and rail linkages that facilitate effective movement of goods and people;
- Refreshed town centres; and
- Housing.

3.1.2 The Consultation Scheme has direct impacts on three of these key components in terms of:

- prejudicing the delivery of strategic employment sites (see para 3.2.6 et seq);
- compromising the ability to meet the need for new housing in Thurrock and the wider sub region in a sustainable manner (see para 3.3.12 et seq); and
- not providing the quality of access infrastructure needed in Thurrock to support these economic ambitions (for example, see section 5.3 relating to the removal of the Tilbury Link Road from the LTC scheme).

3.1.3 As a consequence, Thurrock's economy will continue to underperform and the aspirations for new necessary housing and improvements to its town centres will not be realised; nor will the market conditions necessary to viably deliver the quality of business space and premises envisaged.

3.1.4 In February 2014, the Council made the decision to bring forward a new Local Plan, the reasons for this being:

- 'The need for a more up-to-date statutory planning framework to coordinate the delivery of the Council's ambitious growth strategy for Thurrock
- The revocation of the East of England Plan and the requirement for local planning authorities to undertake a fresh assessment of their future development needs

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<sup>1</sup> CSTP1 Strategic Housing Provision

- The need for the Council to identify a deliverable five-year housing land supply and bring forward more sites for development to support economic growth
- A need to consider the possible impacts of a decision by Government on the route and location of the proposed Lower Thames Crossing'

3.1.5 Supporting housing delivery and economic growth in Thurrock are central pillars of this emerging plan; and the scale of that growth represents a step-change in Thurrock's ambitions. The South Essex Strategic Housing Market Assessment (SHMA, 2017) which identified an objectively assessed housing need of 1,381 dwellings per annum; this represents over a third of identified needs across the whole South Essex housing market area. This includes a significant upward adjustment of 307 dwellings per annum to support economic growth in the Borough and underlines how the growth ambitions for Thurrock's economy are interlinked with housing growth.

3.1.6 However, progress on this new Local Plan has already been significantly delayed by the uncertainty created by the LTC, particularly given the changes in terms of the land affected directly by the route, the alterations in alignment and removal of junctions on the route. This places the Council at risk of failing to meet the requirements of the NPPF in terms of not having a five-year housing land supply and failing the new delivery test. The latter point is already confirmed by MHCLG and underscores the impact the LTC has already had on Thurrock's ability to meet housing needs, even in the short term. In the absence of an adopted up-to-date plan, this places Thurrock at risk of being unable to resist applications for unplanned development in unsustainable locations

3.1.7 In addition to the new Local Plan, Thurrock also forms part of the Association of South Essex Local Authorities (ASELA) which has committed to bringing forward a Joint Strategic Plan (JSP) to cover the period to 2038; the first round of consultation on the JSP is planned for spring 2019. While the JSP will not allocate specific sites and these will be brought forward through the new Local Plan, it will identify a range of broad strategic locations and priorities for new development and infrastructure delivery. However, the scale of growth to be allocated to Thurrock through the JSP is closely influenced by the extent which the LTC supports rather than prejudices those strategic locations.

## 3.2 Thurrock's economy and the role of the LTC

3.2.1 The Thurrock economy is worth £2.9 billion<sup>2</sup> and the Council is committed to growing this and closing the relative underperformance, in productivity terms, against the rest of South Essex. Within the wider South Essex economy, the Borough is an important driver in the retail and warehousing, and transport and logistics sectors, which are highlighted as key growth sectors going forward. Transport and logistics growth is driven by the key ports of Tilbury, Purfleet and London Gateway. The Port of Tilbury is identified in Core Strategy Policy CSSP2 as part of the Tilbury key strategic economic hub; realising the potential beneficial effects the LTC could have on the Port is therefore a critical consideration.

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<sup>2</sup> South Essex Economic Development Needs Assessment (2017) Table 5

- 3.2.2 Development plan policy gives explicit support to the expanded role of Tilbury. Core Strategy Policy CSTP17 (Strategic freight movement and access to ports) enshrines the Council's support for the logistics and freight sectors including "...*facilitating a shift to rail freight and freight carried on the River Thames ... [by] promoting the use of rail and water borne freight facilities by supporting the development of appropriate infrastructure*".
- 3.2.3 The significance of the alignment of the LTC and the junctions on the Council's wider portfolio of employment sites is captured in the Economic Development Needs Assessment (2017). As well as providing an alternative strategic road link for existing and allocated sites to connect into, there is potential for the LTC to allow additional future employment sites along the new road; but that "...*in order to realise this opportunity the appropriate local junctions and connections must be provided so that existing and new sites can access the network, without which the positive influence of this new road infrastructure will be severely limited*"<sup>3</sup>.
- 3.2.4 The Needs Assessment's review of employment sites<sup>4</sup>, particularly in relation to the Port of Tilbury, confirms that investment is needed to improve the stock quality, including sites at:
- Thames Industrial Estate (14.4ha): this is identified as requiring significant intervention to attract new employment occupiers; and
  - Thurrock Park (21.4ha); this is noted to have vacancies within the site which might require medium- to long-term support to address to ensure that the site is fulfilling its potential for B8 (warehousing and distribution) port-related activities.
- 3.2.5 Beyond port-related activities, an important part of the Council's ambitions is to diversify the economy so that it is less dependent on a relatively narrow range of sectors, without compromising growth within those core sectors of transport and logistics and retail and warehousing. For this to be realised, the Council's ambitions are focused on increasing the supply of viable economic development land. This is not achieved by the Consultation Scheme.

### Effects of the Consultation Scheme

- 3.2.6 The Consultation Scheme does not provide appropriate local junctions and connections at strategic locations in the Borough that capitalise on local areas of significant employment growth. The lack of provision of the Tilbury Link Road is an example where, rather than creating additional opportunities, the effect is to sterilise development land and reduce the potential for growth. This is discussed in greater detail in section 5.3 below.
- 3.2.7 The consequence of this missed opportunity to invest will be that the Council's ability to grow and diversify its economy will not be supported by the Consultation Scheme and the higher-skilled and higher-wage sectors which currently do not play a major role in its economy will continue to locate elsewhere in South Essex and the wider South East.

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<sup>3</sup> Para. 9.67

<sup>4</sup> Table 35

### 3.3 Supporting housing growth in the Borough

- 3.3.1 Based on the South Essex Strategic Housing Market Assessment (SHMA, 2017), an objectively assessed housing need of 1,381 dwellings per annum is identified; this represents over a third of identified needs across the whole HMA<sup>5</sup>. This includes a significant upward adjustment of 307 dwellings per annum to support economic growth in the Borough. The Government's recently published standard method for assessing local housing need<sup>6</sup> confirms a requirement for the Borough of 1,023 dwellings per annum. The NPPF confirms that this is the minimum number of homes.
- 3.3.2 The forecast housing need in the Borough accounts for more than a quarter of housing growth across the wider South Essex<sup>7</sup> area. The Borough's strategic location straddling the two travel-to-work areas of London and Southend confirms how this forecast housing growth is needed to support not only the growth of the Borough's economy but also the wider South Essex and London economies.
- 3.3.3 The adopted Core Strategy identifies the Thurrock Urban Area<sup>8</sup> as 'the main focus for growth for new housing, employment and associated development'<sup>9</sup> and for the period to 2021, Policy CSSP1 allocates modest growth at Chadwell St Mary (390 homes) and a portion of 580 homes at East Tilbury. However, to support the significantly higher level of growth required by the NPPF and in the context of limited supply of allocated land, the Council is aware that the emerging development plan must allocate substantial land for housing.
- 3.3.4 In principle, the LTC presents, along its route, an opportunity to support and enable growth in sustainable locations, particularly in East Tilbury, Chadwell St Mary and South Ockendon that have come forward from the recent call for sites. However, this is premised on the appropriate alignment of the LTC and, critically, access. The Consultation Scheme does not accommodate this and instead severely limits the scale of potential housing growth that could be delivered.
- 3.3.5 These figures of potential homes affected by the LTC are estimates and can only be estimates because of the lack of uncertainty over the detail of the LTC. Certainty and detail is critical for Thurrock to be able to undertake the necessary work to understand the exact implications for these key locations. For this reason, engagement with Highways England on potential improvements to the route is essential to not only ensure that Thurrock's new Local Plan complies with the NPPF's requirement that it should be positively prepared, but also so that Thurrock's role in the wider JSP is not fundamentally changed by it moving from potentially helping other South Essex authorities meet their housing needs but instead needing to export housing to elsewhere.

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<sup>5</sup> Comprising Basildon Borough, Castle Point District, Rochford District, Southend-on-Sea Borough and Thurrock

<sup>6</sup> Planning Practice Guidance Reference ID: 2a-002-20180913

<sup>7</sup> Calculated against either the SHMA 2017 (South Essex HMA comprises Basildon, Castle Point, Rochford, Southend-on-Sea, Thurrock) or using the Government's standard method set out in the PPG for the Association of South Essex Local Authorities (ASELA) which comprises all the HMA authorities and Brentwood Borough.

<sup>8</sup> Includes Chadwell St Mary

<sup>9</sup> Para. 5.98

### East Tilbury

- 3.3.6 Delivering growth at East Tilbury is particularly important because of the potential that this growth has to support wider regeneration to overcome severance issues and improve access to shopping, services and key community uses, including a secondary school. However, providing these uses, some of which are very space hungry, requires land but the supply of land is more constrained by the alignment and design of the Consultation Scheme.
- 3.3.7 This is particularly important at East Tilbury, where the current configuration of the Consultation Scheme means that while it may be possible to accommodate some additional housing, it will not be of the critical scale to fund the infrastructure improvements necessary to meet the Council's aspirations to improve the range of services within the existing town as well enhance connectivity for existing residents. East Tilbury is physically separated from the Borough's main urban area by the Green Belt and suffers from severance issues arising from traffic delays at the existing level crossing. This means that for East Tilbury to be a sustainable location for growth, supporting social infrastructure, including education, must be provided as part of the expansion of East Tilbury; but to achieve this, there is a critical mass of development required. The alternative is that connectivity improvements will be required to link the settlement with existing social infrastructure provision outside East Tilbury; a solution which is complicated by the need for growth at East Tilbury to address the existing severance issues imposed by the railway level crossing which is currently closed for 40 minutes in every hour.
- 3.3.8 The Consultation Scheme supports neither solution in that it reduces the developable area to primarily the west of the existing settlement so that the scale of potential growth will not be sufficient to fund the linkage improvements either within or to East Tilbury, nor will it be possible, because of this lack of critical mass, to provide the social infrastructure needed to regenerate the existing and relatively isolated settlement and support existing and new residents' needs. The provision of an access to the Consultation Scheme at Tilbury, with appropriate traffic management to prevent rat-running in the event of congestion on the LTC, would go some way to mitigate these impacts.

### Chadwell St Mary

- 3.3.9 The expansion of Chadwell St Mary is focused to the east of the existing settlement. The alignment of the Consultation Scheme reduces the scale of potential housing growth. More significantly though, growth may be dependent on improved strategic transport links to mitigate the impact on the local road network within Chadwell St Mary. For development to fund such a link, it will require a critical mass which is unlikely to be possible with the proposed alignment of the Consultation Scheme; in these circumstances, for the scheme to fulfil its economic objective of supporting sustainable local development the provision of significantly improved access (for example a bridge over the railway line) will be essential to alleviate pressure on the local road network, including the A13.

### South Ockendon

- 3.3.10 South Ockendon has the potential to accommodate a large-scale urban extension comprising an interlinked network of garden villages to the north and east of the

existing urban area. With sufficient scale comes the opportunity to advance a strategic transport solution (road and rail) for the town. It could also support the regeneration of the urban area, including additional community facilities. An access onto the Consultation Scheme, to the north of South Ockendon, would potentially support this potential future housing growth as well as allowing relocation sites for non-conforming existing employment sites which currently do not have direct access onto the strategic road network.

### South Essex

- 3.3.11 In addition to Thurrock's needs, housing growth must be viewed in the wider South Essex context. Thurrock, together with Basildon, Brentwood, Castle Point, Rochford and Southend councils and Essex County Council (ASELA<sup>10</sup>), are preparing a Joint Strategic Plan. The scale and distribution of housing growth is a critical consideration across South Essex. In the same way that Thurrock is constrained, so too is the rest of South Essex and in many cases, these constraints are more severe such that there may be the expectation that Thurrock might be able to accommodate housing needs from other parts of South Essex. Because the Consultation Scheme means that Thurrock potentially cannot meet its own requirements, it follows that it can no longer play a role in assisting with the wider growth objectives for South Essex and instead would become a net exporter of housing needs. Without refinement, the proposal is contrary to ASELA's memorandum of understanding which identifies transforming transport connectivity and opening-up spaces for housing and businesses amongst its aims.

### Effects of the Consultation Scheme

- 3.3.12 The forecast housing need in the Borough accounts for more than a quarter of housing growth across the wider South Essex<sup>11</sup> area which reflects the Borough's strategic location between London and Southend and the need to support not only the growth of the Borough's economy but also the wider South Essex and London economies.
- 3.3.13 The adopted Core Strategy identifies the Thurrock Urban Area<sup>12</sup> as 'the main focus for growth for new housing, employment and associated development'<sup>13</sup>. However, to support the significantly higher level of growth required by the NPPF and in the context of limited supply of allocated land, the Council is aware that the emerging development plan must allocate substantial land for housing.
- 3.3.14 The Borough is highly constrained with locations for housing growth requiring green belt release and the emerging plan is balancing these constraints in order to identify sufficient housing land in sustainable locations to be able to meet local

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<sup>10</sup> The focus of ASELA is: "on the strategic opportunities, regardless of individual local authority boundaries for the South Essex Economic Corridor to influence and secure the strategic areas that will help our individual areas to flourish and realise their full economic and social potential."

<sup>11</sup> Calculated against either the SHMA 2017 (South Essex HMA comprises Basildon, Castle Point, Rochford, Southend-on-Sea, Thurrock) or using the Government's standard method set out in the PPG for the Association of South Essex Local Authorities (ASELA) which comprises all the HMA authorities and Brentwood Borough.

<sup>12</sup> Includes Chadwell St Mary

<sup>13</sup> Para. 5.98

housing need. Jeopardising the potential for development at South Ockendon, Chadwell St Mary and East Tilbury, through the Consultation Scheme, could significantly affect the Council's ability to allocate sufficient housing in locations that meet local priorities including the support for economic growth.

3.3.15 In principle, the LTC presents a huge opportunity to support and enable this growth in sustainable locations, particularly in East Tilbury, Chadwell St Mary and South Ockendon. However, this is premised on the appropriate alignment of the LTC and, critically, access into these new and growing communities. The Consultation Scheme does not accommodate this and instead severely limits the scale of sustainable housing growth to meet the substantial development needs that could be delivered.

### 3.4 Indirect Effects

3.4.1 In addition to the direct effects of the Consultation Scheme, consideration should be given to any indirect effects which the scheme may have on the Borough's economic growth strategy. These might include:

- Housing and job growth needed to fund/support town centre regeneration;
- Improvement in employment market conditions needed to improve rental/yield returns on non-B8 development – only possible with longer term improvement of workforce (improvement in quality of housing supply/skills agenda); and
- The attractiveness of the Borough as a place to live and work.

### 3.5 Environmental impacts

#### Greengrid policy

3.5.1 The Consultation Scheme risks prejudicing the delivery of a sustainable Greengrid (Core Strategy Policy CSSP5). This strategic spatial policy is related to seven strategic environment policies (CSTP18-24 Green Infrastructure, Biodiversity, Open Space, Productive Land, Thurrock Design, Thurrock Character and Distinctiveness and Heritage Assets and the Historic Environment).

3.5.2 The Greengrid Strategy is premised on the principle 'that improved green access links between green assets is key to maximising the benefits derived from green assets for residents, workers and visitors'<sup>14</sup>. The proposed alignment crosses through five of the eight Greengrid Improvement Zones<sup>15</sup>. Within these zones, the policy requirement is to '*ensure that the location, planning, design and ongoing management of sites is appropriate, and that opportunities are sought to make best use of land and green infrastructure assets in delivering ecosystem services*'.

3.5.3 Policy CSSP5 states that development will not be permitted which compromises the integrity of green and historic assets or the overall Green Infrastructure network and that developer contributions will be used to facilitate improvements to the quality, use and provision of multi-functional green assets and linkages. As set out in section 5.8 below, the Consultation Scheme provides only one green

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<sup>14</sup> Para. 4.34

<sup>15</sup> CSSP5.2 i. Avey and South Ockendon, ii. Mardyke Valley, v. North Grays and Chadwell St Mary, vi. Grays Riverside/Tilbury and vii. East Thurrock/Rural Riverside

bridge in the Borough (Green Lane) for which there is little detail. Without improvement in provision, the scheme is in contravention of the development plan.

### **PEIR**

- 3.5.4 A review of the PEIR, which has been prepared for this consultation exercise, has been undertaken and the findings are discussed in chapter 7. This considers the potential environmental effects of the Consultation Scheme on the local environment and the performance of the scheme against policy objectives.

## 4 National and Strategic Policy Context and LTC Scheme Objectives

### 4.1 Introduction

4.1.1 It is important to consider the performance of the Consultation Scheme against national and strategic policies as well as the scheme objectives. This chapter considers this context and sets out the ‘tests’ against which the Consultation Scheme has been considered; the tests are reported in chapter 5.

### 4.2 National Policy Statement for National Networks

4.2.1 Strategic Policy is contained in the National Networks National Policy Statement (NNNPS) which sets out the policy framework and need case for strategic highway schemes such as the LTC. The following policies are of relevance.

#### Driving prosperity

4.2.2 Para 2.13 of the NNNPS states “*..the Strategic Road Network provides critical links between cities, joins up communities, connects our major ports, airports and rail terminals. It provides a vital role in people's journeys, and drives prosperity by supporting new and existing development, encouraging trade and attracting investment. A well-functioning Strategic Road Network is critical in enabling safe and reliable journeys and the movement of goods in support of the national and regional economies*”.

#### Considering beneficial and adverse impacts

4.2.3 At para 4.3 the NNNPS states “*...in considering any proposed development, and in particular, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account:*

- *its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long-term or wider benefits;*
- *its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts”.*

#### Options appraisal

4.2.4 At paragraph 4.27 the NNNPS states that “*...all projects should be subject to an options appraisal. The appraisal should consider viable modal alternatives and may also consider other options (in light of paragraphs 3.23 to 3.27 of this NPS). Where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process. It is not necessary for the Examining*

*Authority and the decision maker to reconsider this process, but they should be satisfied that this assessment has been undertaken”.*

## 4.3 HE Strategy Documents

### Road Investment Strategy

4.3.1 The Road Investment Strategy, March 2015 states that *“the Company [HE] will, therefore, engage with other infrastructure providers and private developers to build long-standing relationships that help unlock opportunities for growth, including the construction of new housing, industrial and business sites, while also collaborating with local authorities to identify interventions on and off the network.”*

4.3.2 The strategy states that the *“RIS does not seek to predict the future, but takes into account a range of possible outcomes, underpinned by broad evidence, which the Department will continue to build on and review. The Department and the Company [HE] must be an active contributor in efforts to ensure the UK takes advantage of these global technology trends, facilitates investment and boosts overall UK capability.”*

### The Road to Growth: our Strategic Economic Growth Plan

4.3.3 The Road to Growth: our strategic economic growth plan, March 2017 sets out *“the practical steps which HE is taking to increase its economic contribution in 4 areas:*

- *Supporting business productivity and competitiveness, and enabling the performance of SRN-reliant sectors;*
- *Providing efficient routes to global markets through international gateways;*
- *Stimulating and supporting the sustainable development of homes and employment spaces;*
- *Providing employment, skills and business opportunities within our sector”.*

### HE’s Strategic Business Plan

4.3.4 HE’s Strategic Business Plan, October 2017 states that *“...we will improve our planning for the next decade and beyond. This will mean:*

- *Taking a more responsive and coherent approach to planning – one that is better understood by our customers, staff, suppliers and partners;*
- *Giving stakeholders more of a say in how we develop the network at a national, route and local level;*
- *Exploring new and better ways to stimulate growth;*
- *Encouraging innovation especially to exploit the benefits of vehicle and roadside technology;*
- *Ensuring our customers have more of a voice in determining investment priorities and how work is delivered;*

- *Providing for the needs of cyclists, pedestrians and others who walk or ride on, near or across the network”.*

#### 4.4 LTC scheme objectives

4.4.1 The published scheme objectives are as follows:

- |                                  |   |
|----------------------------------|---|
| <b>Economic</b>                  | <ul style="list-style-type: none"><li>• To support sustainable local development and regional economic growth in the medium to long term</li><li>• To be affordable to government and users</li><li>• To achieve value for money</li></ul>  |
| <b>Transport</b>                 | <ul style="list-style-type: none"><li>• To relieve the congested Dartford Crossing and approach roads and improve their performance by providing free flowing north-south capacity</li><li>• To improve resilience of the Thames crossings and the major road network</li><li>• To improve safety</li></ul> |
| <b>Community and Environment</b> | <ul style="list-style-type: none"><li>• To minimise adverse impacts on health and environment</li></ul>   |

Source: Lower Thames Crossing, Summary Business Case, Route Consultation 2016, Table 2.1

#### 4.5 Testing the Consultation Scheme against strategic policy and scheme objectives

4.5.1 The above policy context and the scheme objectives have been distilled into seven core themes which have been used to ‘test’ the performance of the Consultation Scheme, which is reported in chapter 5. The policy and objectives tests are as follows:

1. Economic growth and driving prosperity
2. Sustainable local development
3. Adequacy of options appraisal
4. Improving accessibility
5. Limiting and reversing environment impacts
6. Innovation and future proofing
7. Robust consultation

4.5.2 These are considered in turn below.

## Test 1 - Economic growth and driving prosperity

4.5.3 National Policy Statement for National Networks (referred to as the NNNPS) para 2.13 *“The Strategic Road Network provides critical links between cities, joins up communities, connects our major ports, airports and rail terminals. It provides a vital role in people’s journeys, and drives prosperity by supporting new and existing development, encouraging trade and attracting investment.”*

4.5.4 *The Road to Growth: Our strategic economic growth plan, March 2017 explains that there are “Three roles that the SRN can play in supporting the economy have been identified:*

*1. Supporting business productivity and competitiveness, and enabling the performance of SRN-reliant sectors*

*2. Providing efficient routes to global markets through international gateways*

*3. Stimulating and supporting the sustainable development of homes and employment spaces.”*

The Consultation Scheme objectives include “to support sustainable local development and regional economic growth in the medium to long term”.

4.5.5 Road Investment Strategy, March 2015 sets out “...four strategic goals of the National Network National Policy Statement (NNNPS)”. The first explained in more detail as:

*1. “Providing capacity and connectivity to support national and local economic activity*

*The SRN is vital to British businesses and to the successful functioning of our local and national economies. The network not only includes England’s main freight and logistics arteries, which connect our international gateways, logistics interchanges and distribution centres, but also inter-urban connections, which help put more people within reach of a wider range of jobs...”*

*“Ports*

*With approximately 95% of the UK’s goods trade by volume, and 75% of its value, being handled by ports in England and Wales, along with two thirds of all freight being carried on the SRN, the linkages between our ports and strategic roads are vital. Their importance will only grow with the forecast long-term growth in imports and exports by sea. The SRN must enable smooth access to ports, allowing goods and services to be moved into and around the country efficiently and reliably.”*

*“Encouraging economic growth*

*To ensure the SRN positively impacts growth, we must tackle congestion and delay on the network, particularly on the main freight arteries that connect cities and international gateways. The network must dovetail with other transport developments over the coming decades to improve domestic connectivity, encourage trade and investment, and enable British business to compete in international markets. The Company will, therefore, engage with other*

*infrastructure providers and private developers to build long-standing relationships that help unlock opportunities for growth, including the construction of new housing, industrial and business sites, while also collaborating with local authorities to identify interventions on and off the network.”*

4.5.6 Road Investment Strategy post 2020: Planning Ahead, March 2016 sets out under Aim 1: Economy that:

*“The road network needs to support key goals of improving productivity and building a stronger economy. We will be particularly alert to opportunities for:*

- *Helping business to get goods to market: Provide good connections within the UK, as well as to overseas markets via ports and airports....”*
- *Improving access to jobs: Provide better connections that let people find work in more places, and help wider agglomerations to form”.*

4.5.7 Under Aim 4: Integration:

*“...We will therefore seek new opportunities for:*

- *Linking the strategic road network with ports, airports and rail: Intermodal connections need to be made easy and we will use the opportunity of long-term planning to see where improvements to one mode can support other forms of transport;*
- *Integrating the strategic road network with local road networks: Road users want a smooth and reliable journey regardless of which stretch of the network they are driving on. We will continue to work with local highways authorities to ensure that the different parts of the network work as an integrated whole.”*

## **Test 2 - Sustainable local growth**

4.5.8 The NNNPS para 4.3 states *“In considering any proposed development, and in particular, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account:*

- *its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long-term or wider benefits.”*

4.5.9 At para 2.13, the NNNPS states *“The Strategic Road Network provides critical links between cities, joins up communities, connects our major ports, airports and rail terminals. It provides a vital role in people’s journeys, and drives prosperity by supporting new and existing development, encouraging trade and attracting investment.”*

4.5.10 ‘The Road to Growth: Our strategic economic growth plan’, March 2017 gives three roles that the SRN can play in supporting the economy, which include: *“...stimulating and supporting the sustainable development of homes and employment spaces.”*

4.5.11 Road Investment Strategy, March 2015 states that *“the Company [HE] will, therefore, engage with other infrastructure providers and private developers to*

*build long-standing relationships that help unlock opportunities for growth, including the construction of new housing, industrial and business sites, while also collaborating with local authorities to identify interventions on and off the network.”*

- 4.5.12 ‘Road Investment Strategy post 2020: Planning Ahead’, March 2016 includes under Aim 1: Economy “*creating new opportunities for housing and development: Provide the transport capacity to allow towns and cities to grow*”.

### **Test 3 - Adequacy of options appraisal**

- 4.5.13 At para 4.27, the NNNPS states that “*..all projects should be subject to an options appraisal. The appraisal should consider viable modal alternatives and may also consider other options (in light of the paragraphs 3.23 to 3.27 of the NNNPS)*”.
- 4.5.14 NNNPS para 4.27 states “*..where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process. It is not necessary for the Examining Authority and the decision maker to reconsider this process, but they should be satisfied that this assessment has been undertaken.*”

### **Test 4 - Improving accessibility**

- 4.5.15 HE’s ‘Accessibility Strategy - Our approach’ states that “*..we want to address the barriers our roads can sometimes create, help expand people’s travel choices, enhance and improve network facilities, and make everyday journeys as easy as possible. This will be achieved by ensuring our network supports and contributes to accessible, inclusive and integrated journeys which are safe, secure, comfortable and attractive.*”
- 4.5.16 Road Investment Strategy, March 2015 states that “*..the government is committed to improving active travel options, such as cycling and walking. Too often the SRN often acts as a barrier to these activities, so we are committed to improving access through building new bridges, crossings and cycle paths...The Company [HE] has also committed to cycle-proofing new schemes as standard, as well as working with Local Authorities to improve end-to-end cycling and walking journeys.*”

### **Test 5 - Limiting and reversing environment impacts**

- 4.5.17 The Consultation Scheme objectives include “*to minimise adverse impacts on health and environment*”. In addition, Road Investment Strategy, March 2015 states that “*...working closely with local authorities and environmental groups, will allow the Company [HE] to limit, and even reverse, the effects that the network has on its surroundings. It will also move us towards our aspiration of a dramatically lower emission SRN that delivers a net gain in biodiversity and leaves a strong environmental legacy.*” “*A greener network: through its use of environmentally and visually sensitive ‘green infrastructure’, and management of the verges and open spaces, good design will minimise the air, light, noise, and visual impacts of the SRN. Enhancements to the SRN will meet high standards of design, responding to a local sense of place, and working wherever possible in*

*harmony with the natural, built and historic environments....A more integrated network: the SRN will be managed as an integrated part of a wider transport network so that users do not encounter friction at the points where it joins other networks when planning or undertaking journeys. Cyclists, pedestrians and equestrians will enjoy safe, extended and integrated network infrastructure that is attractive both for work and leisure travel.”*

- 4.5.18 ‘Environment Strategy - Our approach’, April 2017 states that *“This strategy outlines our commitment to improving our environmental outcomes. In doing this, it seeks to help protect, manage and enhance the quality of the surrounding environment, with a focus on people and the built, natural and historic environment. It will be delivered through all aspects of our business and in particular the operation, maintenance and improvement of our network.”*
- 4.5.19 These policies have been considered in the review of the information contained in the PEIR (Chapter 7 and Appendix A).

### **Test 6 - Innovation and future-proofing**

- 4.5.20 The Consultation Scheme objectives include *“to improve resilience of the Thames crossings and the major road network”*. In addition, the Road Investment Strategy, March 2015 states that the *“RIS does not seek to predict the future, but takes into account a range of possible outcomes, underpinned by broad evidence, which the Department will continue to build on and review. The Department and the Company [HE] must be an active contributor in efforts to ensure the UK takes advantage of these global technology trends, facilitates investment and boosts overall UK capability.”*

### **Test 7 - Robust consultation**

- 4.5.21 The Strategic Business Plan, October 2017 states that *“..we will improve our planning for the next decade and beyond. This will mean:*
- *Taking a more responsive and coherent approach to planning – one that is better understood by our customers, staff, suppliers and partners;*
  - *Giving stakeholders more of a say in how we develop the network at a national, route and local level;*
  - *Exploring new and better ways to stimulate growth;*
  - *Encouraging innovation, especially to exploit the benefits of vehicle and roadside technology;*
  - *Ensuring our customers have more of a voice in determining investment priorities and how work is delivered;*
  - *Providing for the needs of cyclists, pedestrians and others who walk or ride on, near or across the network”.*
- 4.5.22 This test is considered under the adequacy of consultation in chapter 8.

## 5 Reviewing and Testing the Consultation Scheme - Design Elements

### 5.1 Introduction

5.1.1 This section covers the following design elements of the scheme:

- Adequacy of options appraisal;
- The Port of Tilbury and Tilbury Link Road;
- Rest and Services Area (RaSA) in East Tilbury;
- A13 connections: Orsett Cock and Manorway junction;
- Proposed road structures, road realignments and control buildings;
- Resilience;
- Public Rights of Way (PRoW) and Green Bridges;
- Effects on the Green Belt;
- Travellers' Site;
- Effects on Special Category Land;
- Mitigation for the Operational Scheme; and
- Design Features - landscape, flooding and ecology.

### 5.2 Adequacy of options appraisal

5.2.1 Although an options appraisal has been undertaken to select the preferred route for the LTC, there is no available evidence that an options appraisal has been carried out to inform the configuration of the Consultation Scheme (junction locations, junction types, restricted movements, Public Rights of Way crossing locations, scheme height, alternative modes, etc).

5.2.2 Whilst the LTC is not part of the Road Investment Strategy it is identified as a scheme to be developed for the next 'Road Period'. It is included in the draft Road Investment Strategy 2. The consultations undertaken in 2013 and 2016 consider the location options and route options respectively but it is considered that the appraisal which is available and the consultations to date have not satisfactorily considered options on the configuration of the Consultation Scheme.

5.2.3 The traffic modelling output available with the consultation documentation does not include results of any option testing and is not detailed enough to understand the scheme impacts on the local networks and residents, businesses, open countryside and designated environmental areas.

- 5.2.4 Local junction improvements and other mitigation may be necessary and should be funded and delivered with the scheme.
- 5.2.5 The Council is actively engaging with Highways England however based upon the consultation material available the Consultation Scheme proposals appear contrary to Test 3 (Options Appraisal) and Test 7 (Robust Consultation).
- 5.2.6 Due to deficiencies in the available information on the option appraisal and impacts, it is recommended that the Council should reserve an entitlement to supplement or modify its consultation response in light of additional information which is likely to be forthcoming.

### **5.3 The Port of Tilbury and Tilbury Link Road**

#### **Context**

- 5.3.1 The Tilbury Link Road was included in the non-statutory consultation, which closed in March 2016, but has not been included in the Consultation Scheme and the rationale for this is not clearly stated in the consultation materials, particularly as the Department of Transport England's 'Port Connectivity: the current picture' confirms that the Lower Thames Crossing is expected to offer new connections, as well as improved journey times and network reliability.
- 5.3.2 The Port of Tilbury is of National and Regional importance bringing £388m Gross Value added to UK, handling some:
- 16m tonnes of cargo processed each year;
  - 3.5m tonnes paper and forest products paper year: Largest paper handling port in UK;
  - 2m tonnes recycled products p.a: largest waste/recycling export port in UK;
  - 1.4m tonnes of imported/exported Grain p.a: largest import and export terminal for grain in UK. Handling about 17% of the country's total import wheat requirements.
- 5.3.3 Other statistics relating to the Port include:
- The port is home to the London Container Terminal (LCT) and the largest reefer facility in the UK;
  - 1,400 reefer plugs: Europe's largest terminal for refrigerated containers;
  - 25,000 NFT Chilled Distribution pallets are stored;
  - 100,000 cars per year imported/exported;
  - 100,000 cruise passengers p.a;
  - 500,000 containers p.a.
- 5.3.4 The Port of Tilbury is one of the largest employers in Thurrock with:

- 3,500 employees at the Port;
  - 50 apprentices;
  - 8,300 local jobs supported by the Port;
  - 5,500+ new jobs due to be generated at the London Distribution Park and Tilbury 2 sites.
- 5.3.5 Port-related employment accounts for some 1 in 5 of the employed population of the Borough (estimated 12,443) and 20,000 jobs (25%) of the total employed in the ports sector in England (2015) are employed at London and Medway ports, which includes the Port of Tilbury. Some £2,100m Gross Value Added (34%) of the total contribution made by all ports in England (2015) is made by the London and Medway ports.
- 5.3.6 The largest Amazon fulfilment centre in Britain is already being built on site and “...will help triple employee numbers at Tilbury from 4,000 to 12,000 in the next decade” (Financial Times 5 Feb 2017).
- 5.3.7 The Tilbury 2 investment will see the amount of trade passing through the port reach 32 million tonnes each year, equivalent to more than 1 tonne every second. Ports directly generate £1.7 billion of trade every year, however their true value to the UK economy is worth more than three times that figure (£5.4 billion) when indirect impacts such as the port industry’s spending on vehicles, construction and business services are considered.
- 5.3.8 The Port of Tilbury and the people that work there will play a major role in helping the UK to increase international trade after the UK leaves the European Union. (see <https://www.gov.uk/government/news/tilbury-port-to-capitalise-on-opportunities-to-boost-trade> Government press release, 18 Oct 2018).
- 5.3.9 Whilst traffic leaving the port will be able to access the Consultation Scheme to travel north-bound and south-bound, traffic access to the port is not straight forward, as would be expected for a major port facility, and will still need arrive via the A13 (see para 5.3.12 below). The journey time from the M2 to the Port of Tilbury would be expected to be significantly shorter with direct access from the LTC.

### Review findings

- 5.3.10 It is not clear from the evidence presented within consultation materials why the proposed connection to the Port of Tilbury has been removed and option testing is not provided. Without the Tilbury Link Road, traffic ‘to’ the port will not be able to use the Consultation Scheme. From the south east, traffic will need to continue to use the A2, Dartford Crossing, A13 and A1089 route. From the north, traffic will continue to use the M25, A13, and A1089.
- 5.3.11 It is understood that the A1089 (Asda) roundabout has been tested and options considered to provide direct access from the Consultation Scheme ‘to’ A1089/Port of Tilbury, although this testing is not available in the consultation documentation. It is also understood that due to land constraints, a solution for direct access was not identified. It is not clear in the consultation documents why the Tilbury Link

Road has not been considered as an alternative solution to achieve direct access to the Port of Tilbury.

- 5.3.12 It is considered that the re-instatement of the Tilbury Link Road in the LTC scheme, with appropriate traffic management to prevent rat-running in the event of congestion on the LTC, would offer new connections, improved journey times and network reliability to a port facility of strategic importance. Its exclusion from the Consultation Scheme is considered to be contrary to Test 1 (Driving prosperity), Test 3 (Options Appraisal) and Test 4 (Improving Accessibility). There is no evidence that the configuration selected for the Consultation Scheme optimises journey times, reliability and accessibility to the Port of Tilbury to support its planned and aspirational growth, associated with opening new markets and attracting new businesses.

## **5.4 Rest and Services Area (RaSA) in East Tilbury**

- 5.4.1 Section 12.4 of the LTC 'Approach to Design, Construction and Operation' document sets out information relating to the Rest and Services Area (RaSA) proposed in East Tilbury however it is not evident that the full range of potential options and locations has been considered, contrary to Test 3 (Options Appraisal). An option further north should be considered, either inside or outside of the Borough, which could provide a new junction to enable a potential future growth area around South Ockendon to meet Test 2 (Sustainable local growth).
- 5.4.2 The RaSA is located on land that has been put forward through the Borough's 'Call for Sites' for housing at East Tilbury. This potentially affects the Borough's ability to deliver its development needs (see para 3.3.6 et seq.) and is therefore contrary to Test 2 (Sustainable local development).
- 5.4.3 The RaSA is expected to operate 24 hours every day. The RaSA is likely to give rise to noise, air quality, visual and lighting impacts on local residents and other sensitive receptors arising from the scale and nature of the development and related activities, there are also concerns about the land quality in this area and the ability of any mitigation planting to establish. Overall it is considered that this is therefore contrary to Test 5 (Limiting and reversing environment impacts).
- 5.4.4 As the RaSA is expected to be privately delivered, which would introduce another level of uncertainty; it is important that the any detailed designs and environmental controls are agreed by the Council, as planning and highway authority, including any approvals relating to the discharge of related DCO Requirements.

## **5.5 A13 connections: Orsett Cock and Manorway junction**

- 5.5.1 There are a number of significantly restricted movements at the proposed junction with the Consultation Scheme and the A13, due to its proposed configuration. These are:
- From the Consultation Scheme south, travelling north-bound:
    - to the A13 (west) - the A13 towards Thurrock urban area cannot be reached directly - this requires traffic to

undertake a detour along the A13 to u-turn at the Orsett Cock junction.

- to the A1089/Tilbury Port - the A1089 to Tilbury Port cannot be reached directly - this requires traffic to undertake a significant detour along the A13 to u-turn at the Manorway junction.
- To the Consultation Scheme south, travelling south-bound:
  - from the A13 (west) - traffic cannot arrive from the A13 (west) from Thurrock urban area - this requires traffic to undertake a significant detour along the A13 to u-turn at the Manorway junction.
  - from A128 - traffic cannot arrive from the A128 – traffic would need a major detour down the A13 to u-turn at the Stifford interchange (with the A1019), then back along the A13 eastwards to u-turn at Manorway junction.
- From the Consultation Scheme north, travelling south-bound:
  - to the A13 (west) - the A13 towards Thurrock urban area cannot be reached directly - this requires traffic to undertake a detour along the A13 to u-turn at the Orsett Cock junction. It is acknowledged that the existing M25 will continue to provide an attractive route.
  - to the A1089/Tilbury Port - the A1089 to Tilbury Port cannot be reached directly - this requires traffic to undertake a significant detour along the A13 to u-turn at the Manorway junction.
- To the Consultation Scheme north, travelling north-bound:
  - from the A13 (west) - traffic cannot arrive from the A13 (west) from Thurrock urban area - this requires traffic to undertake a significant detour along the A13 to u-turn at the Manorway junction. It is acknowledged that the existing M25 will continue to provide an attractive route.
  - from A128 - traffic cannot arrive from the A128 – traffic would need a major detour down the A13 to u-turn at the Stifford interchange (with the A1019), then back along the A13 eastwards to u-turn at Manorway junction.

Note: direct access to/from the A1013 Stanford Road and/or B188 Baker Street is also not possible on to the Consultation Scheme, as an alternative.

5.5.2 There is no evidence within the consultation documentation to explain the selected junction configuration or the options tested. This is therefore contrary to Test 3 (Options Appraisal).

- 5.5.3 There are therefore no direct connections between Thurrock urban area and the Consultation Scheme, except 'from' the A1089. These restricted movements (alongside the removal of the Tilbury Link Road from the Consultation Scheme) constrain the potential for the scheme to improve accessibility to/from the Borough, and therefore economic growth and local development.
- 5.5.4 The inclusion of the Tilbury Link Road, as discussed above, would provide the opportunity to relieve the currently proposed u-turning operations at Orsett Cock and Manorway junctions.
- 5.5.5 The junction at A13 to/from Lakeside Shopping Centre has suffered with significant congestion problems for many years due to the lack of east-facing slip roads. After 20 years and much lobbying, east facing slip roads are now planned. There is no evidence to demonstrate that similar issues will not arise due to the restricted movements planned at the A13 junctions. It is understood that the Council is concerned that history will be repeated without west-facing slips on the LTC to/from the A13.
- 5.5.6 Overall, the Consultation Scheme would appear contrary to Test 1 (Economic growth and driving prosperity), Test 2 (Sustainable local development), Test 4 (Improving Accessibility) and Test 6 (Innovation and future proofing).

## **5.6 Proposed road structures, road realignments and control buildings**

### **Road structures – Mardyke and E Tilbury**

- 5.6.1 The evidence is not available to demonstrate what opportunities have been explored to lower the vertical alignment of the Consultation Scheme, particularly through the Mardyke Valley and at Tilbury over the railway loop line. This is contrary to Test 3 (Options Appraisal).
- 5.6.2 At Mardyke, it is understood that there are various design restrictions relating to, for example, clearance height required for dredging, however, the potential visual impact is high. In order to ensure that potential environmental impacts are limited (Test 5), it is recommended that the design parameters and potential restrictions are thoroughly examined.
- 5.6.3 At East Tilbury, consideration in the design needs to be given to provision for rapid access for emergency vehicles. It is understood that a problem currently exists (see para 3.3.7 above) and it is considered that this will be exacerbated by the Consultation Scheme proposals, contrary to Test 4 (Improving accessibility).

### **False cuttings and other design mitigation**

- 5.6.4 The assessment of the adequacy of the proposed false cutting to mitigate noise, visual and health impact is not available, contrary to Test 3 (Options Appraisal) and potentially Test 5 (Limiting and reversing environment impacts).
- 5.6.5 It is recommended HE engages with the Council in the suitability, design and effectiveness of this and other proposed physical design mitigation to address potential adverse effects on the Borough's residents eg bunds, cut and cover tunnels or lowering vertical alignment particularly where it is close to residential areas.

### Passive provision for future development

5.6.6 As part of the on-going consultation, it is recommended that HE works with the Council to seek to ensure that appropriate passive provision is made in the Consultation Scheme to deliver future development planned in the Borough, in order to fulfil policy Test 6 (innovation and future-proofing).

### Realignment of Rectory Road

5.6.7 As part of the proposed reconfiguration of the A13 Junction the Consultation Scheme makes provision for the realignment of Rectory Road. This would effectively sever the Orsett Showgrounds and be contrary to Test 5 (Limiting and reversing environment impacts).

### Tunnel control buildings

5.6.8 The location and configuration of the proposed tunnel control buildings and access road at the North Portal approach are shown in the followings extracts from the consultation materials in Plates 5.1 and 5.2 below.

Plate 5.1: extract from consultation materials showing indicative location and alignment of LTC control buildings and access road

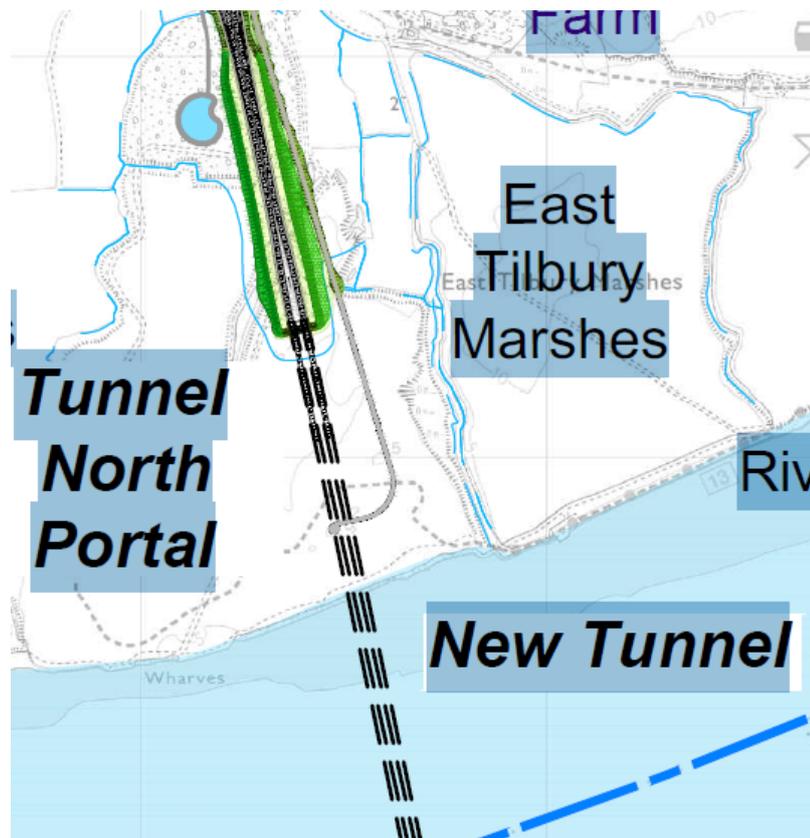


Plate 5.2: extract from consultation materials showing illustration of LTC control buildings and access road



5.6.9 The evidence is not available to demonstrate what options have been explored in relation to the location and design for control buildings and access road, as shown in the above plates. This is contrary to Test 3 (Options Appraisal).

5.6.10 In order to ensure that potential environmental impacts are limited (Test 5), it is recommended that the design and locational parameters can be presented by HE.

## 5.7 Resilience

5.7.1 The LTC has been designed for a life span of some 100 years, yet there is no evidence within the consultation material which presents where the design has considered or safeguarded for resilience to future change, such as travel trends, mode shift and emerging technologies. Such work would provide flexibility, for example:

- to accommodate high occupancy/public transport prioritised lanes in the future to facilitate technologies such as autonomous shuttle buses;
- to safeguard/ deliver bus priority advance lanes to and from the tunnel enabling dedicated public transport links across the river between Thurrock and Kent, particularly to the railway (offering more direct regular services into London) and/or Kent Thameside Fastrack services at Gravesend;
- to accommodate rail across the river.

5.7.2 By way of example, the west facing only slip roads were delivered in the 1980s at the A13/A126 junction to provide access to Lakeside shopping centre. A recent

government announcement has allocated £50m to deliver new A13 slip roads, after decades of congestion caused by the restricted access. There is concern that the restrictions into and out of the Borough which are part of the Consultation Scheme will cause similar delays and constraint on connectivity and economic growth. This is contrary to Test 6 (Innovation and future-proofing).

## 5.8 Public Rights of Way (PRoW) and Green Bridges

### Policy context

- 5.8.1 HE's Road Investment Strategy, March 2015 states that *"working closely with local authorities and environmental groups, will allow the Company to limit, and even reverse, the effects that the network has on its surroundings. It will also move us towards our aspiration of a dramatically lower emission SRN that delivers a net gain in biodiversity and leaves a strong environmental legacy.".... "A greener network: through its use of environmentally and visually sensitive 'green infrastructure', and management of the verges and open spaces, good design will minimise the air, light, noise, and visual impacts of the SRN. Enhancements to the SRN will meet high standards of design, responding to a local sense of place, and working wherever possible in harmony with the natural, built and historic environments....A more integrated network: the SRN will be managed as an integrated part of a wider transport network so that users do not encounter friction at the points where it joins other networks when planning or undertaking journeys. Cyclists, pedestrians and equestrians will enjoy safe, extended and integrated network infrastructure that is attractive both for work and leisure travel."*
- 5.8.2 HE's Environment Strategy - Our approach, April 2017 states that *"This strategy outlines our commitment to improving our environmental outcomes. In doing this, it seeks to help protect, manage and enhance the quality of the surrounding environment, with a focus on people and the built, natural and historic environment. It will be delivered through all aspects of our business and in particular the operation, maintenance and improvement of our network."*
- 5.8.3 These policies should be considered in the light of the following discussion relating to PRoW and Green Bridges.

### PRoW

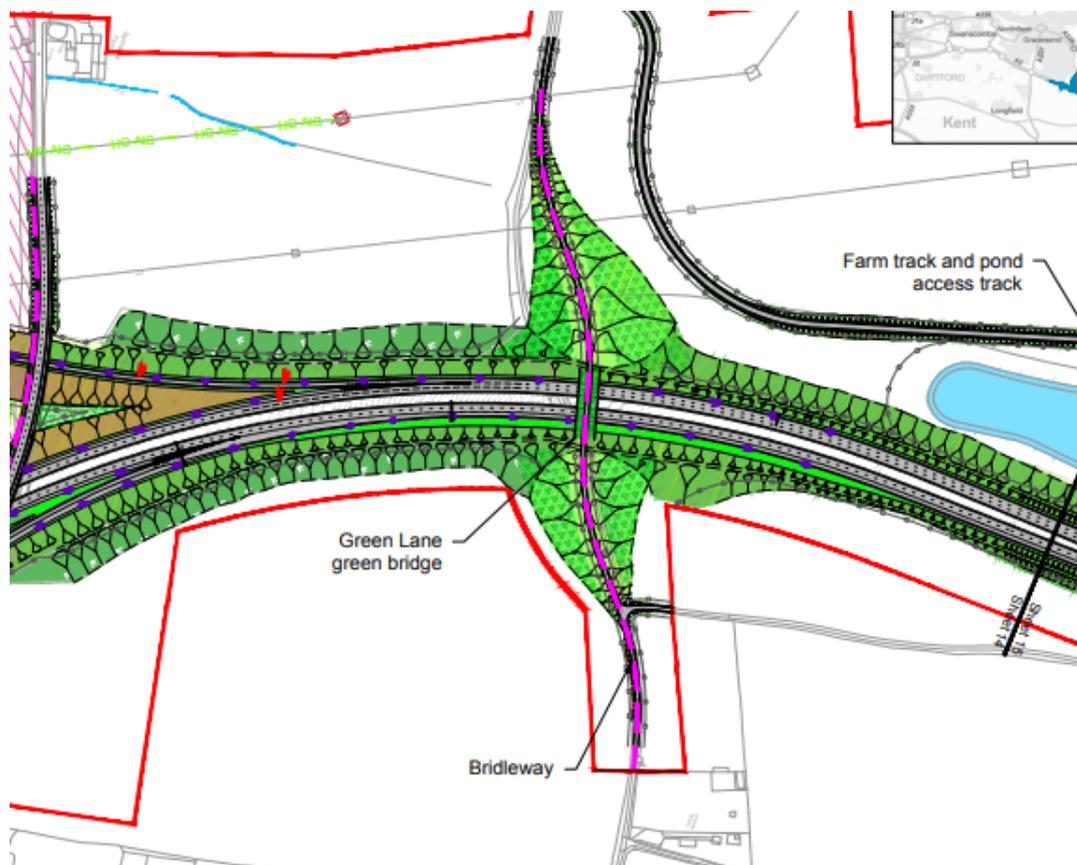
- 5.8.4 The Consultation Scheme makes provision for the replacement/re-provision of PRoW which are affected by the proposals however further details are sought in relation to the temporary provision during the construction phase. In addition, as encouraged by policy outlined above, it is recommended that opportunities are explored as to the creation of new or re-provision of existing PRoW as Green Bridges, where this is appropriate.

### Green infrastructure – Green Bridges

- 5.8.5 Green infrastructure is referred to in the PEIR in a number of sections as a potential form of mitigation for loss of habitats and other environmental impacts. Proposals for green infrastructure are to be developed in association with Green Infrastructure Report to be provided at an unspecified date.

- 5.8.6 The only forms of green infrastructure specified in the consultation documents are 'green bridges', and 'green structures on the A2 corridor'. It is unclear what other forms of green infrastructure, if any, may be utilised in the Consultation Scheme as mitigation.
- 5.8.7 Green bridges, among other forms of green infrastructure are recommended in the NNNPS as potential forms of environmental mitigation in support of new and existing habitats (section 5.36). The location of the potential green bridge is presented in Map Book 1: General Arrangements. The purpose of green structures is to mitigate any fragmentation effects and improve mobility of species through the provision of green corridors between existing habitats. In addition, such bridges provide the potential to reduce the visual impact of standard bridge crossings.
- 5.8.8 The example below (Plate 5.3) is from Sheet 14 of Map Book 1: General Arrangements Map, showing the proposed Green Lane Green Bridge.

Plate 5.3: extract from consultation materials showing proposed Green Land Green Bridge



- 5.8.9 The design and specifications of a green bridge, and its effectiveness as a form of mitigation, is not discussed in the PEIR or Approach to Design Construction and Operation document. It is therefore considered that the proposals are contrary to Test 3 (Options Appraisal) and there is no evidence to demonstrate the Consultation Scheme meets Test 5 (Limiting and reversing environment impacts).

## **5.9 Effects on the Green Belt**

5.9.1 The Consultation Scheme is located, in part, in designed Green Belt within the Borough. Whilst it is acknowledged that the Council is itself under pressure to release Green Belt land (for example, see para 3.3.14 above) this release will be in areas that are most sustainable. In relation to the Consultation Scheme, it is noted that the 'very special circumstances' test will apply for inappropriate development in the Green Belt.

## **5.10 Travellers' site**

5.10.1 The Consultation Scheme proposes to remove a Travellers' site located at Gammon Field, in the vicinity of the proposed A13 junction. No information is provided on impacts on this community or their future accommodation. A potential area is proposed (in red), as shown on General Arrangement Plan Sheet 12, reproduced below. The site is displayed however no proper or effective assessment of the site is provided in the PEIR or other consultation material relating to the site characteristics (above face value characteristics shown on the plan), why this site was selected against other options, or any specific consultation held with the Traveller community. For these reasons, this provision fails Test 3 (Options Appraisal).

5.10.2 In consideration of the site at face value, location-wise, it is the type of site that has the potential to be suitable for a Travellers' site. However, any site selection should be subject to a variety of assessments to ensure suitability, on:

- the impacts of noise and similar effects of the Consultation Scheme on future residents;
- the ability of the site to serve the community in terms of size, and site arrangements including after the removal of undevelopable land through, for example, any potential buffer for pylons, Flood Zones 2 or 3, or land with unsuitable contours;
- landscape and visual impact; and
- impact on the Green Belt.

5.10.3 For this reason, it cannot be assured that this site selection meets the requirements of Test 5 (Limiting and reversing environment impacts).

Plate 5.4: extract from consultation materials showing indicative location for replacement Travellers' site



## 5.11 Effects on Special Category Land

5.11.1 It is unclear the extent to which Special Category Land is affected by the Consultation Scheme, if any. It is recommended that the Council seek an early opportunity to discuss this with HE.

## 5.12 Mitigation for the Operational Scheme

5.12.1 There are a range of elements relating to mitigation for the operational scheme which are likely to require further engagement between the Council, other stakeholders such as the police and emergency services and HE, those elements highlighted at this stage are:

- Tunnel operations – procedures for dealing with accidents and emergencies in the tunnel;
- Tunnel operation – measures put in place to avoid rat-running during routine closure of the Dartford Crossing;
- Operation of the RaSA - treatment of illegal HGV parking and maintaining cleanliness of laybys;
- Effects on wider network – trunking the A13 from the A1089 to Manorway;
- Effects on wider network – traffic safety and treatment of existing accident hotspots;
- Mitigation planting – possible use of willow planting as a sustainable crop.

## 5.13 Design Features - landscape, flooding and ecology

### Introduction

- 5.13.1 This section deals with the 'environmental' design features relating to the Consultation Scheme.

### Mardyke crossing

- 5.13.2 There are extensive areas of Flood Zone 3 across the area associated with the Mardyke floodplain. North of the A13 junction the route is proposed to be at about ground level for about 1km before climbing to cross the flood plain of the Mardyke. The route crosses the Mardyke flood plain for 2km with about 1.5km of embankment up to 7.5m high and a 450m long viaduct across the Mardyke river and nearby Golden Bridge Sewer.
- 5.13.3 Initially the route between the A13 and M25 crossed the Mardyke Valley on a low embankment about 4m high. It also crossed the Mardyke river and the nearby main rivers (Orsett Fen Sewer and Golden Bridge Sewer) on short individual single span structures which were slightly wider than the rivers. Subsequently a hybrid option was chosen with a shorter viaduct (about 450m) over the Mardyke river and Golden Bridge Sewer and embankment (about 980m total length) across the rest of the area with a single span (about 50m) over Orsett Fen Sewer.
- 5.13.4 The main reasons for selecting this option are cited as: *"Including a viaduct gives a more open aspect reducing the visual impact in this open area; A combination of viaduct and embankment is a more cost-effective solution than a viaduct over the whole of the valley; A shorter viaduct will be less of a long-term maintenance issue than the longer viaduct while it will still present an opportunity for architectural treatment that minimises visual impact; Reducing the length of embankment reduces the volume of flood compensation and consequently the amount of land compared to the preferred route and option 1 making it easier to find suitable land."*
- 5.13.5 While the consultation material suggests that a balance has been struck between the solutions of a viaduct or embankment, both still offer significant adverse impacts on the landscape in terms of visual amenity and substantial land modification, with all of its associated risks. It is not apparent that options to form a tunnel for all or part of the route have been considered in order to eliminate these environmental impacts. For these reasons this element of the Consultation Scheme is considered to fail Test 3 and Test 5.

### Flood Risk Assessment – compensation and mitigation

- 5.13.6 A great deal of integral environmental information is withheld from the consultation material pending the publication of a Flood Risk Assessment (FRA).
- 5.13.7 Areas for flood plain compensation are selected in consultation with the Environment Agency in the process of preparing an FRA. Flood compensation areas are created by earthworks which increase the capacity of a flood plain in response to the impacts the project will have on drainage capacity in an area, and to mitigate for increased risk of flooding caused during construction and operation of the Consultation Scheme.

- 5.13.8 HE proposes a staged approach to flood compensation, with areas progressively growing as the need for flood compensation capacity develops. Flood compensation will be needed for the temporary works as well as permanent works. The implementation of these areas will form part of the early construction programme (enabling works).
- 5.13.9 In addition to provision for flood area compensation, the scheme must also consider mitigation measures for flooding and impacts on water quality as a result of the scheme. These include the uptake, location and detailed design of the following measures:
- flood defences of the north tunnel portal;
  - bridge deck levels and spans;
  - road levels;
  - a main drainage strategy including dealing with exceedance flows;
  - pollution control and water quality;
  - runoff assessment;
  - location of surface water balancing facilities; and
  - specific techniques that may be used to mitigate pollutant runoff include attenuation ponds and swales.
- 5.13.10 Prior to the FRA being completed, it is not possible to meaningfully comprehend the significance of flood risk impacts or respond to options for compensation and mitigation approaches yet to be included in the Consultation Scheme. For this reason it is considered that the Consultation Scheme fails Test 3 and Test 7.

### **Approach to ecological and habitat replacement areas**

- 5.13.11 The PEIR states that the process of determining areas for habitat creation is ongoing in preparation of the ES. The purpose this ongoing process is to identify the most suitable areas for potential habitat creation where significant effects on designated areas and protected species have been identified. These areas fall under the following categories (contained in Map Book 1): Ancient Woodland, Replacement Open access Land, Environmental Improvement Works, Proposed Woodland Planting, Proposed Grassland planting, and Areas Returned to Agriculture.
- 5.13.12 The process for selecting and assessing the effectiveness of these areas as forms of mitigation is not made clear in the PEIR. It is not detailed if new areas of compensation are commensurate with the loss caused by the project. It is also not identified if further work to identify such areas will be the subject of engagement with stakeholders such as the Council. It is recommended that this is clarified by HE.

### **Potential receptor sites for translocation of protected species**

- 5.13.13 HE has identified potential habitat replacement areas where protected species can be translocated. To avoid undue stress to species HE proposes to prepare multiple replacement habitat areas, including an area for translocation of species affected by early construction activity. This approach removes the need for multiple translocations of individuals. It also has the added benefit that significant areas of replacement habitat will have more time to develop.
- 5.13.14 Potential receptor sites are identified in Map Book 1: General Arrangements. Two significant potential sites are located just to the east of the route near the Thames on the northern side. It is recommended that the Council and HE maintain dialogue to seek agreement about the suitability of the proposed sites and their long-term use and maintenance.

### **Potential receptor site for excavated material/landscape enhancement**

- 5.13.15 A large potential receptor site for excavated tunnel material is identified in Map Book 1 around the land at Goshems Farm, on the Thames side of the northern tunnel portal. This land also comprises a designated LWS (Local Wildlife Site), however it is anticipated a large proportion of this (70ha) will have been destroyed during 2018 due to the importing of spoil from Thames Tideway and spreading it to raise the height of the land at Goshems Farm. Accordingly, it is likely to be deselected as a LWS and therefore its value reduced however the effect of the LTC mitigation works here on the mitigation associated with the Tideway project need to be considered. It is recommended that the Council and HE maintain dialogue to seek agreement about the suitability of the proposals and long-term use and maintenance of the site.

## 6 Reviewing and Testing the Consultation Scheme - Construction, Logistics & Utilities

### 6.1 Introduction

6.1.1 This chapter considers those aspects which relate to the construction of the Consultation Scheme together with the proposed utilities diversion works which are required to enable the develop of the scheme. It is acknowledged that the information relating to these aspects, presented in the consultation materials, is still at an early stage in design development, however the intention of this chapter is to provide observations and highlight those areas of potential concern which will need to be addressed by the HE design team as the scheme design and assessment work progresses.

### 6.2 Construction arrangements and methods

6.2.1 Overall there is little detail at this stage on the actual methods of construction to be employed, and, importantly, the interaction that these methods might have with design. Methods of construction can have significant impacts on the design of such projects and their potential environmental impacts. For example, if site-won sand and gravels are used, supplemented by marine imported aggregates, there would be a considerable reduction on the impact of vehicle movement on the local roads.

6.2.2 There is no evidence of the consideration given to the interaction of method, design and the potential reduction of impacts. Due to this, it is not known where potential adverse effects could in fact be designed out of the project and hence avoided, as opposed to fully or partially mitigated at potentially great effort and cost.

6.2.3 Little indication is made of the construction techniques to be employed. The mitigations imply, though, that these will be conventional.

#### CEMP and CoCP

6.2.4 Section 2.18 of the PEIR indicates that activities during the construction phase will be subject to measures defined within a Construction Environmental Management Plan (CEMP) and that a Code of Construction Practice (CoCP) will be prepared “..which will outline the measures to be implemented through the CEMP to minimise adverse effects during the construction phase, including measures for control of pollution”. The Council would welcome an early understanding of the content of these documents and how they will be applied during the construction phase.

### 6.3 Construction compounds

6.3.1 The main tunnelling compound is large and appears to contain the main site offices. The main compounds at the A13 and M25 are mentioned but no location indicated and no land take specifically indicated.

6.3.2 Access to compounds with the use of local roads is possible although the creation of temporary haul roads from more major roads will be considered. Temporary haul routes for the tunnel are being considered from the A1089 or Fort Rd via RWE. It is noted that the former is likely to be a considerable road in its own right.

## 6.4 Land take

6.4.1 New motorway schemes are generally constructed within the site boundaries with additional land potentially required for related necessary activities. Some activities are noted below:

- Site compounds – currently identified for the tunnel activity;
- Borrow pits and surplus/unacceptable spoil deposition –surplus deposition is identified. No borrow pits for earthworks are identified;
- Materials abstraction (e.g. granular materials) – the use of a potential borrow pit for sand and gravel within the development area is mentioned. It is not clear if this is taken from within the development boundary or additional land will be taken;
- Temporary works (e.g. road diversions) – none identified;
- Utility diversions – relocation of overhead lines identified only;
- Special requirements – potential jetty shown, including access from site.

## 6.5 Construction logistics

6.5.1 Table 12.9 in the PEIR (Potential effects and mitigation measures during construction – PEIR, Ch 12) states “..the Project is expected to require a significant quantity of materials during construction”. This is a certainty, yet there is little evidence that the requirements for materials has been researched and that a robust supply, use and disposal strategy established.

6.5.2 A segment factory located in the Borough at the North tunnel portal is considered, which produces tunnel segments onsite to enable easy access to the tunnel. The supply or materials for this plant is not specifically discussed but the mode used for transporting these materials may have significant effects, particularly on the road network.

6.5.3 There is insufficient detail on the likely haul routes and the impacts on local roads. The proposed Construction Travel Management Plan (CTMP) would need to be extremely robust to support the management of the haul roads and marine movements and would need to include, amongst other things, a Navigational Risk Assessment on marine movements.

6.5.4 Marine transport is considered in outline for the delivery of the Tunnel Boring Machine (TBM) and materials delivery and removal although it is not clear what these are and the benefits. It is unclear is the current jetty arrangement indicated is sufficiently sized for these tasks. It extends the existing East Tilbury jetty used for land raising.

- 6.5.5 If materials are to be transported by road, it would be positive to see consideration of the option to deliver the majority of materials to the LTC A13 main compound, which can then be distributed along the line of the works. This would reduce the potential impact upon the local road network.
- 6.5.6 The PEIR makes general statements about the aspiration to source materials locally but no reference is made to the criterion on which these decisions will be made, for example e.g. price, availability, or other.
- 6.5.7 Spoil disposal and reuse for the tunnelling materials is not clear. It is noted that the slurry can be a difficult material to handle in the short and long term.

## **6.6 Construction phase: materials sourcing, employment and accommodation**

- 6.6.1 The Council has no surety that local sourcing would be given proper consideration. This should be extended not only to materials but to workers, plant and equipment, thereby helping to support local workers and businesses and to minimise the environmental effects of these resource streams.
- 6.6.2 Section 2.18 of the PEIR indicates that one of the 'key components of the construction compounds' is the provision of 'welfare and staff accommodation facilities'. Details of the strategy for worker accommodation and related mitigation should be provided by HE which should include:
- a. Review of the strategy objectives;
  - b. Accommodation options being considered (eg. floating accommodation, new build (temporary), new build (permanent), other off-site;
  - c. Volume, location and phasing of housing/landtake needed (both peak/average, in or outside red line boundary);
  - d. Consideration of potential social/community effects, associated mitigation, and other ancillary social provision, both temporary and permanent;
  - e. Post construction uses: options considered and phasing i.e when does this become available for non-LTC uses?
  - f. Identification of benchmarks and exemplar projects.

## **6.7 Utilities**

- 6.7.1 Given the strategic location of the Borough and south Essex, there is an extensive range of utilities running through the area, a significant number of which are proposed to be diverted or altered as part of the enabling works for the Consultation Scheme. The extent of these is described in section 2.17 of the PEIR and an indicative plan of utility diversions is provided in PEIR Figure 2.
- 6.7.2 Para 2.17.1 of the PEIR states that "...the route will require the diversion or alteration of overhead high voltage electricity transmission and distribution lines. In addition, there are large high pressure gas feeder mains that will need diversion".

Para 2.17.2 continues “..at the three main junctions, the A2, A13 and the M25, the route will require complex diversions including: high, medium and low-pressure gas distribution mains, high pressure water mains and sewers, underground electricity distribution cables and a range of telecommunications cables including fibre optic cables. In addition, there could be low voltage electricity cables, small water mains and other utilities that may need diversion or protection works”.

6.7.3 The PEIR goes on to state that disruption of existing services “will be minimised through careful planning and liaison with the utility providers and construction works programme” and that it is assumed that some of the major diversions will be done as part of early enabling works.

6.7.4 The full extent of proposed diversions, the phasing of the works, identification of any development land that may be sterilised, and any mitigation measures is required to fully understand the extent of the disruption to the Borough and the likely significant environmental effects. This would include any temporary or permanent utility works required to service the tunnelling and construction activities.

6.7.5 In order to fully understand the potential effects, it is recommended that all utility works required for the scheme, including those which may be undertaken under Permitted Development rights or for which consent would be sought via another (non-DCO) consent process, are fully assessed by HE and reported in the Environmental Statement.

## **6.8 Treatment of northern tunnel portal**

6.8.1 It is understood that one option being considered for the beneficial re-use of tunnel spoil material is to deposit it close to source at the northern portal. This is considered a sustainable option, minimising the distance the waste is transported and providing the opportunity for the improvement of brownfield land in this location.

6.8.2 It is acknowledged that consideration of this option is at an early stage and therefore the Council would wish to be involved in the design process to ensure that the outcomes align with its aspirations for future development in this area, should the LTC scheme proceed. The specific areas of interest to the Council are likely to be:

- a. Land improvement and waste treatment strategy for the northern portal construction area;
- b. Realising benefits of land improvement at the northern tunnel portal and how these can align with long term plans for area;
- c. Identifying the location of new development platforms and the nature of suitable end uses and any constraints on future development;
- d. Identifying the location of landscaped areas;
- e. Understanding of spoil treatment methods, including:
  - i. Potential effects (construction) and mitigation for sensitive receptors;

- ii. Potential effects (permanent), particularly any landscape/visual/heritage assets;
- f. Phasing – when will sites are available and the potential for temporary (meanwhile) and permanent uses;
- g. Availability of sites - LTC only (during construction) or TC uses?
- h. Long term ownership/maintenance requirements of the improved land.

## 6.9 Recommendations

6.9.1 It is acknowledged that the information relating to the construction phase and the proposed enabling works are still at an early stage in design development however it is recommended that the Council actively engages with the HE design team to ensure that the areas of potential concern, highlighted above, can be appropriately addressed by the team as the scheme design and assessment work progresses. Areas for further engagement include:

- a. further information should be supplied by HE as to proposed construction arrangements, methods and logistics. This would be to ensure that potential adverse effects are avoided or minimised and that appropriate mitigation can be considered for likely significant residual effects. Information sought should include, but not be limited to, details relating to:
  - Construction compounds – outline layout and principal construction activities;
  - Construction logistics and off-site facilities eg segment factory;
  - Materials abstraction and waste management strategy;
  - Borrow pits and haul road strategy;
  - Temporary works (e.g. road diversions);
  - On- and off-site enabling works;
  - Special requirements, including use of jetty and import of abnormal loads.
- b. Utilities: information should be supplied by HE as to the full extent of proposed utility diversions, the phasing of the works and any mitigation measures. This would include any temporary or permanent utility works required to service the tunnelling and construction activities;
- c. Construction Environmental Management Plan (CEMP), Code of Construction Practice (CoCP) and the Construction Travel Management Plan (CTMP): draft documents should be supplied by HE for early consideration by the Council;
- d. Construction phase: materials sourcing, employment and accommodation. HE to supply details of consideration being given to local sourcing of

materials and workers together with the draft strategy for worker accommodation;

- e. Northern portal: the Council would wish to be involved in the design process to ensure that the outcomes proposed for any land improvement at the Northern Tunnel Portal align with its long-term development aspirations.

## 7 Health and Environmental Impacts – Review of the PEIR

### 7.1 Introduction

- 7.1.1 This chapter summarises the findings of the review of the PEIR, seeking to identify any significant omissions and/or limitations in the assessment currently being undertaken by HE.
- 7.1.2 The policy test which has been considered in this aspect of the review has been principally Test 5 (Limiting and reversing environmental impacts (see paras 4.2.17-19).
- 7.1.3 This chapter continues with consideration of the health impact assessment work followed by a summary of the findings of the review of the PEIR.

### 7.2 Assessment of Health Impacts

#### Context

- 7.2.1 A Community Impacts Advisory Group has been established by HE, comprising: an external chairperson, members of the LTC team and representatives from each of the local authorities potentially affected by the LTC scheme together with Public Health England. It is understood that the intention is for this group to meet regularly to discuss topics which include health and well-being and equalities. As a precursor to the first meeting, HE has indicated (in September 2018) that a standalone Health Impact Assessment (HIA) will be prepared and that the Advisory Group will provide input to the methodology and perhaps scope of the HIA workstream. The review presented here is based on the consultation materials presented by HE in October 2018.

#### Overview

- 7.2.2 The PEIR does not contain a standalone assessment of human health impacts, instead taking the approach that the assessment can be carried out via other chapters. The approach taken is described in the LTC Scoping Report in Section 5.5.4: “[...] It is anticipated that effects on human health will be addressed in the People and Communities assessment and that effects reported in other chapters for example, air quality, noise and vibration will be used to inform this assessment.” In its Scoping Opinion, the Secretary of State broadly agrees with the approach, noting in Section 3.3.4:

*“The Inspectorate notes that it is proposed in paragraph 5.5.4 to consider effects on human health in the People and Communities chapter, to be informed by other chapters including the Air Quality and Noise and Vibration chapters. The Inspectorate has had regard to the information provided in the Scoping Report and has taken into account the nature and characteristics of the Proposed Development and is generally content with this approach. However, the Inspectorate considers that human health effects may also be relevant to soil handling and waste management, which is understood to be assessed within the*

*‘Geology and Soils’ and the ‘Materials’ chapters respectively, and to the Road Drainage and Water Environment chapter.”*

- 7.2.3 It is acknowledged that the Scoping Report was published some time ago (October 2017) and that both the scheme and approach to the assessment have developed since that time. However, it considered that the risks posed to the health of community are sufficient to warrant a standalone and proportionate HIA that would provide a coherent, integrated and comprehensive assessment of health impacts, brought together as a single point of reference.

#### **Definition and understanding of human health in the EIA context**

- 7.2.4 Whilst overarching consideration of human health is provided in the People and Communities chapter, the context and background is not clear. Furthermore, a working definition of human health has not been provided in the chapter, which makes it unclear how determinants of health of relevance to the Consultation Scheme have been identified.

#### **Data limitations**

- 7.2.5 There are limitations in data used to understand human health. Health Baseline data at the Local Authority level is not sufficiently detailed to understand nuances of the health baseline. Data should be provided at the Lower Layer Super Output Area (LSOA) level (as committed for the HIA) and the assessment should consider differential impact on specific groups. No deprivation data (key areas of deprivation in Tilbury, Chadwell St Mary, South Ockendon) or understanding of vulnerable groups to be considered is provided.

#### **Engagement**

- 7.2.6 It is not clear how vulnerable or ‘hard to reach’ groups have been engaged – the elderly, those with disabilities, those who may not be able to read or read English.

#### **Engagement and stress impacts**

- 7.2.7 Potential impacts on human health during construction include stress related to the planning process itself. In this respect an assessment on human health should include how communities have been engaged.

#### **Key health impacts not identified**

- 7.2.8 A key potential impact during operation is the severance of communities from social networks and facilities, and natural capital. Additionally, there is no preliminary Transport Assessment in the PEIR using standard practice methodology which assesses fear and intimidation, pedestrian amenity and delay, which will be key health determinants associated with the scheme.

#### **Recommendations**

- 7.2.9 Given the recent establishment by HE of the Community Impacts Advisory Group whose remit will include topics (and oversight) of the assessments relating to health and well-being and equalities, a watching brief is recommended to ensure

that the scope of the assessment, issues and potential mitigation being appropriately addressed as the assessment work proceeds.

### **7.3 PEIR-stage Environmental Assessment Methodology**

7.3.1 Chapter 5 of the PEIR outlines the approach of each of the environmental topics presented. Each of the chapters, with the exception of Climate, is structured in the same format and approaches each topic consistently. The following therefore provides some background on critical points relevant to all chapters.

#### **Identification of receptors**

7.3.2 Identifies receptors and puts them on a scale of Negligible to Very High based on a number of criteria, generally related to scale and perceived importance. The determination of the significance of the receptors was undertaken by the applicant, in the absence of input from local authorities like Thurrock Council should be rectified.

#### **Data limitations**

7.3.3 A number of surveys are reported as still ongoing and will input into the environmental assessment at a later date, but have not informed the PEIR. These are surveys that relate to ground investigation, ecological, archaeological, air quality and noise.

#### **Significance of Environmental Effects**

7.3.4 The PEIR states that, in the ES, the significance of environmental effects will be assessed using criteria that reflect current best practice, as set out in the EIA Scoping Report, and taking into consideration the Scoping Opinion provided by PINS. It is considered that the Scoping Opinion does not reflect the likely significant environmental effects of the Consultation Scheme and that a new scoping exercise should be undertaken (see Section 8.2 below).

#### **Cumulative Effects**

7.3.5 No preliminary assessment of cumulative effects has been provided in the PEIR. The ES proposes to include an assessment of the cumulative effects of the Project, as set out in the EIA Scoping Report, and following the guidance in PINS' Advice Note 17: Cumulative Effects Assessment. A list of developments for inclusion in the assessment of cumulative effects shown be drawn by HE, in consultation with affected local authorities.

### **7.4 Approach to Mitigation**

7.4.1 Specific measures to mitigate adverse environmental effects during the construction phase of the LTC are not described in the consultation documents. Each environmental topic in PEIR Volume 1 concludes with a section on Potential Effects and Mitigation Measures. The measures contained therein are generic approaches to mitigation. Specific mitigation measures are instead proposed to be incorporated within a Code of Construction Practice (CoCP) as part of the Environmental Statement. These mitigation measures will relate to the

construction phase of the project. Provisions relating to operational phase mitigation are discussed at the ends of these sections.

## 7.5 Environmental impacts of Construction and the CoCP

7.5.1 The consultation material puts a strong reliance on developing a Code of Construction Practice (CoCP) in order to control environmental impacts during construction. No discussion has been identified about designing out the construction impacts from the outset which help to assure consultees that adverse environmental impacts were not only being mitigated, but avoided entirely, where possible. It is recommended that a technical meeting is convened early with the Council to engage over this critical document.

## 7.6 Summary of review of PEIR environmental chapters

### Introduction and review methodology

7.6.1 The following table presents a summary of the findings of the review of the PEIR, the details of which are presented in Appendix A. the Red-Amber Green rating which has been used is as follows:

- Red = needs addressing immediately/requires amendment to Consultation Scheme
- Amber = further work with Thurrock Council required prior to DCO submission
- Green = satisfactory

### Summary Table

Table 7.1: Summary table of PEIR review

PEIR Chapter	RAG
<p>Health impacts:</p> <ul style="list-style-type: none"> <li>• No standalone Health Impact Assessment (HIA) is provided as part of the consultation material, which is a substantial omission, considering the significant health impacts of this scheme.</li> <li>• Some considerations that would otherwise be made in an HIA are considered in other sections, however there are also key omissions and limitations, including:                             <ul style="list-style-type: none"> <li>-No overarching definition of health is adopted in the report</li> <li>-The appropriate selection of datasets (for example, the exclusion of LSOA level data)</li> <li>-A lack of evidence that 'hard to reach' groups have been engaged with</li> <li>-Stress impacts related to engagement are not considered</li> </ul> </li> </ul>	
<p>Air Quality:</p> <ul style="list-style-type: none"> <li>• A number of potential significant effects are misrepresented or excluded because of flawed assumptions or inconsistencies. For example:                             <ul style="list-style-type: none"> <li>-The PEIR has not included an assessment of construction phase traffic effects which may be significant for a scheme like LTC.</li> </ul> </li> </ul>	

PEIR Chapter	RAG
<p>-The PEIR has not assessed all relevant road receptors following modelled changes in traffic.</p> <p>-The PEIR does not consider a key pollutant with known health effects, recommended by WHO guidelines (PM<sub>2.5</sub>)</p> <ul style="list-style-type: none"> <li>• The PEIR provides standard techniques for mitigating effects such as construction dust, but omits numerous effective techniques that warrant consideration.</li> <li>• Techniques for mitigation during operational stage will only be considered if the ES determines there will be significant effects. It is currently assumed there won't be, so the analysis does not speculate as to what these might be in the scheme.</li> </ul>	
<p>Cultural Heritage (including Archaeology):</p> <ul style="list-style-type: none"> <li>• The LTC project should establish a Heritage Panel, involving local authorities like Thurrock Council, to ensure a proactive, consistent and engaged approach to the scheme.</li> <li>• The PEIR should acknowledge all appropriate guidance principles – including Historic England's GPA2 and GPA3 principles.</li> <li>• The PEIR should consider all relevant effects within its own cultural heritage analysis, such as Historic Landscape, and the effects of vibration on the fabric of heritage assets</li> <li>• A study area of 1km is not justified, nor is 100m for collecting condition information on designated heritage assets – both areas should be expanded.</li> <li>• It is recommended that HE engages proactively with Thurrock Council to reduce impacts on the Thurrock Council-owned Coalhouse Fort, an important heritage asset and popular tourist attraction.</li> <li>• The PEIR needs to extend its assessment to significant non-designated assets, for example those associated with the Grey Goose Farm scheduled monument.</li> <li>• There is concern that the sensitive nature of the area of the grave terraces and interface with the grazing marsh is not fully acknowledged with the submitted documentation</li> <li>• Intrusive surveys need to be undertaken in order to properly determine the significance of the heritage assets to be impacted.</li> </ul>	
<p>Landscape:</p> <ul style="list-style-type: none"> <li>• The PEIR should be more explicit on which guidance it is using for its assessment methodology.</li> <li>• the PIER's methodology does not clearly set out how levels of sensitivity and magnitude have been defined and how these judgements may be combined within the LVIA to establish significant effects for receptors.</li> <li>• The LVIA should consider all relevant landscape character area, features, key characteristics, key landscape qualities and key landscape conditions as set out in the Thurrock Landscape Capacity Study.</li> <li>• The assessment should consider 'distant' viewpoints, including identified strategic and local views.</li> <li>• Early indication of operational mitigation proposals would</li> </ul>	

PEIR Chapter	RAG
<p>suggest they may not be adequate or effective.</p>	
<p>Terrestrial Biodiversity:</p> <ul style="list-style-type: none"> <li>• The omission of an analysis of temporary loss of functional land potentially used by SPA species during construction means significant effects could have been missed, and furthermore may inflate the compensation areas required as mitigation.</li> <li>• The PEIR has not indicated any commitment to delivering a Biodiversity Net Gain in accordance with NPPF 2018, Highways England policy, and local policy</li> <li>• The extent of surveys has fallen short of minimum standards in the case of Barn Owl studies.</li> <li>• The effectiveness of recreating particular habitats, including LWS sites, is highly limited in some cases, and it is offered as potential mitigation in the PEIR. This mitigation should be given scrutiny against alternatives.</li> </ul>	
<p>Marine Biodiversity:</p> <ul style="list-style-type: none"> <li>• The PEIR is limited by its sole reliance, so far, on desk-based studies, and as such the determination of impacts and mitigation are likely to be less accurate and reliable.</li> <li>• There is a lack of clarity on the Zone of Influence of the project, and therefore the justification of both the European sites, and the National Sites taken forward for assessment.</li> <li>• The PEIR does not provide opportunities for enhancement for marine receptors, as suggested by the NNNPS.</li> </ul>	
<p>Geology and Soils:</p> <ul style="list-style-type: none"> <li>• The lack of intrusive investigations mean that it is not possible to be sure that HE have considered the environmental implications of worst case scenarios that can only be understood if long-term monitoring is carried out.</li> <li>• A minerals safeguarding assessment and PSSR have not been included in the PEIR which are important sources of information that would assist stakeholders.</li> <li>• The study area of 250m is insufficient as it may not capture areas outside the buffer that may contain higher risk features.</li> <li>• The analysis excludes the potential for leachate and cavity formation in made ground, which are environmental risks that should be considered.</li> </ul>	
<p>Materials:</p> <ul style="list-style-type: none"> <li>• There is insufficient detail on the possible use of the river and rail for the movement of materials, and the environmental and transport impacts of such a move. Considering the benefits of these modes, they should be seriously considered.</li> <li>• The analysis should also include the movements of other suitable materials, plant and equipment, and potentially transport by river/rail.</li> <li>• The use of highly sustainable and innovative methods of movements should be appraised, such as the use of clean fuel and hybrid vehicles in the supply chain and on site.</li> <li>• The PEIR does not demonstrate how the reuse within the project of materials has been maximised to minimise the</li> </ul>	

PEIR Chapter	RAG
<p>need for off-site haulage and handling.</p> <ul style="list-style-type: none"> <li>The LTC should make a genuine commitment to local sourcing, extending to materials, workers, plant and equipment, where possible.</li> </ul>	
<p>Noise and Vibration:</p> <ul style="list-style-type: none"> <li>The study area boundary of 300m is not justified - reasoning behind why impacts beyond this distance are unlikely is not explained and should consider the night-time construction activities proposed.</li> <li>The impacts assessment from construction should consider other sensitive receptors beyond dwellings and include schools, hospitals, and so on.</li> <li>A number of methodological issues are present, including, for example: <ul style="list-style-type: none"> <li>-In line with national policy, assessment of impacts associated with the road traffic scheme should also be assigned specifically to LOAEL and SOAEL's defined in PPG.</li> <li>-There is no reference to topography data being applied in the modelling used.</li> </ul> </li> <li>There is no quantitative description of the number of noise sensitive receptors that could be impacted, which fails to inform Thurrock Council and other stakeholders of the significance of impacts identified.</li> <li>The mitigation options should explore means of designing out adverse noise effects, through for example changes to the vertical alignment or of speed restrictions.</li> </ul>	
<p>People and Communities:</p> <ul style="list-style-type: none"> <li>The PEIR does not give adequate consideration to the NPPF and the presumption of sustainable development for communities, and especially falls short of demonstrating that the benefits are not significantly outweighed by adverse impacts.</li> <li>The PEIR takes a selective approach to identifying proposals for new employment, residential and leisure development within the local and wider region, and numbers that are provided are not properly evidenced.</li> <li>The PEIR refers to lower life expectancy, higher rates of cardiovascular deaths and worse levels of excess weight, some of which is evidenced and some of which appears to be anecdotal.</li> <li>A number of other issues have been identified related to potential effects and mitigation measures (see relevant section in Appendix A).</li> </ul>	
<p>Road Drainage and Water Environment</p> <ul style="list-style-type: none"> <li>Key relevant guidance – such as The Environmental Permitting Regulations (2016), PINS Advice Notes (i.e. Advice Note 18 regarding the Water Framework Directive) and The Land Drainage Act (1991) – have not been reference in this section.</li> <li>The PEIR does not make it clear if the EIA will be underpinned by a whole system water balance approach</li> </ul>	

PEIR Chapter	RAG
<ul style="list-style-type: none"> <li>The PEIR lacks important information on existing flood defences and their condition</li> </ul>	
<p>Climate:</p> <ul style="list-style-type: none"> <li>The United Kingdom Climate Projections 2018 (UKCP18) have been released. The scenario used within the assessment will need to be agreed with the LPA as the high emissions scenario at the 50% probability level using UKCP09 is no longer applicable.</li> <li>In accordance with IEMA guidance 'EIA Guide to Climate Change Resilience and Adaptation', the in-combination effects of climate change with the likely significant impacts of the proposed development should be assessed.</li> <li>It is unclear on the scope of Greenhouse Gases to be assessed.</li> </ul>	

## 8 The DCO Process and Adequacy of Consultation

### 8.1 Introduction

8.1.1 This chapter considers the DCO process, incorporating the environmental impact assessment, together with a commentary on the adequacy of consultation.

### 8.2 DCO process

8.2.1 In relation to the DCO process, and related EIA work, which has been carried out to date, there are three areas of potential concern which should be highlighted at this stage, as follows:

- Changes to the application boundary;
- Changes to the scheme; and
- Reporting the effects of transport and traffic.

#### The application boundary

8.2.2 In the Scoping Opinion (December 2017), the Secretary of State for Communities and Local Government provided his views on scoping the environmental effects based on the scheme that was submitted at the time. The area covered by the application 'red line' boundary for the Consultation Scheme has significantly increased, predominantly in the Borough - from 12.76 to 21.45 square km equating to an increase of approx. 68% - from that which was presented in the HE's Scoping Report and upon which the Scoping Opinion is based.

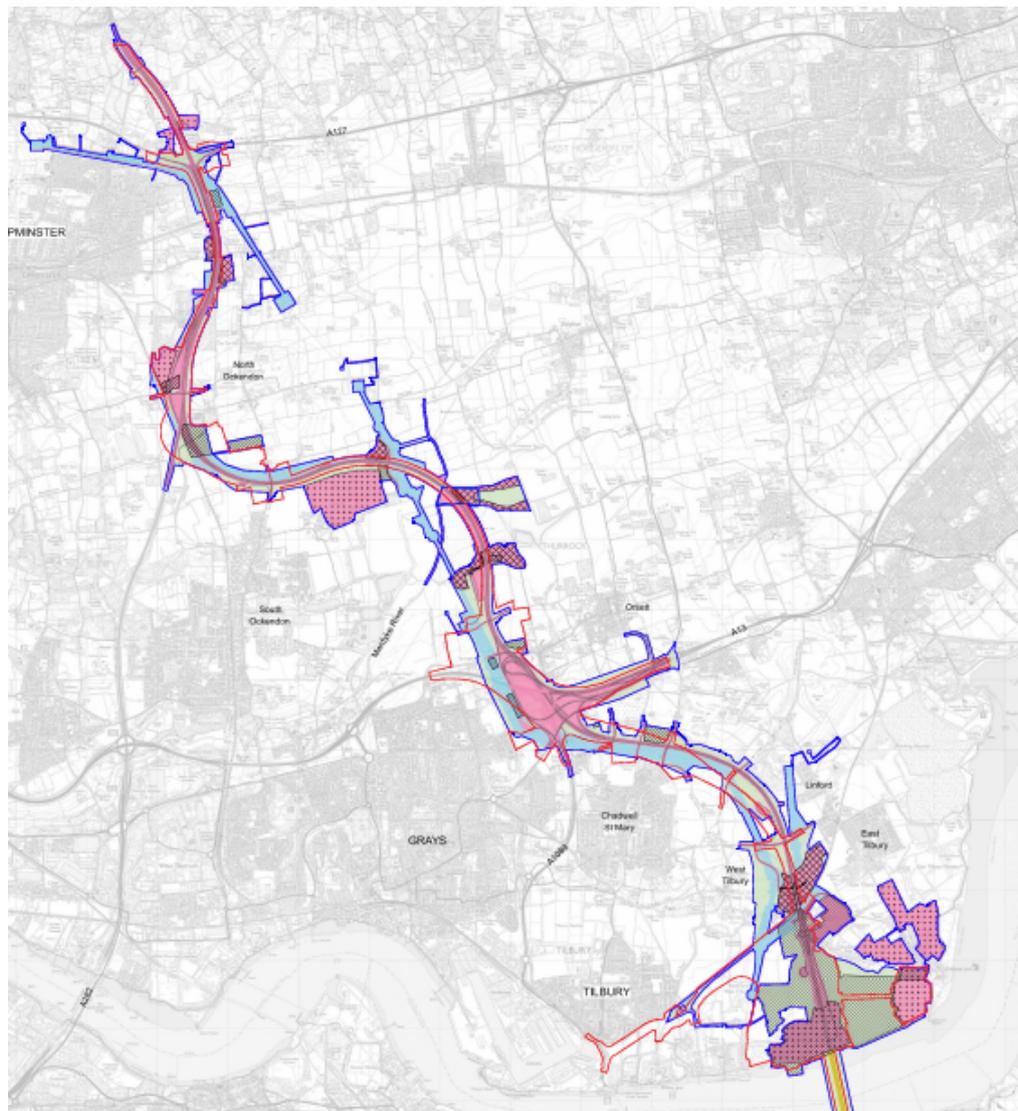
8.2.3 The map extract (Plate 8.1) below shows the application boundary for the scheme as it existed at the time of the publication of the Scoping Report in red, the application boundary which has been used for the Consultation Scheme is shown in blue.

8.2.4 Whilst it is acknowledged that there is a need for flexibility, and the Scoping Opinion notes this, section 2.3.15 of the Opinion also notes that "*...if the Proposed Development changes substantially during the EIA process and prior to submission of the application the Applicant may wish to consider requesting a new scoping opinion*". This point is particularly important given the recent changes to the EIA Regulations which place a greater emphasis on the content of Scoping Opinion. Regulation 14(3)(a) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (SI 2017 No.572) states that "*...the environmental statement... must, where a scoping opinion has been adopted, be based on the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)*".

8.2.5 Given the increase in area covered by the Consultation Scheme, it is suggested that the EIA Scoping Exercise was undertaken prematurely as noted in Para 4.9 of PINS Advice Note 7: Environmental Impact Assessment: Process, Preliminary

Environmental Information and Environmental Statements, states that “..Applicants should consider carefully the best time to request a scoping opinion. In order to gain the most benefit, Applicants should consider requesting the opinion once there is sufficient certainty about the design of the Proposed Development and the main design elements likely to have a significant environmental effect.”

Plate 8.1: DCO application boundaries: Consultation Scheme (blue line) and LTC scheme which was the subject of EIA Scoping Opinion



### Scheme changes

8.2.6 A short exercise has been undertaken to review the LTC scheme which was the subject of the Scoping Opinion and compare this with the Consultation Scheme. It is considered that there have been several significant changes to the LTC scheme since the publication of the Scoping Opinion, as follows:

1. **Removal of Tilbury Link Road from the Consultation Scheme:** the LTC Scoping Report cited the purpose of the link road as being to

*“improve traffic flow and provide an alternative route for HGVs”* (p. 38) as well as having the potential to offer substantial local benefits to the Borough. This removal of the road is considered to be material and likely to give rise to new or a change in environmental effects identified in the Scoping Opinion.

2. **Reconfiguration of A13 Junction:** the LTC junction with the A13 has been significantly altered, shifting the bulk of the land required closer to the north-east of Grays. There is also additional land-take east of the A13 junction and provision for the Rectory Road Diversion. This change is considered to be material and likely to give rise to new or a change in environmental effects identified in the Scoping Opinion.
3. **Relocation of pylons and accommodation of Overhead Lines (OHLs):** additional land has been identified for the accommodation of relocated OHLs and associated pylons required by the Consultation Scheme. As OHLs can have significant impacts on landscape and visual amenity, this change is considered to be material and likely to give rise to new or a change in environmental effects identified in the Scoping Opinion.
4. **Rest and Services Area (RaSA) at Tilbury Junction (East Tilbury):** the provision of the RaSA at Tilbury Junction, discussed in section 5.4 of this report, is an addition to the scheme covering a substantial area of land in the East Tilbury area. The addition of the RaSA is considered to be material and likely to give rise to new or a change in environmental effects identified in the Scoping Opinion.
5. **Additional land-take around East Tilbury:** areas around East Tilbury have been included in the new scheme in order to accommodate areas, particularly, for Potential Relocation site for the Translocation of Protected Species, and a further large unidentified area. The addition of this land is considered to be material and likely to give rise to new or a change in environmental effects identified in the Scoping Opinion.

### Reporting the effects of transport and traffic

- 8.2.7 The Scoping Opinion states at para 3.3.2: *“...while the structure of the ES remains for the Applicant to decide, the information that would be expected to appear in a Transport chapter must be provided in the ES. The ES must demonstrate where the information gathered as part of the traffic assessment has been applied to other assessments within the ES. The absence of a Transport chapter, supported by a Transport Assessment, has been noted by Essex County Council (ECC), the London Borough of Havering (LBH), and Thurrock Council (TC). The Inspectorate considers that these concerns should be addressed.”*
- 8.2.8 The PEIR addresses certain aspects relating to the effects of traffic and transport (eg PRoW severance, road user impacts and driver stress are considered in the “People and Communities” chapter) however, as it is preliminary in nature, it is difficult to determine if the information gaps relating to this topic in the PEIR are omissions or due to lack of information at this stage. It is recommended that details are sought from HE as per the requirements of para 3.3.2 of the Scoping Opinion.

## Recommendation

- 8.2.9 Overall, it is considered that the increase in area covered by the application boundary and the changes to the scheme since scoping are material and likely to give rise to new or different environmental effects as identified in the Scoping Report. For this reason, it is considered that the Consultation Scheme, or any updated scheme, should undergo a further scoping exercise to ensure that all potential likely significant environmental effects are identified and that any Scoping Opinion will reflect the scheme for which consent is being sought.

## 8.3 Adequacy of consultation

### Overview

- 8.3.1 This section examines factors which the Council may wish to consider in relation to determining the adequacy of this round of formal consultation.

- 8.3.2 On submission of the DCO application, the Council will be requested by the Planning Inspectorate to provide an adequacy of consultation statement. This exercise will require the Council to review the HE's Consultation Report and provide a statement as to whether or not HE has complied with sections 42, 47 and 48 of the 2008 PA which relate to the duty to consult relevant local authorities and other statutory consultees, the local community as well as publicising the application.

- 8.3.3 Para 7.1 of PINS Advice Note 2: The role of local authorities in the development consent process, Feb 2015, relates to concerns about the pre-application consultation:

*"If members of the public raise issues or concerns about the quality of a developer's consultation during the preapplication stage, the Planning Inspectorate will advise them to contact their local authority. Relevant local authorities will be invited to submit an adequacy of consultation (AoC) representation.... If they wish, local authorities can append any correspondence received about a developer's consultation from members of the public or others to the AoC representation if they consider it could be useful to the SoS's decision about whether or not to accept the application for examination."*

- 8.3.4 At this pre-application stage, if there is sufficient cause for concern about the adequacy of consultation, the Council may wish to contact PINS top seek corrective action.

### Importance of consultation

- 8.3.5 Consultation is an essential element of the DCO process. In addition, as noted in section 4.5 above, HE's Strategic Business Plan, October 2017 includes stakeholder consultation as a means of improving its planning process "...we will improve our planning for the next decade and beyond. This will mean:

- Taking a more responsive and coherent approach to planning – one that is better understood by our customers, staff, suppliers and partners

- Giving stakeholders more of a say in how we develop the network at a national, route and local level
- Exploring new and better ways to stimulate growth
- Encouraging innovation, especially to exploit the benefits of vehicle and roadside technology
- Ensuring our customers have more of a voice in determining investment priorities and how work is delivered
- Providing for the needs of cyclists, pedestrians and others who walk or ride on, near or across the network.”

8.3.6 Test 7, set out in chapter 4, seeks to determine whether the consultation which has been undertaken is adequate and appropriate. The factors to be considered here are likely to be in relation to:

- SoCC;
- Consultation materials; and
- Equalities and engaging with harder to reach groups.

8.3.7 It is understood that the Council has compiled information in relation to these factors and will present its case directly to HE. It should be noted that, in relation to equalities and engaging with harder to reach groups, the volume of information being consulted upon, much of which is technical in nature, is likely to prove a challenge for many sectors of the community to engage fully in the statutory consultation.

## 9 Recommendations and Next Steps

### 9.1 Recommendations

9.1.1 A large number of recommendations is presented in this report, the intention is that these should be collated, agreed with the Council and used as a checklist to ensure that the Council's concerns are addressed as the LTC design and assessment work progresses.

### 9.2 Next Steps

9.2.1 The nature of the DCO process is to encourage close and meaningful engagement with the promoter as the design proceeds. A programme of engagement with HE is suggested as the next steps in the process, which it is recommended should cover the following key areas:

- Emerging Local Plan and delivering growth;
- Option testing/traffic modelling;
- Treatment of northern portal;
- Specific aspects including: Tilbury Link Road, Junctions, Motorway Rest Area, passive provision for potential future development;
- Health and environmental impacts;
- Construction phase works and effects, including off- and on-site enabling works, and related mitigation (including the Code of Construction Practice); and
- Securing local benefits.

9.2.2 It is anticipated that the above will be used as a reference to inform the on-going technical meetings being held with the HE team.

### 9.3 Potential Effects on Council Operations

9.3.1 One final element which requires consideration as a next step is in relation to the effects of the LTC scheme on the Council's day to day operations, particularly in relation to public sector resource spending. Such matters might include:

- Traffic management and controlling rat-running;
- Waste collection/road sweeping;
- Additional pressures on Council's social services;
- Controlling and designing for crime.

9.3.2 In the first instance, it is suggested that the Council may wish to consult with other local authorities which may have experienced similar works and potential effects and draw upon that experience.

## Appendix A Review of LTC PEIR

### A.1 Introduction

A.1.1 This appendix sets out a review of the PEIR topic chapters.

### A.2 PEIR Chapter 6: Air Quality

#### Air quality modelling

A.2.1 The modelling has been undertaken in accordance with DMRB procedures which identify affected roads as where there is a change in traffic of more than 1,000 AADT. Even using these criteria, the PEIR has not assessed all road links/receptors where this change occurs (Para 6.3.18) and therefore there may be locations which have significant impacts that have not been assessed, which limits the ability of Thurrock Council and other stakeholders to fully understand the significance of effects of the proposal.

#### Measurement of pollutant concentrations

A.2.2 The traffic data has only been considered where the change is more than 1,000 Annual Average Daily Traffic (AADT) (and presumably the same methodology will be used for the ES). This is higher than the thresholds advised by the Institute of Air Quality Management (IAQM) in Land-Use Planning & Development Control: Planning For Air Quality which are 500 AADT outside of an AQMA and 100 AADT inside for considering when an assessment is necessary. Changes of these magnitudes could lead to significant changes in pollutant concentrations especially if combined with greater changes on adjacent roads. By not considering smaller changes, the assessment has not complied with Paragraph 5.11 of the NNNPS regarding impacts on AQMAs, and fails to fully inform Thurrock Council and other stakeholders.

#### AQS Objectives

A.2.3 In the answer to the NNNPS requirement 5.7, Table 6.3 it is stated that a definitive judgement on significance has not been undertaken as it would require an assessment of all locations which are likely to exceed AQS Objectives, and not just worst case locations (i.e. the locations that have been assessed in the PEIR). Worst case locations should also include those locations that are likely to exceed AQS Objectives and therefore the PEIR is deficient in the assessment of significance that has been provided.

#### Changes thresholds

A.2.4 The proposed significance criteria for the assessment is also flawed in that it allocates a threshold of the number of receptors affected for small and medium changes below which the change would not be considered significant, i.e. there can be 9 medium changes, 29 small changes and an infinite number of imperceptible changes where the objective is exceeded, and the scheme would be judged not to be significant. By applying the same number thresholds to all Highways England schemes there is potentially an inconsistency in the allocation of significance between different schemes with different numbers of receptors, which may fail to inform Thurrock Council and other stakeholders.

## PM<sub>2.5</sub> concentrations and the Clean Air Strategy

A.2.5 The PEIR has not considered changes in PM<sub>2.5</sub> concentrations and instead has related the likely impact of the changes in PM<sub>2.5</sub> concentrations to changes in PM<sub>10</sub>. The justification for this is that PM<sub>2.5</sub> concentrations are likely to be well below the current objective of 25 µg/m<sup>3</sup>. This does not take into account the World Health Organisation guideline value of 10 µg/m<sup>3</sup>. The draft Clean Air Strategy published for consultation in May 2018 by Defra stated that: *We will reduce PM2.5 levels in order to halve the number of people living in locations where concentrations of particulate matter are above 10 µg/m<sup>3</sup> by 2025.* Given this aim, and the known health effects of PM<sub>2.5</sub>, it is considered that the PEIR is deficient in not considering this pollutant explicitly against the WHO guideline value and this needs to be undertaken for the ES. For Thurrock Council, this means the information provided does not contain a key component of analysis that could affect air quality in the Thurrock area.

## Nitrogen and acid deposition

A.2.6 Only the change in NO<sub>x</sub> concentrations is provided at sensitive ecological receptors; there is no data provided on nitrogen or acid deposition at the receptors which is a significant omission. At Cobham Woods SSSI, Shorne and Ashbank Wood SSSI, Hailing to Trottscliffe Escarpment SSSI the increase in NO<sub>x</sub> concentrations is very much larger than 1% of the assessment level. Without the corresponding increase in nitrogen and acid deposition at these sites it is not possible to make a correct assessment of the likely significant effects of the scheme, which fails to inform Thurrock Council and other stakeholders.

## NO<sub>x</sub> concentration inconsistency

A.2.7 The increase in NO<sub>x</sub> concentration is compared to a threshold value of 0.4 µg/m<sup>3</sup> which is inconsistent to the generally accepted threshold of significance of 1% of the assessment level, i.e. 1% of 30 µg/m<sup>3</sup> is 0.3 µg/m<sup>3</sup>. Inconsistency with such thresholds makes it harder for Thurrock Council and other stakeholders to form informed opinions based on data that can be compared to accepted standards and other schemes.

## Construction phase traffic effects on air quality

A.2.8 No assessment of construction phase traffic effects has been carried out in the PEIR. For the majority of schemes increases in construction traffic, when averaged over a full calendar year, are normally not significant. However, given the extent of the scheme this may not be the case for the LTC and therefore the PEIR would appear deficient in this regard. A full assessment of construction phase traffic will be necessary in the ES to inform the Council and other stakeholders of the full extent of effects across the 7-year construction phase of the scheme.

## Model Verification – annualization of monitoring data

A.2.9 Defra TG(16) guidance require that the model traffic year, monitoring data year and meteorological data year are all the same. The PEIR modelling has been verified using 2016 traffic data and meteorological data, but monitoring data from a variety of years. It is claimed that where the data is not from 2016, it has been annualised in accordance with TG(16) Box 7.9. This procedure is for annualising part year data to a full year. It does not translate the data from one year to another (Paragraph 6.3.10

says that the HE monitoring data is from 2013 – 2017), and there is no accepted procedure for doing this. The model verification is therefore flawed as it does not compare actual monitored data from the same year as the traffic and meteorological data. It needs repeating using the correct procedures. As the model verification is fundamental to the prediction of pollutant concentrations it calls into doubt the predictions made in the PEIR.

### Model Verification – model verification factor

A.2.10 The resultant model verification factor is also unreasonably high for two of the 13 verification zones (7 and 10) which indicates that the model is not performing very well in these locations.

### Adjustment factors for NO<sub>x</sub> and NO<sub>2</sub> concentrations

A.2.11 Background concentrations of NO<sub>2</sub> have been adjusted by comparing monitored background NO<sub>2</sub> concentrations with Defra predictions. The same adjustment factor has been applied to background NO<sub>x</sub> concentrations. As NO<sub>x</sub> and NO<sub>2</sub> relationships differ, a separate adjustment factor should have been applied to the NO<sub>x</sub> background concentrations, not the same one as for NO<sub>2</sub>.

### HE Guidance Notes

A.2.12 All the HE quoted guidance notes (IANs) are out of date when compared to the latest vehicle emission factors issued by Defra. Paragraph 6.3.43 states that updated speed band emission factors have been used, but as an update to IAN 185/15 has not been published by HE it is unclear what has been done. Additionally, paragraph 6.3.44 states that future uncertainty in vehicle emission factors has been accounted for by undertaking a LTT gap analysis. The procedure for this is described in IAN 170/12v3 published in November 2013. From page 5 of IAN 170/12v3 it is clear that there was an intention to update the IAN as it was effectively out of date, which has not been done. It therefore appears that out of date guidance has been used to correct the assessment made by following out of date guidance.

### NO<sub>2</sub> concentrations at human health receptors

A.2.13 The results of the modelled annual mean NO<sub>2</sub> concentrations at human health receptors in Thurrock is that they are either predicted to increase by an imperceptible amount or decrease where the objective is exceeded. However, these results should be seen in the context of the deficiencies and omissions in the modelling.

### Mitigation

A.2.14 The only reference to specific mitigation in the Chapter 6 of the PEIR is in relation to construction dust emissions and Non-Road Mobile Machinery and standard mitigation measures are proposed for these activities. No reference is made to additional mitigation measures that could be adopted such as all deliveries by Euro VI compliant HDVs; all construction traffic to be Euro 4 petrol/Euro 6 diesel, the use of freight consolidation or the provision of transport for construction workers etc.

A.2.15 If the results of the ES are the same as for the PEIR for the operational effects, HE do not intend to provide any specific air quality mitigation for the project. In paragraph 6.6.51 it is stated that: *'The preliminary air quality assessment undertaken here suggests that the Project is unlikely to require air quality-specific mitigation...'* and *'If*

*the full detailed assessment predicts a significant impact, mitigation will be required as part of a Scheme Air Quality Action Plan'. This suggests that if there are no significant impacts predicted in the ES, then no operational traffic mitigation will be provided. Furthermore, unless the project provides specific commitments to mitigation measures in the design, e.g. the provision of electric vehicle charging points, then HE are not intending in providing them.*

### **A.3 PEIR Chapter 7: Cultural heritage**

A.3.1 The review of this topic has been split up to cover: the surface historic environment (in this section); and archaeology (in the following section).

#### **Harm to historic environment**

A.3.2 Throughout the PIER, it is concluded that the business case for the route as shown at present will outweigh any harm to the historic environment. This conclusion is not evidence based and implies an inflexible approach which disregards heritage implications. A distinction between hypothesis and conclusions should be made within future reports.

#### **Historic landscapes**

A.3.3 The report correctly explains that there are expected to be interrelationships between the potential effects on cultural heritage and other disciplines reported on in the PIER. Whilst this is accurate, it is important that aspects such as the analysis and interpretation of historic landscapes is considered within both the Cultural Heritage and Landscape chapters to better inform the conclusions of each discipline. Similarly, potential impacts of noise and vibration must also be analysed and interpreted within the heritage section given these have the potential to alter how we experienced and interpret heritage assets - as well as potentially cause damage to their fabric in the case of vibration. This approach is supported by Historic England's GPA3 – Note 3 (Second Edition) The Setting of Heritage Assets.

#### **Heritage Panel**

A.3.4 Highways England is advised to work in partnership with all relevant local planning authorities and consider forming a dedicated heritage panel to ensure a proactive, consistent and engaged approach to the scheme. This is important when agreeing the correct methodology as well as considering heritage assets on, or near, district boundaries. Further to this, it is important that meetings regarding heritage should include heritage representatives from all relevant stakeholders including Historic England and neighbouring authorities. On occasion, it may also be fortuitous to include representatives from landscape and other disciplines.

#### **Methodology – national guidance**

A.3.5 With regards to methodology, the PIER does not appear to reference nationally recognised guidance relating to heritage such as Conservation Principles, GPA 2 – Managing Significance in Decision Taking in the Historic Environment or GPA 3 – The Setting of Heritage Assets.

## Methodology – appropriateness of study area

A.3.6 The PIER has opted for a 1km study area surrounding the site and states that the appropriateness of this was demonstrated by cross referencing a preliminary Zone of Theoretical Visibility and recorded heritage assets. No evidence has been seen to-date to evidence this conclusion and as such the appropriateness of this conclusion cannot be verified. Unless it can be demonstrated otherwise a 2km study area is considered more appropriate. It is also noted that the Figures 7.1 and 7.2 in Volume 3 referenced in Volume 1 which show the locations of designated and non-designated heritage assets was not issued to Place Services and as such has not been assessed.

## Further information required

A.3.7 In relation to further information required, a 100m study area for collecting condition information on designated heritage assets is not considered wide enough. It is also important to note that interior inspections of many buildings will be required at an early stage of the assessment to better understand direct and indirect impacts upon these heritage assets. This is important to allow for the condition of properties to be fully understood so that conclusions are accurate and reliable as well as to assess the impact of the proposed from interior spaces (views and noise). One such indirect impact will be the requirement for secondary glazing to historic properties due to noise implications upon residents and this impact this will have upon the significance of these assets. This impact must be identified and assessed within future reports. A Level 3 Building Recording, in accordance with Historic England's Guidance, must be provided at an early stage for all designated heritage assets proposed for demolition so that their special interest can be fully understood.

## Coalhouse Fort and Tilbury Fort

A.3.8 Coalhouse Fort is located 4km to the east of Tilbury Fort. Built in 1867–1874, the fort was part of the defence against the potential threat of French invasion. It is listed as a scheduled monument and is owned by the Council. Coalhouse Fort is a Scheduled Ancient Monument, an important heritage asset and popular tourist attraction. The fort is included in the Heritage at Risk Register and the area adjacent to the fort is an open space recreational area and the surroundings support rare botanical species, wildlife and birdlife.

A.3.9 It is understood that the Council is considering opportunities to develop Coalhouse Fort into an events facility and visitor attraction and has been awarded funding to assist with the preparation of a business plan.

A.3.10 The Consultation Scheme is likely to give rise to significant adverse effects and is contrary to the Policy CSTP24 of the Council's adopted Core Strategy committed to preserving or enhancing the historic environment at Tilbury Fort and Coalhouse Fort.

A.3.11 It is recommended that HE engages proactively with the Council on scheme design changes which need to be made to remove the significant adverse effects on this asset.

## **A.4 PEIR Chapter 7: Cultural Heritage (Archaeology)**

### **Scheduled Monument of Grey Goose Farm**

- A.4.1 Within the Borough, the Historic Environment Record shows the proposed route of the Consultation Scheme as affecting a large area of archaeological deposits extending from Stifford Clays Road, south to the area between West and East Tilbury. This comprises a large complex of probably related archaeological sites, of multi-period date, known from aerial photograph, which includes the Scheduled Monument of Grey Goose Farm at its northern end. This Scheduled Monument comprises extensive complexes of features recorded from aerial photos and is the largest Scheduled Area within the Borough. A large part of this nationally important monument will be destroyed by the proposed scheme along with a significant proportion of the remainder of the non-designated assets associated with it. The level of assessment needs to define the significance of not just the Scheduled Monument, but also other elements of the complex that may be of national significance, as well as understanding how the whole complex is or is not related.
- A.4.2 For this reason, it is considered that the analysis lacks the integral consideration of the interaction of these non-scheduled and scheduled heritage elements. These cropmark complexes have been interpreted as multi-period landscapes from the prehistoric through to the early medieval period.

### **Gravel terrace deposits**

- A.4.3 There is concern that the sensitive nature of the area of the gravel terraces and interface with the grazing marsh is not fully acknowledged with the submitted documentation. The route of the Consultation Scheme will also cut through the highly sensitive gravel terraces and former historic grazing marsh on the northern side of the Thames. This area contains important deposits dating from the Palaeolithic through to the modern day. It is essential that the significance of the historic environment assets and deposits within this area and the impact of the proposed scheme on these is understood to allow the inspector to make an informed decision.

### **Baseline information limitation**

- A.4.4 Joint discussions on cultural heritage have taken place with Highways England, Historic England and ECC historic environment advisors at which the need for an appropriate level of assessment to ensure that the significance of, and impact on, the historic environment is fully understood. The PEIR document identifies that a programme of desk-based assessment is to be undertaken to assess the extent and significance of the historic environment assets. In addition to the desk-based assessment, a programme of aerial photographic assessment has been commissioned. Similarly, specialists in geo-archaeology, Palaeolithic and military specialists are to be commissioned. This is fully supported and will help to obtain a basic baseline of the heritage data, however, it is unlikely that this will provide enough detail to assess the significance of the heritage assets.

### **Setting of significant non-designated assets**

- A.4.5 The PEIR states that only the setting of designated assets such as listed buildings and Scheduled Monuments will be assessed, however, it is recommended that this

should be extended to assessing the setting of significant non-designated assets such as the long mortuary enclosure and other enclosures within the cropmark complex which may be of a similar importance.

### Future consultation

- A.4.6 As part of the future consultation by HE or its consultants it is recommended that joint meetings with the heritage advisors both from national and local authority bodies takes place. This would ensure a consistent approach to understanding the historic environment implications of the scheme. Previous discussions with the LTC consultants have identified concerns that an appropriate assessment is to be undertaken. The implications have been that the proposed assessment methodology would use a minimal level of intrusive survey to assess the significance of the heritage assets to be impacted, which is regarded as deficient to provide an appropriate level of understanding of the impact of the scheme.
- A.4.7 Without the trial trenching it is very difficult/if not impossible in some cases to provide a date for the deposits identified, especially from aerial photography, or the complexity of the surviving archaeology. By undertaking trial trenching both the date can be defined, and the extent and complexity of the deposits can be understood. This allows an informed understanding of the significance of the assets identified, their importance, and the potential cost if these have to be recorded due to the proposed scheme (i.e. by open area excavation).

## A.5 PEIR Chapter 8: Landscape and Visual Impacts

### Assessment methodology

- A.5.1 It is not clear which guidance the assessment will follow, stating that both the Design Manual for Roads and Bridges Volume 11, Section 3, Part 1 and associated Interim Advice Notes 135/10 and the Guidelines for Landscape and Visual Impact Assessment 3<sup>rd</sup> Edition will both be considered. As the project is a road scheme the applicant should undertake a IAN 135/10 Detailed Assessment but they should make it clear where they deviate from this approach or where parts of the assessment is based on GLVIA3.

### Determining receptors and the significance of effects

- A.5.2 The methodology set out within the PIER does not clearly set out how levels of sensitivity, magnitude (nature of change) have been defined and how these judgements may be combined within the LVIA to establish the likely level of significant effects for each receptor. It is not clear how HE has selected receptors, but if the assessment is based on a narrow 2km study area, more distant receptors may be missed. The PEIR is not clear about what receptors are located within the 5km study area and if these are scoped in or out of the assessment.

### Engagement on key issues

- A.5.3 The PIER does not clearly state which parties have been or will be consulted on the developing design of the LTC, the assessment methodology, extent of study area, likely effected landscape and visual receptors.

## Other landscape considerations

A.5.4 Potential effects on National Character Areas, Marine Character Areas, Special Landscape Areas (Mardyke Valley and Langdon Hills), landscape features and tranquillity have not been set out in the PIER. The LVIA should consider all relevant landscape character area, features, key characteristics, key landscape qualities and key landscape conditions as set out in the Thurrock Landscape Capacity Study.

## Engagement on receptors

A.5.5 Visual effects should be assessed for receptors within 5 km of the proposed development, including 'distant' viewpoints including from the settlements of Mucking, Orsett and Bulphan, strategic and local views as covered under Policies PMD2, CSTP23, CSTP28 and those listed in Paragraph 8.3.13 of the PIER. The Applicant should consult with Thurrock Council on which visual receptors to include or 'scope' out of the LVIA.

## Mitigation

A.5.6 Early indication of mitigation proposals would suggest they may not be adequate or effective in the operation phase. At this early consultation stage and not knowing the full extent of likely landscape and visual effects, it is difficult to determine if the proposed mitigation is sufficient or not. Mitigation to reduce the likely effects of the operational proposed development on landscape and visual receptors along with any proposed off-site landscape should be clearly stated. The current proposals focus on a narrow corridor following the scheme route. Mitigation should directly respond to specific landscape or visual effects of the proposed development and this may result in mitigation extending beyond 2km of the route.

## Future engagement on landscape mitigation

A.5.7 It is recommended that HE should work closely with its landscape and ecological consultants to design a suitable mitigation scheme, actively engage with land owners through their community engagement teams. Mitigation proposals should be informed by Thurrock Council Landscape Capacity Study (2005) (relevance Landscape Character Types/Areas), A landscape Strategy for Thurrock 2002-2017, Greengrid Strategy and the Green Infrastructure Plan (2006) in accordance with Policy SSO12. Proposed mitigation and off-site landscape proposals should integrate with the Land of the Fanns Landscape Partnership projects and GreenArc partnership, helping to deliver objectives of their Landscape Management Plan or projects.

## A.6 PEIR Chapter 9: Terrestrial Biodiversity

### Potential significant effects missed and resultant inflation of land requirement

A.6.1 The PEIR does not identify the potential construction impact from temporary loss of functional land potentially used by SPA species during construction. There is also potential for the Habitats Regulations Assessment to conclude likely significant effects to the Thames Estuary and Marshes SPA, and further compensatory habitat provision may be required during construction phase, which could result in a greater land requirement in the Thurrock area and others.

## Biodiversity Net Gain

A.6.2 No commitment has been made within the proposed mitigation for the provision of Biodiversity Net Gain. To comply with the NPPF 2018, Highways England policy, and local policy, the scheme will need to demonstrate Biodiversity Net Gain. The scheme should ensure ecological, landscaping, and flood compensation areas contain high quality habitats which are appropriate for the locality, and Thurrock Council and other stakeholder should be consulted on the appropriateness of these.

## Tunnelling material and Goshems Farm

A.6.3 It appears excavated tunnelling material may be placed on the north bank of the River Thames. Further information is required to support the idea that this the most appropriate place for the disposal of excavated tunnelling material next to the option of transport the excavated material elsewhere, such as in Crossrail and Wallasea Island RSPB reserve examples. Including this in the analysis would provide the Council and other stakeholders with some assurance that other options for the disposal of excavated material had been considered, which could produce a more sustainable outcome for terrestrial biodiversity.

## Impacts on Barn Owls

A.6.4 Barn owls survey undertaken only occurred up to 500m from the application boundary. This is contrary to industry standard of 1.5 km. Traffic collisions are known to result in the depletion of local breeding populations within 1.5 km of a major trunk road causing the permanent loss of breeding barn owls within 3 km wide corridors. The survey approach taken for LTC is likely to result in an underestimate of impacts to the population within Thurrock, and therefore inadequate measures to mitigate and compensate for impacts.

## Thames Terrace Grassland habitat

A.6.5 The development of the Consultation Scheme will result in the loss of Thames Terrace Grassland, a unique habitat only found in south Essex, which supports a diverse invertebrate assemblage. Loss of this habitat, some of which from within the non-statutory designated site Low Street Pit LWS, will deplete this locally important habitat. As permanent mitigation, it is proposed to replace this habitat elsewhere but given the specific environmental requirements for this habitat to form, over nutrient-poor sand and gravel substrates<sup>16</sup>, successful recreation may be difficult to achieve. Further information should be provided to the Council and other stakeholders to give assurance of this approach, and that alternatives have been considered.

## 9.4 PEIR Chapter 10: Marine Biodiversity

### Desk study survey data used in PEIR

A.6.6 The Marine Biodiversity chapter is informed by a desk study only, and it is proposed that a suite of surveys and more detailed desk-studies will inform the ES. This PIER chapter therefore does not provide as much up front information as other PIER chapters, and as such the determination of impacts and mitigation are likely to be less

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<sup>16</sup> Buglife (2013) The state of brownfields in the Thames Gateway

accurate and reliable for Thurrock Council and other stakeholders to effectively engage with.

### Conservation of Habitats and Species Regulations 2017

A.6.7 Reference is made in Table 10.1 to the Conservation of Habitats and Species Regulations 2010, where the most up to date regulations are from 2017. This error should be corrected to provide assurance to the Council and other stakeholders that the most relevant guidance/ legislation is being considered.

### Zone of Influence – International/ European Designated Sites

A.6.8 There is a lack of clarity on the Zone of Influence of the project for marine biodiversity, and therefore the justification of the European sites taken forward for assessment. It is typically expected that a source receptor pathway justification be provided. More detail should be provided in the baseline determination section to allow the Council and other stakeholders to comment and agree method.

### Zone of Influence – National Designated Sites

A.6.9 There is a lack of clarity on the Zone of Influence of the project for marine biodiversity, and therefore the justification of the National Sites taken forward for the assessment. The assessment should use the Natural England Impact Risk Zones to select Sites of Special Scientific Interest to be taken forward for assessment. More detail should be provided in the baseline determination section to allow the Council and other stakeholders to comment and agree method.

### PEIR commitments

A.6.10 Table 10.2 identifies the requirements of the National Networks National Policy Statement (NNNPS). It states that the *PEIR identifies the opportunities taken to protect and enhance biodiversity and geological conservation interests*, but does not provide opportunities for enhancement for marine receptors, as suggested, which falls short of providing a level of betterment that the Council believes the scheme should provide.

## A.7 PEIR Chapter 11: Geology and Soils

### Intrusive investigation and monitoring

A.7.1 The chapter states that “an intrusive investigation will be carried out” (Table 11.2). However the scope of that investigation and also the longer-term monitoring of groundwater and land gas conditions is not defined. The risk of this, depending on the duration of the post-investigation monitoring, is that adequate baseline information is not collated, which should be included for obtaining any seasonal, atmospheric or tidal variations to ensure that the risk assessments undertaken thereon consider worst case conditions that the Council and other stakeholders can fully consider.

### Minerals Safeguarding Assessment commitments

A.7.2 The chapter states in Table 11.2 that a mineral safeguarding assessment will be prepared and discussions held with the regulatory authorities. This should be undertaken at an early stage, such that any restrictions or requirements that could

impinge on land outside the footprint of the proposed works are known and that any subsequent additional studies, such as transport assessments, noise, dust etc. are taken into consideration. Minerals safeguarded may be required also for other uses including landfill restoration or other construction activities and allowance would need to be made other than for construction of the development.

### **Preliminary Sources Study Report (PSSR)**

A.7.3 Section 11.3 Methodology clearly states that the study is informed by a PSSR. A PSSR has not been provided so it is not possible assess the detail of the chapter as a consequence at this stage. This document will be required as part of subsequent ES together with any additional supporting studies and assessments.

### **Study area**

A.7.4 The chapter states (11.3.3 and 11.4.49) that the preliminary site walkover “focused on areas of potential interest”. This is then contradictory with the definition of study area in subsequent section 11.3.4 which suggests that the “field assessment” included “the land within the development boundary plus a 250m buffer.” The buffer zone has been taken as being 250m as being a distance over which significant effects can reasonably be thought to have the potential to occur. In the case of areas of potential contamination this should be reviewed in light of the geological and hydrogeological setting and may need to be increased especially where such higher risk features exist just outside the 250m buffer zone.

### **Hydrogeology and potential for leachate**

A.7.5 With regards to hydrogeology, no commentary is provided with respect to potential perched groundwater in made ground, and/or leachate within landfills. Leachate may present a significant risk both during construction and operation should the works result in uncontrolled breaches of any containment or protective layers.

### **Risk of natural cavity occurrence**

A.7.6 No comment is made on the risk of natural cavity occurrence which may be masked by quarrying activities or overlying deposits including made ground/landfill. In addition, it should be recognised that Soluble rocks are present at depth north of the river and as such dissolution features could be present. This should be expanded upon such that the risk of triggering unstable ground in neighbouring ground can be appraised.

### **Mitigation**

A.7.7 Mitigation measures are predicated on the findings of future studies and risk assessments which are yet to be undertaken and as such no commentary can be provided at this stage. The statement that the effect is not likely to be significant will depend wholly on the findings of those studies and mitigation provided

## A.8 PEIR Chapter 12: Materials

### Transportation of excavated materials

- A.8.1 There is insufficient detail on the possible use of the river for the movement of materials – this should have received more than a superficial reference (Volume 1 paragraphs 2.18.30 and 12.5.8) and contains only passing reference to the supposed absence of feasible jetty or wharf provision.
- A.8.2 At Section 12 Table 12.4, it is assumed that aggregate alone would amount to 225 million tonnes - by far the largest materials stream. If this material is transported by road (assuming 20t per load) the Project would require 22,500,000 movements.
- A.8.3 The absence of marine logistics for import or export of materials, plant and equipment results in the assumption that all of these will be transported by road – with many hundreds of thousands of movements during the lifetime of the project using strategic and local roads. Fundamentally and significantly the prospect of the tunnel drives occurring from the north (**paragraph 2.18.7**) would result in all tunnel bore excavated material being transported away along the A1089 corridor to the A13 and the tunnel construction material imported along the same corridors.
- A.8.4 There is no recognition of the option to transport material across the river to reuse or disposal sites south of the river, or conversely to import material from suppliers in the south across the river – avoiding adding to congestion at the existing crossing and through Thurrock. Using small 1000t barges would reduce the movement to 225,000 barge visits. In this location on the Thames it would be totally viable to increase the size of barges or vessels.

### Transportation of other suitable materials, plant and equipment

- A.8.5 The analysis does not include the movements of other suitable materials, plant and equipment. The likely supply for the TBM and components would be from Continental Europe (often France or Germany). No evidence is given of exploring opportunities to bring this equipment and components in by sea/river and transshipping locally. The Port of Tilbury seems to have been largely ignored.

### Transportation by rail

- A.8.6 The use of rail has been dismissed for excavated material but there is no mention about using rail for other materials, plant or equipment, including TBM components. The PEIR does not appear to specify the focus of the rail study or substantiate how the conclusions were drawn. For example, it is not made clear if existing facilities such as the EWS depot to the east of Gravesend reviewed, or if the opportunity to introduce new rail interchange from the Tilbury Loop was considered. The dismissal of the use of rail (either north or south of the river) does nothing to mitigate the impact of transporting everything by road. This continues to assume substantial impacts on the road network in and around Thurrock.

### Innovative mitigation of traffic movement effects

- A.8.7 The use of highly sustainable and innovative methods of movements should be appraised – seeking the use of clean fuel and hybrid vehicles within the supply chain and on site – potentially within the worksite boundary and minimising the use of diesel

road vehicles and non-road based plant. Aside from the reference to a Construction Traffic Management Plan (CTMP) there appears no evidence that the massive transport impact on Thurrock during the construction period would be mitigated through the use of low polluting vehicles and plant.

- A.8.8 The opportunity is missed to use the project to drive up standards in road logistics and modernising plant.

### Reuse of materials to reduce need for waste transport

- A.8.9 References are made to the waste hierarchy for materials but there is no quantitative evidence of how this approach will minimise resource use. The PEIR does not demonstrate how the reuse within the project of materials has been maximised to minimise the need for off-site haulage and handling. Rather than freely dismissing the possible reuse of materials, significant investment should be made into establishing new practices and innovation to minimise the need for exporting and importing materials. Not maximising reuse through the Project does not minimise the import and export movement of material – leaving Thurrock to suffer the impacts of traffic movements.

### Local sourcing of materials

- A.8.10 The PEIR makes statements about the aspiration to source materials locally but no reference is made to the criterion on which these decisions will be made, e.g. price, availability, or other factor. Thurrock Council has no surety that local sourcing would be given proper consideration. This should be extended not only to materials but to workers, plant and equipment – helping to protect local workers and businesses and to minimise the environmental effects of these resource streams.

## A.9 PEIR Chapter 13: Noise and Vibration

### Study Area

- A.9.1 The study area for the construction phase comprises an area up to 300 m from the development boundary. The PEIR goes on to state that the potential for significant impacts at residential receptors beyond 300 m are unlikely with receptors outside of 300 m to be considered where required. The reasoning behind why impacts beyond this distance are unlikely is not explained and should consider the night-time construction activities proposed which based on lower guidance limits could impact further from the site.
- A.9.2 Furthermore, the assessment of impacts from construction should consider other sensitive receptors beyond dwellings and include schools, hospitals etc as has been stated for the operational study area.
- A.9.3 The operational study area within the PEIR focuses on existing routes that are being bypassed or improved. However, it doesn't consider other affected routes (ie roads not being improved but may have change in traffic flows) as required by DMRB. The PEIR states that this would be undertaken in the ES. Therefore, the full extent of impacts cannot be determined based on the PEIR, which limits the ability of Thurrock Council and other stakeholders to fully understand the significance of effects of the proposal.

## Baseline Surveys

- A.9.4 Surveys were undertaken in accordance with the CRTN shortened measurement procedure (3 consecutive hours between 10:00 and 17:00). We would highlight that this procedure is suitable for determining noise levels from a consistent traffic source such as a trunk road. It determines the noise levels over a short time period and uses this to predict the noise levels over an 18 hour time interval. However, in some areas the dominant noise source may not be from road traffic alone or traffic flows at quieter sites are likely to be low and the traffic pattern throughout the 18-hour period may be more variable than compared with the noisier sites where traffic flows are likely to be higher. Therefore, to confirm that the predictive nature of the shortened measurement procedure is robust we would expect to see longer term measurements to be undertaken to confirm the baseline conditions.
- A.9.5 Further surveys would also be required during daytime, evening and night-time periods to gather background/ambient noise levels for the assessment of ventilation plant and construction during different time periods as it is mentioned that some construction may require extended hours or night-time operations. These should form part of the ES.

## Operational Road Traffic Methodology

- A.9.6 The assessment of impacts associated with the road traffic scheme is based on criteria outlined in DMRB. However, in line with national policy these should also be assigned specifically to Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL)'s defined in PPG. The methodology is also not specific in determining the significance level at which point the scheme would provide mitigation measures.
- A.9.7 The calculations have been based on modelling software IMMI and incorporate traffic information. However, there is no reference to topography data being applied in the modelling. We would expect this to be included in the modelling.
- A.9.8 Furthermore, it is not stated if the acoustic model has been validated using the survey data compiled. We would expect this to be undertaken. We note this is mentioned later in section 13.5.3 in that it would be undertaken and presented in the ES but would question if this has been undertaken for the PEIR.
- A.9.9 The PEIR reports potential impacts for two scenarios which are in line with the 'simple' assessment from DMRB. It is not clear why the three scenarios as required for the 'detailed' assessment have not been undertaken at this stage.

## Construction and Tunnel Ventilation

- A.9.10 At this stage, no methodology/criteria/assessment have been outlined for impacts associated with construction plant, ventilation tunnel and methods of transport to be used through either road/river. However, these should form part of the ES.

## Existing Conditions

- A.9.11 As indicated earlier the baseline surveys would need to be updated to account for different time periods in order to inform construction noise and tunnel ventilation assessments.

A.9.12 Furthermore, for the following road sections, the PEIR reports that no ambient/baseline sound survey data has been collected:

- Along existing A13 between Project and M25 at junction 30
- Along the existing M25 between junction 28 and the Dartford Crossing
- Along the existing A282 between Dartford Crossing and the M25/A2 junction

A.9.13 It is expected that these surveys would be undertaken and the results presented in the ES.

## Potential Noise Impacts

A.9.14 Acoustic modelling has been undertaken to determine the impacts in the long-term and short term. However, there is no quantitative description of the number of noise sensitive receptors that could be impacted. The PEIR is generic in stating that receptors could be impacted but doesn't provide a number (i.e. are these a few isolated receptors or a larger number of receptors). This fails to inform Thurrock Council and other stakeholders of the significance of impacts identified.

## Mitigation

A.9.15 At this stage the PEIR is generic in its mitigation, with options outlined. There are no specifics of where for example barriers could be positioned to attenuate adverse changes in noise levels.

A.9.16 In the mitigation options, there is no mention of exploring vertical alignment (i.e. keeping a route low within the natural topography to exploit any natural screening and enhancing this by the use of cuttings) or of the potential impact of speed restrictions on reducing noise impacts.

## A.10 PEIR Chapter 14: People and Communities

### Planning policy and legislative requirements

A.10.1 The consideration of the NPPF is superficial. Only four paragraphs, relating the overall approach of supporting sustainable development under a plan-led system and agricultural land, are referenced. While it is agreed that the NPPF does not amount to a criterion against which every application should be judged, it remains a material consideration.

A.10.2 As drafted, the PEIR does not give adequate consideration to the NPPF and the implications for Thurrock. The PEIR does not appear to have regard to the key NPPF paragraph 11 which sets out a presumption in favour of sustainable development. The critical arm of this policy is in relation to decision taking in circumstances '*where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*' In the case of the Thurrock, the PEIR does not consider the scheme against the policies of the NPPF as a whole, nor has it been demonstrated that the benefits are

not significantly outweighed by adverse impacts, so it cannot be concluded that the scheme represents sustainable development which should be approved.

### Existing environmental conditions

A.10.3 The socio-economic data referred to the PEIR is not the most-recently published information. Furthermore, because it relies on the ONS's annual population survey which is based on very small samples and is notoriously volatile as a result, it does not form a reliable baseline against which to assess the impact of the development. It will be critical for the submission to consider the latest available information in the context of how this sits in the historical trends to understand the true scale of impact.

### Commercial and private assets

A.10.4 Assets within 500m of the application boundary are identified in the PEIR. However, no rationale is provided to justify the choice of 500m. The impact of the Consultation Scheme proposal may therefore be greater than assessed.

### Development land

A.10.5 The PEIR takes a selective approach to identifying proposals for new employment, residential and leisure development within the local and wider region. While residential development is listed, in fact it gets only two references, under 'other proposed developments of relevance': firstly at Ebbsfleet (14.4.5b) and then secondly under 'the regeneration of Thurrock' (14.4.5g).

A.10.6 Reference is made to proposals for the creation of 3,000 additional homes and 9,000 jobs; however, it is unclear how this has been derived. While there is a reference to the Local Development Framework, as set out in Section 3, the figures cited do not match those set out in Thurrock's development plan and instead understate the scale of both housing and job growth.

### Non-motorised users

A.10.7 The PEIR provides a number of tables (14.8-14.11) which sets out the footpaths and bridleways affected by the Consultation Scheme. While references are assigned to them, these references are not used in Figure 14.1 so understanding the potential impact of the Consultation Scheme on these links is challenging.

A.10.8 IN addition, while some routes are noted as not providing 'any key linkages', the criteria used to judge what constitutes a 'key linkage' is not explained. By implication, it suggests that all other routes are deemed to provide 'key linkages'. Under the current classification, there are four key linkages directly affected by the Consultation Scheme and a further three indirectly affected in the Borough. An additional two classified as not key linkages are identified as being indirectly affected.

A.10.9 Therefore, it is not possible to confirm whether the PEIR's designation of the links is correct. Nor is consideration given to the way in which these paths may be used by future development in the Borough which may revise the role played by these links.

### Human health and wellbeing

A.10.10 The PEIR refers to lower life expectancy, higher rates of cardiovascular deaths and worse levels of excess weight in the Borough relative to the England average.

While some of this information is clearly sourced, other elements appear more as anecdotes. Given the severity of the issues, for the impacts of the proposal to be understood, the submission will need to deal with these points more comprehensively.

A.10.11 In relation to the future baseline, reference is made to the South East Local Enterprise Partnership's growth ambitions in the period up to 2020. This document does not form part of the development plan and does not cover the period in which the impact of the scheme will be assessed. The NPPF's standard method for local housing needs, which identified a need for over 1,000 homes per annum in the Borough alone, which will include significantly higher annual population growth than that set out in Table 14.4, is a much more reliable basis upon which to assess future impact.

### Potential effects and mitigation measures

A.10.12 In view of the above concerns, Table 14.15 which sets out effects and mitigation during construction is lacking in the following areas:

- Development land: the effect of delaying development of both housing and employment land is not identified or any mitigation proposed
- Local and wider economy: the effect of construction on access to the port and associated freight transport movement is not adequately considered
- Community severance: for the reasons set out above, in terms of the nature of linkages affected by the scheme, it is not possible to understand whether the potential mitigation proposed will be sufficient.
- Changes in amenity for local residents: concerns over the negative impacts are set elsewhere in this report, particularly in relation to air quality, noise and landscape.

A.10.13 In relation to Table 14.16 which summarises the likely effects and mitigation during operation, there are a number of deficiencies:

- Development land: for the reasons set out in Section 3 of this report, the PEIR understates the scale of impact on development land in Thurrock. Only through amendments to scheme alignment and through additional junctions will these impacts be mitigated.
- Local economy: Thurrock's economy is underpinned by transport and logistics. However, for the reasons set out in Section 3, because there are no local connections onto the LTC, the project will have no benefit to Thurrock's economy. In fact, it is likely to harm it because the likely impact on housing land supply and the knock-on for local labour force constraints. Again, only mitigation through scheme realignment and additional junctions will overcome this.
- Changes in amenity for local residents: the effects after mitigation from issues such as noise and visual impact are expected to be negative or neutral. However, there is no evidence provided in the PEIR to demonstrate that the effect would be neutral.

- Human health and wellbeing: while impacts such as improved access to employment is identified, this does not recognise that the local level, the Consultation Scheme would not improve access the local jobs for local residents (current and future). In addition, there are concerns over both the potential nature of the effect and potential mitigation that have been identified under the review of Chapters 6 and 13 of the PEIR.

## **A.11 PEIR Chapter 15: Road Drainage and Water Environment**

### **Legislative requirements**

A.11.1 The chapter identifies the principal Acts of relevance when considering the water environment, however it excludes other guidance that should be incorporated into this section, such as The Environmental Permitting Regulations (2016), PINS Advice Notes (i.e. Advice Note 18 regarding the Water Framework Directive) and The Land Drainage Act (1991).

### **Significance of likely effects**

A.11.2 The chapter refers to the DMRB for the methodology used to assess the potential for the Project to change existing conditions, but does not adequately detail the methodology for assessing the significance of likely effects itself. This should be included for clarity.

### **Whole system water balance approach**

A.11.3 The chapter identifies key receptors such as the Thames Estuary and Marshes (Ramsar sites). The overall water balance of such systems is often a complex interaction between, inter alia, surface water, groundwater and artificial controls. However, it is not clear whether a whole system water balance approach will underpin the EIA and, if so, what this will comprise in terms of data collection.

### **Flood defence infrastructure**

A.11.4 Information regarding the nature, configuration and condition of flood defence infrastructure and flood management assets appears limited and a flood defence condition survey is likely to be required in support of the ES.

### **Surface water quality sampling**

A.11.5 Section 15.5 sets out the further surveys and assessments to be undertaken in support of the EIA, including a FRA and WFD Compliance Assessment. Although groundwater quality sampling is identified, it is not clear what is proposed in terms of surface water quality sampling. This fails to assure Thurrock Council and other stakeholders that the analysis will be comprehensive.

### **Mitigation**

A.11.6 Section 15.6 summarises receptors, potential effects and mitigation measures. This touches on measures such as a Code of Construction Practice, which is typically categorised as 'embedded mitigation'. However, the chapter does not include a schedule of embedded mitigation measures.

## Cumulative effects

A.11.7 The PEIR does not include sufficient details regarding the methodology for assessing cumulative effects, the Zone of Influence proposed for the 'water' topic, or the inclusion and exclusion threshold criteria to be applied to the 'long list' of other development, et cetera, all of which require consultation with Thurrock Council and other stakeholders. This limits stakeholders' understanding of how the cumulative effects of the proposal will be assessed.

## Flood Risk Assessment

A.11.8 The figures presented in Volume 3 show that significant areas of the Development Boundary lie within Flood Zone 3 and interact with watercourses and flood defence/flood management infrastructure. There is therefore the potential for significant flood risk impacts and detailed assessment will be required (i.e. to understand floodplain extents and identify impact mitigation measures). The chapter notes that hydraulic modelling will be undertaken as part of the FRA, but details are not presented and presumably this is the subject of the FRA scoping process referred to in the chapter. It will not be possible to establish whether (i) the nature of flood risk impacts has been adequately assessed and (ii) deliverable impact mitigation measures have been identified until the FRA has been completed.

## A.12 PEIR Chapter 14: Climate

### UKCP18 Data

A.12.1 The United Kingdom Climate Projections 2018 (UKCP18) have since been released. The scenario used within the assessment will need to be agreed with the LPA as the high emissions scenario at the 50% probability level using UKCP09 is no longer applicable. Recommend regional projections which are only available on emissions scenario RCP8.5, which is most similar to the high emissions scenario in UKCP09.

### In-Combination Effects

A.12.2 In accordance with IEMA guidance 'EIA Guide to Climate Change Resilience and Adaptation', the in-combination effects of climate change with the likely significant impacts of the proposed development should be assessed. This should be an assessment within relevant technical chapters of how impacts of the project will alter the future baseline, using the UKCP18 projections, and the ability of receptors to respond to climate change in combination with the impacts of the project. This will be assessed as part of the FRA, however chapters, notably Biodiversity and People and Communities, should also consider this.

### Greenhouse Gases Emissions Assessment

A.12.3 It is unclear on the scope of Greenhouse Gases to be assessed. The PEIR outlines a quantitative assessment will be undertaken and therefore should align with PAS 2080:2016 Carbon management in infrastructure and BS EN 15978:2011 Sustainability of construction works, Assessment of environmental performance of buildings, Calculation method, as set out in IEMA guidance.

## Significance

A.12.4 The EIA Regulations require that the ES describes the likely significant effects of the proposed development. The PEIR climate change chapter makes no reference to defining the significance of effects. Due to complexities of global weather variables, there is an absence of significance criteria or a defined threshold for determining the significance of climate impacts in guidance documents. For ease in decision making, it should be clear how significance has been determined, highlighting the uncertainties within the assessment.

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### **Lower Thames Crossing (LTC) – Consultation Response**

**The consultation response from the Council in its capacity as a landowner pursuant to Section 42(1)(d) of the Planning Act 2008, that is being an owner, lessee, tenant or occupier of land.**

The Development is classified as a Nationally Significant Infrastructure Project (NSIP), as defined by the Planning Act 2008 and Highways England is required to submit an application for a Development Consent Order (DCO). The consultation and the Council response is part of the DCO process.

Having considered the impact of the Lower Thames Crossing (the Development) on the Council's land titles it is considered that the proposed Development would have significant negative impacts on the grounds of which the Council objects to the Development as currently proposed.

#### **Existing Land Use**

The Council has to date received 46 Land Information Questionnaires (LIQ) from Highways England which following the internal review does not include all of the land titles affected by the Development. The internal review highlighted 212 land titles affected by the proposed Development (inclusive of the Part 1 claims).

The affected land titles fall into various categories of general land use. The breakdown is as follows:

- 14 land titles used as agricultural land;
- 75 land titles used as highways land;
- 82 land titles used as residential land;
- 41 land titles used as other land (park, school and woodland).

Further to the above the Development indicates the land needs to be acquired under the following conditions:

- permanent acquisition of land required;
- temporary use of land required;
- rights to land required for diversion of utilities.

In addition to the above, there are Council titles affected under Part 1 of the Land Compensation Act 1973. From correspondence received from HE on the 26<sup>th</sup> November 2018, the Council understands that properties within 1.5 kilometres from the centreline will be taken under consideration as potentially having a claim. No 'Part 1 red line' was provided and the Council estimates there are potentially 189 land titles within this category.

The below table summarises the titles affected in each category. Some titles are counted in multiple categories as they span categories of land to be acquired.

	Agricultural	Highways	Residential	Other
<b>Permanent Acquisition</b>	3	11	1	1
<b>Temporary Use</b>	3	4	1	1
<b>Diversion of Utilities</b>	2	0	0	0
<b>Part 1</b>	10	61	79	39
<b>Total</b>	18	76	81	41

A full list of land titles is appended to this response and the Council reserves the right to add additional land titles if and when they become known.

### **Severance**

The proposed route crosses predominantly agricultural land, of which several are owned by the Council EX228905, 14134 and EX783057 (not exclusive), which as a direct consequence of the scheme, are permanently lost or severed by land take. In respect of the severed land, there will be a number of fields that, as a result of the scheme, will be rendered unsuitable for farming purposes owing to their size and shape. This will have a significant negative impact on the Council's ability to farm the land in an economically viable way or generate interest from parties seeking to lease agricultural land.

The Council objects to the Development as it will sever the Council's land titles EX228905, 14134 and EX783057 (not exclusive) and adversely impact the Council's ability to use the land titles for agricultural purposes in an economically viable way.

### **Partial Extinguishment**

Agriculture is a marginal business activity and the partial extinguishment of commercial activity during the development period may render some or all of these interests non-viable during this period to the point that temporary disruption will lead to permanent failure.

The Council objects to the Development as partial extinguishment of the agricultural tenancies risks the Council's land becoming idle and would result in loss of income and loss of visual amenity.

### **Loss of Value and Loss of Residential Amenity**

The proposed Development has a negative impact on value owing to environmental impacts on a number of the Council's land titles. The most immediate affected titles will be EX781158, EX862852, EX865408 and EX847209 (not exclusive). The aforementioned land titles are residential properties and the proposed Development

will significantly impact value of the Council's residential stock through reduced rental income and reduction of sale value as a direct consequence of the Development.

The Council is a Housing Authority and under an obligation to provide satisfactory housing to its residents. This standard will be compromised by increased noise, dust, vibration, light pollution, right of light issues (due to embankment) and loss of outlook.

The Council objects to the Development as it will adversely impact the value and amenity of the Council's residential portfolio.

### **Loss of Residential Property**

The proposed Development requires permanent acquisition of the Council's land title EX376390 known as Gammon Field. The site is an occupied gypsy and traveller site with capacity of 21 plots including a plot used for the purposes of warden accommodation.

The Council is under statutory obligation under Housing Act 2004, Part VI of the Housing Act 1996 and the Race Relations (Amendments) Act 2000 to provide sites for accommodation of gypsy and traveller communities. Only three such sites are currently provided in the borough.

Given the existing site will be lost as a result of the proposed Development, there is a clear established need for the relocation of the traveller site. As stated in Policy CSTP3 in the Local Plan Core Strategy, proposals for new or extensions to existing gypsy traveller sites will be considered by reference to the following criteria:

- any proposed new site must be accessible by foot, cycle and/ or public transport to local services and facilities, such as shops, schools, healthcare and other communal facilities;
- the site proposal will also not unacceptably impact upon the safety and amenity of the occupants and neighbouring uses;
- will not cause unacceptable harm to the character and appearance of the area and will not result in an unacceptable visual impact;
- the proposed accommodation on the site will not normally comprise more than 5 individual pitches;
- the site will have safe and convenient access to the road network and would not cause a significant hazard to other road users;
- the site will be supplied with essential services such as water, power, sewerage, drainage and waste disposal;
- the vulnerability of the proposed site to flood risk.

The proposed location for the travellers site has been identified on the basis of proximity to the existing site without any feasibility work being undertaken as to its suitability of the appropriateness of the site. The proposed location will be impacted by construction impacts for a prolonged period and is oversailed by the relocated 400kV National Grid Transmission electricity pylons. The Council objects to the current proposed site and considers that further work must be undertaken to identify

an appropriate alternative site for this community which does not have the same impacts in relation to the proximity to the pylons and the effects of excessive levels of noise, dust, vibration and pollution.

### **Loss of Commercial Development Potential**

The Development is proposing to temporarily or permanently acquire land that the Council may wish to develop, re-develop or enhance value in other ways. The most significantly impacted land title is EX868929 (Coalhouse Fort).

The Council is currently considering opportunities to develop Coalhouse Fort into an events (banqueting) facility and a visitor attraction with educational use. The Council was recently awarded Coastal Revival Funding to assist with the preparation of a business plan and has already undertaken extensive strategic options analysis. Furthermore, the Council has recently undertaken remedial work to the fabric of the Fort in order to protect the structure and open parts to the general public. The proposed Development will impact the Coalhouse Fort.

The fort is a scheduled ancient monument which is included in the Heritage at Risk register and the area adjacent to the fort is an open space recreational area with a green flag status. Rare botanical species, wildlife and birdlife form the ecosystem surrounding the Coalhouse Fort.

A café concession is already in place at the location. A significant and large area of land in this location is to be sterilised for a protracted period of time during construction of the works. This is because a large area of land will be taken up by the construction compound in the East Tilbury area up to the boundary of the Coalhouse Fort site. This will be the main compound for the whole of the works including the tunnel boring operations which will start north of the River Thames and work south. Further the spoil which will be generated as a consequence (1.5 million cubic metres) will be processed in this location as well before being taken elsewhere within the Borough for reuse or spread in the Tilbury marshes area. The Council is concerned that such operations will make visiting this attraction and the café unattractive and therefore the proposed Development could significantly impact the revenue potential, potentially resulting in operations becoming unviable.

The proposed Development is contrary to the Policy CSTP24 of Thurrock Council's adopted Core Strategy committed to preserving or enhancing the historic environment at Tilbury Fort and Coalhouse Fort, of which the former is of 'international significance'.

The Council objects to the Development as it limits the Council's potential to develop, re-develop or enhance the value of the historic / commercial properties and the affected land titles.

### **Loss of Residential Development Potential**

The proposed Development is impacting a number of land titles currently used for agricultural use that have potential to accommodate housing in the near future.

Thurrock's emerging Local Plan is likely to identify the need to deliver significant residential units in the Borough over the coming decades and the Council's land titles may be used to support the Council. Severance of land, increased noise, pollution and vibration are severely limiting or removing residential development potential and will further constrain the delivery of housing in the area.

The Council objects to the Development as it limits the Council's potential to develop the affected agricultural land titles as residential use.

### **Sterilisation of Land**

Major utilities lines will be moved in order to accommodate the Development. The Development proposal is indicating a power line will run over a number of Landowner's land titles. This would, in accordance with best practice, create a wide corridor of land which could not be used for residential development.

Further to the above the diversion of gas and water mains might affect the Council's land titles. The Council has not been provided with any detailed drawings depicting diversion of utilities.

The proposed Development will require a large volume of spoil from tunnelling and cutting to be deposited in the surrounding area. Highways England needs to follow Government's policy on hazardous and non-hazardous waste minimising the impact on human health and the environment. The key requirement of the policy is that the developer employs satisfactory waste management / mitigation to ensure the long-term of future potential uses of the site is retained. A Waste Management Plan was not part of consultation material.

The new land levels created on site to accommodate the Development will have an impact on the future development potential and places 'run-off' obligations on the Landowner, further limiting the land use. Applications for projects in Flood Zones 2 and 3 should be accompanied by a Flood Risk Assessment (FRA). This should identify and assess the risks of all forms of flooding to and from the Development and demonstrate how these flood risks will be managed, taking climate change into account. A FRA was not part of consultation material.

The Council objects to the Development as the proposed re-routing of utilities impact the Council's ability to develop the land, imposes restrictions on the Council's land and reduces the value of the Council's land.

The Council objects to the Development as the Waste Management Plan was not consulted upon.

The Council objects to the Development as the Floor Risk Assessment was not consulted upon.

## **Ongoing Future Liabilities**

The proposed Development will create future ongoing liabilities for the Council, the full extent of which is yet to be quantified. The Council will be impacted by (among other things):

- increased maintenance cost of the land due to fragmentation of land titles;
- subjected to loss of income due to involuntary termination of agricultural or commercial leases as the lessee business is affected by the Development;
- increased estate management cost to mitigate the negative impact of pollution and vibration on the buildings;
- maintenance of flood zones and geotechnical properties of re-graded land or land used for spoil deposits.

Further to the above the Council could suffer structural damage to buildings and structures caused by construction and operational vibration and subsidence. The issue could be amplified by the geotechnical properties of the soil in the area.

The Council objects to the Development as the Development potentially saddles the Council with unquantifiable future liabilities.

## **Loss of Enjoyment**

A number of land titles will be affected during the construction period and acquired on a temporary basis. The Development will remove the Council's rights to use the land, lease the land and subject the Council's tenants to high levels of noise, dust, vibration, increased vehicle emissions and light pollution.

The Council objects to the Development as it will disrupt commercial activity (agricultural leases) and impact the Council's tenants' right to quiet enjoyment.

## **Injurious Affection**

The proposed Development will affect a large number of land titles that fall under the Part 1 Land Compensation Act 1973. The Council has 189 land titles within 1.5 kilometre distance from the centreline and 79 of these land titles refer to residential properties. These properties will suffer continuous disruption resulting in loss of rental and capital value and increased maintenance cost to mitigate the negative impacts of the Development.

Excessive noise or vibration can have significant impacts to quality of life of resident's and can lead to increased corporate landlord liabilities. The potentially undisclosed health and safety issues could result in added cost to the Council.

As noise impact assessments are yet to be carried out, we object to the Development as it will significantly worsen the living environment in the Council's residential properties, exposing tenants to excessive noise, dust, vibration and pollution.

## **Loss of Public Amenity**

The Development is cutting across or adversely impacting a number of the Council's land title used as public amenity. It is worth reiterating that the proposed Development will take a large amount of agricultural land, across a large area which inherently significantly impacts the wider landscape and countryside views. Additionally, excessive noise or vibration can have significant impact on common use and enjoyment of areas of value such as parks, quiet places and areas with high landscape quality.

The Development will permanently impact the Scheduled Ancient Monument, part of which is also held under Council's land title EX228905. Development is restricted in accordance with the Local Plan policy PMD4 – Historic Environment.

The Development could impact the Additional Open Space, part of which is also Council land title 14134. Development is restricted in accordance with the Local Plan policy PMD5 - Open Spaces, Outdoor Sports and Recreational Facilities. The Council needs to understand more from Highways England about how such impacts can be mitigated.

The Development could have a negative effect on enjoyment of Existing Open Space, part of which is also Council land title EX865622 and EX862852. Development is restricted in accordance with the Local Plan policy PMD5 - Open Spaces, Outdoor Sports and Recreational Facilities. This is as a result of ongoing construction activities over a protracted period of time due to noise, dust, vibration and other construction activities.

The Council objects to the Development as it worsens the provision of open space in the Borough and impacts the enjoyment of public open spaces.

## **Procedure to Date**

The Government recognises that for major infrastructure projects such as the Lower Thames Crossing, a 'one-size-fits-all' approach is not appropriate due to the varying communities and environments in which they are located. Applicants for DCO's, who are best placed to understand the details of their applicant, should work with the relevant Local Authorities, who have a unique knowledge of their local communities, to develop plans for consultation.

Larger, more complex applications, such as the Development, will usually need to go beyond the statutory minimum timescales laid down in the Planning Act to provide enough time for consultees to understand the proposal and formulate a response.

Highways England began the consultation process on 10<sup>th</sup> October 2018 and whilst the consultation period for the Development extends beyond the statutory consultation period of 28 days, consultation was originally due to begin one month prior.

The deadline for response was not extended, and the Council wrote to Highways England to extend this deadline. Highways England refused to do so, which goes against Government advice to work together with Local Authorities in the

consultation process. This is further considered unreasonable by Thurrock Council, as the red-line boundary has been increased by approximately 68% since its original conception. This is a significant change in the scheme proposal which is worthy of further consultation.

### **Conclusion**

The Council objects to the proposed Development for the reasons listed above. However there is an acknowledgment of the requirement to work with Highways England and develop a proposal that mitigates the negative impacts on the Council's land titles and maximises the benefits to the wider community.

## Schedule of Council titles affected by the proposal

Preliminary and subject to change.

Title Number	Title Description
14134	land on the north side of Treetops School, Buxton Road, Grays; land lying to the east of Millford Road, Grays; land adjoining 1 Grays Corner, Baker Street, Orsett; land on the west side of Heath Road, Orsett and land at Stanford Road, Orsett, Grays
EX110732	being two pieces of land on the east side of Cedar Road and Cherry Walk
EX110985	Land on the north east side of Cherry Walk, Thurrock
EX111130	land lying to the north east of Cherry Walk
EX125799	Land on the East side of Cherry Walk, Grays
EX13360	3 Street Farm, West Road, South Ockendon (RM15 6PL)
EX140328	Land lying to the south of Long Lane, Grays
EX150535	land on south west side of Princess Margaret Road, Thurrock
EX150536	land on the North East side of Princess Margaret Road, East Tilbury
EX151054	land and buildings lying to the east of Tamarisk Road, South Ockendon
EX162853	Land on the south west side of East Tilbury Road, Linford, Stanford-le-Hope
EX168302	8, 9 and 17 Frome, East Tilbury, Tilbury (RM18 8TD)
EX169107	land and buildings to the east and west sides of Coronation Avenue, East Tilbury
EX171057	land and buildings on the North side of Coronation Avenue, East Tilbury
EX175444	land and buildings lying to the North of Coronation Avenue, East Tilbury
EX178543	land and building on the south side of Princess Avenue, East Tilbury, Tilbury
EX184963	land in Peartree Close, South Ockendon
EX192280	land on the north side of West Road, South Ockendon
EX201738	land and buildings on the West side of Heath Road, Chadwell St Mary
EX203180	land on the East side of Brentwood Road, Orsett
EX211727	land on the west side of Brentwood Road, Orsett
EX214429	land lying to the North West of Stanford Road, Grays
EX221445	land on the North Eastern corner of Stanford Road and Rectory Road, Orsett
EX228905	land on the south side of the A13 Orsett
EX231235	land on the West side of Brentwood Road, Thurrock
EX242165	land on the North side of Stanford Road, Grays
EX242936	land lying to the north east of East Tilbury Road, Linford, Stanford-le-Hope
EX243773	land on the north east side of Coronation Avenue, East Tilbury, Tilbury
EX244864	16 Fanshawe Road, Chadwell St Mary, Grays, (RM16 4XA)
EX25346	The Aveyley Estate, South Ockendon
EX26234	land on the south side of Station Road, South Ockendon and land lying to the east of Mill Road, South Ockendon
EX266864	land on the West side of East Tilbury Road, Muckingford
EX275011	Thomas Bata Memorial Park and Social Centre, East Tilbury
EX282745	85 Coronation Avenue, East Tilbury, Tilbury (RM18 8SW)
EX290120	Land on the North side of Stanford Road, Orsett
EX307803	Land lying to the West of Peartree Close, South Ockendon
EX322502	land on the South East side of Stenning Avenue, Linford
EX326960	13 Morant Road, Chadwell St Mary

Title Number	Title Description
EX341189	land on the North West side of Hoford Road, Mucking
EX351224	land on the south west side of Princess Margaret Road, Linford, Stanford-le-Hope
EX362761	1-33, Benyon Court, Peartree Close, South Ockendon (RM15 6PY)
EX36811	land on the east side of Princess Margaret Road, East Tilbury, Tilbury
EX376385	land on the South Western side of Rectory Road, Orsett, Grays
EX376390	land lying to the North West side of Long Lane, Orsett
EX385791	Land at A13, Orsett, Grays
EX404376	Land on the North East side of Princess Margaret Road, Linford
EX405658	Land on the South West side of Princess Margaret Road, East Tilbury
EX411845	Land on the South West side of Princess Margaret Road, Linford, Stanford-Le-Hope
EX416497	Land on the south west side of Princess Margaret Road, Linford, Stanford-le-Hope
EX422585	land on the East side of Princess Margaret Road, Linford, Stanford-le-Hope
EX42582	land lying to the south of Stifford Long Lane
EX436720	land on the east side of Princess Margaret Road, East Tilbury
EX439160	land on the south west side of Princess Margaret Road, East Tilbury
EX450075	two parcels of land on the South West side of Princess Margaret Road, Linford
EX450706	land on the south west side of Princess Margaret Road, East Tilbury
EX467290	land on the west side of Princess Margaret Road, Linford
EX468948	The Prince Of Wales, West Road, South Ockendon (RM15 6PA)
EX479501	Fire Station, Stanford Road, Orsett, Grays (RM16 3DU)
EX480893	two parcels of land lying to the South of Trent and the South West of Frome, East Tilbury
EX486925	land lying to the North East of East Tilbury Road, Linford Wood
EX491637	land on the South East side of Stanford Road, Grays
EX496887	Land adjoining Alandale, Princess Margaret Road, Linford, Stanford-Le-Hope (SS17 0QY)
EX50907	land lying to the east of St Nicholas's Church, South Ockendon
EX510124	land on the South side of Muckingford Road, Linford
EX546092	Land on the north side of Muckingford Road, Linford
EX547931	Land at Fen Lane, Bulphan
EX552552	land lying to the south of Felicia Way, Chadwell St Mary
EX55650	Benyan C P School, Tyssen Place, South ockendon (RM15 6PG)
EX559806	land on the south-east side of Sycamore Way, South Ockendon
EX56636	the site of a proposed road between West Road and Avontar Road, South Ockendon
EX583112	The Brandon Grove Community Club, Brandon Groves Avenue, South Ockendon (RM15 6SB)
EX593956	Garage 711a Quince Tree Close, South Ockendon
EX59743	land on the South side of West Road, South Ockendon
EX601546	Land on the west side of Princess Margaret Road, East Tilbury
EX604253	land comprising open areas, Brandon Groves, South Ockendon
EX63741	land in Stanford Road, Thurrock
EX638479	Land on the east side of Princess Margaret Road, East Tilbury
EX645124	Land off Holly Drive, South Ockendon
EX666437	Six pieces of land on the west and east sides of Cole Avenue, Chadwell St Mary
EX669550	Land on east side of Margaret Road, East Tilbury
EX678236	four pieces of land lying to the north of Mollands Avenue, South Ockendon

<b>Title Number</b>	<b>Title Description</b>
<b>EX679117</b>	land lying to the north east of East Tilbury Road, Linford, Stanford-le-Hope
<b>EX707721</b>	Garage 541 Larkspur Close, South Ockendon
<b>EX746111</b>	Site of Torells County Secondary School For Girls, Buxton Road, Grays (RM16 2XW)
<b>EX780708</b>	Land lying to the south west of Station Road, East Tilbury
<b>EX781075</b>	Land on the north side of Stifford Clays Road, Orsett, Grays
<b>EX781128</b>	Land on the east side of North Road, South Ockendon
<b>EX781158</b>	land on the south side of Stifford Clays Road, Orsett
<b>EX781165</b>	Land on the east side of Rowley Road, Orsett, Grays
<b>EX781251</b>	Land lying to the south of Waltons Hall Road, Stanford-Le-Hope
<b>EX781950</b>	land and buildings at Baker Street, Orsett
<b>EX783057</b>	Land lying to the north of Muckingford Road, Tilbury
<b>EX783058</b>	Land lying to the east of Cole Avenue, Chadwell St Mary, Grays
<b>EX783068</b>	Land lying to the east of Baker Street, Orsett, Grays
<b>EX786813</b>	Land lying to the south of School Lane, Orsett, Grays
<b>EX787135</b>	Land lying to the east of South Road, South Ockendon
<b>EX787206</b>	Land and buildings lying lo the east of South Road, South Ockendon
<b>EX793929</b>	Garage plot 30, Vigerons Way, Chadwell St Mary
<b>EX813149</b>	Garage, 752 Celadine Close, South Ockendon
<b>EX842876</b>	Land on the east side of Ruskin Road, Grays
<b>EX842941</b>	Land on the north side of River View, Grays
<b>EX842988</b>	Land on the west side of Ruskin Road, Grays
<b>EX843184</b>	Land at Ruskin Road, Grays
<b>EX843284</b>	Land on the west side of Ruskin Road, Grays
<b>EX847041</b>	Land on the north-west side of Morant Road, Grays
<b>EX847209</b>	Land on the south-east side of Morant Road, Grays
<b>EX847280</b>	Land lying to the north of St Michaels Road, Grays
<b>EX854954</b>	Land at Stanford Road, Grays
<b>EX855834</b>	Land and buildings at Haven Place, Grays
<b>EX857218</b>	Land at Lime Close, South Ockendon
<b>EX857298</b>	Land on the north side of River View, Grays
<b>EX857719</b>	land at Pound Lane, Orsett
<b>EX857811</b>	Land on the south side of Long Lane, Grays
<b>EX858022</b>	land lying to the north of Linford Road, Grays
<b>EX858045</b>	Land on the north side of Long Lane, Grays
<b>EX858201</b>	Land on the east side of Blackshots Lane, Grays
<b>EX858274</b>	Land on the east side of Kerry Road, Grays
<b>EX858351</b>	Land on the west side of Jesmond Road, Grays
<b>EX858388</b>	Land at Springfield Road, Grays
<b>EX858509</b>	Land on the south side of Highfield Gardens, Grays
<b>EX858549</b>	Land on the south side of Laird Avenue, Grays
<b>EX858592</b>	3 St. Cedds Cottages, Princess Margaret Road, East Tilbury, Tilbury (RM18 8PL)
<b>EX858628</b>	Land on the south west side of Heath Road, Orsett, Grays
<b>EX858743</b>	Land on the east side of Brentwood Road, Grays

Title Number	Title Description
EX858960	Land at Farrow Gardens, Grays
EX859085	Land on the north side of Prince Philip Avenue, Grays
EX859384	Stifford Clays Primary School, Whitmore Avenue, Grays (RM16 2JA)
EX859411	Land at Whitmore Avenue, Grays
EX859439	Land at Prince Philip Avenue, Grays
EX859480	Land at Prince Philip Avenue, Grays
EX859518	Land at Whitmore Avenue, Grays
EX859768	Land on the west side of Brentwood Road, Grays
EX860210	Land at Blackshots Lane, Grays
EX860255	Land at Oakway, Blackthorn Road, Meadow Road and Fairway, Grays
EX860262	Land west side of Orsett Heath Crescent, Grays
EX861090	Land on the north side of Brentwood Road, Orsett, Grays
EX861132	Land at Brentwood Road, Orsett, Grays
EX861178	Land at Stanford Road, Grays
EX861213	Land at Stanford Road, Grays
EX861222	Land at Stanford Road, Grays
EX861229	Land at Stanford Road, Grays
EX861277	Land at Stanford Road, Grays
EX861359	Land at Stanford Road, Grays
EX861561	Land at Leasway, Grays
EX861621	Land at Leasway, Grays
EX861635	Land at Oakway, Grays
EX861747	12 Grangewood Avenue, Grays (RM16 2GH)
EX861896	Land on the west side of Brentwood Road, Grays
EX861916	Land at Oxford Avenue and Merton Place, Grays
EX862084	Land at The Firs, Grays
EX862096	Land at Leasway, Grays
EX862107	Land at Elmway, Grays
EX862258	Land at Princess Margaret Road, East Tilbury, Tilbury
EX862295	Land at Brentwood Road, Grays
EX862332	Land at Princess Margaret Road, East Tilbury, Tilbury
EX862353	land at Somerset Road and Lower Crescent, Linford, Stanford-le-Hope
EX862689	Land lying to the west of Princess Margaret Road, Linford, Stanford-Le-Hope
EX862720	Land on the west side of North Road, South Ockendon
EX862779	Land lying to the west of Princess Margaret Road, East Tilbury, Tilbury
EX862824	land at Waterson Road, Claudian Way, Malpas Road & St Patricks Place, Grays
EX862852	Land on the north west side of Brentwood Road, Grays
EX863138	Land on the east side of Grangewood Avenue, Grays
EX863155	Linford Village Hall, Lower Crescent, Linford, Stanford-Le-Hope (SS17 0QP)
EX863521	Land at Whitmore Avenue, Grays
EX864016	Land at North Road, South Ockendon
EX864159	Land on the south side of West Road, South Ockendon
EX864281	Land on the west side of South Road, South Ockendon

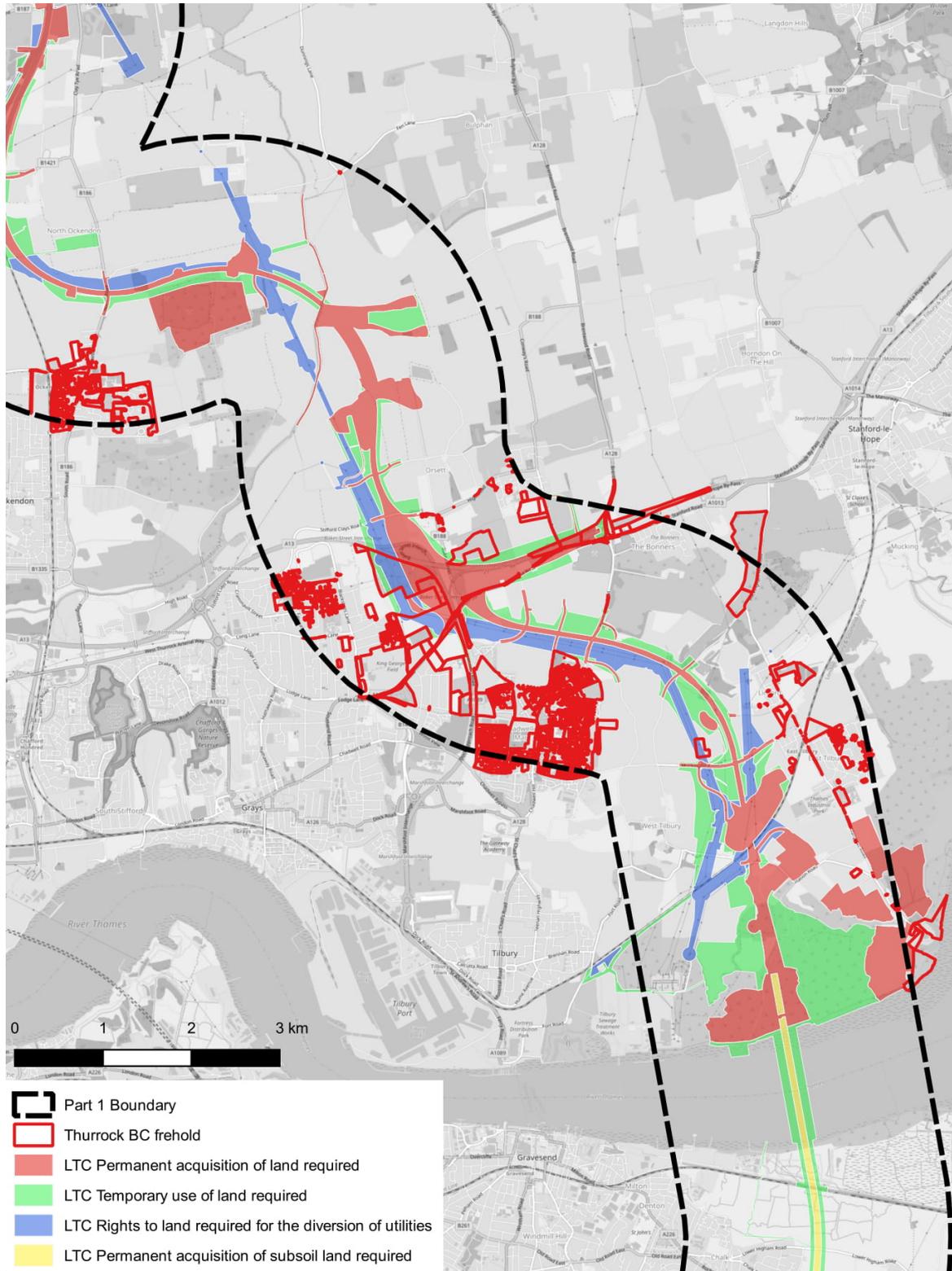
Title Number	Title Description
EX864421	Land on the west side of South Road, South Ockendon
EX864677	Land at Tamarisk Road, South Ockendon
EX864709	Land at South Road, South Ockendon
EX864744	Land on the north side of West Road, South Ockendon (RM15 6PH)
EX865055	Land at South Road, South Ockendon
EX865087	Land at South Road, South Ockendon
EX865298	Land at West Road, South Ockendon
EX865408	Land at Courtney Road, Grays
EX865622	Land lying to the south of Wickham Road, Grays
EX865661	land at St Francis Way, Grays
EX865683	Land at St Francis Way, Grays
EX865794	Land at Waterson Road, Grays
EX865829	Land at Waterson Road, Grays
EX866008	Land at Brentwood Road, Orsett, Grays
EX866244	Land on the west side of Muckingford Road, Linford, Stanford-le-Hope
EX866537	Land lying to the south west of East Tilbury Road, Linford, Stanford-Le-Hope
EX866663	Land at Stifford Clays Road, Grays
EX866706	Land on the west side of Heath Road, Grays
EX867004	Land at Heath Road, Orsett, Grays
EX867194	land on the northwest of Muckingford Road, Linford, Stanford-Le-Hope
EX867330	land at Pound Lane, Orsett, Grays
EX867331	Land at High Road, Orsett, Grays
EX867937	Land on the south side of Muckingford Road, Linford, Stanford-le-Hope
EX868027	land on the west side of Muckingford Road, Linford, Stanford-le-Hope
EX868507	Land on the west side of Brentwood Road, Grays
EX868929	Coalhouse Fort, Princess Margaret Road, East Tilbury (RM18 8PB)
EX869003	Land at Princess Margaret Road, East Tilbury, Tilbury
EX869177	Land at Heath Road, Orsett, Grays
EX869192	Land on the west side of Mill Lane, Orsett, Grays
EX869529	Land on the west side of North Road, South Ockendon
EX869808	Land on the north side of North Road, South Ockendon
EX869874	Land on the north side of Heath Road, Orsett, Grays
EX872669	Deneholm County Primary School, Culford Road, Grays (RM16 2SS)
EX875922	Land lying to the south of Claudian Way, Grays
EX882359	Woodside Cp School, Grangewood Avenue, Grays (RM16 2GJ)
EX884665	land lying to the north of Riverview, Chadwell St Mary, Grays (RM16 4DH)
EX884677	Land at Stanford Road, Orsett, Grays
EX884682	Land at Stanford Road, Orsett, Grays
EX884740	Land at Stanford Road, Orsett, Grays
EX921554	Land on the south side of Wingfield Drive and land on the west side of Cassell Close, Orsett, Grays
EX936070	Land on the north side of Long Lane, Grays
EX936260	land on the west side of Buckingham Hill Road, Stanford-Le-Hope
EX940089	garage 147 Gooderham House, Godman Road, Chadwell St Mary, Grays

Title Number	Title Description
<b>EX944756</b>	Blackshots Library, Blackshots Lane, Grays (RM16 2JU)
<b>EX99265</b>	land lying to the north east side of Cherry Walk, Thurrock

# Plan

## Thurrock Borough Council land titles affected by the proposed Lower Thames Crossing –map.

Preliminary and subject to change.



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<b>11 December 2018</b>		<b>ITEM: 4</b>
<b>Extraordinary Council</b>		
<b>Political Balance and Allocation of Seats on Committees</b>		
<b>Wards and communities affected:</b> None	<b>Key Decision:</b> Not Applicable	
<b>Report of:</b> Lyn Carpenter, Chief Executive		
<b>Accountable Assistant Director:</b> David Lawson, Assistant Director of Legal Services and Monitoring Officer		
<b>Accountable Director:</b> Sean Clark, Director of Finance and ICT		
<b>This report is public.</b>		

## Executive Summary

This report requests the Council confirm the calculations relating to the allocation of seats on committees following a change to political balance in November 2018.

### 1. Recommendation(s)

**1.1 That the allocation of seats including manual adjustment, as set out in Appendix 1, be approved.**

### 2. Introduction and Background

- 2.1 In November 2018 two Thurrock Independent Members joined the Conservative Group. This changes the political balance calculations as outlined in Appendix 1 of this report.
- 2.2 Manual adjustment to seat allocations is often required following a change in political balance and the recent change requires the Conservative Group to gain 3 seats and the Thurrock Independents to relinquish 3 seats. There is no change to the Labour Group's seat entitlement.
- 2.3 The Conservative and Thurrock Independents Group Leaders have agreed to the Conservatives gaining one seat in each of the following committees. This is reflected in Appendix 1 of this report:
- Corporate Overview and Scrutiny Committee
  - Planning, Transport and Regeneration Overview and Scrutiny Committee
  - Licensing Committee

### **3. Reasons for Recommendation**

- 3.1 The Council is required to make the required appointments to those committees that have been established to facilitate the efficient discharge of its functions.

### **4. Consultation (including Overview and Scrutiny, if applicable)**

- 4.1 Consultation has been undertaken in respect of this report with the relevant leaders of each of the political groups affected.

### **5. Impact on corporate policies, priorities, performance and community impact**

- 5.1 Agreeing and implementing correct political balance to committees will enable the Council to properly discharge its functions.

### **6. Implications**

#### **6.1 Financial**

Implications verified by: **Sean Clark**  
**Director of Finance and ICT**

There are no financial implications in relation to this change of political balance.

#### **6.2 Legal**

Implications verified by: **David Lawson**  
**Monitoring Officer and Assistant Director of Law and Governance**

These are set out in the body of the report.

#### **6.3 Diversity and Equality**

Implications verified by: **Natalie Warren**  
**Community Development and Equalities Manager**

The Council is under a statutory duty to ensure that equality and diversity is a key part of the decision making process of the Council. Therefore, attention is drawn to the importance of ensuring that appointments to committees are underpinned by appropriate training on the statutory equality framework. The introduction of essential member training provides the assurance that members of committees will be able to fulfil their obligations with a full understanding of equality and diversity issues. This is fundamental to the

Council being able to meet its statutory responsibilities. However, consideration must be given to members not completing the training or not attending, and the steps to be taken in these circumstances, once the member has been appointed.

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

None.

7. **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):

None.

8. **Appendices to the report**

There are the following appendices to this report:

Appendix 1 – Revised Political Balance Calculation (November 2018)

**Report Author:**

Matthew Boulter

Democratic Services Manager and Deputy Monitoring Officer

Legal and Democratic Services

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Party Group	Conservative		Labour		Thurrock Independents		
	20	22	17	17	12	10	
Number of members	20	22	17	17	12	10	
Overall proportionality	40.82%	44.90%	34.69%	34.69%	24.49%	20.41%	
Total rounded entitlement	33	36	28	28	20	17	
Committee	Size of Committee	Current	Revised	Current	Revised	Current	Revised
Children's O&S	6	3		2		1	
Cleaner & Greener O&S	6	2		3		1	
Corporate O&S	6	2	+1	2		2	-1
Health O&S	6	3		2		1	
Housing O&S	6	2		2		2	
Planning, Transport & Regeneration O&S	6	2	+1	2		2	-1
Planning	9	4		3		2	
Licensing	15	6	+1	5		4	-1
General Services	7	3		2		2	
Corporate Parenting	8	3		3		2	
Standards & Audit	6	3		2		1	
<b>Total seats</b>	<b>81</b>		+3				-3

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<b>11 December 2018</b>		<b>ITEM: 6</b>
<b>Full Council</b>		
<b>Issues and Options (Stage 2) Consultation</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Cllr Mark Coxshall, Portfolio Holder for Regeneration		
<b>Accountable Assistant Director:</b> Andy Millard, Assistant Director Planning, Transportation and Public Protection		
<b>Accountable Director:</b> Steve Cox, Corporate Director for Place		
<b>This report is</b> Public		

## Executive Summary

Following the publication of the National Planning Policy Framework in July 2018, the Issues and Options (Stage 2) Consultation document has been updated to reflect relevant changes in national policy. This time has also been used to reflect on the impact the Lower Thames Crossing has on the ability of the Council to deliver a Local Plan. Additionally, in the period since July there have been a series of Ward Member meetings to discuss the progress of the Local Plan and how the outcomes of the Your Place Your Voice events could shape its content going forward to ensure a community driven and infrastructure led plan.

The Local Plan will be guided and shaped throughout by the following principles:

- Delivering the right infrastructure in the right place and at the right time
- Positive health and wellbeing impact
- Meeting Thurrock's housing needs
- Protect and enhance the character of existing communities
- Minimising carbon emissions
- Maintain an effective green belt
- Protecting and delivering quality in the built environment
- Meeting employment needs
- Ensuring our town centres continue to thrive
- The River Thames
- Managing waste

The consultation responses will generate important evidence from across Thurrock's communities to enable the Council to challenge the Lower Thames Crossing

scheme; to challenge the number and location of homes to be built; and to challenge developers on the nature and type of development in the Borough. It represents a key stage in the plan-making process and provides local communities and stakeholders with the opportunity to influence how Thurrock should develop and grow in the future.

This consultation seeks views, through a series of questions, on a range of land use issues and options. It includes an indication of the type of locations where development could occur which are drawn from submissions made by landowners in the Borough through the call for sites process. This consultation is not seeking views on the merits of any specific location.

The identification of sites for development will occur at the next stage of the plan-making process. Comments and feedback received from the Issues and Options (Stage 2) consultation will help to inform the development of a preferred broad spatial strategy that reflects views from across Thurrock's communities and accommodates Thurrock's future needs.

Consultation on the Local Plan Issues and Options (Stage 2) document will commence on Wednesday 12 December 2018 and end at 5pm on Friday 22 February 2019.

## **1. Recommendation(s)**

### **That Full Council:**

- 1.1 agree the Thurrock Local Plan Issues and Options (Stage 2) Consultation Document (Appendix 1) for public consultation**
- 1.2 delegate to the Corporate Director of Place in consultation with the Portfolio Holder for Regeneration the authority to make any factual changes that may arise and any other inconsequential alterations to the wording of the Issues and Options (Stage 2) consultation document arising from the Council meeting**
- 1.3 agree the Local Plan Issues and Options (Stage 2) – Engagement Strategy (Appendix 2)**

## **2. Introduction and Background**

- 2.1 The Council's approach to plan-making is that it should be community-driven and infrastructure-led. The need to plan for future housing and economic growth due to population growth and the impact of wider socio-economic factors means that Thurrock and South Essex will change considerably over the next 20-30 years. Having an up-to-date Development Plan is a key component in ensuring that the borough grows in a sustainable way with the necessary supporting infrastructure in place.

- 2.2 The Council has an adopted Local Plan in the shape of the Core Strategy and Policies for Management of Development DPD (December 2011). However, In February 2014, the Cabinet gave approval to undertake a review of the Core Strategy and begin the preparation of a new Local Plan.
- 2.3 A key principle underpinning the operation of the planning system is the requirement that local authorities must have an up-to-date Local Plan for their area. The February 2014 Cabinet resolution recognised that a review of the Core Strategy was required in order to address the impact of economic change and a number of significant changes to the planning system at the national, regional and local levels. These included:
- The need for a more up-to-date statutory planning framework to coordinate the delivery of the Council's ambitious growth strategy for Thurrock;
  - The revocation of the East of England Plan and the requirement for local planning authorities to undertake a fresh assessment of their future development needs;
  - A requirement for the Council to identify a deliverable five-year housing land supply and to bring forward more sites for development to support long term economic growth;
  - Legislative changes that fundamentally affect the form, content and process for preparing a Local Plan; and
  - A need to plan for a decision by Government on the route and location of the Lower Thames Crossing and its potential economic transport and environmental impact on the Borough.
- 2.4 The first consultation on the new Local Plan Issues and Options (Stage 1) Consultation Document (I&O1), was published in February 2016 and focused on thematic policy areas. During the 6-week public consultation, 70 organisations made formal responses raising 548 separate comments. An additional 500 comments were received from Members of the community at events organised to promote and raise awareness of the Consultation.
- 2.5 Based on the responses received from those who made representations on the I&O1 Consultation Document, the following key challenges for the Local Plan to address were identified:
- Reduce inequalities and create more balanced communities
  - Allocate enough land to meet our housing needs in full in particular affordable housing that meets local needs
  - Secure sustainable economic growth and create a wider range of local employment opportunities
  - Ensure that our centres are vibrant and remain relevant to the communities they serve
  - Create welcoming and engaging spaces and places for young people
  - Plan for healthier places that encourage people to be active and have a positive effect on the mental wellbeing

- Deliver essential strategic and local infrastructure to support new development and regeneration
  - Protect the integrity of the green belt
- 2.6 The challenges listed have been identified using evidence from local strategies and technical studies, national policy, and responses received to the previous consultations. This list should not be seen as exhaustive and will be developed further as work on the emerging development plan continues.
- 2.7 Moving forward one of the most difficult challenges/issues to be addressed surrounds the need for more housing (including Council housing) and the lack of suitable sites to accommodate the level of housing required in the urban area.

### **Your Place, Your Voice**

- 2.8 Community and stakeholder engagement is an important and central feature of the planning system and in order to engage with as many people as possible the Council launched a series of Your Place, Your Voice (YPYV) community planning events. These events were devised in response to comments that residents felt overwhelmed by the technical nature of planning consultations and the volume of Council consultations that all seem to ask similar questions. The community planning events were run on a drop in basis giving local communities the opportunity to feed into the Local Plan and other Council documents and strategies by participating in a range of informal and highly interactive consultation activities.
- 2.9 In total 17 events were held across the borough between February and April 2018. Across all of the events there were a number of issues which were consistently raised including:
- Poor and failing infrastructure
  - Lack of affordable homes and homes for older people
  - Anti-social behaviour, drugs and crime
  - Neglected open spaces
  - Congestion and poor air quality
- 2.10 A series of follow up YPYV events will also be programmed to run alongside all future stages of the Local Plan, including the Issues and Options (Stage 2) Consultation in order to provide local residents with greater range and more accessible means of engaging with and influencing the plan-making process.

### **The National Planning Policy Framework (NPPF) July 2018**

- 2.11 The process of preparing Local Plans must be taken forward in the context of and consistent with national planning policy. In July 2018 the Government published a revised version of National Planning Policy Framework (NPPF) and the key changes in policy direction have now been taken into account in preparing the Issues and Options (Stage 2) Consultation Document.

2.12 A summary of the key policy changes and messages contained in the NPPF is set out below in Figure 1.

**Figure 1: Key Changes to National Planning Policy Framework**

- The introduction of a Housing Delivery Test which will penalise local authorities who fail to meet their housing delivery targets
- The introduction of a new standardised method of calculating housing need for all local authorities
- The requirement that development plans, must as a minimum “seek to meet the area’s objectively assessed needs” to be declared sound
- Changes to the NPPF’s definition of affordable housing to include homes for social rent
- Larger-scale developments (Urban extensions and new settlements) must be well located and designed and supported by necessary infrastructure
- Planning performance agreements (PPAs) are likely to be needed for very large or complex applications
- The introduction of minimum density standards for city and town centres and other locations well served by public transport
- Increased recognition of the importance of the warehousing and logistics sector
- The need for planning policies to promote and support town centre diversification
- The need for Local Plans to clearly identify what infrastructure is required to support future development and the role that developer contributions will play in funding their delivery

2.13 The key changes in the NPPF relate to housing development and the need to boost levels of housing delivery. The NPPF identifies the key role that Local Plans have to play in bringing forward new sites for housing. Reflecting this priority, the NPPF sets out a more nationally prescriptive ‘top down’ approach for calculating housing need which then challenges local authorities to allocate sufficient land to meet the need identified or provide strong and compelling evidence why cannot do so.

2.14 With the introduction of the new Standard Methodology for assessing housing need, Thurrock’s new local housing target is now 1,173 homes a year. This is

lower than the Objectively Assessed Need of 1,381 new homes a year which was set out in the South Essex Strategic Housing Market Assessment (2017). However, the reduction in need is due in part to the fact that the Standard Methodology does not take into account whether any adjustments need to be made to the calculation of housing need to ensure that the provision of new housing addresses any imbalance between the available labour supply and the projected rate of job growth in the Borough.

- 2.15 The Government intends to publish new and updated local housing needs figures for each authority. It is intended that this will run in parallel with further consultation on the up-dated methodology and approach. However, no date has been given by the Government for publication of the revised methodology although it is anticipated this happen before the end of 2018.
- 2.16 The introduction of the Housing Delivery Test will also have significant implications for Thurrock with the Council becoming increasingly vulnerable of being penalised by the Government for failing to provide sufficient land to boost housing delivery and meet the Borough's current and future housing needs.

#### **Lower Thames Crossing and implications for the Local Plan process**

- 2.17 The proposed alignment of the Lower Thames Crossing threatens to significantly undermine the efforts of the Council to plan to meet its housing needs in full and to support economic growth and the regeneration of local communities. The current alignment will have an adverse impact on the potential to bring forward sites for development along the length of its route for a number of reasons. These include:
- The sterilisation of development opportunities in sustainable and deliverable locations around existing settlements;
  - Poor local connectivity and of a failure to explicitly plan for and design a scheme with the objective supporting the delivery of strategic sites for housing and economic development;
  - The need to mitigate the impact of noise, air quality, severance and flood risk considerations which has led to an increase in land take in locations where future development capacity exists
- 2.18 The full extent of these impacts on the availability of land for development will need to be assessed in more detail through the plan-making process and the ongoing detailed design work and environmental impact assessment work associated with the Lower Thames Crossing – for example, the desire that where the route passes major urban areas the road should be in a tunnel or in 'cut and cover'. The outcome of this work will help inform decisions on whether the identification of broad locations for growth or specific sites can be taken forward as development plan allocations. The scheme being promoted by Highways England actively prevents the Council from following the advice set out in the NPPF which requires local authorities to maximise investment in new nationally significant infrastructure in planning for growth.

2.19 There is a clear but complex interrelationship which exists between the Local Plan and Lower Thames Crossing Development Consent Order (DCO). Expert advice received suggests that while the Council should proceed with the planned Issues and Options (Stage 2) Consultation, it would need to carefully consider whether it should submit a Local Plan to the Secretary of State before the conclusion of the DCO process (expected in 2021). This is because of the potentially adverse impacts of the scheme, including any future design changes, on the ability of the Council to prepare a sound and deliverable Local Plan. As a consequence of this, consideration will need to be given to amending the Thurrock Local Development Scheme to reflect the further delays to the possible submission and adoption of the Local Plan due to continued uncertainties over the route and alignment/design details of the proposed Lower Thames Crossing.

### **Feedback from Member Ward Meetings**

2.20 In addition to the reports and presentations that have been made to the Planning, Transport and Regeneration Overview and Scrutiny Committee, the Local Plan Group and various Group meetings, a series of meetings have recently been held with Ward Members to discuss the feedback received from the Your Place, Your Voice events, how the Local Plan is being prepared and the key issues within their communities. A summary of the outcome of those discussions is set out below:

- Growth will need to focus on community needs and be infrastructure led. The consultation will need the promoters of new development to illustrate how they are addressing these matters, through the development of master plans and accompanying infrastructure delivery plans that will need full engagement with the Council, service providers and the wider community
- It is important to undertake this consultation, in order for residents to have a direct say and input on the future of their areas.
- Concerns over the amount of growth in the Borough can only be progressed if there is evidence to support this. The outcome of the IO2 consultation will be pivotal in providing evidence on the growth capacity of the Borough.
- New development should be of the highest quality, both in terms of design and place-making and should respect the character and identity of existing areas.
- The delivery of affordable housing, transport interventions, education facilities, health facilities and open spaces are key components of infrastructure provision.
- Urban sprawl should be prevented and existing town centres enhanced.

### **Association of South Essex Local Authorities**

2.21 As work on preparing the Local Plan has continued, the Council has also become involved in working with neighbouring South Essex authorities to

prepare a Joint Strategic Plan (JSP) which together with the emerging Local Plan will provide guidance on both the strategic and detailed planning issues relating to housing, employment, retail, infrastructure and the environment. The JSP will set out a wider vision and spatial strategy for the development of South Essex including a range of high level strategic policies which will establish the scale and distribution of new housing, employment, retail and town centre development across South Essex, together with supporting infrastructure priorities over the plan period to 2038.

- 2.22 Although the JSP will identify a range of broad strategic locations and priorities for development and infrastructure delivery, it will not allocate specific sites for development which will continue as now to be determined locally through the Local Plan process and community involvement.
- 2.23 On 11th July 2018 Cabinet approved the publication of several documents to enable the Council to pursue a coordinated approach to plan making. These included:
- South Essex Statement of Common Ground
  - Local Development Scheme – July 2018
  - Statement of Community Involvement – July 2018

### **Issues and Options (Stage 2)**

- 2.24 The spatial strategy set out in the adopted Core Strategy focuses the majority of new housing development on previously developed land in the urban area. To meet some of the challenges set out earlier in this report the emerging Local Plan will need to look at the possibilities of a combination of denser urban developments and the potential of releasing Green Belt sites to meet our housing needs over the next 20 years. This approach would represent a significant change from the Council's current adopted planning policies.
- 2.25 The purpose of the Issues and Options (Stage 2) consultation document is to seek views from communities and key stakeholders about how Thurrock should develop and grow in the future and where, in broad terms, new development should be located to meet identified needs. It is important to note that at this stage in plan making the Council will set out all potential spatial options for growth without stating a preference or referring to specific sites.
- 2.26 In addition to looking at potential spatial options the consultation document will also look at policy options to address issues like housing for older people and other specialist needs, hot food takeaways, the need to protect locally important green spaces and buildings and the provision of sports facilities in the Borough. A full copy of the consultation document is included in Appendix 1. Alongside this, complementary strategies and policies (such as those relating to Council housing provision) will also need to be reviewed.

- 2.27 Delivering new homes that local people can afford is a key policy principle and an important outcome for the Borough. The Local Plan as a land use document can enable and influence the location and type of new homes and the proportion that should be made affordable. All mechanisms that are available to be used by the Local Plan to secure new Council homes will be used. These mechanisms sit alongside other current Council initiatives to build new Council homes such as new build schemes in the HRA (117 currently in the pipeline), through TRL and by taking the opportunity afforded by the lifting of the HRA debt cap.
- 2.28 Thurrock Council is committed to providing low cost housing, allocated through the Council's housing allocations scheme, for Thurrock's residents. The Council accepts the local need to provide between 6,000-10,000 council homes and will work with social landlords and Thurrock Regeneration Limited to build further low-cost housing. The Council will ensure that any eligible private developments include affordable housing.
- 2.29 Within the lifetime of this plan there is a commitment to exploring and implementing all available means to meet the aspiration of providing 15,000 council, housing authority and/or affordable homes, which will be allocated through the council's allocations policy to provide homes to low income to middle income earners across the borough.
- 2.30 To ensure that stakeholders are able to make an informed response to the consultation the Council will publish a range of supporting technical evidence documents alongside the consultation document. These together with the main consultation document will be made available on the Council's website and in hard copy at various locations across the Borough.
- 2.31 It is proposed that the consultation document will be subject to a period of public consultation which will commence on Wednesday 12th December 2018 and run until Friday 22nd February 2019. Appendix 2 details the range of consultation activities proposed to be undertaken by the Council to support the process. The Council is reviewing its approach to consultation and engagement, ensuring a collaborative attitude to communities is consistent throughout and the Your Place, Your Voice model of delivery will be at the forefront of this new approach.
- 2.32 Following the conclusion of the consultation period all responses will be logged and reported back to Members as a precursor to the Draft Local Plan Consultation which will be held in September 2020. It should be noted that this will be subject to the ability of the Council to bring forward a sound Local Plan and will in turn be dependent on the success of the Council in influencing Government and Highways England in bring about significant modifications to the proposed alignment and design of the LTC scheme. At that stage of the process the public will be consulted on the draft Local Plan policies and proposals and preferred development strategy.

### **3. Issues, Options and Analysis of Options**

- 3.1 The Council's current spatial strategy in the adopted Core Strategy focuses the majority of new housing development on previously developed land in the urban area. The emerging Local Plan will need to look at a combination of denser urban developments and releasing several green belt sites to meet our housing needs over the next 20 years. This approach represents a significant change from the Council's current adopted planning policies.
- 3.2 The Planning and Compulsory Purchase Act 2004 provides for local authorities to plan for their areas through the preparation and adoption of Local Plans. In addition to the threat of intervention and possible sanctions from Government, an ongoing failure to adopt a sound and deliverable Local Plan would also:
- Lead to a whole generation of local people being put at risk of not being able to find decent or affordable housing in the Borough;
  - Undermine efforts by the Council to boost the supply of affordable housing through a lack of viable and deliverable sites for development;
  - Undermine opportunities to support the future regeneration and renewal of existing local centres and communities;
  - Prevent the provision of new community infrastructure which requires large sites including primary and secondary schools to meet existing and future needs due to the constraining nature of the Green Belt boundaries in Thurrock and a lack of suitable sites in the urban area; and
  - Raise a serious risk that, without an adequate supply of housing to meet workers needs locally, firms could relocate or switch investment to other locations as workforce availability declines.
- 3.3 Alternatively, if job growth continues without the necessary housing growth, increased levels of in-commuting are likely to result, thereby putting additional strain on existing transport networks and further congestion on the roads.
- 3.4 The new NPPF requires Local Plans to identify a supply of specific deliverable sites to meet the housing needs of the area for 5 years with a further supply of developable sites (or at least locations for them) for years 6-10 and, where possible for years 11-15. A Local Plan that does not meet these requirements is likely to be found unsound at examination.
- 3.5 Under the Housing Delivery Test, local authorities who fail to meet their housing targets and provide a rolling 5-year housing land supply (plus 20% buffer) will effectively lose their ability to determine where development goes. To put this in context, Thurrock currently has a 1.2 year five year rolling land supply and would therefore be liable to sanction under the proposed Housing Delivery Test.
- 3.6 For those authorities who fail the Housing Delivery Test there will be a presumption in favour of sustainable development which would make it potentially easier for developers to get planning permission for housing

development on appeal to the Secretary of State where it can be demonstrated that the Local Plan is either out-of-date or fails to allocate sufficient land to meet future housing needs. This could lead to sporadic development (including in the Green Belt) and fail to maximise the benefits that future housing growth could bring to the local community in terms of infrastructure and place-making.

#### **4. Reasons for Recommendation**

- 4.1 It is essential that the Council has an up to date Development Plan in place, to guide and support the sustainable growth of the Borough in a manner that appropriately balances economic, social and environmental needs.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 Progress statements on the emerging Development Plan are regularly discussed with Group Leaders and Deputy Leaders and reports are regularly prepared for the Planning, Transportation and Regeneration Overview and Scrutiny Committee, the most recent being in October 2018. Presentations have also been made to Group meetings.
- 5.2 It was agreed at the Planning, Transportation and Regeneration Overview and Scrutiny meeting on 4 July 2018 that a Member-led body be established to support the production of the emerging Development Plan. The Terms of Reference for this Task Force were agreed at the meeting on 17 October 2018.

#### **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 The Local Plan has an impact on the delivery of all of the Council's corporate objectives.

#### **7. Implications**

##### **7.1 Financial**

Implications verified by: **Carl Tomlinson**  
**Finance Manager**

There is a dedicated budget for plan making to cover the basic costs of preparing planning policy documents. This budget is supplemented by a separate YPYV consultation funding pot that was allocated to the service by Cabinet early this year.

Going forward, the Council will also explore the potential to secure additional funding and "in kind" assistance from key delivery partners, including the

Government in order to assist in the development and delivery of key infrastructure requirements and an increase in housing delivery rates.

The Council will also be actively encouraging promoters of key/strategic sites to enter into a policy led planning performance agreement (PPA)<sup>1</sup>. Policy PPAs would be used a project management tool which enable all parties to be clear about what is required of them at all stages of the plan making process. The cost of a PPA will depend on the scale of the proposed site, the resources required and input from officers for the project. It will be based on daily rates for officers, including overheads. We may need to bring in additional expertise or temporary staff, which will be funded by the site promoter.

## 7.2 Legal

Implications verified by: **Benita Edwards**  
**Interim Deputy Head of Law (Regeneration)**

The current system of plan making is contained in the Planning and Compulsory Purchase Act 2004 and the Town & Country Planning (Local Planning) (England) Regulations 2012 ('2012 Regulations') and supported by the National Planning Policy Framework and Planning Practice Guidance. The Issues and Options Consultation Stage 2 is a preparatory step for the production of a draft Local Plan as required under Regulation 18 of the 2012 Regulations. In due course, the draft Local Plan shall be prepared and publicised in accordance with the statutory and policy frameworks.

The Authority has a statutory duty pursuant to Section 13 of the PCPA 2004 to keep under review matters which may affect the development of its area and it should be noted that the Secretary of State's powers pursuant to Section 27 of PCPA 2004 apply where they think that the Authority are failing or omitting to do anything necessary in connection with the preparation, revision or adoption of a development plan document or local plan. In such cases, the Secretary of State may prepare or revise a plan or direct that the Authority or another do so.

Under the Council's Constitution and in accordance with the statutory provisions contained in section 9D of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Full Council has the power to make decisions in relation to the preparation and adoption of the Development Plan.

## 7.3 Diversity and Equality

Implications verified by: **Becky Price**

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<sup>1</sup> It should be noted that Policy PPAs and the process of undertaking the PPA will in no way prejudice or pre-judge the outcome of plan making in Thurrock and/or the wider South Essex area.

## Community Development Officer

The Council has a statutory duty under the Equality Act 2010 to promote equality of opportunity in the provision of services and employment opportunities. The adoption of a new SCI will ensure that the consultation process associated with the emerging Development Plan will provide an opportunity for all sections of the community, including harder to reach groups, to become fully involved in helping to shape the future planning and development of Thurrock.

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

There are no other implications associated with the report

### 8. **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):

- Cabinet Report on Development Plan Update – <http://democracy.thurrock.gov.uk/documents/s21471/Appendix%20C%20-%20Development%20Plan%20Update.pdf>
- Local Plan Issues and Options – Engagement Strategy (Phase 1) - [https://www.thurrock.gov.uk/sites/default/files/assets/documents/local\\_plan\\_engagement\\_strategy\\_phase1.pdf](https://www.thurrock.gov.uk/sites/default/files/assets/documents/local_plan_engagement_strategy_phase1.pdf)

### 9. **Appendices to the report**

- Appendix 1 - Local Plan Issues and Options (Stage 2) consultation document
- Appendix 2 - Local Plan Issues and Options (Stage 2) - Engagement Strategy

### **Report Author:**

Sean Nethercott

Strategic Lead – Strategic Service

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# Draft Thurrock Local Plan Issues & Options (Stage 2)

DECEMBER 2018

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## How can I have my say on this consultation document?

Consultation on the Local Plan – Issues and Options (Stage 2) document and the Integrated Sustainability Appraisal (ISA) will commence at 9am on XXXX, with the consultation period closing at 5pm on XXXX 2019. All responses should be made on-line via the Council’s interactive consultation portal. If you do not have access to the internet, a paper comments form will be made available on request at the Civic Offices and in all libraries in the Borough.

If you need help with your representations or wish to discuss either the content of the consultation documents or how to submit your comments, please contact the Growth and Strategy team by email: [growth&strategy@thurrock.gov.uk](mailto:growth&strategy@thurrock.gov.uk). There will also be opportunities to meet with members of the Growth and Strategy Team, face-to-face, at the ‘Your Place, Your Voice’ community planning days that are being held throughout the consultation period. Please visit our website for details on times and locations at [www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan).

## How will my comments be used?

We will acknowledge receipt of your comments and fully consider them, although the Council will not enter into individual correspondence with consultees. Comments will be published on the Council’s consultation portal in accordance with the Data Protection Act and the representations made will be used to inform the next stage of the plan making process.

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# SECTION 1: INTRODUCTION

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## What is the Thurrock Local Plan?

At the heart of planning and place-making is the need to plan positively for sustainable development and future economic growth. One of the most important ways that can be achieved is by having an up-to-date local plan to guide the development of the area and coordinate the provision of supporting infrastructure.

How the Local Plan is progressed will be guided and underpinned by need to deliver against the following principles:

1. Delivering the right infrastructure in the right place and at the right time
2. Positive health and wellbeing impact
3. Meeting Thurrock's housing needs
4. Protect and enhance the character of existing communities
5. Minimising carbon emissions
6. Maintain an effective green belt
7. Protecting and delivering quality in the built environment
8. Meeting employment needs
9. Ensuring our town centres continue to thrive
10. Respecting the River Thames
11. Managing waste

Thurrock Council is preparing a new Local Plan that will set out the amount and location of new development across the Borough in the period up to 2037/38.

The Local Plan will address Borough-wide strategic planning issues such as deciding which towns and villages should grow, and the quantity and type of new homes, jobs, services and infrastructure that are needed. The Local Plan will also cover detailed planning issues such as deciding which specific sites should be developed and what policies are needed to ensure that new development is well designed and that our built and natural heritage is protected and, where possible, enhanced.

In July 2018, the Association of South Essex Local Authorities (ASELA) produced a Statement of Common Ground (SoCG) which has been signed and formally agreed by the constituent authorities (Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, and Thurrock). The SoCG sets out ASELA's intention to prepare a Joint Strategic Plan (JSP) to cover their administrative areas. The JSP will set out a wider vision and spatial strategy for the development of South Essex including a range of high level strategic policies which will establish the scale and distribution of new housing, employment, retail and town centre development across South Essex, together with supporting infrastructure priorities over the plan period to 2038.

Although the JSP will identify a range of broad strategic locations and priorities for new development and infrastructure delivery, it will not allocate specific sites for development which will continue to be determined locally through the Local Plan process and community involvement.

All development plans including the Joint Strategic Plan and the Local Plan must be positively prepared, justified, effective and consistent with Government policy set out in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

Whilst the Council does have an adopted Local Plan in place, in February 2014, the Council decided to commence work on a new Local Plan in order to respond to a number of major challenges. These included:

- The need for a more up-to-date statutory planning framework to co-ordinate the delivery of the Council's ambitious growth strategy for Thurrock
- The revocation of the East of England Plan and the requirement for local planning authorities to undertake a fresh assessment of their future development needs
- The need for the Council to identify a deliverable five year housing land supply and bring forward more sites for development to support economic growth
- A need to consider the possible impacts of a decision by Government on the route and location of the proposed Lower Thames Crossing (LTC)

## What is this consultation about?

The first consultation on the new Local Plan, Issues and Options (Stage 1) Consultation Document (I&O1), was published in February 2016 and focused on thematic policy areas. The purpose of the Issues and Options (Stage 2) consultation is to seek your views about how Thurrock should develop and grow in the future and where, in broad terms, new development should be located to meet identified needs.

It is important to note that this consultation is not concerned about which specific sites should be allocated in the Local Plan for development. However, following this consultation and based on the responses received, a preferred broad spatial strategy for accommodating Thurrock's future needs will be developed and consulted on. This further consultation (likely to be in the summer of 2020) will strongly influence decisions about which sites should be developed.

## How will the Local Plan be prepared going forward?

Preparation of the Local Plan must follow a number of stages to ensure that local people and stakeholders are fully engaged in the process and its content is based on robust evidence, the proper consideration and testing of alternative strategies and then finally, external examination by an independent planning Inspector appointed by the Secretary of State. These stages of work are summarised in Figure 1.

It is anticipated that the Local Plan will be adopted by the Council in 2022. However, due to the nature of the work involved, the programme for preparing the plan will need to be kept under regular review as it cannot be submitted for examination and adoption until after the conclusion of both the adoption of the JSP and Lower Thames Crossing decision-making process.

For more details on the Local Plan work programme please see the latest Local Development Scheme (LDS) ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

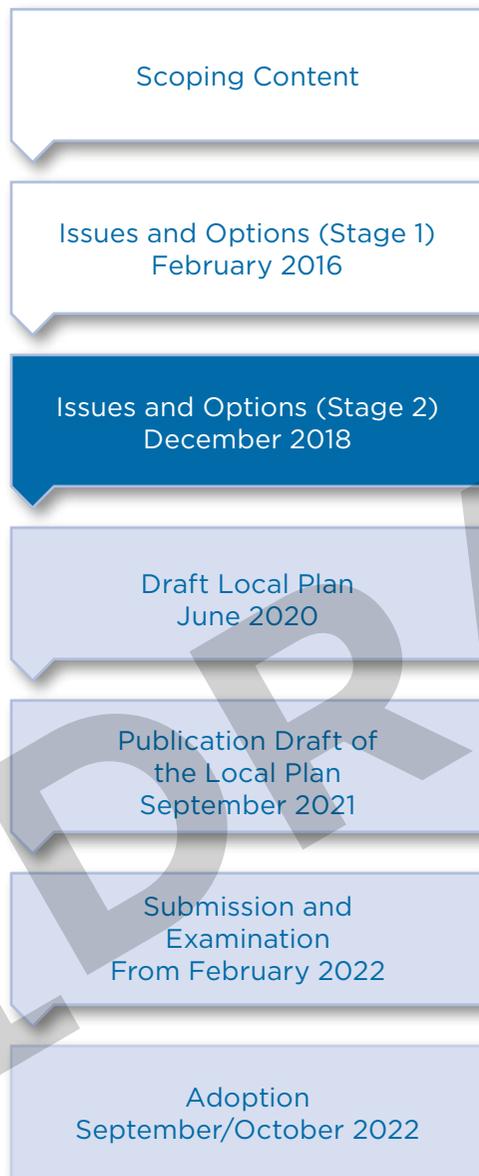


Figure 1: Local Plan Stages of Preparation

## How will communities & key stakeholders be involved in the process?

Community and stakeholder engagement is an important and central feature of the planning system. The Council is keen to engage as many people as possible in the preparation of the Local Plan as it enables local people with local insight to become directly involved in place shaping in the Borough.

As part of the process, the Council has prepared an updated Statement of Community Involvement (SCI) which sets out how all sectors of the community can become involved in the planning process and how the Council will maximise publicity of its planning documents.

Consultation mechanisms include, but are not limited to:

- Making consultation documents available on the Council's website;
- Providing hard copies of consultation documents for inspection at the Civic Offices in Grays and in libraries across the Borough;
- Continuing engagement through the Local Plan Residents Forum, Youth Forum, Developer Forum and Business Forum;
- Organising 'drop in' events via the 'Local Plan Roadshow' to allow people to come along and share their views in person;
- Setting up online polls to allow more people to have their say on the big questions;
- "Your Place, Your Voice" – Community 'Planning for Real' consultation events; and
- Duty to Cooperate Workshops for key stakeholders.



## What information will be used to inform the Local Plan?

Local Plans must be based on robust evidence about the economic, social and environmental characteristics and prospects of the area. Much of the evidence is of a technical nature and is not described in detail in this document.

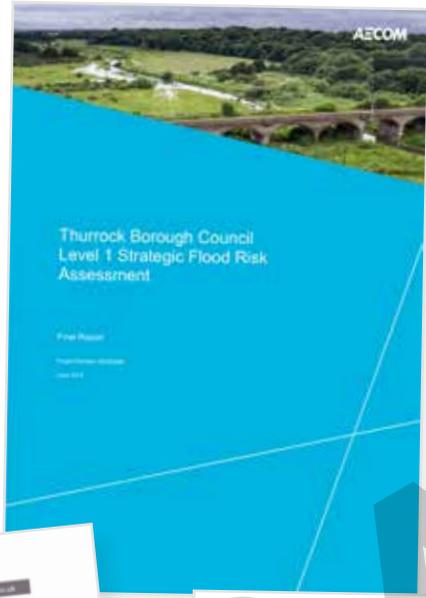
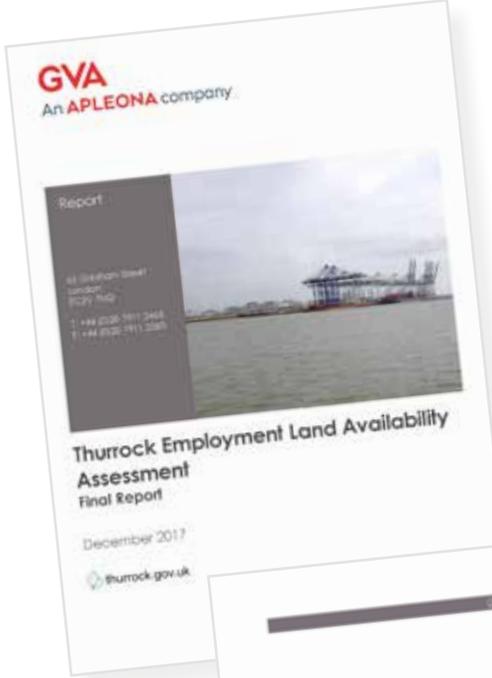
Further information on how some of the emerging studies and their findings and conclusions are already helping to shape the plan-making process is described in more detail in the following sections of the Consultation document. If you would like to read or obtain a copy of these technical studies and reports they can be found on the Council's Local Plan website: [www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan).

### Technical studies completed/commissioned include:

- South Essex Strategic Housing Market Assessment 2016
- South Essex Strategic Housing Market Assessment Addendum Report 2017
- Thurrock Housing Land Availability Report 2017
- Thurrock Green Belt Stage 1 Assessment 2018
- South Essex Economic Development Needs Assessment 2017
- Thurrock Employment Land Availability Assessment 2017
- South Essex Retail Study 2018
- Thurrock Town and Local Centre Health Check Assessment 2018
- Thurrock Active Place Study 2017
- Thurrock Whole of Plan and CIL Viability Baseline Study 2017
- Thurrock Development Capacity Study
- Thurrock Strategic Flood Risk Assessment Update 2018
- Grays Town Centre Area Development Framework Update
- Thurrock Integrated Landscape Character Assessment and Sensitivity Evaluation 2018
- Integrated Sustainability Appraisal 2018
- Lakeside Area Development Framework Update
- Thurrock Transport and Infrastructure Baseline Study
- Thurrock Vision for Movement

## QUESTION 1:

As the development of the Plan progresses additional evidence will need to be prepared. What other evidence based studies do you think the Council needs to consider undertaking to ensure that the Plan is sound?





## Land Availability Assessment

A starting point for identifying a development strategy and locations for growth is to look at the potential availability of land for development.

Therefore, a key early stage in the plan-making process is the requirement for local authorities to undertake a formal 'Call for Sites', whereby landowners, stakeholders and the local community are invited to identify sites or broad areas of land for development.

Any locations identified through this process will then be assessed and considered further by the Council for allocation within the emerging Local Plan.

To date, the Council has undertaken three 'Call for Sites' exercises which has led to over 250 sites and broad locations being submitted for consideration as part of the plan-making process. This has been supplemented by a range of sites that have been previously considered in other plans or submitted as planning applications. This includes sites suggested for a wide range of uses to meet Thurrock's future housing, gypsy and traveller, employment, retail, leisure, and waste and minerals needs. Figure 2 maps out the distribution of sites and the broad mix of uses which will be assessed through the plan-making process and considered for allocation in the emerging Local Plan.

Further information, including details on how to submit a site or broad location for consideration by the Council, can be found on the Council's Local Plan website ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

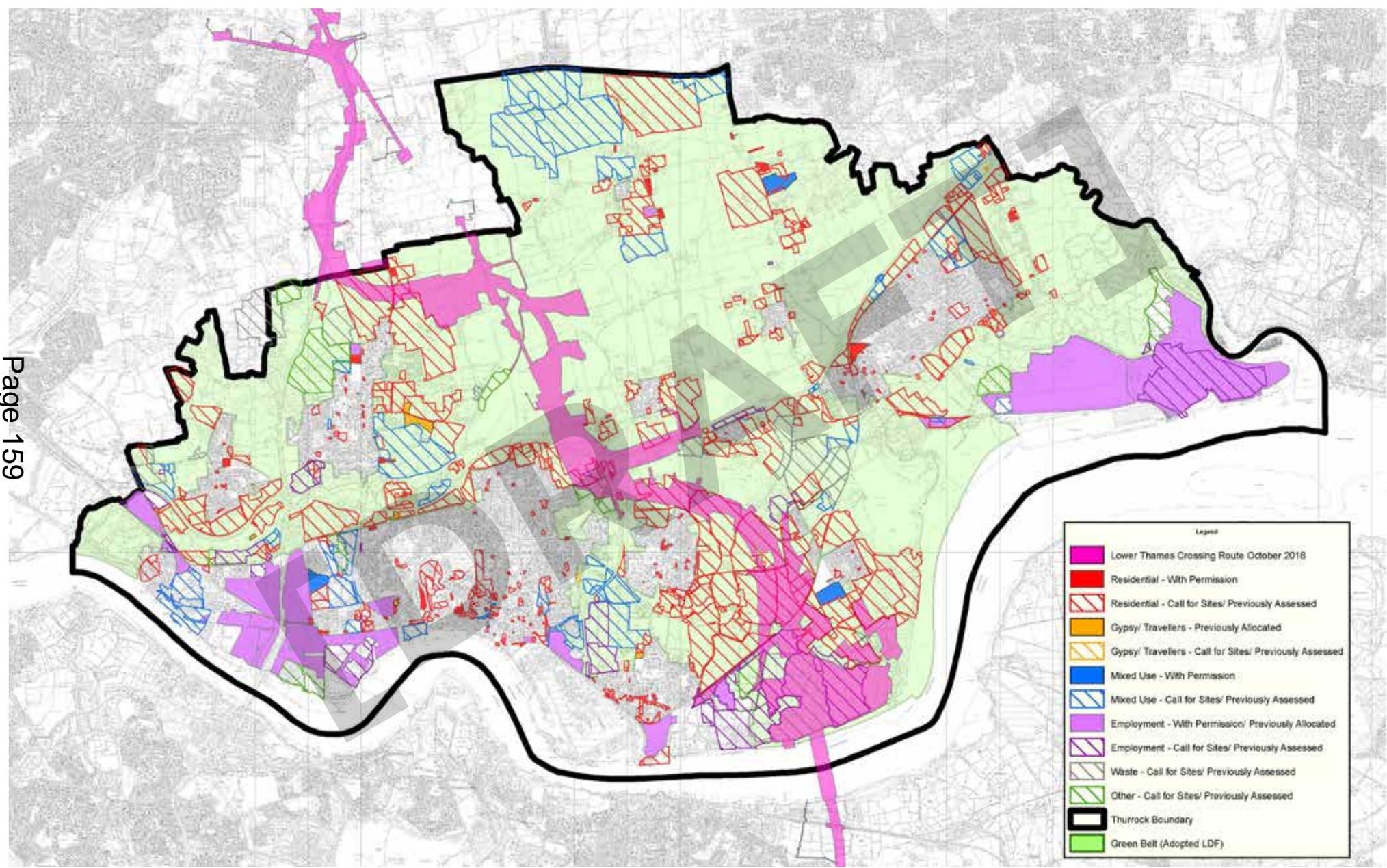


Figure 2: Call for Sites Map

## How will the Local Plan relate to other Plans and Strategies for the area?

Partnership working and co-ordination of strategies are key features of the planning system. The Council is therefore liaising with relevant bodies who also prepare strategies which have an impact on the Borough.

This includes those organisations involved in the delivery of health, education, transport and environmental services together with those companies involved in the provision of public utilities. This is to ensure that the plans and strategies of all these key delivery partners are consistent and in broad alignment with the emerging local plan strategy, thereby ensuring the provision of necessary supporting infrastructure at the right time and in the right place to support Thurrock's future growth aspirations.

## How will the Local Plan relate to the Plans of neighbouring authorities?

The Council is working jointly on strategic priorities with other authorities in South Essex, London and beyond. This is known as the Duty to Cooperate.

The Duty to Cooperate was created in the Localism Act 2011 and places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

The Duty to Cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

Local planning authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.

Thurrock forms part of the South Essex Housing Market Area and as such the Local Authorities already work very closely together on planning for housing, economic, transport, flood risk and infrastructure delivery and growth. By virtue of its proximity to London and its strategic location next to the M25 and the Dartford Crossing, the wider geography for engaging through the Duty to Cooperate process also includes working with the London Mayor's Office and the Greater London Authority (GLA), together with local authorities across Essex and North Kent on a range of Duty to Cooperate matters, including housing, transport and minerals and waste issues.

Through the ongoing development of the Local Plan evidence base and discussions with the various Duty to Cooperate bodies the Council has identified a series of key cross boundary issues which both the wider strategic plan-making process and the Thurrock Local Plan will need to consider and address. These are summarised in Figure 3.

- Planning to meet future housing needs – the scale and distribution of development across South Essex
- Addressing the needs of Gypsies and Travellers and Travelling Showpeople
- Planning for economic growth – the scale and distribution of development and required infrastructure improvements
- Managing the development of the strategic network of centres – scale, distribution and phasing of growth
- Recreation and leisure provision
- Health and Wellbeing
- Infrastructure planning and delivery – identification, funding and phasing of strategic and local infrastructure provision to support growth (transport, utilities, community, health, education, leisure and digital infrastructure)
- Training, skills and accessibility to employment opportunities
- Maintaining the integrity of the Metropolitan Green Belt
- Strategic Green Infrastructure – management, maintenance and protection of strategic assets
- The River Thames
- Protecting and conserving the historic and natural environment
- Managing Flood Risk
- Climate Change
- Minerals and Waste – Thurrock’s future role in meeting local, regional and national needs
- Potential Lower Thames Crossing
- Potential Thames Tidal Barrier
- Cross Rail 2

## QUESTION 2:

Do you feel that all of the relevant cross boundary issues have been identified? If not, please state what other key strategic issues the Council will need to consider and address with stakeholders and partners.

Figure 3: Cross Boundary Issues

## South Essex 2050 Ambition

***“South Essex: the place to live, the destination to visit and the place for business to thrive”***

In the Autumn of 2017, the Leadership of the South Essex Councils (Essex, Basildon, Brentwood, Castle Point, Rochford, Southend and Thurrock) embarked upon a programme of work which would lead to a shared ‘place ambition,’ and greater collaboration on strategic priorities to support long term growth across South Essex. This was initiated in response to recognition that there was a need to work more effectively on strategic planning matters across South Essex and maximise the, potentially significant, opportunities that strategic collaboration could bring to the area.

The ‘South Essex 2050 Ambition’ sets out how growth and development will be distributed across the sub-region and the positive effect it will have on the economy, together with a coherent framework for delivery of the right type and scale of infrastructure to support growth. Operating together, the South Essex strategic growth assets could provide the infrastructure for people and businesses to experience a fully connected place (nationally and internationally) where they can take advantage of the unrivalled potential on offer in one area – business growth, employment opportunities, varied and interesting communities to live in and a rich diversity of cultural and recreational experiences to enjoy.

By 2050, the ambition is that all new development will be located in the most sustainable locations, will be of the highest quality, will support the emerging local industrial strategy priorities and will be well-connected by a fully integrated transport system and framework of green spaces.

The current estimated need for housing across South Essex is 90,000 dwellings over the next 20 years but with the right conditions to support growth, more could be achieved. As part of the consideration of long term spatial options, the authorities are therefore exploring whether the development of new ‘Garden’ communities could offer a strategic solution to growth. The new communities could significantly enhance housing opportunities and community facilities for local people, and support new commercial and employment hubs, creating centres of business excellence within the sectors of industrial opportunity.

Implementation of the South Essex 2050 Ambition will be steered through the Association of South Essex Local Authorities (ASELA) and a number of inter-related workstreams have been initiated to do this. These cover strategic infrastructure priorities, a local industrial strategy, developing a ‘South Essex’ growth proposition and the development of a statutory Joint Strategic Plan.

The Statement of Common Ground (SoCG) sets out how the spatial strategy workstream will be implemented through a new local planning ‘portfolio’, with a Joint Strategic Plan providing the overarching framework within which more focused local development plans will be prepared (see Figure 4).

The JSP will also provide a reference framework for the preparation of a Strategic Transport Framework, to sit under the three current statutory Local Transport Plans (LTPs) and to form part of the JSP. The Strategic Transport Framework would be prepared by the three Highway Authorities for South Essex, namely Thurrock and Southend Unitary Authorities and Essex County Council, with partners including the local planning authorities.

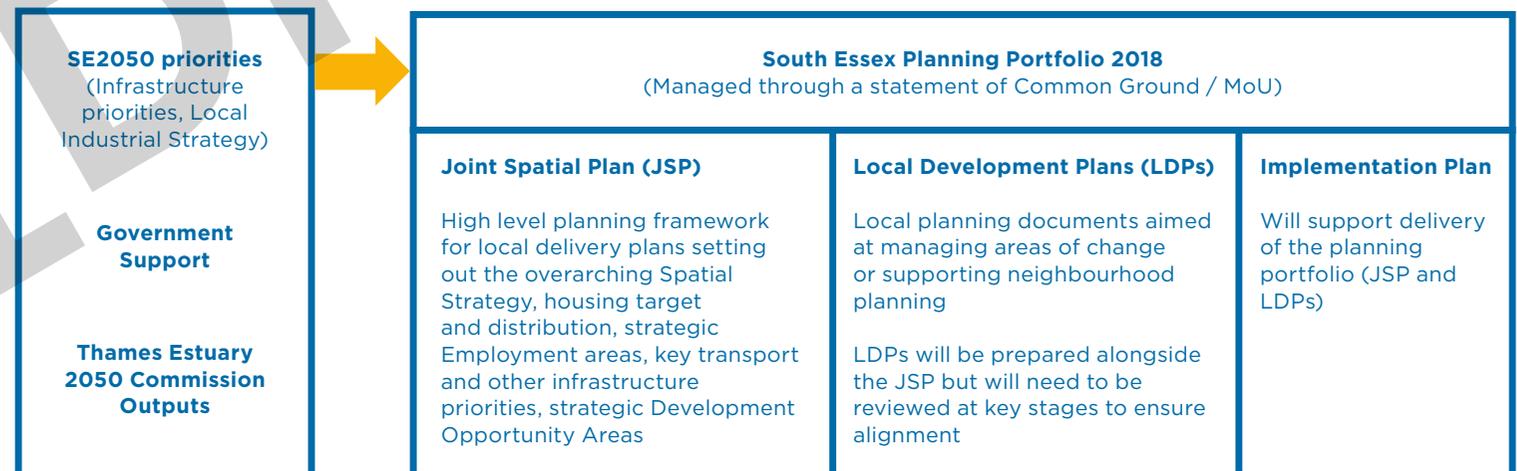


Figure 4: The South Essex Local Plan Portfolio

## Scope and focus of the South Essex Joint Strategic Plan (JSP)

The South Essex 2050 Ambition will be delivered over the next 30 years, with some of it fully realised within the timeframe of the current South Essex JSP (period 2018-2038). Other longer-term components will be delivered beyond this timescale but will be included in future reviews of the JSP, as the plan's timeframe is rolled forward.

The JSP will provide the strategic context for the statutory development plan portfolio and will be prepared jointly by the South Essex Councils and Essex County Council. Its scope will therefore be focused on the strategic policy matters that are common across the six local planning areas as follows:

- **South Essex Spatial Strategy:** distribution of growth, strategic housing and employment development locations, town centre hierarchy and setting the long term extent of the Green Belt
- **Strategic Areas of Opportunity (SAO)** and the role of each

- **Cross-cutting themes:** including promoting social cohesion; healthy and inclusive growth; high quality development and design; supporting sustainable development; climate change
- **Overall levels of housing provision** to be provided throughout the plan-period (and to 2050)
- **Local industrial strategy priorities** and spatial implications (including what type of employment land is needed and where).
- **Strategic transport and infrastructure priorities**
- **Natural environment and resources,** including green and blue infrastructure, flood risk
- **Implementation and Monitoring Framework**

The South Essex Local Planning Portfolio will also rely on the policies set out in the National Planning Policy Framework (NPPF) and will therefore not duplicate any nationally set policies, unless there are specific local circumstances that justify a deviation from this. However, there may be a need for supplementary planning guidance in addition to the NPPF, to provide a local interpretation and implementation of national policy.

## The strategic evidence base

In order to inform the preparation of the JSP, the South Essex Councils have commissioned a number of strategic housing, economic, retail, transport, infrastructure and open space technical studies. This includes the production of a Strategic Growth Locations Study which will set out a range of strategic options for meeting South Essex's future housing needs over the period to 2038 and beyond to 2050. The Study will identify potential strategic locations for growth and provide a high level assessment of the infrastructure needs, costs and delivery mechanisms associated with each of the broad locations identified for development as part of the preferred option set out in the JSP. It will then fall to each of the South Essex Council's to further develop and plan for their delivery through the Local Plan process.

## Relationship of the Thurrock Local Plan to the South Essex Joint Strategic Plan (JSP)

It is intended to submit the JSP for Examination in March 2020 with its adoption targeted for late 2020. In parallel, the South Essex authorities are also twin tracking the production of their own individual Local Plans which will need to plan for the delivery of the strategic development needs identified by the JSP at the local and site specific level.

Reflecting the decision to prepare the JSP, the Council is required to publish a new Local Development Scheme (LDS) which sets out the suite of Development Plan Documents (DPDs) which will be prepared to guide the future development of the Borough.

Published alongside this Issues and Options (Stage 2) Consultation Document, the Thurrock LDS July 2018 sets out the programme and key milestones involved in preparing the JSP, the Thurrock Local Plan, supporting DPDs and non-statutory Supplementary Planning Documents (SPDs). Figure 5 sets out the proposed suite of DPDs and SPDs which it is proposed to prepare for Thurrock.

Both the evidence collected for the Thurrock Local Plan and the public responses received in respect of the Issues and Options (Stage 2) Consultation process will be used to help inform the development of the JSP. This will include the identification of broad strategic areas for development and any key supporting strategic infrastructure improvements required to support their delivery.

A copy of the Thurrock Local Development Scheme 2018 (LDS) is available to view on the Council's Local Plan website ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

## What is the status of the Core Strategy and other planning policy documents now that the Council is preparing a new Local Plan?

The Council adopted the Core Strategy in December 2011. The Core Strategy sets out the Council's vision, spatial strategy and core policies for the development of Thurrock.

Following the publication of the National Planning Policy Framework (NPPF), the Council identified a number of policies in the Core Strategy which required updating to ensure that they were in full conformity with the NPPF. These policies were adopted in January 2015.

The policies within the Core Strategy will continue to be used in decision making until the Thurrock Local Plan is adopted. However, as work on the Local Plan progresses, emerging policies could start to influence decisions on planning applications. Once the Thurrock Local Plan is adopted it will replace the Core Strategy. All recently adopted Supplementary Planning Guidance documents, including the Thurrock Design Guide, will also be revised in parallel with the preparation of the Local Plan to ensure the proper alignment of policy across all planning documents.



Figure 5: Proposed Thurrock LDS Development Plan and Supplementary Planning Documents

## Minerals and Waste

As both a Unitary and Minerals and Waste Planning Authority (MPA), Thurrock is required to plan for the provision of an adequate and steady supply of mineral resource to meet future needs and the management of waste in accordance with the principles of sustainable development.

At a local level, extant minerals and waste planning policy guidance is set out in the Thurrock Core Strategy and Policies for Management of Development (January 2015). However, it is recognised that there will be a need to up-date the existing policy approach to better align with future growth needs and changing national policy requirements. In order to address this, the Council is proposing to prepare a separate and stand alone Thurrock Minerals and Waste Local Plan as an alternative to the inclusion of new policy guidance within the body of the emerging Thurrock Local Plan. Adopting this approach would provide the Council with greater flexibility in order to better align the wider minerals and waste planning process across Essex.

## What are Neighbourhood Plans and how will the Local Plan affect them?

The Localism Act 2011 introduced new rights and powers to allow local communities to shape how their local areas develop and change by preparing a Neighbourhood Development Plan (NDP) or Neighbourhood Development Orders (NDOs). In Thurrock, only designated Neighbourhood Forums are able to produce an NDP and NDOs.

Through producing a Neighbourhood Plan, communities can take the lead on developing planning policies for their local area, as long as certain rules are followed and any Plans and policies are in general conformity with the strategic policies set out in the Local Plan.

At the time of publication, the Council has not received any formal applications by community groups to be designated as a Neighbourhood Forum and/or received any official requests for support.

If you or your local community are considering producing a Neighbourhood Plan, we would recommend that you speak to a member of the Growth and Strategy Team in the first instance. Contact details can be found on the back page of this document.



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## How will the Council assess the environmental impacts of the emerging Local Plan?

Undertaking a Sustainability Appraisal (SA) of the Local Plan is an essential part of the plan-making process. The sustainability appraisal must address the legal requirements of the Strategic Environmental Assessment (or SEA) Directive.

A failure to undertake the sustainability appraisal properly can expose the Plan to legal challenge.

The SA of the emerging Local Plan will be an Integrated Sustainability Appraisal (ISA). This will incorporate the requirements of the SA/SEA process and, in line with statutory requirements and best practice, will also include a:

- **Health Impact Assessment (HIA)** – an examination of the plan’s impacts on people’s health and well-being; and an
- **Equalities Impact Assessment (EqIA)** - an examination of the plan’s impact on different groups in the community.

Sustainability Appraisal (SA) is an iterative process which is closely integrated with the overall process of preparing a Local Plan. Its role is to promote sustainable development by assessing the likely significant effects of the plan and the extent to which the plan, when judged against reasonable alternatives, will help or hinder the achievement of relevant environmental, economic and social objectives. The staged approach to SA is designed to align with each key stage of the plan-making process.

In February 2016 the Council issued a Local Plan SA Scoping Report for public consultation alongside the Issues and Options (Stage 1) Consultation Document. The purpose of the Scoping Report was to set the context and objectives which would form the baseline for the SA and to determine the scope of the study.

Following the close of the consultation period, the Council has updated elements of the scoping report which are presented in the SA of the Plan. In addition to the requirement to undertake an SA of the Local Plan, the Council is also required to prepare a Habitat Regulations Assessment (HRA) which will provide an examination of the plan’s impact on internationally designated sites for nature conservation (or ‘European sites’).

Thurrock Council recognises that any Local Plan, which would see an increase in the borough’s population by as much as 40,000, must prioritise limiting any associated rise in air pollution.

Thurrock’s Local Plan will set out clear and precise plans to alleviate the resulting impact on Thurrock’s residents from all pollutants including but not limited to:

- sulphur oxides
- carbon monoxide
- nitrogen oxides
- volatile organic compounds
- particulates
- persistent free radicals
- toxic metals
- chlorofluorocarbons
- ammonia
- odours

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### INFORMATION

As required by legislation, an Integrated Sustainability Assessment (ISA) has been prepared to inform consideration of the Issues and Options (Stage 2) Consultation Document. A copy of this document and the revised SA Scoping Report is available to view on the Council’s Local Plan website ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

The Council also intends to set up an external Integrated Sustainability Assessment Stakeholder Reference Group to facilitate the wider involvement of prescribed Duty to Cooperate bodies and other organisations in the process of preparing the ISA. The Council would welcome nominations from all interested parties to become Members of the ISA Stakeholder Reference Group.

For further details on how to be involved please contact the Growth and Strategy Team using the details at the back of this Document.

## What will happen if the Council doesn't prepare a new Local Plan and meet our future development needs?

The Government has legislated through the Neighbourhood Planning Act 2017 the requirement for all areas to be covered by a Local Plan.

Where a local authority fails to meet this requirement, the Secretary of State has the power to intervene and direct the review and/or preparation of a Local Plan which, depending on the circumstances, could be undertaken by another authority or jointly in partnership with surrounding authorities. In all instances, the failing authority could be liable to pay the full or a proportion of the costs involved in producing the Local Plan.

The National Planning Policy Framework requires Local Plans to identify a supply of specific deliverable sites to meet the housing needs of the area for 5 years, with a further supply of developable sites (or at least locations for them) for years 6-10 and, where possible, for years 11-15. A Local Plan that does not meet the requirement could be found unsound through the Local Plan Examination process.

The NPPF 2018 introduces a Housing Delivery Test which will measure a Council's performance of delivery of housing over a three year period. Where delivery falls below 95%, the council will be required to introduce an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years. Where housing delivery falls below 75%, the presumption in favour of sustainable development will be triggered, rendering policies in the Local Plan as being out of date. This could potentially make it easier for developers to get planning permission for housing development on appeal to the Secretary of State, resulting in sporadic development across the Borough (possibly in the Green Belt) and a failure to maximise the benefits that future housing could bring to the local community. Failure of the Council to produce a Local Plan that allocates land for development will result in a drop in housing delivery against established targets and the likelihood of sanction under the housing delivery test.

In addition to the threat of intervention and possible sanctions from Government, an ongoing failure to adopt a sound and deliverable Local Plan would also:

- Increase the amount of local people who struggle to access decent or affordable housing in the Borough;
- Undermine efforts by the Council to boost the supply of affordable housing through a lack of viable and deliverable sites for development;
- Undermine opportunities to support the future regeneration and renewal of existing local centres and communities;
- Prevent the provision of new community infrastructure which needs to be delivered on large sites, such as primary and secondary schools, due to a lack of suitable large sites in the urban area and the constraining nature of the Green Belt boundaries in Thurrock;
- Raise a serious risk that, without an adequate supply of housing to meet workers needs locally, firms could relocate or switch investment to other locations as workforce availability declines. Alternatively, if job growth continues without the necessary housing growth, increased levels of in-commuting are likely to result, thereby putting additional strain on existing transport networks.

# SECTION 2: PREVIOUS CONSULTATION RESPONSES

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**In February 2016 the Council launched its first formal consultation on the emerging Local Plan. Since this consultation, the Council has undertaken a series of informal consultation activities with communities to deepen its understanding of the issues and opportunities that exist in the borough. A summary of these consultations and the issues they raised are set out in this section.**

## Issues and Options (Stage 1) – February 2016

The process for preparing and adopting Local Plans is set out in the Town and Country (Local Planning) (England) Regulations 2012. When preparing a new Local Plan, Regulation 18 directs that a local planning authority should both invite, and consider, representations from specific consultation bodies, local residents or other persons carrying on business in the local planning authority's area about what a local plan ought to contain.

On 24 February 2016, the Council undertook a 6 week public consultation on the Local Plan Issues and Options (Stage 1) Document, the Local Plan Sustainability Appraisal Scoping Report and the Draft Thurrock Design Strategy. The purpose of the consultation was to obtain the views of stakeholders, local businesses and the community on the key issues that the Local Plan will need to address in order to meet Thurrock's future development needs. In total, 70 organisations responded formally to the Issues and Options (Stage 1) consultation raising 548 separate comments. An additional 500 comments were received from members of the community at events organised to promote the consultation. A summary of the key issues raised by respondents is set out in Table 1. A full record of the comments received and the Officers response to these representations is set out in the Thurrock Local Plan Issues and Options (Stage 1) Report of Consultation which is available to view on the Council's Local Plan website ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

Table 1: Issues and Options (Stage 1) - Summary of key comments

### Comments from Duty to Cooperate bodies

The Local Plan must:

- Consider through the Duty to Cooperate process the need for Thurrock to contribute towards meeting any unmet future housing needs from other authorities, including London and Southend in particular;
  - Ensure that residential developments are supported by health facilities, in order to combat existing health inequalities experienced at a local level;
  - Consider the requirement for Thurrock to make additional provision to meet Basildon's unmet Gypsy and Traveller needs;
  - Support the delivery of the Thames Vision which promotes the retention of riverside industry and employment locations, and the protection and enhancement of the distinctive riverscape in terms of water quality, wildlife and attractiveness as an open space;
  - Consider the impacts of any planned expansion or change to port facilities along the Thames within Thurrock on Medway's port infrastructure;
  - Safeguard wharfs in Thurrock for the importation of marine dredged and other mineral resources into the region;
- Consider the future role of Lakeside and the need to manage the scale and nature of its development in order to safeguard the viability and vitality of other strategic centres in South Essex, North Kent and East London;
- Recognise Thurrock's future role in meeting London and the wider South East's waste needs;
- Consider the future implications of strategic transport improvements including the Lower Thames Crossing; and
  - Support the delivery of an enhanced public rights of way network accessible to all users (walkers, cyclists, equestrians and the disabled) including increased access to the Borough's open spaces.

### Comments from Landowners, Businesses and Developers

The Local Plan process must:

- Consider the development of a new spatial strategy which goes beyond the current approach of focusing investment and development within the existing urban area and the established Economic Growth Hubs in order to meet meets Thurrock's future development needs;
- Undertake a full review of the Green Belt to identify additional land to meet future housing and employment needs consistent with the approach set out in the National Planning Policy Framework (NPPF);
- Consider the allocation of land to meet the future housing needs of London and neighbouring South Essex authorities in addition to meeting Thurrock's own Objectively Assessed Housing Needs (OAHN) in full;
- Consider reviewing the Borough's retail hierarchy and the relative roles of Lakeside and Grays Town Centre in accommodating future strategic retail needs over the plan period;
- Establish a "town centre first" policy approach to the location of town centre uses with a policy to resist further out of centre retail development to support the retail led regeneration of Grays Town Centre;
- Plan positively for growth by supporting the transformation of Lakeside into a regional town centre with Intu Lakeside providing the best location for new retail (comparison retailing) and leisure development in the Borough;
- Ensure existing centres including Grays and Intu Lakeside can provide for future shopping needs of Thurrock. Further development outside these centres is not required and identified needs should be focused on maintaining and enhancing existing centres;
- Plan positively to maximise the economic benefits that will arise following the development of the proposed Lower Thames Crossing;
- Support the future commercial viability and expansion of the ports through continued investment in new infrastructure, housing, education and skills development;
- Identify additional sites for dedicated truck parks to meet future demand and reduce the environmental and transport impact of logistics related traffic growth on the Borough;
- Recognise the importance of protecting the role played by the River Thames in supporting economic growth;
- Allocate land for the development of new waste and renewable energy facilities which recognises Thurrock's strategic location and the current availability of sites for new development; and
- Recognise the importance and value of Thurrock's green infrastructure and heritage assets in supporting the delivery of wider economic, environmental, health, community and transport objectives.

### Comments from Local Residents and Community Groups

The Local Plan process will need to consider:

- The lack of affordable housing available to local people;
- The need for new homes to be built near transport hubs and existing community facilities and services like schools and doctors;
- The need for new homes to be built in areas where they can support the delivery of better community facilities and services;
- The preferred location for new homes should be on brownfield sites;
- The need for better health, education and community facilities to meet local needs;
- The need for more activities to be provided for young people;
- Addressing the adverse impact of lorry movements in residential areas;
- The need for industrial and residential areas to be segregated in order to minimise the impact of bad neighbour uses on local communities;
- The need for better parking provision in town and local centres;
- The requirement for improved standards of road maintenance and investment in Thurrock's roads;
- The need for better standards of design and a need to tackle the poor quality of the environment and badly maintained public open spaces;
- The provision of new public open spaces and sports and leisure facilities;
- Promoting the delivery of improved walking and cycling facilities; and
- How to address the health impacts of poor air quality on local residents.

### Watch this Place Washing Line

Following on from the success of the Local Plan Roadshows and the burning issues board, the Council decided to host some additional Local Plan Roadshows over the summer months in 2016. These events piggybacked on existing festivals that were already being held across the borough. The Council ran an activity titled the 'Watch this Place Washing Line' at these events. The activity involved people writing the things they didn't like about their community/town on a pair of paper pants and the things they did like about their community/town on a paper top.

In total this activity generated 462 responses. The majority of comments relating to things that people liked about their local area were focussed on community and environmental assets like open spaces and play areas although there was a recognition that these facilities could and should be better maintained by the Council. In terms of things that people didn't like about their local area, maintenance of the highways and the issue of litter featured prominently. Issues relating to the lack of/poor infrastructure provision were also notable.

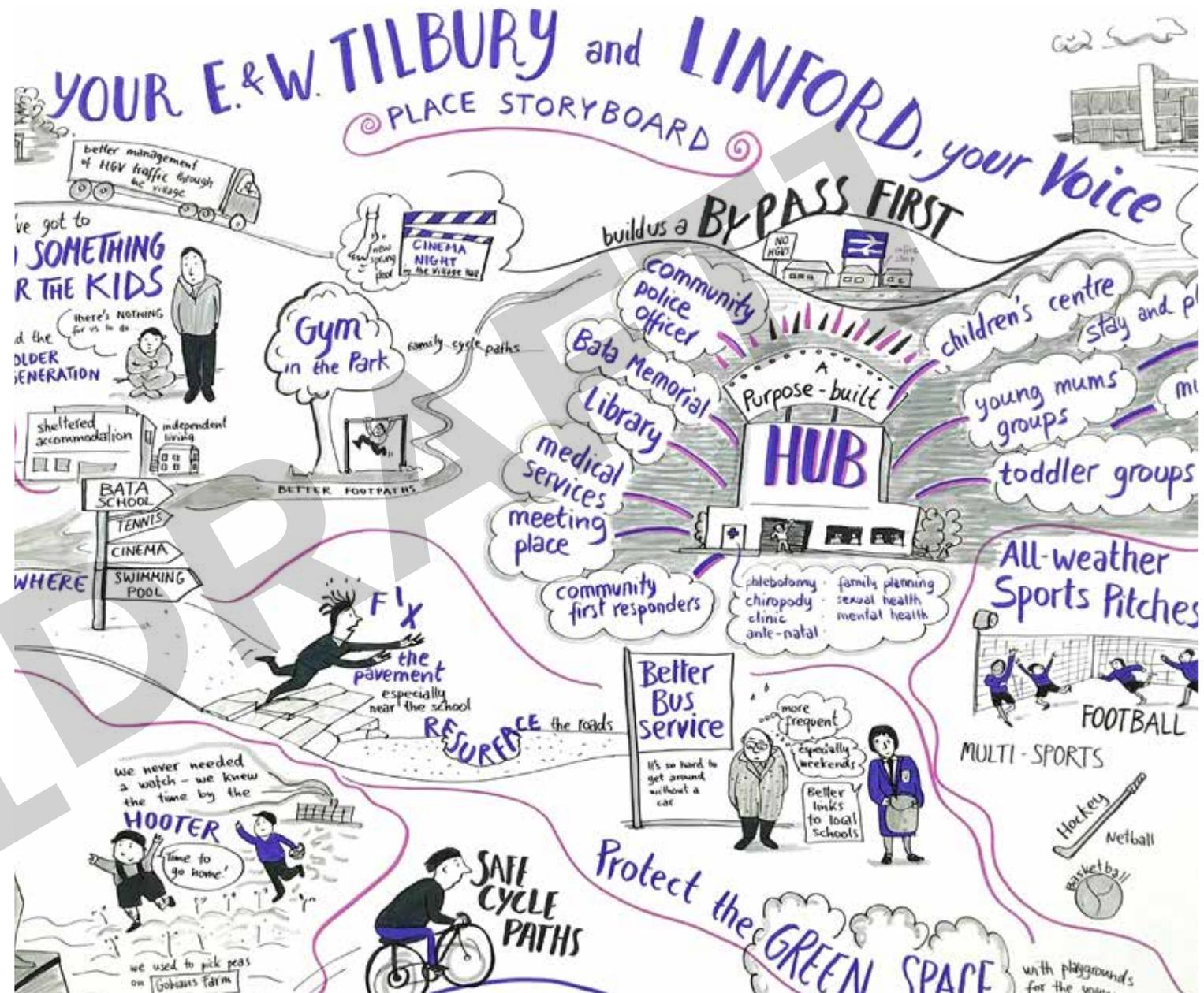
### Your Place, Your Voice Community Planning Events

The 'Your Place, Your Voice' community planning events were devised in response to comments that residents felt overwhelmed by the technical nature of planning consultations and the volume of council consultations that all seem to ask similar questions. The community planning events were run on a drop in basis, giving local communities the opportunity to feed into the Local Plan and other Council documents and strategies by participating in a range of informal and highly interactive consultation activities.

In total 17 events were held across the borough between February - April 2018. The community planning events highlighted several borough wide and locally sensitive issues and opportunities that need to be considered in the context of the emerging Local Plan.

These include but are not necessarily limited to the need to:

- Ensure that the provision of infrastructure is appropriately phased in relation to new development;
- Plan for a range of housing types that address and respond to local needs and priorities - i.e. at the Corringham event it was noted that there was a specific local need for older person's housing;
- Focus on social infrastructure especially facilities for younger people;
- Protect and improve key green spaces within communities;
- Ensure that the integrity to the green belt is maintained;
- Plan strategically for the provision of health facilities across the borough;
- and
- Address issues relating to the movement of vehicles across the borough, including HGVs.



# SECTION 3: CHALLENGES FOR THE FUTURE

## Key Issues and Challenges

The first task in preparing the Local Plan is to identify the issues or challenges that Thurrock faces. The key issues that the Local Plan needs to address have been drawn out from evidence from local strategies and technical studies, changing national policy, and continued community engagement including the responses received to the previous Issues and Options (Stage 1) public consultation.

These sources of evidence have also been used to help develop the vision, identify the objectives and shape the choice of options set out in this consultation document. Figure 6 sets out the emerging key issues and challenges facing Thurrock.



- Reducing inequalities in the Borough;
- Improving the attractiveness of the Borough as a place to live, work, visit and invest;
- Securing sustainable economic growth;
- Addressing the need for housing in the context of a probable shortfall across the South Essex strategic housing market area;
- Addressing affordable housing needs across the Borough;
- Providing the right type of housing across the Borough to meet specialist needs and a shortage of Gypsy and Traveller sites;
- Estates and community regeneration;
- Meeting the land and property needs of the business community and Thurrock's major employers;
- Port and logistics development;
- Maintaining vibrant and competitive town centres;
- Provision of activities and spaces for young people;
- Delivering the strategic and local infrastructure improvements required to support growth and the regeneration of existing communities;
- Protecting the integrity of the Green Belt including key gaps between urban areas and settlements;
- Maintaining and protecting the distinctive character and setting of the Borough's villages;
- Preparing for any impacts of climate change;
- Improving access to services, facilities and employment opportunities;
- Relieving congestion which hinders the movement of goods and people;
- Increasing accessibility and encouraging sustainable travel;
- Providing sufficient waste management facilities and providing for future mineral and aggregate needs;
- Improving health and well-being;
- Improving air quality;
- Preventing threats to the character and local distinctiveness of the Borough;
- Protecting and enhancing the Borough's historic, built and natural assets;
- Protecting the key role played by the River Thames as an economic and environmental asset;
- Managing water quality and flood risk;
- Mitigating the impacts of the Lower Thames Crossing; and
- Maximising the economic, housing and accessibility benefits of the Lower Thames Crossing.

## QUESTION 3:

Are these key issues the right ones or are there any key issues that you think have been missed?

Figure 6: Draft Key Issues and Challenges

## What do we want Thurrock to be like in 2038?

An important part of the Local Plan is its vision. This needs to set out our ambitions for Thurrock as a place and provide a clear picture of what we want the Borough to be like in 2038 and the role it plays as part of the wider 2050 vision for the development of South Essex.

Thurrock Council and its partners have an ambitious agenda to transform the Borough. Much has been achieved in recent years through the concerted efforts of our partners to increase prosperity and enhance the lives of those who live and work in the Borough but the agenda remains unfinished.

Preparing a new Local Plan has given us the chance to look afresh at what sort of place we want Thurrock to be in the future and to address the key issues and challenges set out in the preceding section.

A new vision for Thurrock needs to be developed which takes account of:

- Thurrock's strategic location in close proximity to London, the M25 and as a Gateway to the World;
- The success of the Council and partners in laying the foundations for the development and implementation of an ambitious growth agenda for Thurrock;

- The scale and nature of the further opportunities for driving forward economic growth and the need to ensure that the benefits of increasing prosperity are shared by all sections of the community;
- The challenges of delivering a step change in the quality of Thurrock as a place and the need to change people's perceptions of Thurrock as somewhere to live and work;
- The opportunity to harness the future scale and distribution of housing and employment growth to act as a powerful catalyst for transformational change and community regeneration;
- The need to address existing infrastructure deficits and support future growth;
- The need to plan for the economic, environmental, transport and social impacts of a possible Lower Thames Crossing;
- The long term priorities and strategies of the Council and its partners;
- Cross boundary issues such as the scale and distribution of housing, employment, transport and strategic infrastructure provision across South Essex;
- Changes to national policy, guidance and legislation since the adoption of the Core Strategy; and

- New challenges including a changing economic climate which have emerged since the adoption of the current Local Plan.

community which is proud of its heritage and excited by its diverse opportunities and future.

The starting point in developing the Local Plan vision is the Council's corporate vision which is for Thurrock to be 'an ambitious and collaborative

The draft vision for the Local Plan reflects, and elaborates upon the Council's corporate strategy and will support its delivery.



Figure 7: Corporate Vision

## Local Plan Vision

*“By 2038 Thurrock will have grown into a more prosperous, attractive and sustainable place to live and work, with improved quality of life and thriving communities. Galvanised by a generation of planned investment in the Borough’s transport infrastructure and enhanced by continually improving educational attainment, the Borough will have secured its position as the economic powerhouse of South Essex with a flourishing economy driven by port related industries, the logistics sector, new technologies and innovation, recognised for and characterised by a highly skilled, inclusive working population.*

*The delivery of high quality, desirable and affordable housing, tuned to local need and demand, has greatly stimulated what is now a buoyant housing market. More sustainable patterns of living will have been achieved throughout the Borough as a result of the successful development and expansion of its economic hubs, the successful creation of new mixed use developments, sustained environmental enhancements and key improvements to the public transport network.*

*The inherent quality of Thurrock’s natural and built environments including the riverfront areas will have continued to be celebrated and enhanced, creating places that people can be proud of, that build on the Borough’s distinctive and unique character through bold, imaginative and inclusive design”.*

## QUESTION 4:

Have we got the Local Plan vision right? Are there any changes you would like us to consider?

## How do we get there?

To address the key issues and take forward the vision, a number of strategic objectives have been identified through the Issues and Options (Stage 1) consultation and the various evidence base work that has been undertaken.

### Draft Strategic Objectives

- Improve accessibility to employment, local services and facilities;
- Reduce congestion;
- Support integrated and well-connected public transport;
- Support the Borough's economic success;
- Reduce the Borough's carbon footprint;
- Provide an appropriate mix of high quality and affordable housing to meet the needs of all sections of the community;
- Ensure the delivery of an appropriate range of high quality community infrastructure and services;
- Deliver regeneration and reduce inequality and social deprivation;
- Provide a range and choice of employment opportunities;
- Promote, conserve and enhance the special character and heritage of Thurrock;
- Provide, improve and maintain a well designed network of green places and open spaces;
- Identify and deliver sufficient suitable development sites to meet Thurrock's future housing, employment and other needs;
- Improve the health and well-being of the Borough's residents;
- Retain an effective Green Belt;
- Maintain and enhance the Borough's network of retail centres as a focus for shopping, leisure, business, housing and community activity;
- Protect and enhance the Borough's tranquil areas;
- Reduce waste and meet future needs;
- Conserve and enhance the Borough's built and natural environmental assets;
- Value and protect the role played by the River Thames as an economic and environmental asset; and
- Ensure new development is well designed and future-proofed to meet changing economic, social, technological and environmental needs.

## QUESTION 5:

Are the objectives the right ones? Are there any objectives that you think we have missed?

## Policy Principles - How should development take place?

The key issues that the Borough is facing, the objectives to be pursued, and the choices for the broad approach to new development have been set out. The Local Plan will also need policies to make sure that new development contributes to the delivery of the objectives and Government policy requirements.

Policies dealing with the following principles which are common to each Option will be developed as part of the Local Plan Preferred Option.

### 1. Delivering the right infrastructure, in the right place and at the right time

The delivery of new infrastructure to meet the needs of the local community and business is crucial to the development of Thurrock as an economically prosperous, attractive and healthy Borough. Following active engagement with local communities to identify the full range of new infrastructure necessary to support planned growth - such as hospital services, the Council will prepare an Infrastructure Delivery Plan (IDP) which will set out the funding and implementation mechanisms needed to secure their delivery. In preparing the IDP the Council will work closely with Government, infrastructure providers and the development industry to align investment priorities and strategies to ensure, where possible, the up-front provision of key strategic transport and community infrastructure.

### 2. Positive Health and Well Being Impact

Promoting and enhancing community health and well-being is an important 'golden thread' which will run throughout the Local Plan. The planning system can play a key role in creating healthy and inclusive communities and the local plan will

need to set out an integrated policy framework which not only delivers the homes and community facilities to meet local needs but also creates safe, accessible and healthy environments for people to live in, free from the adverse impacts of poor air quality. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities and the Local Plan will set out a policy framework for the delivery of new open spaces and sports and leisure facilities as part of the master planning and regeneration of both existing and new communities.

### 3. Meeting Thurrock's Housing Needs

The provision of high quality and affordable housing, in particular low cost housing, which meets the needs of all sections of the community is a key policy outcome for the Local Plan. Policies will identify the scale and distribution of new housing development together with the necessary supporting community and other infrastructure to ensure the development of balanced and inclusive communities. In particular, it is considered that there should be a particular emphasis on accelerating and increasing the delivery of a wide range of affordable housing products including new Council housing together with specialist housing, to meet the needs of those on low incomes and the elderly.

### 4. Protect and enhance the character of existing communities

Wherever possible new development should be located alongside or in close proximity to existing communities where there is a clear need or opportunity to harness investment in new homes, while protecting and enhancing the character of existing communities and help fund the regeneration of existing centres, without the overdevelopment of existing settlements which will fundamentally alter their character.

### 5. Minimising Carbon Emissions

Policies will seek to minimise carbon dioxide emissions from new development - with the aspiration of being as carbon neutral as possible - contribute to the longer term targets to reduce emissions and ensure that developments are protected from the impacts of climate change. Development should minimise the need to travel and encourage accessible neighbourhoods using public transport, cycling and walking as a real alternative to car use.



## 6. Maintaining an effective Green Belt

Thurrock's Local Plan will prioritise building on all viable brownfield sites. In order to meet Government policy objectives and to ensure everyone has access to a decent and affordable home, the Council will have to consider releasing land from the Green Belt to accommodate the number of homes and supporting community facilities required in Thurrock over the plan period. Policies will need to ensure that the green belt continues to be effective in protecting the character of the Borough and maintaining key gaps between urban areas and settlements. The Local Plan will investigate:

- All greenbelt sites which have the potential to be improved to provide much greater social and environmental value to the Borough.
- All brownfield sites which have the ability to be re-designated as green belt as part of a development proposal

## 7. Protecting and Delivering Quality in the Built Environment

All new development will be required to meet high design standards and improve the overall quality of Thurrock as a place to live and work. Consistent with national planning policy, the Local Plan together with the preparation of Master Plans and supporting Design Guides will provide developers with comprehensive guidance on how to plan for the delivery of high quality design which incorporates 'garden community' principles whatever the scale or type of development being considered.

## 8. Meeting Employment Needs

Policies will need to recognise the aspirations of the major businesses in the Borough to develop and expand while also ensuring that development occurs in the right locations to protect and enhance the attractiveness of the Borough and make the best use of both existing and planned investment in new infrastructure. Policy will also need to ensure the delivery of sufficient housing to meet the needs of workers and the availability of an educated and skilled workforce to ensure the benefits of ongoing job creation and economic growth are accessible to all.

## 9. Ensuring our Town Centres continue to thrive

Policies should enhance the accessibility, quality and vitality of the Borough's network of centres as a focus for shopping, leisure, business and community activity. This includes the transformation of Lakeside into a regional town centre and the regeneration of the Borough's traditional centres and the development of new centres in areas of proposed housing growth to create balanced and sustainable communities. Where appropriate, Inset Plans will set out more detailed planning, design and infrastructure related policies to guide the future development of individual Borough centres.

## 10. The River Thames

Thurrock's character and history is interwoven with that of the River Thames. In economic terms, the Ports are of national significance and crucial to the economy of the Borough, London and the wider South East. The river is also important as a natural habitat which forms part of the wider and unique riverscape which hosts important heritage assets which contribute to Thurrock's identity and sense of place. The Local Plan will need to continue to recognise and exploit the economic opportunities arising from Thurrock's location by the river while also respecting the need to protect and enhance the distinctive riverscape, heritage assets and unique biodiversity and ecology.

## 11. Managing Waste

Provision will need to be made for waste management facilities by identifying sites and/or a policy enabling the use of appropriate land to ensure that targets are met and that waste can be managed locally. Mineral resources in the Borough will be protected and sites, preferred areas or areas of search identified for the extraction of sand and gravel and other mineral infrastructure. Although these matters will be addressed in a separate Minerals and Waste Local Plan, it will remain important that the spatial strategy set out in the Local Plan does not prejudice the ability of the Borough to meet its future minerals and waste needs.

# QUESTION 6:

Do you agree that these are the right policy principles?  
Are there any policy principles that you think have been missed?

## Lower Thames Crossing

The Lower Thames Crossing (LTC) is a proposed new road crossing of the River Thames east of London that will connect Kent, Thurrock and Essex. Following consultation on a series of route options, the Secretary of State for Transport announced in April 2017 that the Preferred Route would connect the A2 in Kent, east of Gravesend, to the M25 in Essex, south of Junction 29, crossing under the River Thames by means of two bored tunnels.

The scheme as proposed in October 2018 sets out that the LTC will consist of approximately 23km of new roads connecting the tunnel to the existing road network, with two 4km tunnels to enable traffic to cross beneath the river. The new road scheme is proposed to be three lanes in both directions, with widening of the M2/A2 and the M25 at each end of the route.

An indicative plan of the proposed alignment of the Lower Thames Crossing is shown on Figure 8.

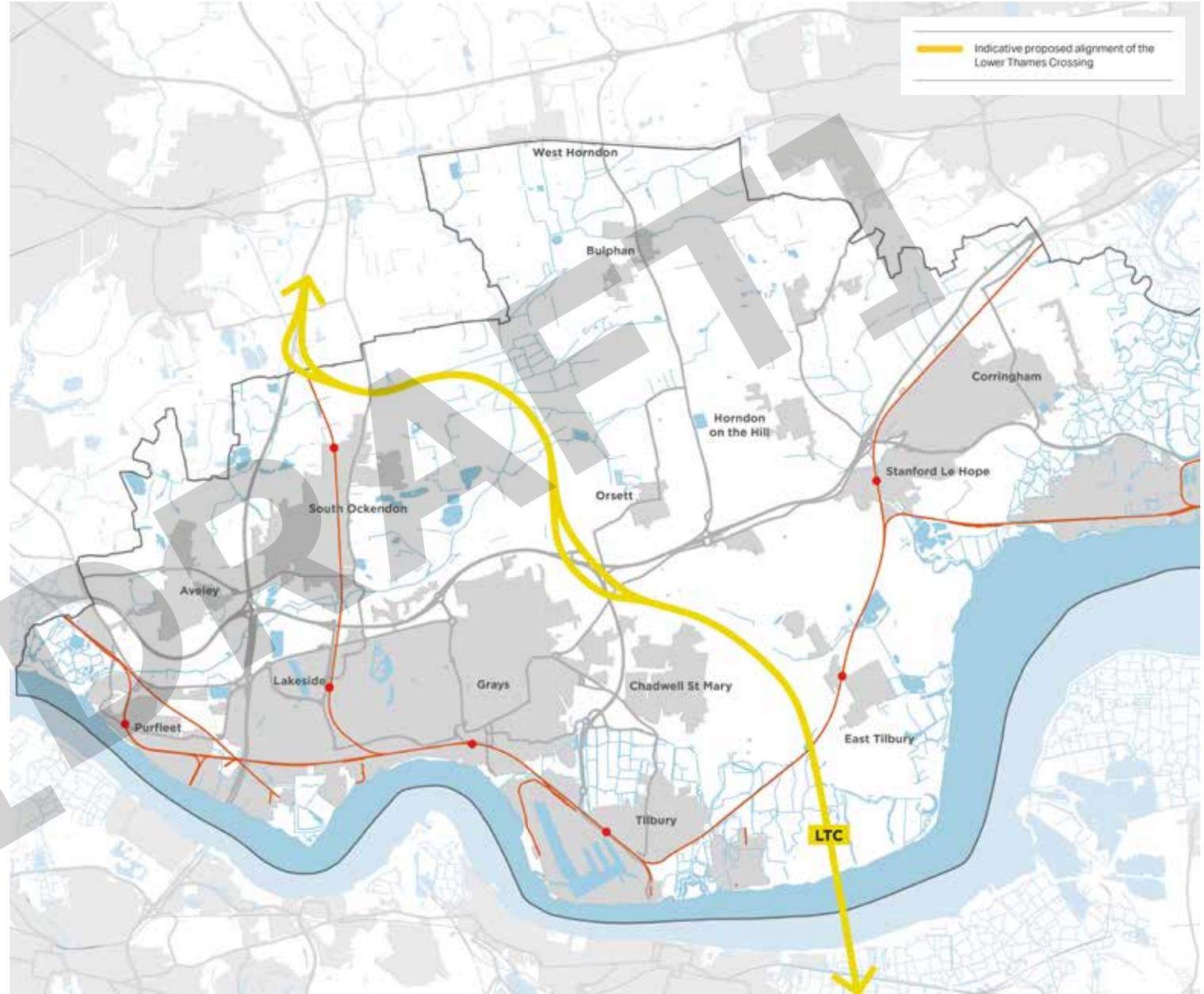


Figure 8: Indicative Plan of the proposed alignment of the Lower Thames Crossing

The Lower Thames Crossing is expected to open by 2027, subject to the necessary funding and planning approvals.

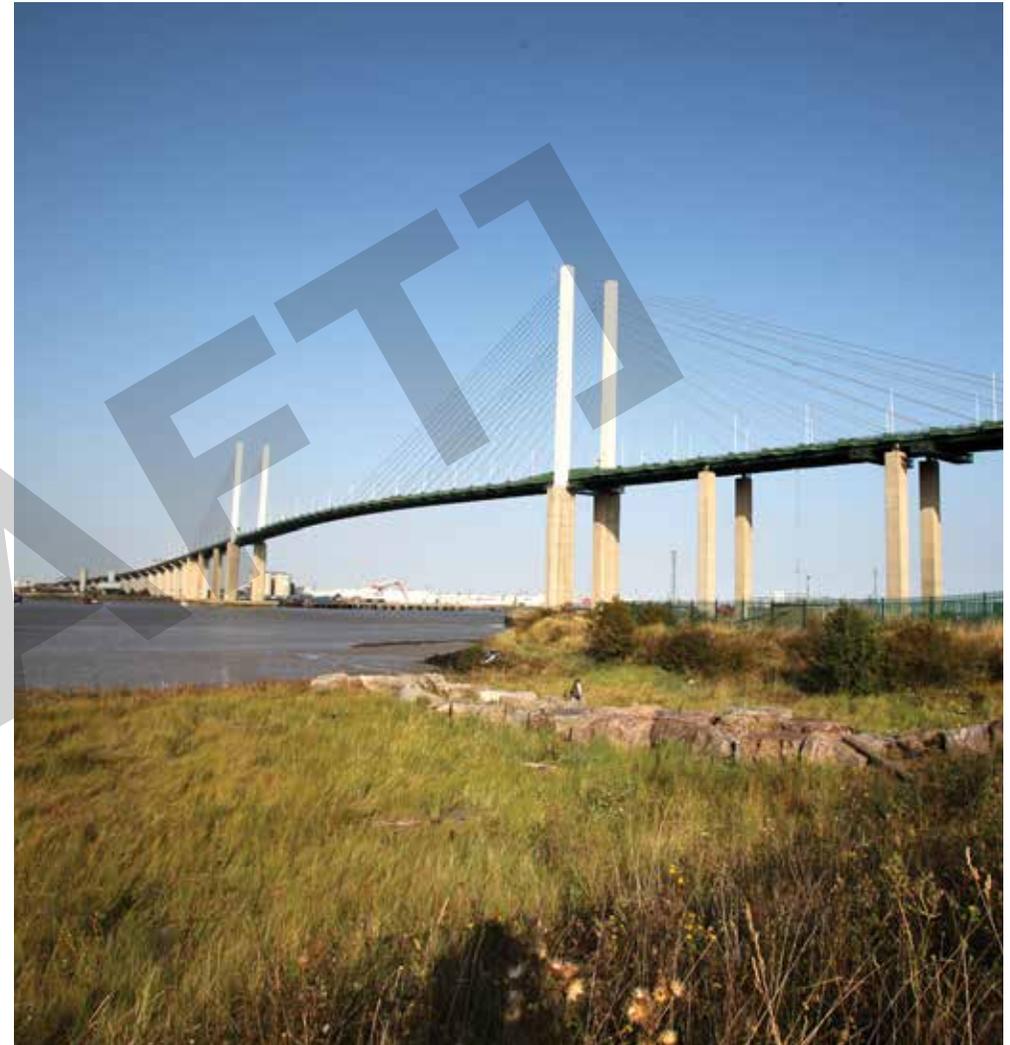
Notwithstanding the differing viewpoints on the merits or otherwise of the Government's proposals for a new Thames Crossing in Thurrock, the preparation of the Local Plan must take into account the significant economic, environmental and transport implications of any decision by the Government to move forward with the scheme. In this regard, the Local Plan must reflect and respond to the following land use and planning

considerations by providing an effective planning policy framework which:

- Safeguards the alignment of the route including the location of junctions;
- Addresses the economic impacts of the proposal including the need to protect existing businesses and promote future economic growth;
- Helps mitigate the short, medium and longer term environmental impacts of the proposed crossing on existing communities, settlements and the Borough's historic assets and environmental infrastructure;

- Supports and does not constrain the ability of the Borough to meet its future development needs, including an increase in housing delivery;
- Addresses the need to ensure the beneficial restoration or reuse of land used in the construction of the project;
- Protects and enhances local access routes and reduces the negative impact of severance on local communities;
- Protects and improves transport connectivity both to, through, and within Thurrock for local businesses and residents; and
- Ensures that the cumulative environmental impacts (air quality, cultural heritage, landscape, biodiversity, geology and soils materials, noise and vibration, people and communities, rain drainage and water environment) of proposed Local Plan allocations and the LTC are properly assessed and mitigated where necessary.

Given the complex interrelationship that exists between the two processes, it should be noted that it will not be possible for the Council to submit the Local Plan for Examination until such time as a final decision has been made on the route and location of the Lower Thames Crossing.



# SECTION 4: WHAT LEVEL OF GROWTH IS NEEDED - HOUSING?

## Context

One of the main purposes of a Local Plan is to set out how much housing is needed, including specific types of housing and where these homes should be located. Following the abolition of the East of England Regional Spatial Strategy in 2013 (which set out housing targets for its constituent local authorities), the Council has the responsibility for identifying the housing 'target' in its Local Plan, but this target must be based on sound evidence and discussed with neighbouring local authorities under the Duty to Cooperate process.

Over the past few years, Thurrock has worked closely with neighbouring local authorities in South Essex to prepare technical evidence (the Strategic Housing Market Assessment (SHMA)) that identified an 'objective assessment of housing need', taking into account population and household projections, affordable housing needs and bespoke economic growth projections. However, the recently published NPPF (July 2018) sets out a requirement for a standardised methodology to be used to assess future housing needs, as the Government believes that this will provide a more transparent and consistent basis for Local Plan production across the country.

The standard method is set out in national planning practice guidance (NPPG) and is a simple calculation which uses the most recent national household projections and the most recent median workplace-based affordability ratios to calculate a minimum annual local housing need figure for each local authority area. Following the decision by the South Essex authorities to strengthen the arrangements for strategic planning across the area, the process of formally agreeing the future scale of new housing development for Thurrock will now be made through the process of preparing and adopting a Joint Strategic Plan (JSP).

In preparing the JSP, it will remain important that any strategic decisions regarding the scale and nature of future housing needs are fully reflective of the capacity of the individual local authority areas to support the levels of growth proposed, and that the scale and nature of the future housing provision being planned for meets local needs and supports wider economic, community and social policy objectives. In order to achieve this, it remains crucial that the evidence base being developed in support of the planning process and the views of the local community are used to inform the preparation of the JSP. This will help ensure that the policy approach set out in the JSP is realistic, deliverable and fully reflective of local needs and the opportunity to create attractive places to live, work and enjoy.



## Understanding how many homes we need

National planning policy states that local plans should 'positively seek opportunities to meet the development needs of their area' and that planning policies should ensure that a local authorities objectively assessed housing need calculated using the standard method should be met unless there is a strong reason for restricting the overall scale of development in an area or if the adverse impacts of development would significantly and demonstrably outweigh the benefits.

As such, the starting point for preparing the Local Plan is the assessment of housing need calculated using the standard method. As stated above, the standard method is a calculation which uses the most recent national household projections and the most recent median workplace-based affordability ratios to calculate a local authority areas' minimum annual local housing need figure. The most recent data consists of 2016-based household projections and the 2017 affordability ratio and ordinarily, it would be expected that these datasets would be used to calculate Thurrock's minimum housing need. However, following the release of the 2016-based household projections in September 2018, the latest assessment of housing need, at both a local and national level, indicates the need for a lower level of housing than that forecast by the previous (2014-based) set of projections. Therefore the Government have published a consultation to seek views on changing the standard method calculation outlined in the NPPF and NPPG to ensure that the starting point in the plan-making process continues to be consistent with ensuring that 300,000 homes per year are built across the country by the mid 2020's.

The Government's proposed approach outlined in the consultation document is for the 2014-based household projections to be used as the demographic baseline for assessment of local housing need, rather than the more recently published 2016-based projections. The Government also proposes to review the standard methodology formula with a view to establishing a new method by the time that the next set of projections are published (the 2018-based household projections which are due to be published in 2020).

The implication of any further adjustment to the standard method on the calculation of Thurrock's future housing need is unclear at the present time. However, it is clear that through the course of the plan-making process the minimum number of homes to be planned for will fluctuate as updated household projections and affordability data are released. It will therefore be necessary for the development strategy and policies in the Local Plan to be sufficiently flexible to adapt to changes in the forecast of local housing need.

The standard method calculation (using 2014 based household projections and the 2017 affordability ratio) identifies a need for 1,173 homes per year in Thurrock. It should be noted that unlike the assessment of housing need calculated in the SHMA 2017, the standard methodology fails to consider whether any adjustments need to be made to the housing requirement to ensure that the provision of new housing addresses any imbalance between the available labour supply and the projected rate of job growth in the Borough. Therefore it will be necessary, through ongoing work on the Local Plan, to carry out additional technical work to assess the implications of using the standard method to calculate housing need on the economic growth of the Borough.

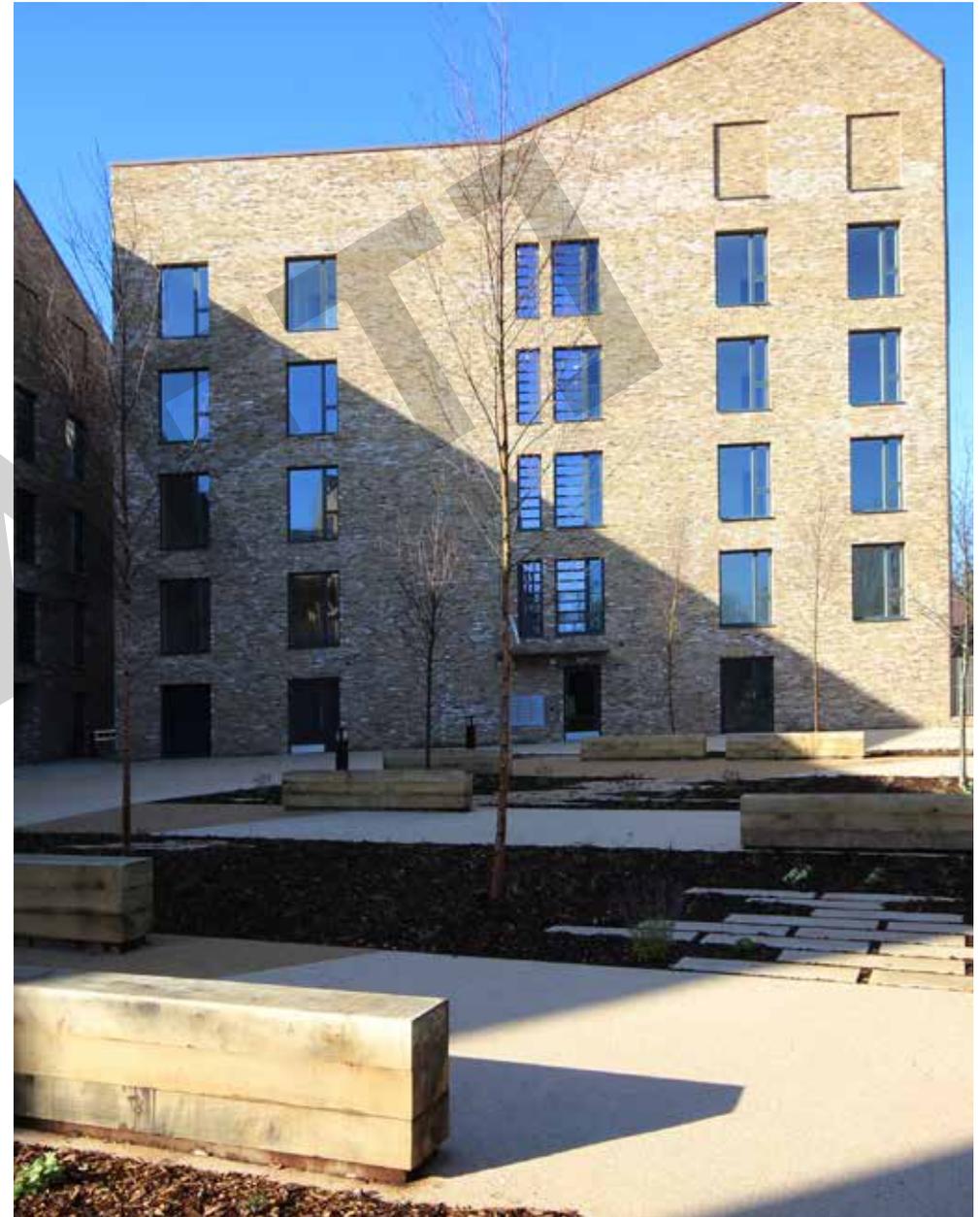
The Council could make a decision to apply an uplift to the housing need figure calculated using the standard method to ensure that the economic growth ambitions of the Borough are achieved in a sustainable manner. Without an adequate supply of housing to meet workers needs locally, there is the potential that firms could relocate or redirect investment to other locations as workforce availability declines. Alternatively, if job growth were to continue without the required housing growth, increased levels of in-commuting are likely to result, putting additional strain on the local transport networks. The level of any additional adjustment to support the economic growth of the borough would need to be determined through further technical work.

Setting a housing target lower than the objectively assessed housing need calculated using the standard method would require the Council to approach neighbouring authorities through the Duty to Cooperate process and through the preparation of the JSP to see if they are able to accommodate all or part of Thurrock’s unmet housing need. Initial discussions with neighbouring local authorities indicate that, at present, this is unlikely to be the case.

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Figure 9: Breakdown of Thurrock’s objectively assessed housing need figure calculated using standard method

Stage	Adjustment	Number of dwellings per annum
Starting point: 2014 household projections 2016-2026 (Source: Office for National Statistics (ONS))		853
Affordability adjustment - house prices are much higher than local people can afford. Increasing supply should help lower prices and make it easier for people to rent or buy a home of their own.	+320	1,173





## Strategic Housing Market Assessment (SHMA)

Whilst the NPPF no longer requires local authorities to prepare a SHMA, it is considered to be a useful piece of up-to-date technical evidence against which to benchmark the assessment of housing need calculated using the standard method. The NPPG also states that a higher housing need figure may need to be considered where a recent assessment of need, such as a SHMA, indicates a higher level of need than that proposed by the standard method calculation.

In May 2017, the South Essex Authorities published an update to the South Essex SHMA which used 2014 based population and household projections, together with bespoke economic growth projections to identify the need for 4,000 new homes across South Essex per year, from 2014 to 2037. The SHMA also identified the housing need figure for each individual local authority within the housing market area.

Thurrock's housing need figure in the 2017 SHMA update was assessed as being between 1,074-1,381 homes per year. However, the lower figure did not take account of the projected rate of economic growth in the Borough over the plan period and therefore the higher figure was considered to be a more realistic reflection of the future housing need in Thurrock..

The 2016 Strategic Housing Market Update and the 2017 Addendum to the South Essex Strategic Housing Market Assessment are available to view on the Council's website [www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan).

## QUESTION 7:

To ensure that enough homes are provided in Thurrock over the plan period, which approach should the Plan look to adopt? Are there any other options that should be considered? Please explain your answer and reference supporting evidence to justify your response

### **Approach A - Set a housing target that mirrors our objectively assessed housing need calculated using the standard method**

Seek to allocate enough land to meet Thurrock's objectively assessed housing need calculated using the Government's standard method over the Plan period

### **Approach B - Set a housing target higher than Thurrock's objectively assessed housing need calculated using the standard method to support increased economic growth in the borough**

Seek to allocate enough land to meet Thurrock's objectively assessed housing need calculated using the Government's standard method over the Plan period with an additional uplift to the housing target to support economic growth in the borough.

## Planning for affordable housing

Affordable housing is housing for sale or rent, which is provided to eligible households whose housing needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is essential for local workers). There are a number of different types of tenure within the range of affordable housing with the most common being social rented, affordable rented and intermediate housing.

Thurrock has a significant need for more affordable housing across all tenures. This need was calculated in the 2016 South Essex Strategic Housing Market Assessment (SHMA) and was updated in May 2017 in response to updated demographic projections. The net annual affordable housing need for the next five years was calculated as 472 homes per year, rising to 663 homes per year for the remainder of the plan period. If the identified annual requirement for affordable housing were to be applied to the overall annual housing need, it would mean that 48% of the total number of new homes built would need to be affordable housing. It should be noted that further technical work will need to be carried out to determine an up-to-date assessment of affordable housing need following the introduction of the standard method of calculating overall housing need and to take account of changes to the definition of affordable housing contained within the NPPF.

In considering what percentage of all new residential development should be affordable, the Council has to consider a number of things including land supply, viability and the availability of alternative delivery models.

National policy states that pursuing sustainable development requires careful attention to viability and costs in both plan-making and decision-making. Local Plans must be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy requirements that the ability for them to be developed viably is threatened. The Local Plan Viability Baseline Report tests the current affordable housing target of 35% against several generic housing typologies and concludes that this level of affordable housing is generally only viable when looking at greenfield sites. This finding is consistent with delivery patterns over the last few years as the majority of sites in the urban area are supported by viability statements indicating that the required amount of affordable housing under current policy cannot be met on site without impacting the viability, and therefore delivery, of the overall development.

The Local Plan Viability Study Baseline Report also tests the level of developer contributions that could be achieved against different affordable housing targets. The report concludes that lower affordable housing targets might be appropriate in some areas where there is a particularly high requirement for developer contributions towards infrastructure and other forms of mitigation.

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The 2017 Local Plan Viability Study Baseline Report is available to view on the Council's website [www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan). It is worth noting that this study explores the general viability of a set number of housing typologies that reflect the type of developments that could come forward in the Borough in the future. It does not look at the viability of specific sites. This study will be updated prior to submission of the Local Plan to the Secretary of State and we welcome comments on its content.

## QUESTION 8:

To help maximise the amount of affordable housing delivered over the plan period, which approach to setting an affordable housing target should the Plan look to adopt? Are there other options that should be considered? Please reference supporting evidence where possible.

### Approach A – Borough Wide Affordable Housing Target

Set a borough wide affordable housing target that is reflective of the minimum level of affordable housing that could be achieved on the majority of sites in the borough and seek to achieve higher developer contributions towards key infrastructure improvements.

### Approach B – Split Affordable Housing Target

Set a split level affordable housing target that sets a lower target for previously developed land to incentivise development in these areas and a higher target on greenfield sites.

### Approach C – Site Specific Affordable Housing Target

Set a site specific affordable housing target for allocated sites having regard to the individual circumstances of each site with regard to the provision of key infrastructure improvements and overall development viability.

## Affordable Housing Tenures

Effective affordable housing provision is not just about quantity; of equal importance is ensuring the right type of provision. The SHMA 2016 identifies the greatest need for affordable housing is from those requiring housing from the affordable housing for rent tenure. However, the NPPF sets out that planning policies should expect at least 10% of homes on major development sites to be available for affordable home ownership. This requirement would form part of the overall affordable housing contribution from a development site which would have implications on the amount of affordable rented homes that could be delivered on any given housing site.

Therefore, it should be noted that further technical work will need to be carried out to establish the affordable housing needs of specific groups and to identify how the housing needs of these different groups can be met within a policy framework which promotes the tenure of affordable home ownership over other types of affordable housing tenure.

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#### INFORMATION ON AFFORDABLE HOUSING

Affordable Housing is housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a) Affordable housing for rent: housing where the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents.
- b) Starter homes: new homes offered to younger people (under 40) at a minimum 20% discount to the market price, with the discounted price no more than £250,000.
- c) Discounted market sales housing: housing that is sold at a discount of at least 20% below local market value.
- d) Other affordable routes to home ownership: this is housing that is provided for sale that provides a route to ownership for those who could not achieve home ownership through the open market. It includes shared ownership (allows purchasers to typically buy between 25-75% of the equity of a property, relevant equity loans, other low cost homes for sale (at least 20% below local market value) and rent to buy (which includes a period of intermediate rent).

## QUESTION 9:

What approach should the Council take to addressing the need for the various tenures of affordable housing? Are there other options that should be considered? Please reference supporting evidence where possible.

#### **Approach A - Prioritise the delivery of social rented housing units**

This approach would deliver more homes that are genuinely affordable to more households and particularly those most in housing need. However, following this approach may reduce the total number of affordable homes delivered over the Plan period due to reduced development viability.

#### **Approach B - Prioritise the delivery of intermediate housing units (i.e. shared ownership, starter homes)**

This approach meets the Government's objective of increasing home ownership rates by offering an affordable route to home ownership for first-time buyers and households with lower incomes.

#### **Approach C - Allow the tenure mix to be negotiated by the Council on a site by site basis**

This approach would allow the tenure mix to be negotiated through the plan making and planning application processes, taking account of the Council's most up to date evidence on housing need.

## Delivery of Affordable Housing

The Council secures the majority of affordable housing that is built in the borough by requiring developers to provide affordable dwellings as part of open market housing developments (through Section 106 Agreements). Affordable housing is also delivered directly by the Council or other Registered Providers (i.e. housing associations) on sites owned and/or developed by them.

The Government has recently announced plans to allow Councils to borrow more money to enable them to directly provide additional affordable homes in their area. The Council could also take responsibility for the direct provision of affordable housing by requiring developers to provide land and S106 financial contributions to the Council rather than the developer directly making provision for affordable housing on development sites. It should be noted that this approach will not necessarily increase the supply of affordable housing; it simply changes the delivery approach and subsequent ownership and management of the affordable housing units.

### QUESTION 10:

Should the Council seek to increase the supply of affordable housing in the Borough by borrowing more money to build new homes?

What other approaches could the Council take to increase direct provision of affordable housing in the Borough?

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## Meeting the needs of specific groups

When planning for how the Borough may change, it is important to consider the needs of specific groups and plan for a mix of homes and a range of sizes and types to meet both current and future housing needs.

National policy encourages Local Plans to plan positively for a mix of housing based on an assessment of the type of people that live in the Borough both now and in the future. This includes providing a mix of homes to meet the needs of different groups such as families with children, older people, those with disabilities or particular support needs and those wishing to build their own homes.

To date, these needs have been considered on a sub-regional basis through the 2016 South Essex SHMA as Thurrock is part of the South Essex housing market area. This assessment notes that the housing needs of older people in particular need to be carefully planned for. Again, this assessment will need to be updated to inform both the JSP and the Local Plan, following the recent publication of the updated NPPF. However, it is considered that the assessment included in the SHMA still provides a relevant context to aid discussion and understanding of how the housing needs of specific groups could be met.

## Housing Mix and Size

National policy highlights the importance of considering the size and type of housing required once an overall housing target has been identified. The 2016 South Essex Strategic Housing Market Assessment assesses the need for particular types of dwellings by looking at an area's existing housing stock and comparing that with anticipated housing needs based on population projections and an area's Housing Needs Survey.

Figure 11 sets out the types of housing required in Thurrock over the plan period. It should be noted that the figures contained in this table reflect the housing need figure identified in the SHMA (1,173 homes per annum) rather than the figure identified through the calculation of housing need using the standard method. However, it is anticipated that whilst the actual figures in the table will change following an update to the assessment, the proportion of homes required across each housing type is unlikely to be significantly different.

In October 2015, the government introduced a new housing standard called the Nationally Described Space Standard. This new standard is designed to improve the quality of new-build housing by ensuring they are built to an adequate size. This standard can only be applied locally if it is adopted through the Local Plan and the need for such a policy is appropriately evidenced. The Council is currently undertaking a review of recent planning applications to look at average dwelling sizes and how these compare with the Nationally Described Space Standard.

## QUESTION 11:

Should the Council seek to adopt the Nationally Described Space Standard in the emerging Local Plan?

Figure 11 - Suggested Housing Mix

Overall Housing Need	1,173 (per annum)
<b>Detached</b>	
3 bed or less	7%
4 bed	4%
5 bed or more	1%
<b>Semi-detached</b>	
2 bed or less	9%
3 bed	23%
4 bed or more	4%
<b>Terraced</b>	
2 bed or less	9%
3 bed or more	22%
<b>Flat</b>	
1 bed	11%
2 bed or more	10%

## Housing for older people and people with specialist needs

National policy requires local authorities to meet the specific accommodation needs of older people and people with specialist housing needs. Offering attractive alternative housing choices for older people and vulnerable groups will assist in freeing-up family sized homes that are currently under-occupied.

The Government's reform of Health and Adult Social Care is underpinned by a principle of sustaining people at home as long as possible. Therefore, accommodation for older people and vulnerable groups is moving towards more flexible forms of living and support, which seek to maintain people's independence; for example, a self-contained home (C3 Use Class) within a site offering extra support facilities. People who are unable to live independently require specialist residential or nursing care accommodation. This type of accommodation usually falls within the C2 Use Class.

Like many areas of the country, Thurrock has an ageing population and an increase in all types of accommodation options for older people will be needed over the plan period. The SHMA (2017) identifies that the population of Thurrock residents aged 75 and over will increase by approximately 9,300 over the period 2014 - 2037. The SHMA estimates that the additional demand for different types of specialist accommodation (within the C3 Use Class) generated by this population growth is for around 1,500 units, approximately 65 specialist accommodation units per year. In addition, the study estimates that the growth in the population living in communal establishments (C2 Use Class) will be approximately 450 persons over the plan period, requiring the provision of an average of 20 additional bed-spaces of C2 provision per year.

In addition to the provision of housing that meets the needs of older people, the provision of appropriate housing for people living with disabilities and other vulnerable groups is crucial in ensuring that they live safe and independent lives. The NPPF defines people as having a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

Other vulnerable groups that may benefit from specialist or supported housing provision include young people leaving care, young single mothers, people fleeing domestic violence, people suffering from addiction problems and ex-offenders. Some people that fall into these groupings may require on-going support and care in permanent supported housing accommodation whilst others may need tailored support for a limited period in order to support them in to

more independent living and a settled lifestyle, with access to education, training and employment.

It should be noted that the delivery of specialist housing for older people, people with disabilities and vulnerable people is not simply a planning issue. The delivery of supported housing of all types requires effective joint working between multiple agencies, eg. housing, health and voluntary sector, as well as planning.

### QUESTION 12:

To help better plan for the needs of older people and those with specialist housing needs which approach/es should the Council look to adopt? Please explain your answer, referencing supporting evidence where possible.

#### Approach A: All Dwellings Built to M4 (2) Requirement

Ensure that all new homes meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'. This will ensure that all new general needs housing is suitable to meet the needs of an older person, a person with disabilities or a vulnerable person.

#### Approach B: 10% of New Dwellings Built to M4 (3) Requirement on Large Residential Developments

Ensure that at least 10% of all new homes on large scale residential

developments meet Building Regulation requirement M4 (3) 'wheelchair adaptable dwellings'. This will ensure that sufficient homes are available to meet the housing needs of older and/or disabled residents.

#### Approach C: Allocate Sites for the provision of Specialist Housing

Allocate specific sites for the provision of specialist housing (both C2 and C3 Use Classes) to meet the needs of older people, people with disabilities, and vulnerable people.

#### Approach D: Requirement for Large Residential Developments to provide a specific amount of Specialist Housing

Set a specific target/requirement for the provision of specialist housing (C3 Use Class) suitable for the needs of older people, people with disabilities, and vulnerable people on large residential development sites.

## Self -Build and Custom build housing

Self-Build or Custom Build housing is housing built or commissioned by individuals (or groups of individuals) to be occupied by themselves as their sole or main residence. For the purposes of planning policy, self-build and custom build dwellings share the same definition and the terms are used interchangeably. Self-build is where a person is directly involved in organizing and constructing their home, whereas custom build is where a person commissions a specialist developer to help to deliver their own home. Both routes require significant input from the home owner in the design process of the dwelling.

The Self-Build and Custom Housebuilding Act 2015 places a duty on local authorities to keep and have regard to a register of people who are interested in self-build or custom build projects in their area. In addition, local authorities are required to grant sufficient suitable development permissions on serviced plots of land to meet the demand, as evidenced by the number of people on the register, for self-build and custom build plots in their area. There are currently 63 individuals on this register. Whilst it is appreciated that this represents a relatively small proportion of the Borough's housing need, the requirement to meet this need is something to be considered through the Local Plan process.

### QUESTION 13:

To meet the demand for serviced plots of land for self-build or custom build housing, which approach should the Council look to adopt?

Approach A: Allocate specific sites for the development of self-build/custom build housing. Please suggest specific sites if appropriate.

Approach B: Set a requirement for Large Residential Development sites to supply a proportion of serviced dwelling plots for sale to self-builders

## Ensuring that the needs of Gypsies, Travellers and Travelling Showpeople are met

Local Planning authorities must assess the need for Gypsies and Travellers and Travelling Showpeople accommodation in their areas and, if a need is identified, look for sites to provide for that need.

The Council is still in the process of finalising the assessment of need for Gypsies and Travellers and Travelling Showpeople accommodation to conform with national policy. However, once the full need is identified, the Council will consider how, and in what locations, it can seek to meet the identified need through the plan-making process. Therefore, whilst the Call for Sites 2018 has now closed, the Council would welcome any submissions of sites that may be suitable for use by Gypsies, Travellers and Travelling Showpeople as permanent or transit sites through the consultation process.

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### INFORMATION

National policy sets out specific criteria guiding the location and design of Gypsy and Traveller sites, recognising their particular characteristics. These criteria recognise that sites may be located in rural areas, but that new traveller site development in the open countryside that is away from existing settlements should be very strictly limited.

## Location Of Housing Growth - Spatial Options

### Housing Land Supply

The National Planning Policy Framework (NPPF) requires local planning authorities to prepare Strategic Housing Land Availability Assessments to establish realistic assumptions about the availability, suitability, and the likely economic viability of developing land. It forms a key component of the Local Plan evidence base and assists plan-makers in choosing sites to go forward into the Local Plan to meet objectively assessed needs. It also allows local planning authorities to understand what the land supply is, and therefore, whether there are sufficient sites available to meet future housing needs.

In September 2016, the Council commissioned the preparation of an up-to-date Housing Land Availability Assessment that:

- Identifies sites/broad locations;
- Assesses the development potential of sites;
- Assesses the suitability, availability and achievability of sites.

The Planning Practice Guidance (PPG) requires that a wide range of sites and broad locations should be identified, and that sites should include information on constraints to show their potential for development.

The guidance also requires local planning authorities to issue a call for potential sites. This was undertaken by the Council in 2015, 2016 and 2018, and involved a wide range of groups, organisations, landowners, agents and developers. A total of 438 sites were identified for assessment, which included analysis of physical and policy constraints, together with a separate assessment of their development potential and economic viability.

The NPPF refers to sites being deliverable, developable or not currently developable. Sites that are deliverable are those that can come forward in the first 5 years of the plan period, and sites that are developable can come forward in years 6-10 and, where possible, years 11-15. Year 1 is the monitoring year April 2016 to March 2017. Therefore, sites under construction that had completions before this year were not included in the trajectory.

Figure 10 Indicative Trajectory (Base date October 2017)

Typology (Dwellings)	Years 1-5	Years 6-10	Years 11-15	Total
Planning Permission: under construction	1,314	-	-	1,314
Planning permission: unimplemented	1,210	521	-	1,731
Sites without planning permission	-	2,072	1,250	3,322
Windfalls	111	-	-	111
<b>Total</b>	<b>2,635</b>	<b>2,593</b>	<b>1,250</b>	<b>6,478</b>

Source: Draft Interim Housing Land Availability Assessment

The first five years of the trajectory comprises planning application sites that are under construction and unimplemented planning permissions. The windfall allowance is included in years 1-5 as well, which is 111 dwellings (37 dwellings x3 years, to avoid double counting with sites that would likely have planning permission in the first two years of the trajectory).

In years 6-10, the majority of the development coming forward is from the Purfleet Centre, which is proposed for 2,850 dwellings and split between years 6-10 and 11-15. Also, there are some sites with planning permission that are unimplemented which, for example, are expecting revised applications. In years 11-15, aside from the final phases of the Purfleet Centre, there are no other developable sites available to contribute to the indicative trajectory.

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### INFORMATION

A copy of the Draft Interim Housing Land Availability Assessment Report will be available to view at the Council's Local Plan website. ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan))

## Meeting Objectively Assessed Needs

As set out at the beginning of Section 4, there is a degree of uncertainty surrounding the calculation of Thurrock's objectively assessed housing need due to the current Government consultation on adjusting the standard methodology.

If the Government's proposed changes are implemented, the current calculation of housing need for Thurrock is for 1,173 new homes a year. This calculation has a base date of 2018 and therefore, if this figure is projected forward to the end of the plan period, would result in a minimum housing need of 22,287 new homes between 2018 and 2037. This compares to an OAN of 1,173 dwellings a year identified through the SHMA 2017 and a total housing need of 31,763 new homes between 2014 - 2037. It must be stressed that these assessments of need cannot be directly compared as they have different base dates and the standard method calculation identifies housing need for a 19 year period, whereas the SHMA identified housing need over a 23 year period.

Notwithstanding this, the capacity of the deliverable and developable land identified in the Draft Interim Housing Land Availability Assessment of 6,478 dwellings over 15 years is insufficient, and falls significantly short of meeting the Borough's OAN calculated using either method. The guidance states that where there are insufficient sites, the assessment should be revisited to review the tests and constraints blocking sites; if this does not result in enough sites, the guidance states that it may be necessary to consider how housing needs can otherwise be met.

In order for the Local Plan to identify sufficient land to meet Thurrock's OAN, the plan-making process will need to consider whether it is possible to provide additional development capacity through the redevelopment of land in the ownership of the Council and through a change in planning policy which currently protects allocated employment sites and Green Belt land from housing development.

## Land in Council ownership

It is important to note that the HLAA is intended to be a 'living document' and will be updated on an annual basis.

The current version of the HLAA, therefore, only provides a snap shot of what land is currently available for housing development at the date of survey. The Council is currently undertaking a review of land in its ownership to identify additional sites for redevelopment for housing. It is anticipated that the outcome of the review will feed into the next version of the HLAA due to be published in Spring 2019. At this stage it is not possible to forecast with any accuracy what additional capacity will be derived from this source. However, given the nature of the Council's land portfolio and the suitability of these sites for housing, it is unlikely that the pool of available sites will lead to a significant increase in the Borough's overall housing land supply position.

## Employment Sites

The Core Strategy includes several designations that protect employment land, with the main employment designation being Primary and Secondary Industrial and Commercial Areas, which protects sites for B1, B2, B8 and sui generis users. Both the Housing Land Availability Assessment and the Employment Land Availability Assessment studies generally concluded that the designated and non-designated employment sites in the Borough were occupied and in employment use and should therefore continue to be protected.

A small number of employment sites in residential areas were also identified as having the potential for housing development, subject to suitable and viable alternative sites being found to accommodate the relocation of any affected businesses. However, given the scale and nature of these sites, their reallocation for residential use will only marginally increase the supply of housing land in the Borough and then only in the later stages of the plan period. This reflects the practical difficulties in assembling and remediating these sites for development.

## Green Belt

Two thirds of Thurrock is designated as Green Belt. Development in the Green Belt is subject to Core Strategy Policy PMD6 (Development in the Green Belt) and national policy in the NPPF, which protects the Green Belt and recommends that boundaries should only be changed in exceptional circumstances, through the preparation or review of the Local Plan.

Around half of the sites considered by the HLAA were in the Green Belt and, therefore, were considered to be constrained by planning policy and not available for development at this stage of the plan-making process. This means that if Thurrock is to meet its OAN in full, the Local Plan will need to consider the release of Green Belt land in order to meet the scale of development required.

## Thurrock Green Belt Assessment

With the exception of the principal urban area of Thurrock, and the towns and villages, all of the land within the Borough is designated as Green Belt. Green Belt is a strategic planning policy designation concerned with the relationships between built and unbuilt areas and between settlements. Figure 11 identifies the land that is within the Green Belt within Thurrock.

The National Planning Policy Framework (NPPF) states, in paragraph 133, that 'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.' The NPPF sets out 5 purposes of the Green Belt:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

National policy requires that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Paragraph 135 of the NPPF states that if local planning authorities are proposing a new Green Belt, they should:

- Demonstrate why normal planning and development management policies would not be adequate;
- Set out whether any major change in circumstances have made the adoption of this exceptional measure necessary;
- Show what the consequences of the proposal would be for sustainable development;
- Demonstrate the necessity for the Green Belt and its consistency with strategic policies for adjoining areas; and
- Show how the Green Belt would meet other objectives of the Framework.

Policy requires that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.



Figure 11: Map of Green Belt

When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channeling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.

The Council considers that given the acute shortage of land currently identified as being available to meet Thurrock's full objectively assessed housing need over the plan period, that the exceptional circumstances required by the NPPF to justify changes to Green Belt boundaries can be clearly demonstrated.

The need for the Borough to consider amending the boundaries of the Green Belt in Thurrock is not new. In her Report on the adopted Core Strategy (December 2011) the Planning Inspector examining the plan identified the need for the Council to review the Borough's Green Belt boundaries in order to identify sufficient land to meet the then Core Strategy housing target of 23,500.

Since the adoption of the Core Strategy in December 2011, there has been a reduction in the availability of land in the urban area as potential housing sites have been built out for housing or other uses, thereby worsening the housing land supply problem and increasing the need for the Council to consider amending the Borough's Green Belt boundaries to accommodate future development needs.

In order to inform this process the Council has commissioned the preparation of a Green Belt Assessment to assess the whole area of Green Belt within the Borough. This study has been carried out in a number of stages:

- Identification of the study area;
- Identification of key constraints (i.e. those 'high level' constraints that are likely to prevent or severely limit the potential for development to occur);
- Identification of land parcels for assessment;
- Assessment of the parcels against the purposes for including land in the Green Belt; and
- Identification of the relative potential importance of the contribution of parcels to the Green Belt in the context of their suitability to accommodate a strategic level of development.

It should be noted that the Green Belt Assessment is a technical document and does not specifically identify any sites or broad areas of Green Belt for development as any decision on the need to amend the boundary of the Green Belt in Thurrock must be taken as part of the wider plan-making and evidence development process.

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#### INFORMATION

A copy of the Stage 1 Green Belt Assessment Report will be available to view at the Council's website. ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

## Housing Growth Options

As the Borough grows there will be a need to plan for new homes, the economy and associated infrastructure. What is clear is that there are insufficient brownfield sites in the urban area to accommodate the likely level of growth required so new locations for development will need to be found. There are options as to how this growth can be accommodated across the settlements in the Borough although all, either individually or collectively, must accommodate the overall scale of development required to match future needs and ensure that housing delivery can be sustained over the plan period.

### Potential development opportunities and constraints

Options for the distribution of housing development within the Borough have been identified based on the evidence produced to support the preparation of the Local Plan. A number of strategic growth options are put forward for consideration which reflect the opportunities to:

- Deliver sustainable development;
- Re-use previously developed land;
- Increase levels of housing delivery;

- Offer housing choice and development opportunity;
- Maximise employment opportunity and accessibility;
- Make use of existing settlement size and access to services and community infrastructure;
- Maintain settlement identity and local distinctiveness; and
- Maintain the strategic integrity of the Green Belt.

In identifying potential locations for new development, it is important to recognise that much of the Borough is unable to accommodate development due to the presence of numerous planning policy, physical and environmental constraints. In or adjoining much of the Thurrock urban area, development capacity is constrained by policies which

preserve the area's historic assets and open green spaces, and also legislation designed to prevent development in unsafe locations, whether from proximity to hazards like stored explosive materials, over or underground utility cables or fuel pipelines, or land at risk of flooding. Figure 12 shows the key constraints affecting the development capacity of land within the Thurrock urban area.

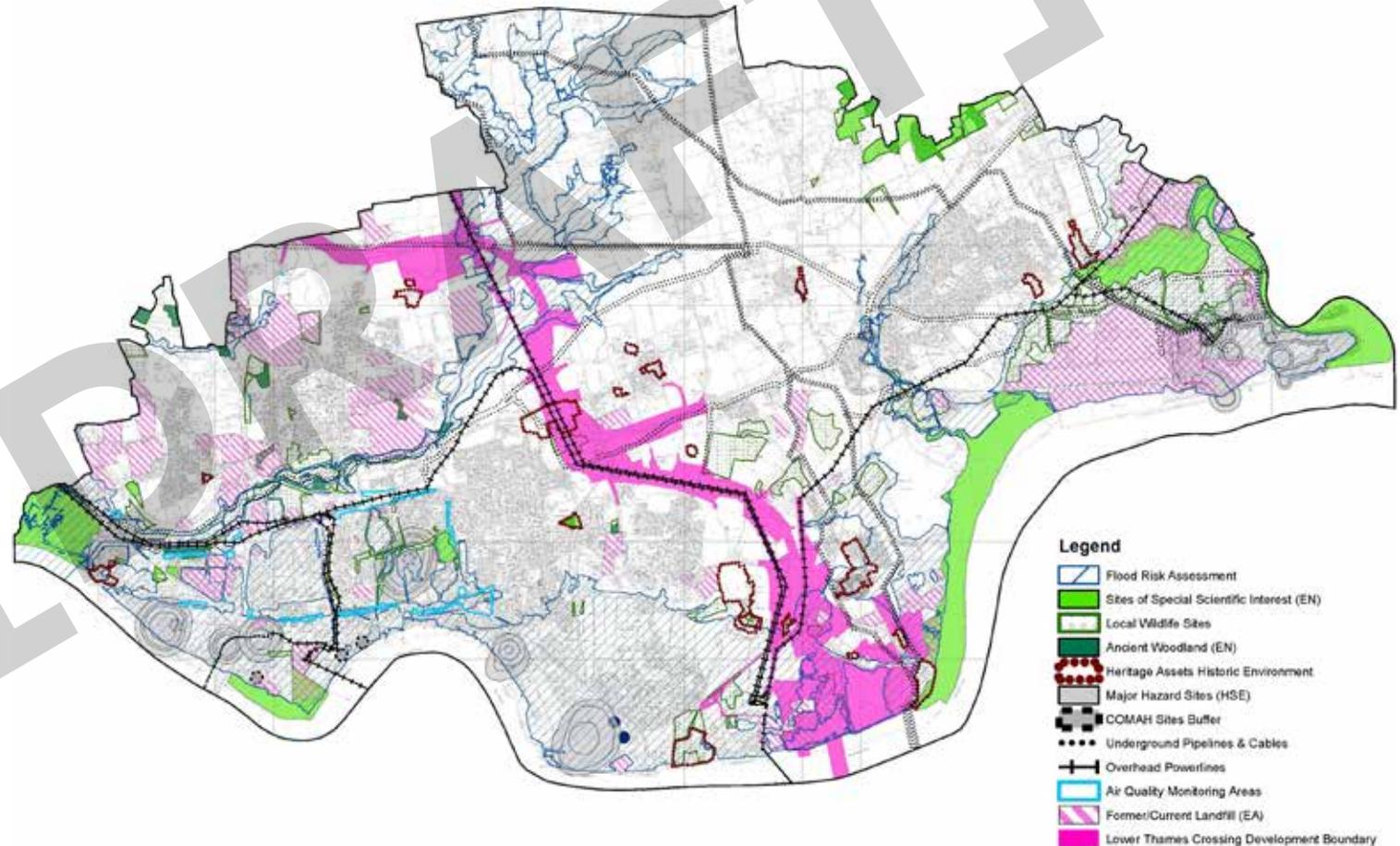


Figure 12: Thurrock Urban Area Development Constraints

Outside of the urban area the remainder of the Borough is covered by Metropolitan Green Belt. Within the Green Belt extensive areas of land on the urban fringe and beyond are constrained from development for a wide range of reasons, including the following:

- **Flood Risk** – all areas at risk of coastal or fluvial flooding as identified by the Environment Agency;
- **Environmental Policy Designations** – Sites of Special Scientific Interest (SSSI), Ancient Woodland, RAMSAR sites, as defined by Natural England and Local Wildlife Sites that are all important for biodiversity;
- **Community Assets** – Country Parks and other local assets adjoining urban areas;
- **Heritage Designations** – Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas as defined by Historic England;
- **Topography** – Ridge and Slope features including land over 100m above sea level/local landmarks;
- **Minerals and Waste and landfill areas** – safeguarded sites and former/current landfill sites; and
- **Energy Transmission Infrastructure** – Overhead Powerlines / Underground Pipelines.

Figure 13 shows the key constraints affecting the development capacity of land within the Metropolitan Green Belt.

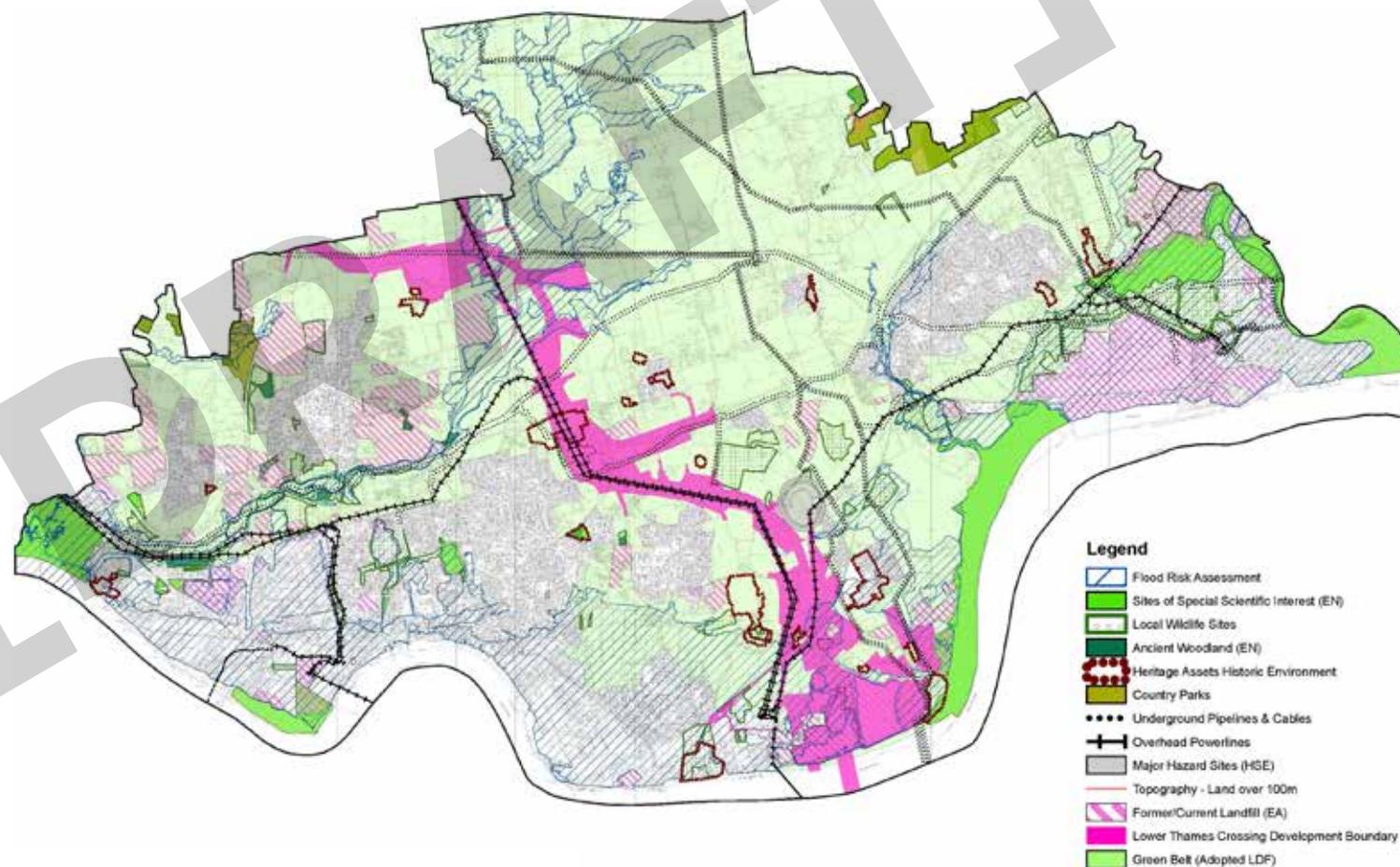


Figure 13: Green Belt Development Constraints

## Lower Thames Crossing

The proposed alignment of the Lower Thames Crossing threatens to significantly undermine the efforts of the Council to plan to meet its objectively assessed housing needs in full and to support economic growth and the regeneration of existing local communities. Based on the scheme configuration shown in Figure 14, the Lower Thames Crossing will have an adverse impact on the potential to bring forward sites for development along the length of its route for a number of reasons. These include:

- The sterilization of development opportunities in sustainable locations around existing settlements;
- Poor local connectivity and a failure to explicitly plan and design a scheme with the objective of supporting the delivery of strategic sites for housing and economic growth;
- The need to mitigate the impact of noise, air quality, severance and flood risk considerations which has led to an increase in land take in locations where future development capacity exists.

The areas most affected include: land west of East Tilbury; land north of and east of Chadwell St Mary; land in and around the proposed junction with the A13; and land north and east of South Ockendon.

The full extent of these impacts on the availability of land for development will need to be assessed in more detail through the plan-making process and the on-going detailed design work and environmental impact assessment work associated with the Lower Thames Crossing. The outcome of

this work will help inform decisions on whether the identification of broad locations for growth or specific sites for development can be taken forward as development plan allocations. However, at this stage of the process it is questionable as to whether the design and development of the Lower

Thames Crossing scheme is being taken forward in a manner which supports future housing and economic growth in both Thurrock, or South Essex as a whole, and in a way which allows local authorities to maximise the investment in new nationally significant infrastructure in planning for growth as set out in the national policy guidance.

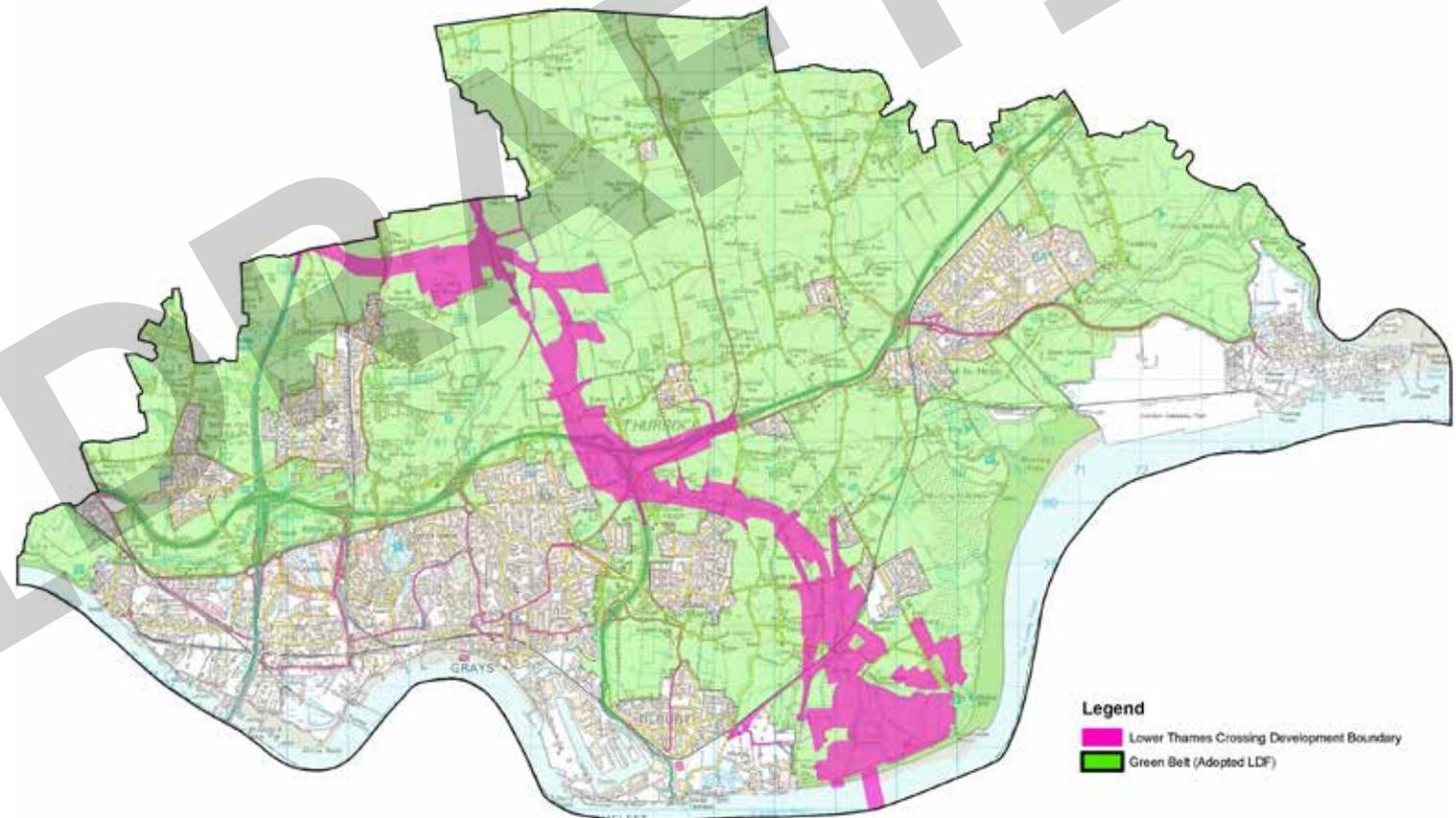


Figure 14: Lower Thames Crossing – Development Constraints

## Spatial Options

The spatial options presented in this document represent the first stage of consultation, working towards formal identification of broad strategic development locations within the South Essex Joint Strategic Plan and as site specific allocations within the Draft Local Plan consultation stage.

The spatial options have been generated based on the evidence produced to support the production of the Local Plan. A key part of this evidence is the Housing Land Availability Assessment and the Call for Sites exercise, whereby sites are promoted for development by landowners, developers, and other interested parties. It is important to stress that whilst the spatial options presented in this document are primarily based on a market response to where new development should be located, the sites promoted for development have simply been taken at 'face-value' and have not yet been fully assessed in terms of their suitability. The inclusion of a site within a 'development option' is in no way an endorsement by the Council of the suitability of a particular site for development.

It should be noted that the spatial options are not mutually exclusive, as the selection of more than one of the proposed options will need to be considered in order to meet the entirety of the Borough's future development requirements. Although seven possible options are presented within this consultation document, the reality is that two or more of the options working in combination will be required to meet Thurrock's future housing needs and form part of the final preferred strategy.

It should also be noted that some individual development opportunities may also fall under more than one of the broad spatial options. Figure 15 shows the sites that are in the process of being assessed by the Council to determine their development potential and which have informed the spatial options presented for comment in this document. Figure 16 shows the various spatial options which are discussed in turn in the following sections.

The Council recognises that the choices to be made are not easy and will require careful consideration. Each of the options for future housing growth has different implications for individual settlements and consequential impacts on local infrastructure, market choice and, importantly, delivery.

At this stage the Council cannot specify what the precise implications may be arising out of each option, but it is keen to hear views from the local community and interested stakeholders on what broad options ought to be considered along with their potential impacts, appropriateness and deliverability.

The Council will consider all representations received and undertake a detailed assessment of all the options, including new sites or broad locations submitted through the 2018 Call for Sites, through the process of sustainability appraisal and technical assessment. The outcome of this work will then be used to inform the development of a 'preferred approach' for public consultation at the Draft Plan stage.

The broad options for consultation are set out below and consist of a description of each of the options and a summary of both the opportunities and challenges associated with the development and delivery of each spatial option under consideration. This is provided to assist in assessing the appropriateness of each of the options. As part of this consultation, views are invited on whether there are any other opportunities or challenges that ought to be considered when assessing each option.

As mentioned previously, the sites being presented in this document are sites which have been promoted by landowners, developers and other stakeholders as being good locations for future development. As the authority works towards preparing a draft plan, it will be necessary for a more detailed assessment of these sites to take place. This assessment will include looking at issues relating to physical constraints, site accessibility to key services and market interest. The findings of this assessment will then need to be balanced alongside feedback from this consultation and other key technical documents as the Council works towards defining its preferred development option.

It is also worth noting that as the Local Plan process progresses more sites may be submitted to the Council for consideration through future call for sites and other means, including the inclusion of Council owned assets.

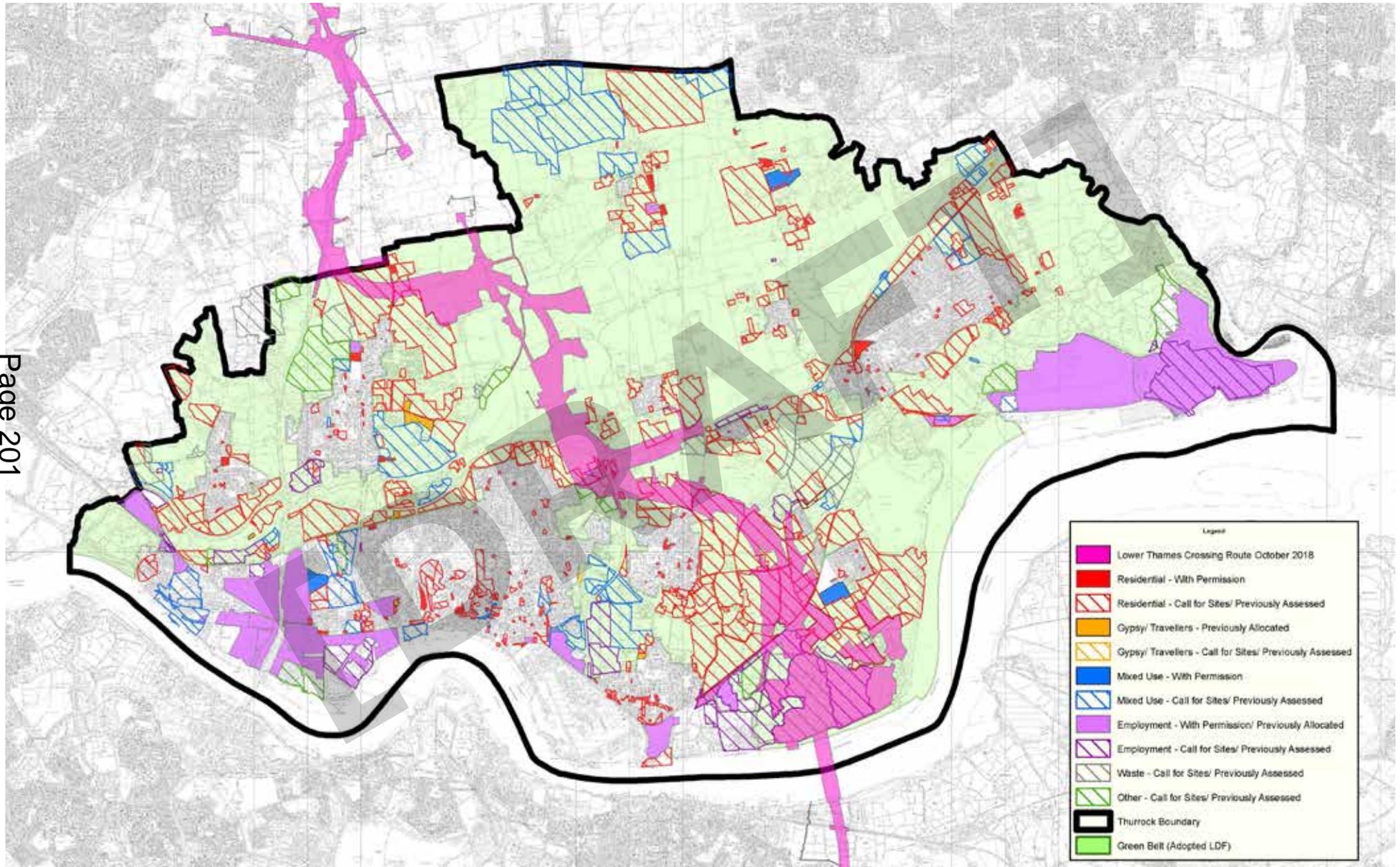
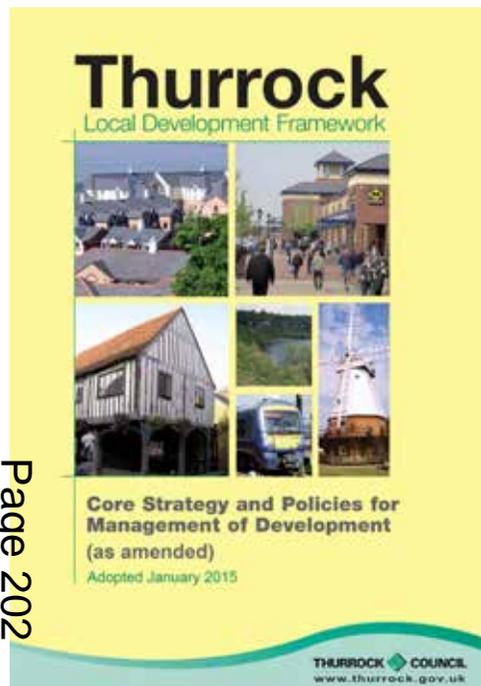


Figure 15: Call for Sites Map

## Baseline Situation – Current Core Strategy Approach

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In line with national planning policy, the spatial strategy underpinning the adopted Core Strategy seeks to focus new development within the existing Thurrock Urban area in order to maximise the use of brownfield land and promote a sustainable pattern of development, which makes an efficient use of historic capital investment in retail, employment, transport, and community infrastructure. However, continuing with this approach without looking for additional growth options to accommodate Thurrock's future development needs could lead to the following adverse impacts for the Borough and its residents:

- Based on the evidence in the HLAA, focusing development in the Thurrock urban area will only deliver approximately 6,478 new homes meaning that the Borough will fail to meet its identified housing need;
- Thurrock's current rolling 5 year land supply is less than 2 years placing the Council at risk of Government intervention or sanction under the proposed Housing Delivery Test;
- Under the presumption in favour of "sustainable development", planning permissions for development could be granted on appeal, leading to uncontrolled and sporadic development in the Green Belt against the wishes of the local community. This eventuality could also severely undermine the ability of the Council to plan for and deliver transformational change;
- The viability of many sites in the urban area for housing is constrained by their small size, high build costs and the economic values that can be achieved for other uses including retail and logistics related employment;
- The limited number of new homes that could be delivered under the current approach would fundamentally undermine economic growth in Thurrock, and potentially lead to increased levels of in-commuting and congestion on local roads, or the loss of future investment due to a lack of high quality and affordable housing for the future workforce;
- The limited viability of sites in the urban area means that developer contributions for affordable housing and the provision of new community facilities will be difficult to achieve and deliver;
- Additional housing development in the urban area could increase the strain on existing community facilities (schools and health) where there is already limited physical scope and capacity to meet existing needs; and
- Further development would increase transport movements within an already highly congested urban area leading to poorer air quality and adverse impacts on economic performance as journey time reliability declines.

For the reasons set out above, continuing with the current spatial strategy alone is not considered a realistic or viable option. To do so would lead to the production of a Local Plan which would ultimately be found unsound by an Inspector at Examination. Moreover, it would also constraint the future growth of the Borough and miss the significant opportunities to make Thurrock one of the most vibrant, exciting and economically successful places in the UK in which to live, work, and invest.

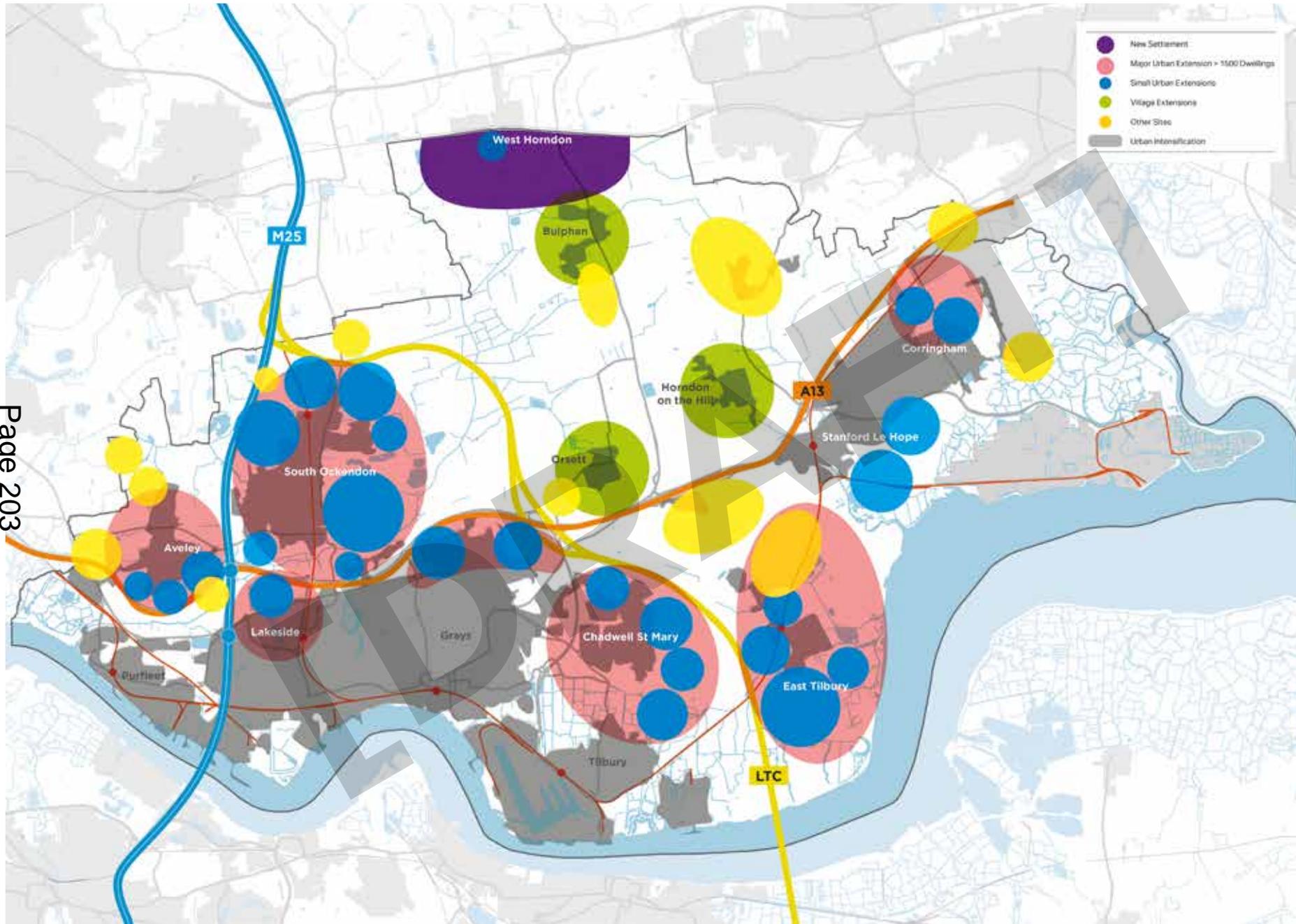


Figure 16: Map showing spatial options - Based on sites/broad locations with developer interest  
 NB. These are potential, broad options for growth not proposed allocations

## Option 1: Urban Intensification

Option 1 seeks to boost the supply of housing land within the built-up area through the redevelopment and higher density development of urban sites. This could be achieved by:

- The regeneration and re-configuration of existing housing estates.
- Reuse or redevelopment of vacant retail, office, commercial floorspace and car parks in town centres.
- Re-allocation of employment land, including the potential for the relocation of uses which are inappropriately located in residential areas.

The redevelopment of Urban Green Space.

Further work is required to identify the scale of new housing development which could be delivered through this Option and this will be taken forward as part of the ongoing HLAA process. However, given the characteristics of the Borough, the reliance on urban infill in recent years (so opportunities are diminishing) and the number and nature of the sites involved (typically small scale and located in or around town centres or areas in active employment use) it is not anticipated that this Option will contribute significantly to increasing the supply of housing land in Thurrock or in a manner that can also support wider investment in community facilities and infrastructure.

There is no doubt, however, that local people want to see more opportunities for redevelopment within existing urban areas realised. There are some prominent 'problem' sites which are challenging to bring forward, but if they can be regenerated there would be a lasting, beneficial impact on local

### Opportunities

Continuing to support and facilitate redevelopment of urban sites and the wider regeneration of urban areas, particularly existing centres and larger housing estates:

- Promotes a sustainable pattern of development which makes efficient use of historic capital investment in retail, employment, transport, and community infrastructure.
- Reduces the need for future Green Belt development.
- Enhances the viability and vitality of existing urban centres as a focus for shopping, leisure and community/cultural activity.
- Supports regeneration and re-use of existing land and property in the urban area.
- Has potential to improve the residential amenity of areas currently being affected by employment uses and associated HGV movements, through the relocation of 'bad neighbour' uses to alternative sites/premises.

communities. Consultation with members and elected representatives has highlighted :

- Concern about the decline of retailing in centres and the scope for new uses to be introduced.
- A desire to connect with and improve the riverfront particularly in Grays.
- Poor facilities and degraded spaces within post-war housing areas.
- The environmental impact of 'dirty' industries with and adjoining existing residential areas.

### Challenges

- Urban intensification would only marginally increase the supply of housing land due to the impacts of site availability, time, cost, viability and market considerations.
- Potential to increase levels of housing delivery in existing town centres constrained by a lack of currently available sites and the time and costs associated with the land assembly process.
- Potential for significant new housing at Lakeside constrained by the retailers' preferred operational models (access/servicing arrangements and surface level car parking) and the high land values associated with retail uses.
- Re-allocation of strategically important employment land for housing could impact upon economic growth and job creation. Difficult to relocate existing employment uses and remediate former employment land.
- Higher density development within the urban area may not be viable given high build costs and may not be fit with existing character.
- Any loss of urban green space would may have an adverse impact on community health and well-being.

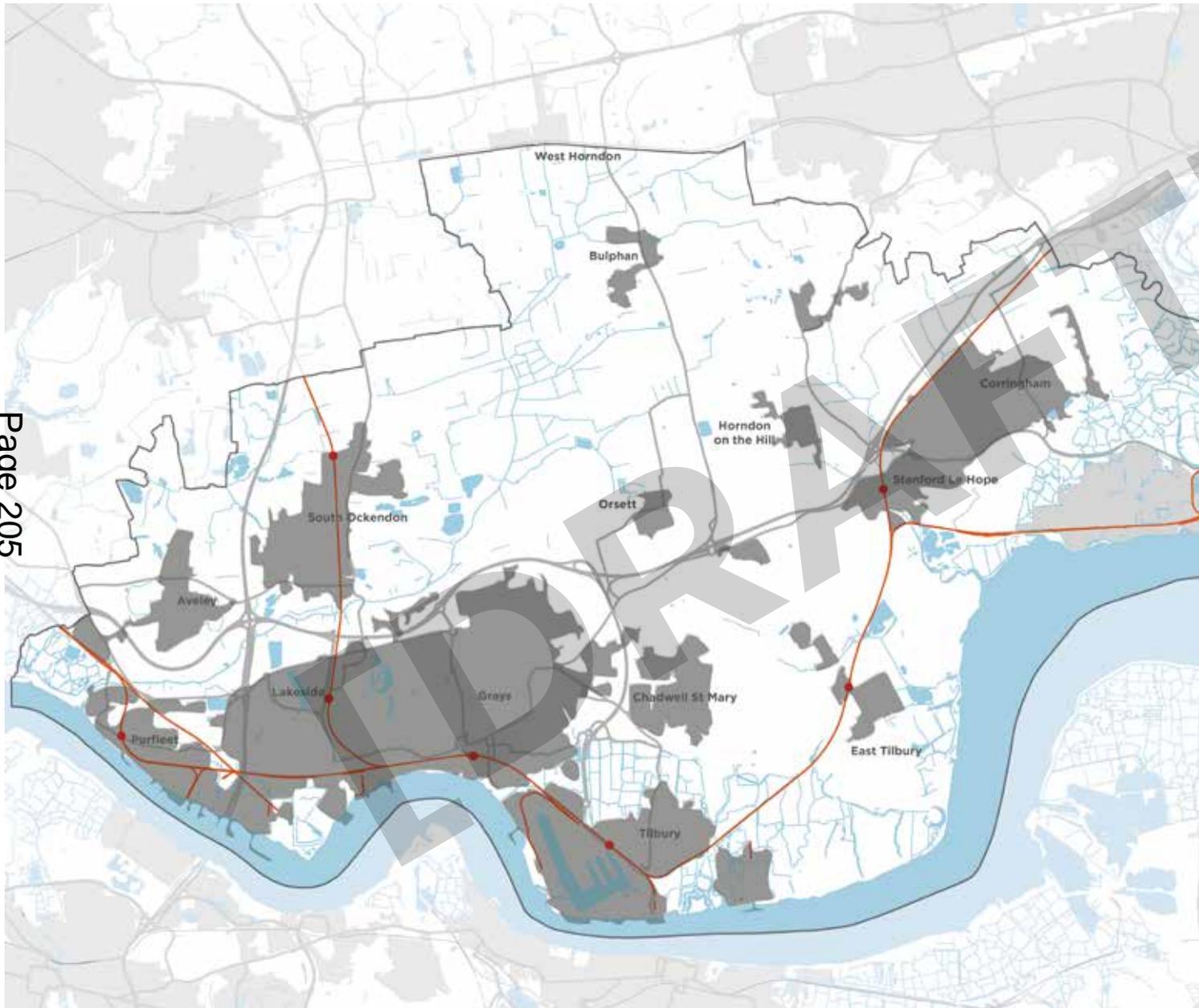


Figure 17: Thurrock Existing Urban Area and Villages

## QUESTION 13: Urban Intensification

- Do you believe that adopting the approach set out under this option is an appropriate option for consideration or, if not, why not?
- Are there any other opportunities or challenges that you think ought to be taken into account in assessing this option?
- What additional opportunities or interventions exist to increase the capacity of the urban area to accommodate a greater proportion of Thurrock's future housing needs?

## Option 2: Duty-To-Cooperate

The NPPF requires that local authorities ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as it is consistent with the policies set out in the Framework; for example, policy constraints such as environmental designations or absolute constraints such as floodplains and land fill sites. In some areas these constraints mean that the full need cannot be met.

The National Planning Policy Framework (NPPF) requires local planning authorities to work collaboratively with each other and other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans (this is referred to as the 'Duty to Cooperate'). Through joint working, local planning authorities should collaborate and work together to meet development requirements which cannot wholly be met within their own areas.

Thurrock has been working with the other South Essex authorities (Basildon, Castle Point, Rochford and Southend-on-Sea) to identify the level of need for new housing in the area through the preparation of the South Essex Strategic Housing Market Assessment (SHMA). The only way the Council will be able to plan for a lower figure than its objectively assessed need is if a neighbouring authority or authorities agree, through the Duty to Cooperate process and preparation of the Joint Strategic Plan, to accommodate all or part of the unmet housing need.

### Opportunities

The Duty to Co-operate provides a potential mechanism to reduce the scale of development that needs to be planned for within the administrative boundary of Thurrock, and therefore incursion into the Thurrock Green Belt, over the plan period to 2037/38.

### Challenges

Current indications are that neighbouring local authorities will be unable to accommodate any part of Thurrock's future housing needs due to planning policy and physical capacity considerations and constraints. Further technical work has been commissioned by the South Essex authorities to identify, on a consistent basis, the capacity of the sub-region to accommodate future housing and employment growth including broad locations for strategic development to boost the supply of land for development.

A failure to meet all, or a significant part, of Thurrock's future housing needs within the Borough would adversely impact upon: the ability of local people to find a home; affordability (house prices and rents rise in response to a shortage in supply); the quality of life of Borough residents; the local economy; and lead to an increase in commuting, thereby further adding to congestion on the local road network.

## QUESTION 14:

### Duty-To-Cooperate

- a) Do you believe that adopting the approach set out under this option is an appropriate option for consideration or, if not, why not?
- b) Are there any other opportunities or challenges that you think ought to be taken into account in assessing this option?
- c) What additional opportunities or interventions exist under the Duty to Cooperate process and the preparation of the Joint Strategic Plan to accommodate a proportion of Thurrock's future housing needs within one, or more, adjoining local authority areas?

### Option 3: Green Belt Development New Settlement

New settlements offer scope to accommodate large scale development in a planned and co-ordinated way. Delivering freestanding new settlements is challenging, especially the funding and delivery of new infrastructure, but their development can relieve pressure upon existing settlements and infrastructure and meet growth needs sustainably, in that all the components of the settlement and the needs of the new community can be planned, comprehensively.

Sizable new settlements change the geography of an area in terms of patterns of movement and activity. Wider impacts, cumulative effects and competing calls on investment need therefore to be considered carefully, especially if new settlements are brought forward in tandem with intensification and expansion of established urban areas.

Consultation with residents and elected representatives does reveal some appetite to consider this approach to new development:

- There is some concern to maintain the character of existing settlements. Creating a new community, with a distinct identity, avoids this issue.
- Building within the Green Belt creates opportunity to upgrade 'scruffy' areas and give residents better access to attractive greenspaces.
- Access to and quality of greenspace is a universal priority – urban extensions can distance existing communities from the countryside; a new settlement provides an alternative approach.

The opportunity for developing one or more new settlements in Thurrock is constrained by the nature and character of the Borough and the existing pattern of development and transport connectivity. Based on landowner/developer submissions to the Call for Sites process, the only potential location for bringing forward a new settlement of a significant scale lies in the expansion of West Horndon on land around the C2C Fenchurch Street - Shoeburyness railway line.

The exact scale of development that may be considered deliverable in this location would be subject to further assessment through the plan-making process. For the purpose of this consultation, the Council is seeking comments on the provision of a new settlement of a minimum of 10,000 new homes as this is the scale of development that is generally regarded as a 'new town' and enables the settlement to have a high degree of self-containment, with a range of employment opportunities and supporting social infrastructure. Further assessment of this option following the consultation may conclude that a higher or lower amount of development may be more appropriate.

The development of a new settlement at West Horndon would require significant funding for new education, health and community infrastructure given the limited scale and nature of existing provision within the existing settlement.

Master Planning and Transport/Infrastructure Delivery Planning will be required to inform the further consideration of this option in order to establish the capacity of the area as a broad location to accommodate substantial housing growth and to provide the wide mix of supporting uses and infrastructure improvements necessary to achieve the sustainable development of a new strategic settlement in this location.



## Opportunities

There is potential to deliver a new freestanding settlement/Garden Village of a significant scale, focused upon West Horndon, on land around the C2C Fenchurch Street to Shoeburyness railway line. The proposal involves:

- A limited number of land owners, potentially increasing the deliverability of the project.
- Potential opportunities to bid for Government funding to support the delivery of strategic infrastructure.
- Critical mass of development that could help to secure the infrastructure needed to support the development.



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## Challenges

- This broad location is quite detached from the Thurrock urban area (in terms of character, linkage and function). Therefore development at West Horndon has challenges in providing a range of market and affordable housing to meet the needs of the existing residents of Thurrock. Any proposal would need to evidence how these matters could be addressed. In addition, north-south connectivity and would need to be improved so as to ensure spin-off economic benefits for existing businesses located within the existing Thurrock urban area.
- The development of a new settlement of a significant scale at West Horndon would require considerable public and private sector investment in order to provide supporting community infrastructure and upgrade the A127.
- Significant development at West Horndon would further exacerbate recognised capacity issues on the A127 corridor and it is uncertain as to whether, and when, Government funding will become available to address these issues.
- Development of scale south of the railway line at West Horndon could have significant environmental implications in terms of impact on the Green Belt and landscape character, and flood risk considerations.

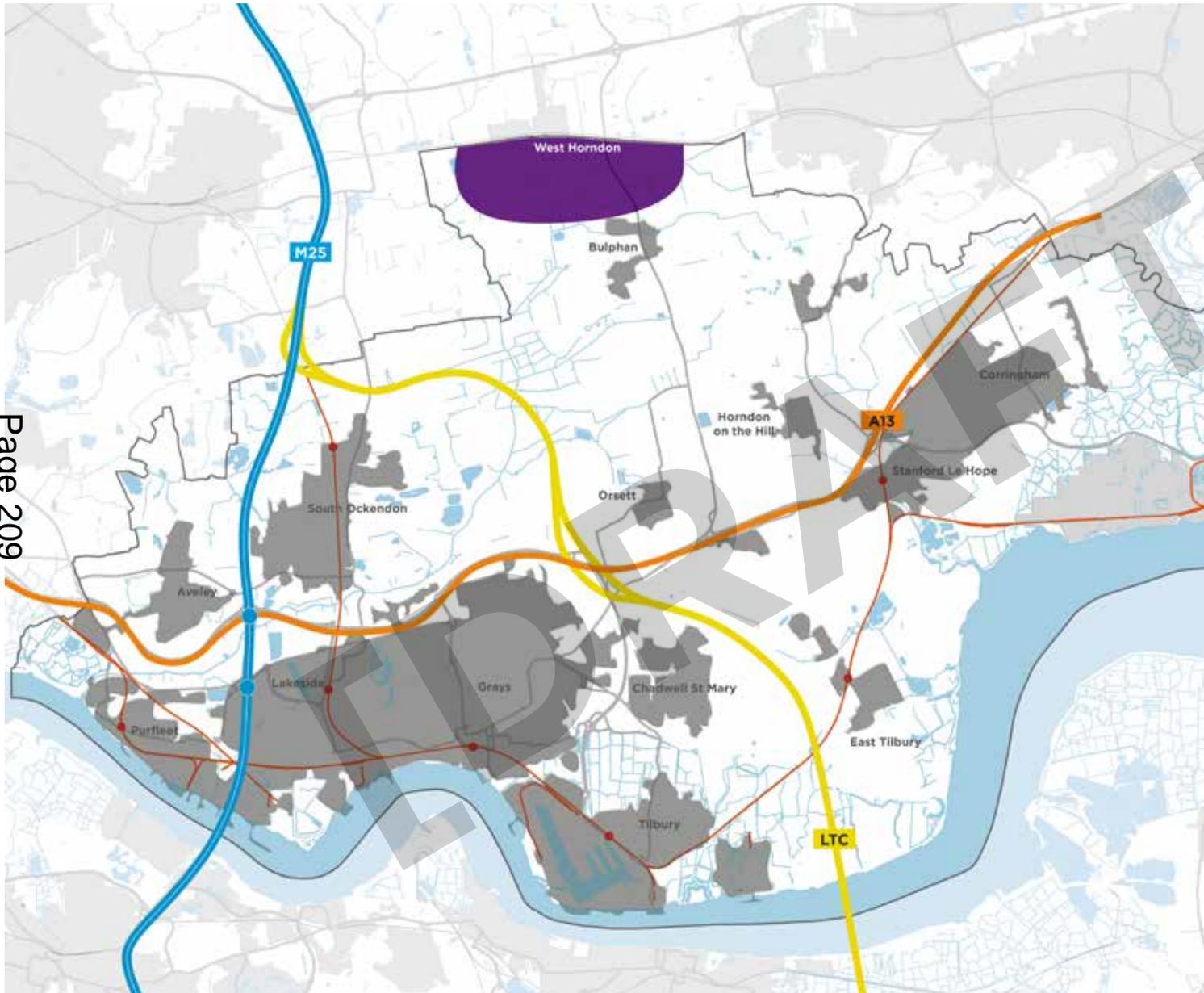


Figure 18: New Settlement (up to 10,000 homes) - Sites with developer interest

## QUESTION 15: New Settlement

- a) Do you believe that adopting the approach set out under this option is an appropriate option for consideration or, if not, why not?
- b) Are there any other opportunities or challenges that you think ought to be taken into account in assessing this option?
- c) Are there any other opportunities or broad locations within, or adjoining, Thurrock that you consider suitable for the development of a new settlement?

## Urban Extensions

Urban extensions provide an opportunity to accommodate growth needs at a range of scales from small 'add-ons' (tens of dwellings), to new neighbourhoods (maybe 500-1000 homes), to whole new districts (several thousand homes) which combine and link several new neighbourhoods.

The distinguishing feature of this option for growth is it relates to existing, established places and existing communities; the opportunities and challenges must be assessed across the whole settlement, not just the new development.

Consultation with existing residents and elected representatives in locations where there is potential for urban extensions has underlined the priorities attached to delivering growth. Responses highlight:

How difficult it is for young people to find a home, particularly in the more rural areas.

The huge demand for more affordable homes and those that meet special needs, particularly for the elderly.

- The need for more, accessible sports and leisure opportunities.
- The need to support business start-ups.
- The need for new health facilities.

Consultation responses also reveal a good level of understanding of the challenges and important asks associated with planning for growth:

- The need for early delivery of new infrastructure.
- The effect on already congested roads.
- The need to innovate and respond to the green agenda including provision of recycling facilities and electric charging points.
- Protecting historic and cultural assets.
- Protecting identity and integrating neighbourhoods (an issue which is highlighted as an existing issue in Aveley).

Consultation responses also make abundantly clear that the pressing issues of the day are those that impact upon the quality of life for existing residents, right now:

- A shortage of school places.
- Lack of GP capacity.
- Anti-social behaviour including drugs in the urban areas and fly tipping in the rural areas.
- Maintenance and investment in the upkeep of parks and open spaces.
- Access to facilities in the rural villages and the demise of bus services.
- A lack of community spaces.
- Struggling town and local centres (particularly noted in Grays) facing parking issues, congestion, declining retailing and a lack of vibrancy in the evenings.

The Local Plan alone cannot provide solutions to all these needs and challenges, but it can play an important part. The ambition is to create a better environment and increase opportunities (to work, to learn, to shop and pursue leisure) for all residents, whether living in the heart of one of Thurrock's old towns and villages or moving into a new home in a planned, new neighbourhood.

In planning for growth, it is:

**Possible** to respond to some of these needs and realise multiple, wider benefits from the associated investment.

**Necessary** to safeguard and mitigate against development that negatively impacts and burdens existing communities.

### Opportunities

Providing the homes that the residents of Thurrock need is the primary driver, but larger urban extensions offer the potential for growth which meets a number of other objectives and is distinct from other growth options:

1. A very wide range of different housing needs can be met. This includes the ability to increase the financial viability of delivering much more affordable housing.
2. New development will deliver investment in new community infrastructure and services, for example, schools, health facilities, community buildings and recreation space. This can be achieved through a combination of investment within the new development and in existing facilities in the established settlement, especially those that have suffered from a lack of investment or lack capacity to meet existing needs. Delivery alongside existing or proposed employment locations, town or local centres and key public transport hubs means less need to travel to meet daily needs.
3. Can support the regeneration of existing urban areas.
4. If the quality is right, large-scale development can have real impact and change people's perceptions of Thurrock.



5. Urban extensions make good use of historic investment in infrastructure, particularly roads and public transport, much of which now needs a boost in investment and patronage.
6. They can achieve growth at a scale where the enlarged population can make a significant difference to the function and vitality to the whole place, old and new. Services and facilities which may be struggling to remain viable, from shops and buses to sports clubs and community groups, benefit from a sizable influx of population.
7. Large scale housing developments are more likely to attract Government funding support to cover the cost of up-front infrastructure provision.
8. A smaller number of larger Green Belt releases makes it easier to preserve the integrity of the Green Belt at a strategic level and focus on its primary purpose.

## The Potential Locations for Major Urban Extensions

Seven key locations in the Borough have potential to accommodate at least 1,500 homes as sustainable urban extensions; and there is sufficient land being promoted for developments to suggest deliverable proposals can emerge, guided by the Local Plan. At this stage these locations are options, and development proposals could deliver new housing at a scale which would bring associated education, health, employment, retail and other supporting community uses.

The areas that could be considered include:

### South Ockendon

South Ockendon has the potential to accommodate a large-scale urban extension comprising an interlinked network of garden villages to the north and east of the existing urban area. With sufficient scale comes the opportunity to advance a strategic transport solution (road and rail) for the town. It could also support the regeneration of the urban area, including additional community facilities.

### Lakeside

An urban extension on land at Arena Essex to the north of Lakeside has the potential to accommodate new homes and additional community, educational and/or health facilities to support residential development across the wider area, alongside more mixed-use development including new homes adjacent to the intu Lakeside Shopping Centre and retail parks.

### Aveley

An urban extension to the south of Aveley has the potential to support the regeneration of Aveley centre, enhancement of the village in keeping with its character, as well as new education and community facilities, improvements to the A13 corridor and connections into an extension of the South Ockendon Country Park.

### Chadwell St Mary

An urban extension at Chadwell St Mary has the potential to support the regeneration of Chadwell St Mary centre, provide new education and community facilities, upgrade transport links and deliver generous strategic landscaping and open spaces.

### East Tilbury

An urban extension at East Tilbury has the potential to establish a more sustainable settlement with a higher density core area, focused on a new transport interchange and mixed-use centre, with education facilities and generous strategic landscaping and open spaces. Improving connectivity for existing residents would be a priority.

### Corringham

An urban extension at Corringham has the potential to accommodate new homes, education and community facilities, a new railway station/transport hub (Corringham Parkway) together with significant areas of strategic open space with sports and recreation facilities. This would be linked to enhancement of the town centre.

### North Grays

An urban extension to the north of Grays has the potential to accommodate a new neighbourhood with associated amenities, local centre enhancements and a linear park offering leisure and recreational opportunities for existing and future residents.

## Challenges

- Large scale urban extensions are complex to bring forward and take longer to deliver as they may require the provision and forward funding of critical elements of strategic infrastructure.
- Co-ordinating the efforts of landowners, developers and infrastructure providers to ensure that the 'whole is greater than the sum of parts' will require the development of bespoke delivery arrangements and funding mechanisms.
- Large scale development can change the nature/character of the existing settlement.
- Urban extensions have the most direct impact upon immediately adjoining communities.

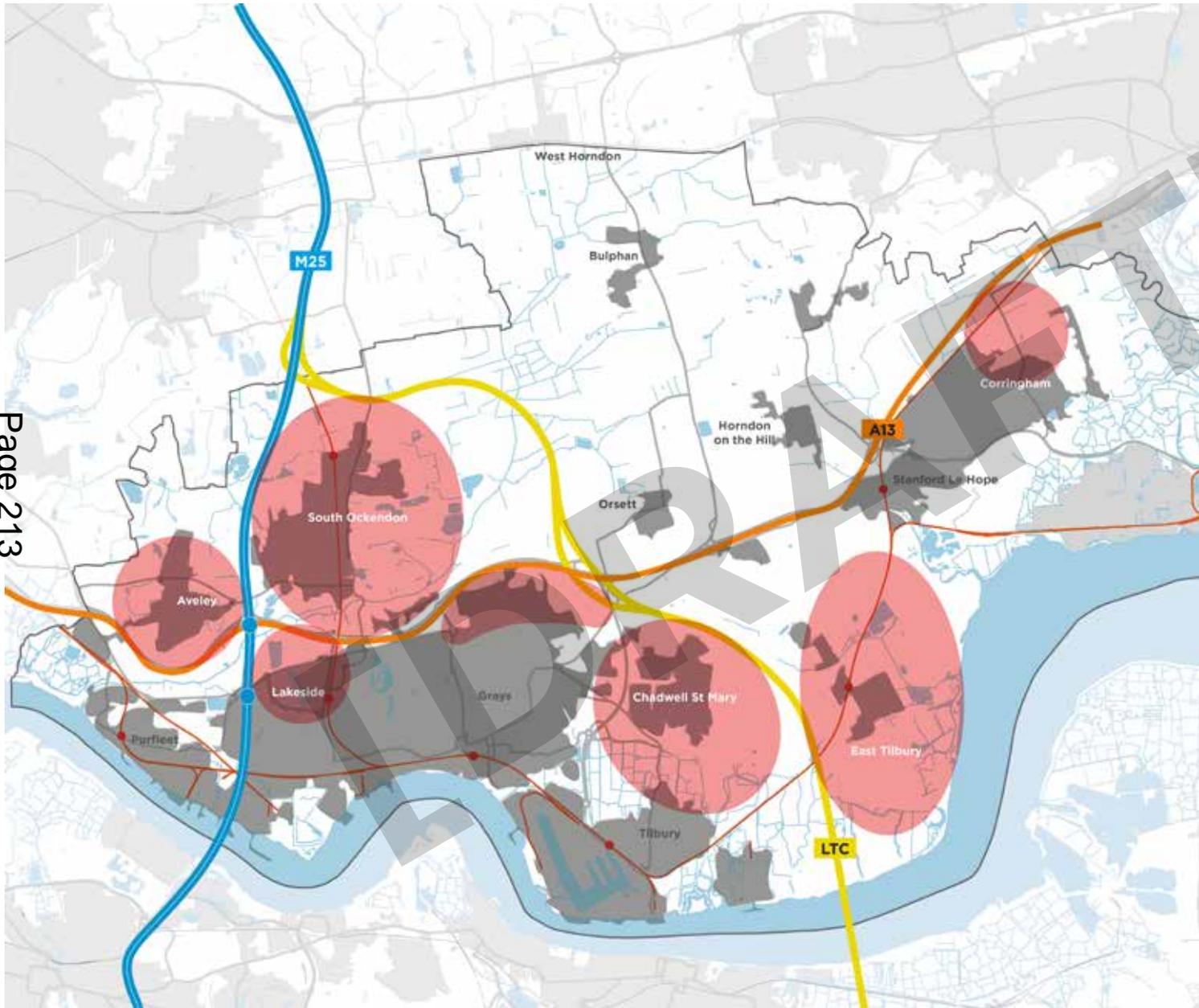


Figure 19: Major Urban Extensions (each over 1,500 homes) - Sites with developer interest

## QUESTION 16: Major Urban Extensions

- a) Do you believe that adopting the approach set out under this option is an appropriate option for consideration and if not, why not?
- b) Are there any other opportunities or challenges that you think ought to be taken into account in assessing this option?
- c) Are there any other opportunities or broad locations within, or adjoining Thurrock, that are suitable for considering the development of a large urban extension?

## Small Urban Extensions

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Consultation with existing residents and elected representatives has not, so far, drilled into the relative merits of the different options for growth. But it is evident from the consultation responses noted on page 64, that the preferred option for growth will need to reflect the scope to maximise the benefit to existing and new residents from the investment made. Landownership is relevant in shaping the strategy, but efficiency and economies of scale and different approaches to delivery and funding, will also be important considerations if the Local Plan to afford enough priority to delivery of affordable housing; community infrastructure, access and movement and place making.

Most private sector promoters/housebuilders are geared towards bringing forward small/medium sized urban extensions. Landowner/developer submissions to the Call for Sites process, present a large number of options for small urban extensions across the whole borough, on a range of sites capable of accommodating approximately 50-1,500 homes each; many could be sub-divided or amalgamated into the larger extensions. These sites are typically in green belt urban fringe locations adjacent to the main urban areas in the borough.

The scale of the opportunities presented reflect the ability of individual private sector interests to assemble and control land; this does not necessarily correlate with planning and delivering an optimal pattern of growth. A critical aspect of the next stage of plan preparation, informed by the consultation outcomes, will be to determine whether more, smaller extensions or a few larger extensions are preferable.

Further work is required to identify the scale of new housing development which could be delivered through this Option and this will be taken forward as part of the ongoing Housing Land Availability Assessment (HLAA) and Integrated Sustainability Assessment processes.

## Opportunities

Smaller urban extensions represent the growth option to which the private sector housebuilders will most readily respond. They:

- Are usually less complex in terms of infrastructure requirements – they can often rely on capacity within existing facilities or networks or make contributions to ‘top-up’ that capacity, rather than make new provision.
- Make good use of historic investment in infrastructure and reduces/disperses the impact of new development and associated infrastructure burdens across a wider area.
- Could reduce the need for large scale strategic infrastructure provision that might otherwise be needed to support the development of major urban extensions.
- Reduce the need for, and impact of, significant incursions into the Green Belt that could occur from focusing on fewer but larger urban extensions.
- Provide the opportunity to increase the diversity of the Borough’s housing offer by providing a variety of locations and settings for new housing development.
- Could potentially reduce the impacts of large-scale development on the landscape by promoting smaller scale development more in keeping with the local context.
- Could support localised improvement and enhancement of spoiled countryside and provide access to new open space and recreational opportunities for those communities adjacent to the urban fringe.



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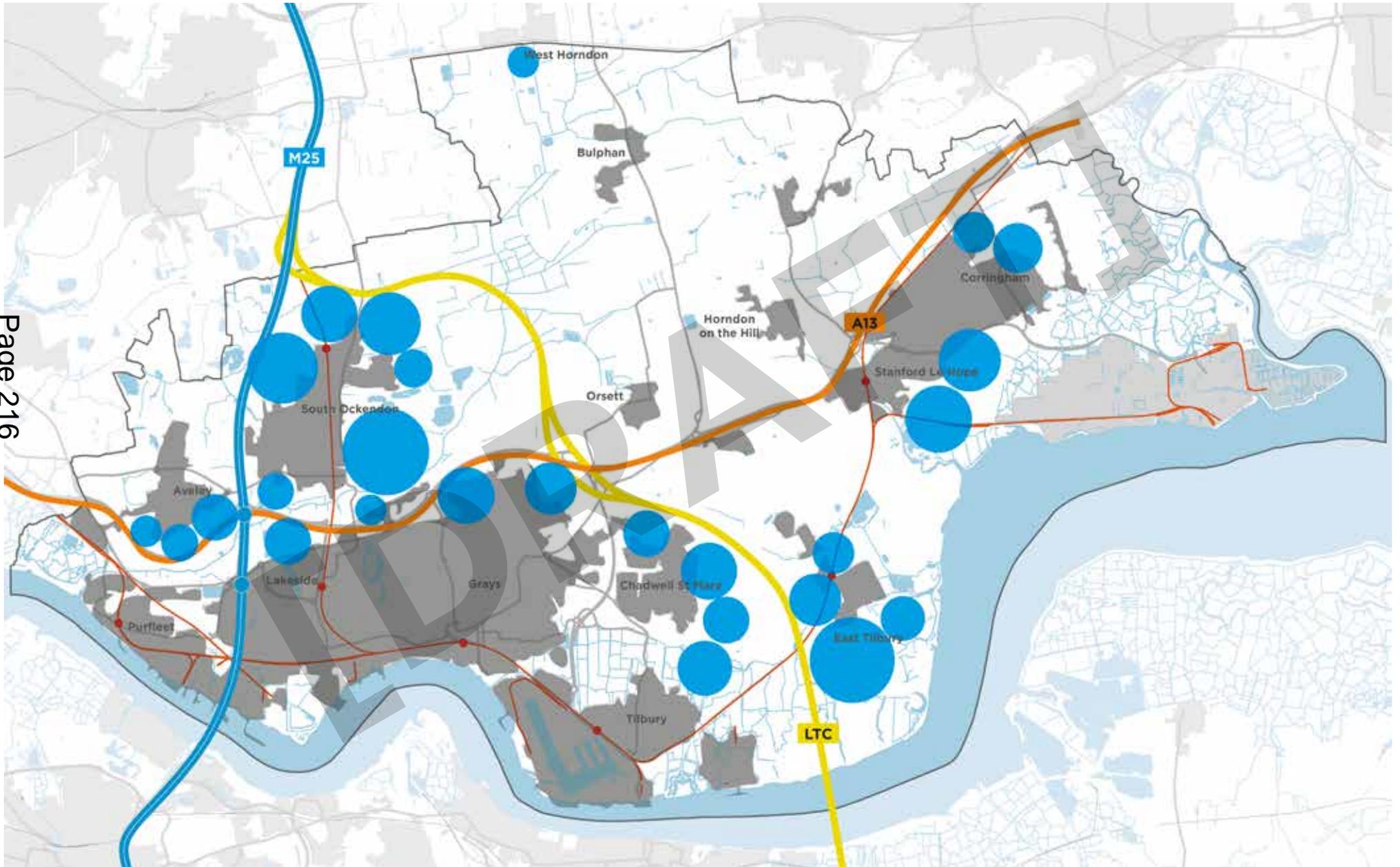


Figure 20: Small Urban Extensions (less than 1,500 homes) - Sites with developer interest

## Challenges

- A more dispersed pattern of development would be unlikely to generate the critical scale and mass of development required to fund and deliver transformational change and support the regeneration of existing urban centres and local communities.
- It may be more difficult to secure the provision of the full range of community facilities required to create new sustainable communities due to the smaller size of development sites under this option.
- Funding the delivery of necessary strategic infrastructure improvements will be more difficult to coordinate and achieve if development is spread across a larger number of small sites. This includes the ability to successfully bid for and obtain Government funding support.
- This option is likely to lead to an increased number of journeys and use of the car as the location of housing developments may not lie in close proximity to existing or proposed employment locations, town or local centres and key public transport hubs.

## QUESTION 17: Small Urban Extensions

- a) Do you believe that adopting the approach set out under this option is an appropriate option for consideration and if not, why not?
- b) Are there any other opportunities or challenges that you think ought to be taken into account in assessing this option?
- c) Are there any other sites or broad locations within Thurrock suitable for considering the development of further small urban extensions?

## Village Expansions

Village expansion provides an opportunity to accommodate some growth; although the overall capacity is constrained. It presents an opportunity to inject vitality into smaller settlements, particularly giving younger people that may have grown up in a village or those that work in the rural economy, chance to maintain important local connections. Where homes can be built to serve these needs, they may help to maintain demographic balance and increase population to support and renew village services and facilities. This may help to make the villages more self-sufficient and reduce the need for local people, both now and in the future, to travel to other larger centres in order to meet their daily needs.

The challenge is to avoid unsustainable development in rural areas, with housing growth:

- out of proportion with the existing community and the related jobs and services;
- that increases long distance travel by car or creates dormitory communities;
- or fundamentally alters the cherished character of the rural area.

Landowner/developer submissions to the Call for Sites process, indicate ambition for development around the villages of Bulphan, Orsett and Horndon on the Hill, with varying scales of growth envisaged.

Consultation with existing residents and elected representatives highlights the issues which are particular to the rural communities:

- Character, history and village tradition is greatly valued, but easily lost.
- There is need to provide homes and sheltered housing for an aging population.
- There is difficulty in accessing basic amenities (local shop/pub) in smaller communities such as Bulphan.
- Limited bus services.
- Pressure on services, particularly GPs, and ambition to protect local services against cuts.
- The need for more meeting spaces and activities for young people.
- A lack of housing opportunities for young people.
- Anti-social behaviour such as speeding and littering on rural/village roads.

Additional development in the villages might be planned to help address some of these issues; it might also give rise to competing priorities.

Further work is required to identify the scale of new housing development which could be delivered through this Option and the associated requirements infrastructure investment and new service provision. This will be taken forward as part of the ongoing Housing Land Availability Assessment (HLAA) and Integrated Sustainability Assessment processes.

## Opportunities

Appropriately scaled village expansion could deliver:

- A critical mass of new development to support the provision of new retail, leisure, community, and local employment provision reducing the need for residents to travel outside the local area.
- An increase in the local population that would raise the demand/viability of providing improved or new public transport services.
- A wider range of housing types, including affordable housing, to meet the needs of the local population.

## Challenges

- Development of scale both within and adjoining the villages of Bulphan, Orsett and Horndon on the Hill would have a significant adverse impact on the environmental quality and character of the villages.
- Development of scale would go beyond the natural capacity of the villages and their setting to absorb growth and lead to irreversible damage to their character and the physical and natural environment.
- Development of scale in the vicinity of the villages would lead to a significant increase in local congestion as traffic movements exceed the capacity of the local.
- Development of scale in these locations could fundamentally undermine the openness of the Green Belt surrounding Bulphan, Orsett and Horndon on the Hill as well as potentially leading to the coalescence of settlements (Orsett and Horndon on the Hill) contrary to national planning policy guidance.

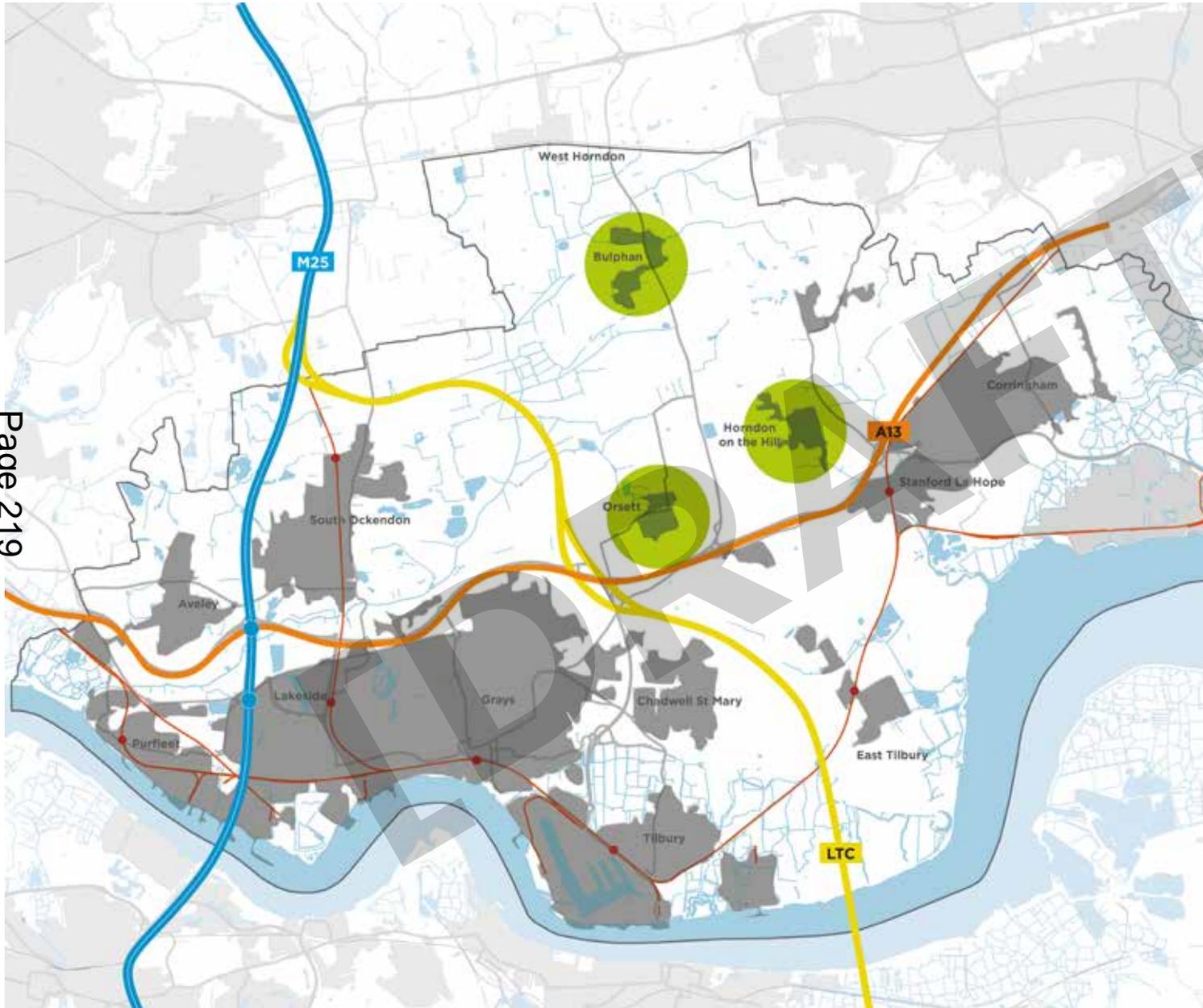


Figure 21: Village Expansions (up to 1,500 homes) - Sites with developer interest

## QUESTION 18: Village Expansions

- a) Do you believe that adopting the approach set out under this option is an appropriate option for consideration and if not, why not?
- b) What scale of additional development would be appropriate in these areas and what additional infrastructure would be needed to support housing growth in these areas?
- c) Are there any other opportunities or challenges that you think ought to be taken into account in assessing this option?

## Isolated Site Allocations

Further development scenarios have emerged through the Call for Sites on somewhat isolated sites that do not easily connect with existing settlements. Unlike other Green Belt Development Types these sites are not of a scale where they could realistically provide the on-site infrastructure and services (such as retail, community and educational facilities) to create high quality, sustainable development and adequately address the impact of the incoming population.

Further work is required to identify the scale of new housing development which could be delivered through this option and this will be taken forward as part of the ongoing Housing Land Availability Assessment (HLAA) and Integrated Sustainability Assessment processes.

### Opportunities

There may be some scope to examine the reuse and redevelopment of previously developed land (PDL) in the Green Belt.

### Challenges

- A more dispersed pattern of development of typically less than 500 homes, would be unlikely to generate the critical mass of development required to fund and deliver transformational change and support the regeneration of existing urban centres and local communities.
- At a strategic level isolated development could have significant adverse consequences in terms of the openness of the Green Belt and at the local level in terms of its function in preventing coalescence of settlements.
- Isolated sites not in close proximity to existing centres, employment locations or transport corridors and hubs would lead to an increase in journeys and car use.

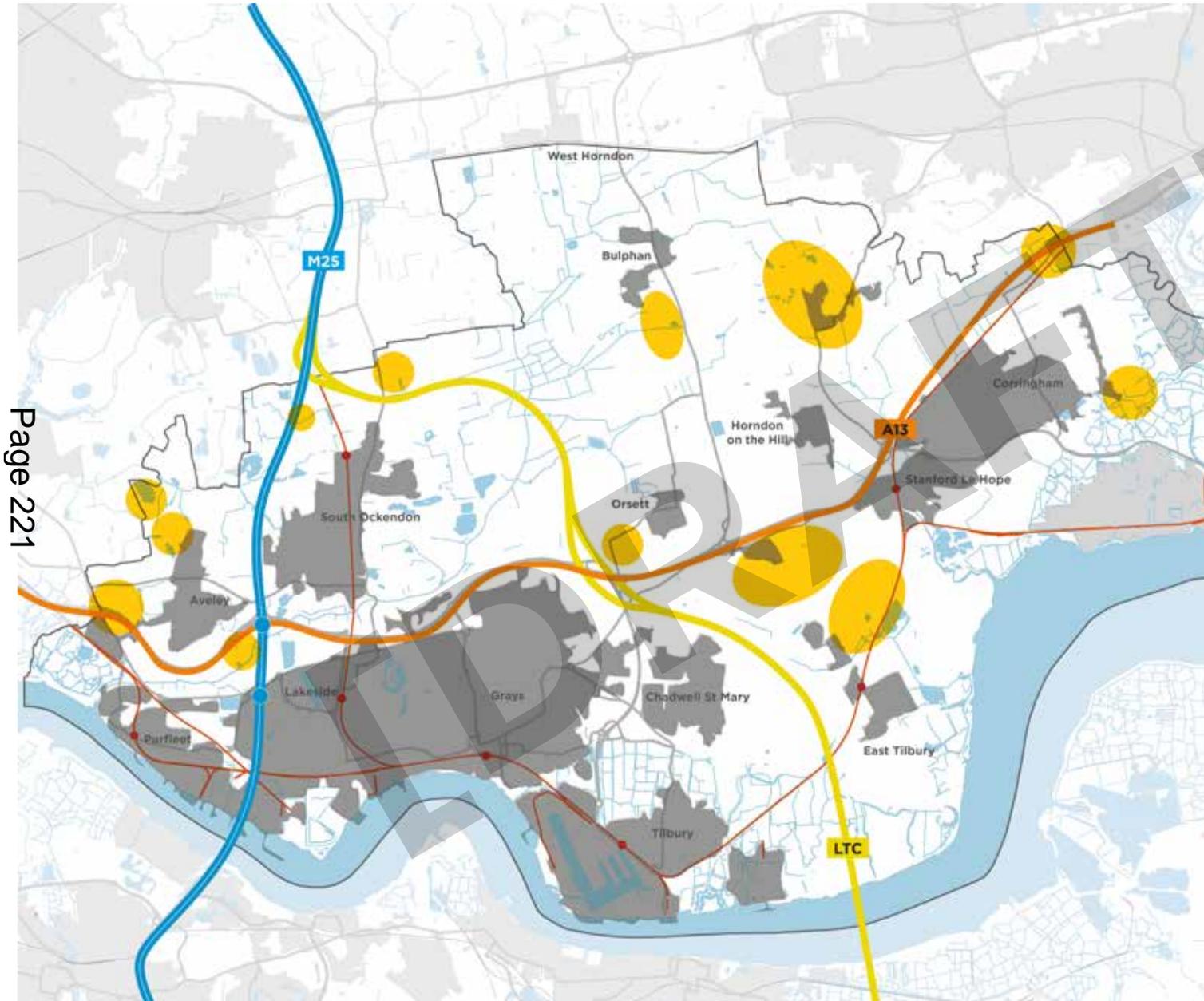


Figure 22: Isolated Site Allocations (typically under 500 homes) - Sites with developer interest

## QUESTION 19: Isolated Site Allocations

- Do you believe that adopting the approach set out under this option is an appropriate option for consideration, if not why not?
- Are there any other opportunities or challenges that you think ought to be taken into account in assessing this option?
- Are there any other free-standing previously developed sites which should be considered for development?

# SECTION 5: WHAT LEVEL OF GROWTH IS NEEDED - EMPLOYMENT LAND

In 2014, Thurrock's economy was estimated to be worth around £2.878bn with employment levels having recovered quickly following the economic downturn. Looking ahead, it is forecast that the Thurrock economy will grow by an average of 3.2% per annum between 2012 and 2030 and that total employment will grow by an average of 1.5% a year, equivalent to an increase of 21,200 jobs in Thurrock over the same period.

The main employment sectors in the Borough are transport and logistics, port functions and retail. The strength of these sectors reflects some of Thurrock's key locational advantages, such as its close proximity to London and international gateways (ports and airports), which make it an attractive proposition for continued inward investment and job creation.

Government policy is committed to building a strong and competitive economy in order to create jobs and prosperity. To help achieve economic growth, Paragraph 81 of the NPPF states that planning policies should:

- Set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.
- Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
- Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

The Core Strategy approach is based on promoting and supporting economic growth and development through the provision of land, premises and supporting infrastructure in five Key Strategic Economic Hubs across the Borough. These comprise Purfleet, Lakeside/West Thurrock, Grays Town Centre, Tilbury and London Gateway. In preparing the Local Plan, the Council will need to consider whether this strategic approach remains appropriate or whether it needs to be revised to include, for example, Thames Enterprise Park at Coryton, as a sixth Strategic Economic Hub. Alternatively, a different spatial approach could be reduce the number of Economic Hubs by amalgamating two or more of the existing Hubs to form three larger composite economic hubs – Thurrock West (including Purfleet, Port Purfleet and Lakeside), Thurrock Central (including Grays Town Centre, Tilbury and the London Port of Tilbury) and lastly Thurrock East (including London Gateway and Thames Enterprise Park).

Despite the challenging economic environment that existed at the time of the Core Strategy's adoption in 2011, the Plan has been instrumental in attracting significant inward investment into the Borough, leading to a faster rate of jobs growth in Thurrock than either the national or regional average. Testimony to this is the levels of private sector investment which has/will be generated by proposed or committed development at London Gateway, Thames Enterprise Park, Lakeside, Purfleet and the Port of Tilbury.

Reflecting the comments made by stakeholders and local businesses in response to the previous Issues and Options (Stage 1) Public Consultation, the new Local Plan must identify an adequate and appropriate mix of land and property to meet the forecast growth in jobs – 24,500 over the plan period; the need to support efforts to diversify the Borough's unbalanced employment base; and to coordinate provision of essential supporting infrastructure - e.g. housing, transport, utilities, broadband/communications infrastructure. The consultation responses also pointed to the need to give further consideration to the allocation of additional land for development outside the identified hubs, particularly to meet the needs of SMEs and the logistics industry.

In preparing the new Local Plan, the Council will need to develop a clear understanding of business needs within the economic markets operating within the Borough and wider Thames Gateway South Essex area. This will include an assessment of the need for additional land or floorspace for economic development, including both the qualitative and quantitative needs for anticipated types of economic activity over the plan period.

In order to do this, the Council, on behalf of the South Essex authorities, commissioned the preparation of the South Essex Economic Development Needs Assessment 2017 (EDNA), which provides an evidenced analysis of the economic and employment land opportunities and challenges for South Essex. The study also identifies the future demand for employment land (B1, B2 and B8) and sets out a series of policy recommendations on how the South Essex authorities should plan to meet future employment land requirements across the area at both the district and sub-regional levels. In addition to the EDNA, the Council also commissioned the preparation of the Thurrock Employment Land Supply Availability Assessment 2017 (ELAA). This study provides an updated assessment of the availability and suitability of employment land across Thurrock. These two studies feed into each other, with the economic forecasting work undertaken as part of the EDNA informing the ELAA, and the ELAA's determination of the balance between employment supply and demand with its locally distinctive objective assessment of employment needs contributing to the strategic sub-regional conclusions set out in the EDNA.



## INFORMATION

Both the South Essex Economic Development Needs Assessment 2017 (EDNA) and the Thurrock Employment Land Availability Assessment Update 2017 (ELAA) are available to view at the Council's Local Plan website. ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

## Key findings and conclusions

Figure 24 sets out the combined employment land requirements identified in the Economic Development Needs Assessment for Thurrock over the period to 2036 broken down into office (B1), manufacturing (B2) and warehousing (B8) uses. The analysis shows that two thirds of South Essex's future

employment land requirements are focused in Thurrock, with warehousing being the predominant sector of demand. The combined employment floorspace requirement for Thurrock is 1,050,397 sq.m of new floorspace, which translates into an employment land requirement of 259 hectares to be provided to meet future needs in full.

In arriving at an overall requirement of 259 hectares of employment land over the period to 2036, the EDNA assumes that Thurrock could reasonably be expected to see a 40% uplift in future industrial activity as a result of the re-location of existing industrial activity from London, with a split of 30% industrial and 70% distribution. This reflects the expectation that Thurrock is well placed to accommodate a significant proportion of any displaced industrial activities, particularly distribution. Reflecting these considerations, the total future requirement of 259 hectares includes an allowance of 95 hectares to accommodate forecast London industrial land re-location requirements.

The EDNA also compares the existing employment land supply within each of the South Essex authorities with the projected future employment and requirements for each authority. As

set out in Figure 25, it is estimated that the total supply of employment land currently available for development is 652 hectares which comfortably outstrips the projected total employment land requirement of 259 hectares over the period to 2036. However, it is important to note that the majority of this available supply includes land at London Gateway, which has consent for 82,9700 sqm under the London Gateway Logistics Park Local Development Order; land at Thames Enterprise Park which is now the subject of a planning application which is currently promoted for 320,000sqm of B1, B2 and B8 floorspace; and 126ha of land at the former Tilbury Power Station, which is also now the subject of a proposal for the expansion of the Port of Tilbury. Taken together, this equates to some 570.4 ha of the identified supply of employment land which has or is in the process of being master planned and consented to accommodate future strategic employment needs.

Figure 24: EDNA – Thurrock Combined Employment Land Requirement to 2036

Floorspace (sqm)	Total	Office	Manufacturing/ Industrial	Warehouse
Thurrock	1,050,397	30,137	55,202	965,058
Total South Essex	1,564,375	358,438	159,042	1,046,824
LAND (ha)				
Thurrock	259	4	14	241
Total South Essex	345	44	42	260

Source: Draft South Essex Economic Development Needs Assessment 2017

Figure 25: Balance between Total Land Supply and Demand in South Essex

	Total Employment Land Supply (ha)	Total Employment Land Demand (ha) – Combined scenario	Total Employment Land Demand (ha) – Combined scenario with supply side adjustment	Employment Land Demand as % of Supply
South Essex	941	272	345	29% or 37%
Thurrock	652	244	259	26% or 28%

Source: Draft South Essex Economic Development Needs Assessment 2017

Figure 26 shows the broad distribution of employment land in Thurrock, with West Thurrock hosting the largest single concentration of employment activity in the Borough. Noticeable also is the fact that much of the Borough's potential future employment land supply is focused on land at London Gateway and Thames Enterprise Park. The capacity of these sites to accommodate residential development as either an alternative use or mixed use development scheme is limited due to the presence of constraints under the Health and Safety Executive Control of Major Accident Hazards (COMAH) Regulations and Environment Agency Flood Risk Regulations which also serve to render these locations unsuitable for housing development.

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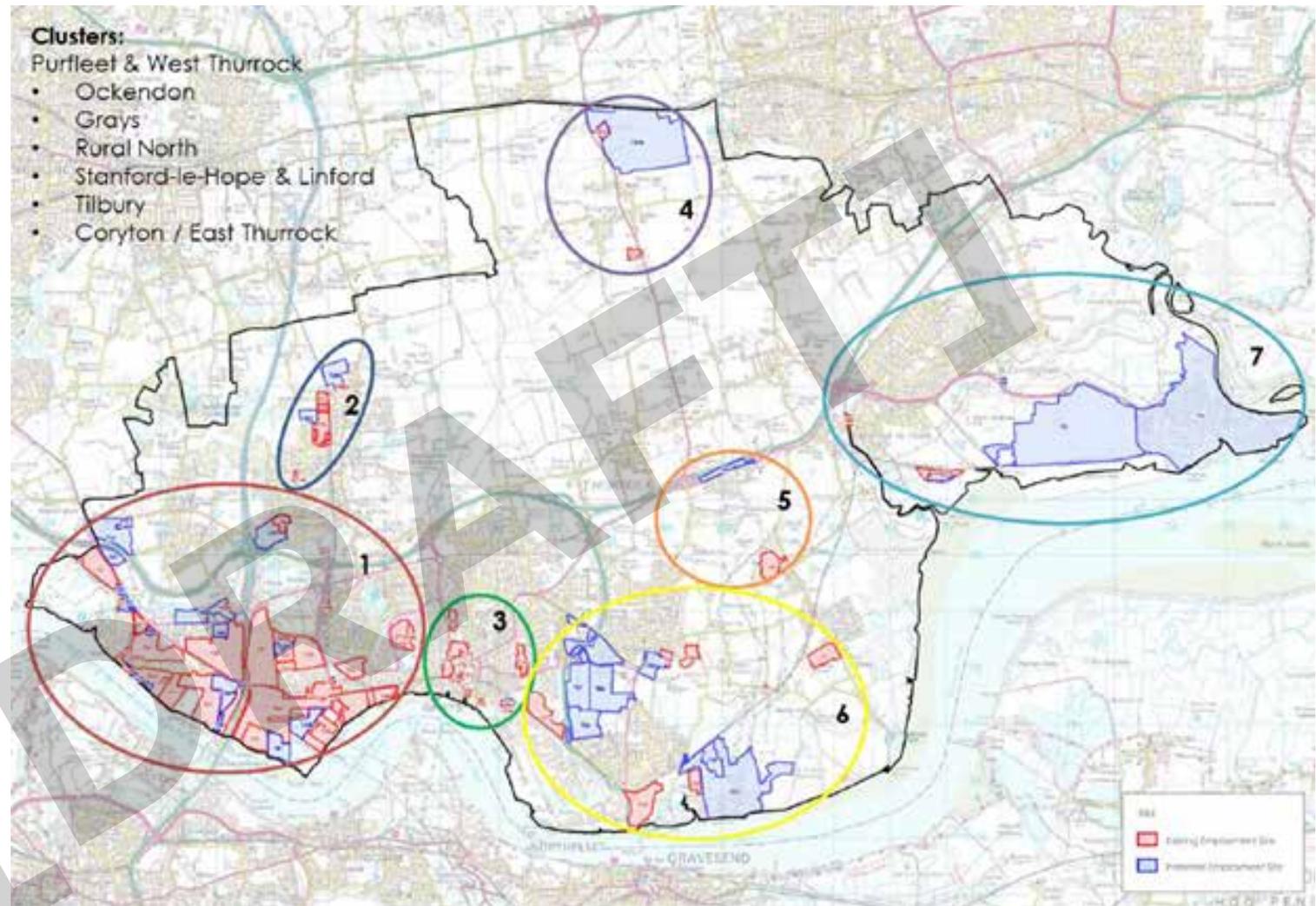


Figure 26: EDNA Thurrock Overview Map: Existing and Potential Employment Clusters

## Key issues

Based on the evidence and analysis set out in the South Essex Economic Development Needs Assessment, the Thurrock Employment Land Availability Assessment and the Issues and Options (Stage 1) Report of Consultation, the preparation of the Local Plan will need to consider and respond to the following issues:

- There is a significant oversupply of employment land in the Borough relative to future projected demand generated in Thurrock. However, much of this capacity is tied up in strategic land holdings at London Gateway, Thames Enterprise Park and Port of Tilbury related to ports and logistic development.

Although there is an identified oversupply of employment land to meet Thurrock's future needs, when seen in the context of South Essex, the Borough's employment land supply provides two thirds of the wider area's future strategic land supply.

- The concentration of future supply in a few large sites on land retained for port related logistics activity means there is little flexibility in the existing employment land portfolio to accommodate non-port related employment uses. This in itself could provide justification for the identification of additional employment land to meet the need to diversify the Boroughs employment base and/or meet wider South Essex economic growth requirements.

- With the potential for significant employment generation at London Gateway and Thames Enterprise Park, there is also a need to deliver major improvements to their accessibility, particularly by public transport, and to ensure there is sufficient capacity for additional freight movements by rail.
- The lack of flexibility in the Borough's overall employment land portfolio means that a potential need exists to identify additional land for facilitating the 'lifting and shifting' of non-conforming employment uses out of residential areas and in supporting the growth and expansion of SMEs and start-up businesses.
- There is a need to consider what planning policy tools can be used to provide /maintain a portfolio of sites to meet the needs of SMEs. This could relate to the % of site or floorspace to be reserved for their development.

- The future role of the town centres and housing growth areas to accommodate SMEs and business start-up units should be considered as part of the plan-making process.
- Possible role for the Council in facilitating the direct provision of low cost accommodation to meet the needs of SMEs and support the 'lift and shift' process, as the Thurrock employment land market is dominated by demand for large B8 units and port-related uses.
- There is a perceived need for additional lorry parks but future provision should be accommodated on-site/within major developments.
- There is a need for further road, rail-freight and digital infrastructure improvements generally.
- It is not possible to predict the likely economic impact of the Lower Thames Crossing until the scheme has been confirmed. This includes the provision and location of any junctions which serve to open up access.

- Complementary policy support needs to be provided to attract businesses, which includes ensuring the presence of a skilled local workforce and suitable housing to attract and retain employees.

Thurrock has experienced a prolonged and steady increase in jobs and this is forecast to continue into the future through the expansion of existing businesses and development of new ones. Land will be required to meet these business development needs.

The Local Plan will need to consider the issues of how much employment land is required and, broadly, where it should be allocated, but there is more to employment land than simply the amount and where it should be located. The Plan will also need to consider what type of employment land is required (what type of end-user will occupy the land) and whether the provision of certain employment uses is appropriate in certain locations. The following options (which are not mutually exclusive) consider these issues:

**Option 1** - Allocate sites specifically for strategic distribution and warehousing needs. Larger sites would be allocated specifically for strategic distribution and warehousing uses, close to the strategic road network and with direct access to inter-modal facilities.

**Option 2** - Allocate sites to encourage geographical clusters of specialist employment uses. New sites would be provided for specific employment uses where similar activities could concentrate. For example, a site or sites could be provided for forecast growth in emerging business sectors or for start-up businesses which may be compatible with residential uses in housing growth areas. Such an approach may require a more flexible range of uses being permitted than just business class use. It could also require a site specific policy rather than a single policy that deals with the employment land portfolio collectively.

**Option 3** - Allocate all new sites for the range of B classes uses (business, general industry and warehousing). This option would allocate all employment sites for the range of business use, without identifying any sites for specialist employment uses as above, but a % of each site or broad location would be reserved in policy for SME and small scale start-up businesses.

**Option 4** - Allocate employment sites specifically for non-B8 uses. This option would allocate sites for B1, B2 and sui generis uses in order to diversify the Borough's economic base and prevent an oversupply of B8 employment uses relative to future need and demand.

**Option 5** - Identify additional town centre mixed use development sites. Land would be allocated in and around existing centres specifically for additional office uses. It would contribute towards the regeneration and re-use of brownfield sites. However, the Borough is not a significant office location, and evidence predicts that the demand for new office floorspace in Thurrock is likely to be limited.

## QUESTION 21:

- a) When considering how land should be allocated for employment sites, which policy options above do you think are the most appropriate for Thurrock and why?
- b) Are there any alternative options that you think are appropriate that have not been considered? If so, what are they?
- c) Should sites be specifically allocated for non-B8 uses to help diversify the Boroughs economic base? If so, where?
- d) Are there any specific sites or broad locations which should be identified for new employment uses? If so, where and why?
- e) What additional transport or other infrastructure improvements are needed in Thurrock to support future economic growth?
- f) Is there a need for additional lorry parks to serve business and industry in Thurrock? If so, where should they be located?

## Existing employment areas

Alongside potential land allocations, there are significant existing employment areas in Thurrock which provide for a wide range of employment, business and commercial activities.

The existing Core Strategy employment policies are based round a 'tiered' approach that identifies different types of employment areas with some variation of uses permitted within them. There is a need to ensure that existing employment areas and premises continue to meet a diverse range of business needs, and consider it would be appropriate for them to allow alternative commercial needs beyond the traditional employment uses of business, general industry and warehousing. Since the Core Strategy was adopted in 2011, reform of the General Permitted Development order has resulted in a relaxation of the planning rules regarding changes of use from offices and warehousing to residential use, under certain circumstances.



## QUESTION 22:

- a) What kind of protection should the Local Plan give to existing employment areas?
- b) Should the Local Plan seek to restrict the range of uses and activities in existing employment areas to B1, B2 or B8 uses, or designate selected employment areas in whole, or in part, for non-business class users?

The Thurrock Employment Land Availability Assessment identifies a number of locations across the Borough where existing concentrations of employment uses are located within primarily residential areas. There is evidence that their presence is having an adverse impact on the amenity of local residents, particularly as a result of the impact of HGV movements, road safety considerations and noise. Although the Council regularly takes enforcement action against persistent offenders, in many cases it is not the fault of the occupiers that these issues arise, with the problem often

lying with delivery vehicles operated by other companies. Equally, many of the businesses in these areas provide a valuable source of employment and contribute to meeting the wider needs of the community and business in Thurrock. Any attempt to relocate these businesses against their will could potentially see the loss of local jobs and harm the local economy.

However, this does not mean that further action shouldn't be taken to reduce or eradicate the impact of bad-neighbour uses in residential areas.

As part of this process, the Local Plan can plan positively to secure the voluntary relocation of existing business occupiers to alternative locations, where their hours of operation and room for expansion/diversification of activity is unconstrained by the nature of the surrounding uses. In order to do this, it will be necessary for the Plan to identify a range of sites capable of accommodating the displaced uses in affordable and appropriate premises, and for the Council and other partners to develop a programme to assist existing business occupiers to relocate as necessary.

## QUESTION 23:

- a) What policy approaches should the Local Plan develop to deal with the problems caused by bad-neighbour uses in residential areas?
- b) Should the Council develop a programme for 'lifting and shifting' bad-neighbour uses to alternative locations? If so, what interventions are required for the successful delivery of this policy objective?





## Digital infrastructure

The NPPF recognises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. As required by the NPPF, policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments.

Reflecting the date of its 2011 adoption, the Core Strategy does not set out a strategy or planning policies for promoting the provision of high quality digital infrastructure. In preparing the new Local Plan it is therefore essential that the plan-making process takes into account the need to provide an effective policy framework to facilitate the roll out of improved digital infrastructure across Thurrock to support future economic growth and meet wider social and community needs.

### QUESTION 24:

- a) What is the scope and nature of the planning policy support required to facilitate the roll out of high quality digital communications infrastructure in Thurrock?
- b) What interventions or policy approaches does the Local Plan need to identify to assist in its delivery?
- c) Should future planning policy require the direct provision of full fibre connections to all new residential and business developments and should Section 106 or CIL contributions collected from all forms of new development be targeted at supporting the provision of enhanced digital infrastructure in Thurrock?

DRAFT

# SECTION 6: WHAT LEVEL OF GROWTH IS NEEDED – RETAIL AND LEISURE

Town centres are at the heart of community life and play a key role in shaping people's perceptions of an area. Attractive, vibrant and prosperous town centres can act as an important catalyst for attracting growth and investment into the wider area. Equally, declining centres can have the opposite effect and serve to deter and undermine efforts to turn the economic fortunes of an area around.

Over the last five years, town centres have faced the challenge of major economic and social change which has had an impact on the way we shop, the development of new retail formats and changing patterns of retail development. This has been manifest in the rise in internet shopping, the rapid growth of discount retailers and the 'convenience' shopping concept, the consolidation and concentration of investment into fewer larger centres and an overall decline in the demand for town centre retail floorspace in all but the largest and most successful centres.

To ensure the vitality of town centres, paragraph 85 of the NPPF requires that 'planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation'. This includes a requirement that 'anticipated needs for retail, leisure, office and other main town centre uses' are met in full over at least the next 10 year period and should not be compromised by limited site availability.

## Identifying future retail and leisure needs

The Core Strategy defines the hierarchy of centres in Thurrock and sets out the Council's commitment to the transformation of the northern part of the Lakeside Basin into a new regional centre through the plan-making process and the preparation of an Inset Plan for the area. Policy CSTP7 also sets out the Council's support for the regeneration of the Borough's wider network of centres, with particular reference to the need to promote Grays town centre as a focus for cultural, administrative and educational functions, whilst providing retail development that is complementary to the Lakeside Basin.

The NPPF and PPG place a duty on local planning authorities to cooperate on strategic cross-boundary planning issues including the provision of retail and leisure development.

In April 2016, Peter Brett Associates LLP (PBA) were instructed by the South Essex Authorities to provide a strategic retail evidence base for the South Essex sub-region. The objectives of this study included a requirement to assess the need for additional convenience and comparison retail floorspace and key high order leisure uses in the period up to 2037 and to recommend options for the spatial distribution of the assessed retail and leisure needs across the five authorities.

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Since the adoption of the Core strategy in 2011, the retail landscape has changed dramatically with far reaching implications for the demand for retail and leisure development both across the UK and within Thurrock. In preparing the new Local Plan, the Council will need to review the existing policy approach and identify the need for additional guidance on the scale and location of new retail and leisure development across the Borough. The Council will also need to prepare more detailed town centre development and regeneration strategies which coordinate, prioritise and implement a range of measures which seek to maintain the viability and vitality of the Borough's wider network of Town, District and Local Centres.



## Key findings affecting Thurrock

The key findings and conclusions set out in the South Essex Retail Study in relation to Thurrock are summarised below:

- Across South Essex there is capacity to support an additional 82,445 - 185,485 sqm.net of comparison floorspace up to 2037.
- Long-term comparison capacity forecasts (post-2026) are significant but should be treated as indicative.
- Despite the existing large commitment at Lakeside (in the form of the consented Northern Extension) the majority of capacity emerges in Thurrock. Lakeside shopping centre is the primary comparison retail destination within the South Essex area and exerts a significant influence over trading patterns across the wider study area.
- Within Thurrock there is capacity to support an additional 171,858 - 185,485 sqm.net of comparison floorspace up to 2037.

- Across South Essex there is no capacity to support additional convenience floorspace up to 2031. This is due to there being significant commitments for convenience floorspace in Thurrock and because growth in convenience expenditure is limited.
- Long-term convenience capacity forecasts (post-2031) are much lower than the comparison figures, with little or no capacity emerging in Thurrock, but should also be treated as indicative.
- Across South Essex there is capacity to support an additional 8,346 - 12,342 sqm.net of convenience floorspace up to 2037.
- Within Thurrock there is capacity to support an additional -1,632 to 131 sqm.net of convenience floorspace up to 2037.
- Thurrock is anticipated to see the biggest rise in leisure spending in South Essex over the plan period due to population increase and increasing strength/inflow of expenditure to Lakeside.

- A3-A5 uses account for approximately 70% of the total leisure spending growth in South Essex. Basildon, Southend and Thurrock experience the most significant levels of growth.
- Basildon, Southend and Thurrock all have committed leisure developments. It is possible that the A3-A5 and D2 leisure commitments in Thurrock will be sufficient to absorb the forecast expenditure. The majority of this development is proposed at Lakeside Shopping Centre.
- With the exception of Basildon, there is capacity for cinema screens in all of the South Essex authorities. The most significant capacity is in Rochford, as it currently has no cinema screens.

A copy of the South Essex Retail and Leisure Study is available to view on the Council's Local Plan website ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).

## QUESTION 25:

- a) Based on the findings and conclusions set out in the South Essex Retail and Leisure Study, do you agree that Lakeside should continue to be the principal focus for new comparison shopping and leisure floorspace in Thurrock over the Plan period to 2037? If not, why not?
- b) In the absence of a strong quantitative need for additional convenience floorspace provision in Thurrock over the plan period to 2037, what steps should the Council take to seek a better alignment of current/future provision, in order to meet the shopping needs of the proposed housing growth areas and/or the regeneration of existing centres?

## Future planning status of Lakeside

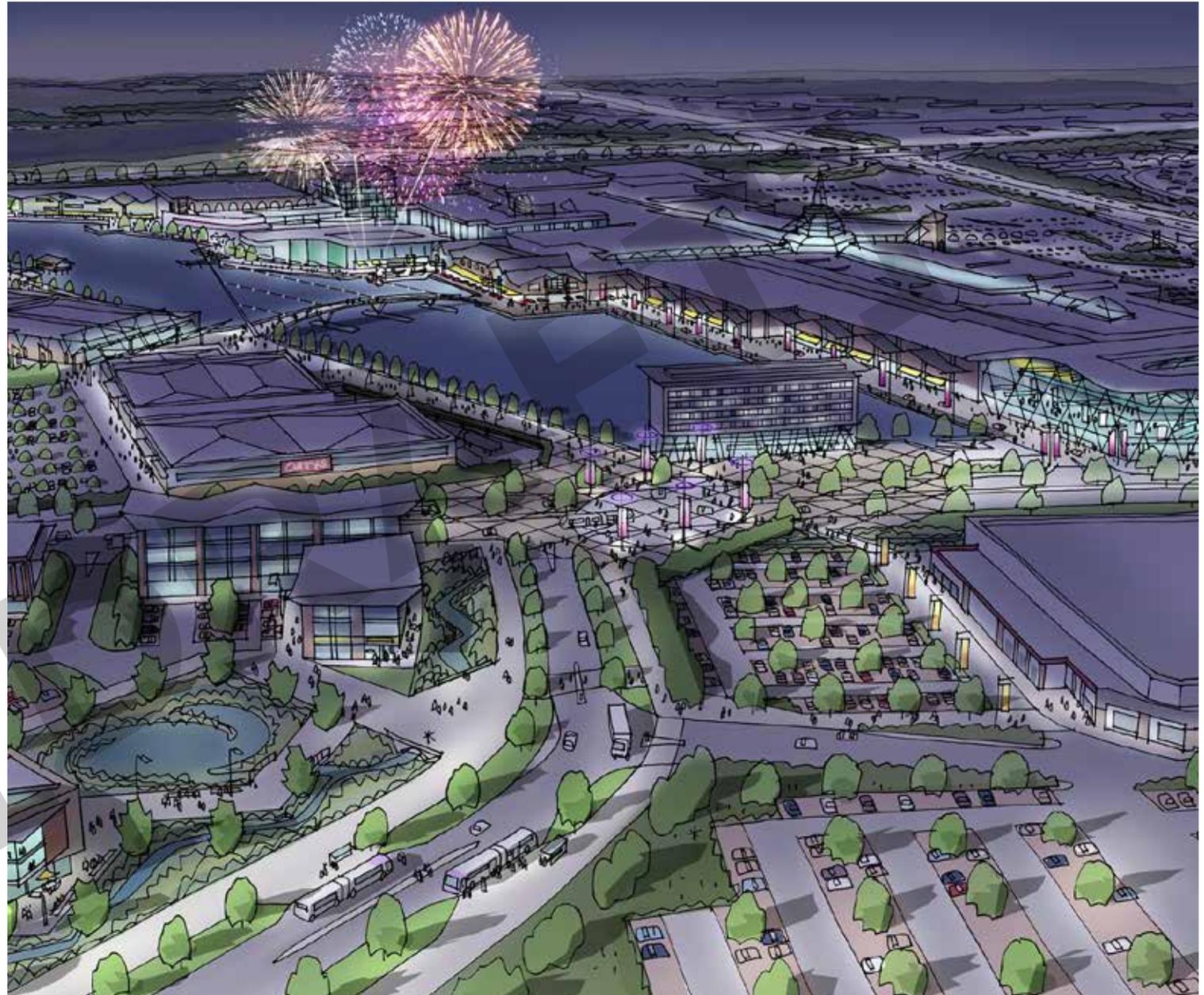
The principle of transforming the northern part of the Lakeside Basin into a sustainable, mixed-use regional town centre is established in policy through Policy CSTP7: Network of Centres, of the adopted Thurrock Core Strategy (December 2011).

Policy CSTP7 restates the former East of England Regional Spatial Strategy's policy intention to secure the designation of the northern part of the Lakeside Basin as a Regional Town Centre subject to progress being achieved against a series of planning policy and development pre-conditions. In planning for the future development of Lakeside, the key issues the Local Plan will need to consider are:

- The need for any place-making criteria or triggers to create a viable, mixed-use regional town centre; and
- The policy choices and spatial options for managing development at Lakeside

In developing the Local Plan, it is the Council's intention to prepare an Inset Plan which will set out a detailed spatial strategy to guide the future development of the northern part of the Lakeside Basin. This will be informed by the preparation of an updated version of Planning for the future of the Lakeside Basin - A Framework to Deliver Town Centre Potential (2015).

A copy of Planning for the future of the Lakeside Basin - A Framework to Deliver Town Centre Potential (2015) is available to view on the Council's Local Plan website ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).



## Place-making criteria

It is the clear intention of the adopted Core Strategy and the former East of England Regional Spatial Strategy (RSS) that the future development of the Lakeside Basin should be progressed having regard to a range of place-making criteria for managing the development of a new sustainable mixed-use regional scale town centre.

Although the RSS has since been revoked, at the time of the Core Strategy's adoption it formed part of the statutory development plan for Thurrock. Policy ETG2: Thurrock Key Centre for Development and Change (from the revoked RSS) set out detailed place-making guidance on the changes required before the Lakeside Basin could achieve town centre status. Having regard to the policy approach set out in RSS policy ETG2, the Thurrock Core Strategy provided further guidance on the steps that would need to be taken before town centre status could be achieved.

However, as Policy CSTP7 dates back to 2011, it is now considered to be largely out-of-date as it fails to reflect changes to national policy or the changing retail and market context within which any decisions on the future development of Lakeside must now be made. Reflecting these considerations and the importance of the Lakeside Basin to both the local economy and community, the Local Plan will need to provide an up-to-date and more relevant planning policy framework, which reflects the progress made over the last 7 years in diversifying the nature of the uses at Lakeside and the changing national policy context set out in the NPPF.

## QUESTION 26:

- a) Should the new Local Plan set out any pre-conditions limiting the future scale, nature, location and timing of additional retail development at Lakeside?
- b) With the addition of a wider range of uses and activities in recent years, including the provision of new leisure, hotel and food and drink uses, and with new residential development in the pipeline, should the northern part of the Lakeside Basin now be regarded as a fully fledged town centre?



## Policy choices and spatial options for managing development at Lakeside

Paragraph 85 of the NPPF requires that planning policies should promote the long-term vitality and viability of town centres by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters. In drawing up Local Plans, local planning authorities are asked to define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre.

In view of the scale of the area included within the northern part of the Lakeside Basin, the Local Plan will need to define an effective boundary for the town centre and identify the primary shopping area. The nature and extent of these areas will strongly influence decisions on future proposals for retail development and other uses, both within, and adjoining the areas covered by these policy designations

Once these policy designations have been agreed it is intended that they will be set out in an Inset Plan covering the northern part of the Lakeside Basin.

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## QUESTION 27:

- a) How should the Town Centre Boundary at Lakeside be defined?
- b) How should the Primary Shopping Area at Lakeside be defined?

## Grays Town Centre

### Development context

Grays is the largest 'traditional' town centre in Thurrock and contains 66,300 sqm gross floorspace in total. Whilst the town centre's role as the dominant retail centre in the area has been superseded by intu Lakeside Shopping Centre, it is still the main administrative centre in the Borough and a focus for a number of services and cultural activities.

National policy looks for town centres to become "attractive, diverse places where people want to live, visit and work." The Grays Town Centre Development Framework - commissioned by Thurrock Council - identifies a range of opportunities to increase the prosperity and attractiveness.

The Development Framework sets out an aspirational vision for Grays and proposes:

*"Building on its strengths as a Chartered Market Town, Grays will be an exciting, high quality destination for people to live, work, learn, shop and socialize. Reconnected to the River Thames, Grays will support growing resident, student and business communities throughout the day and entertain a diverse and vibrant population through the evening. Cafés, bars, restaurants, shops and markets will combine with culture, entertainment and events in unique venues to provide a safe and attractive place for communities to meet and businesses to thrive."*

Today's high streets face ever greater competition from online retailing and changes in social trends which have affected their usage and the demand for services. In order to remain at the heart of community life, smaller town centres such as Grays which have witnessed a reduction in their comparison shopping function now need to diversify and, building upon their traditional local shopping roles, attract and sustain a greater range of leisure, cultural and civic uses to remain vibrant and vital places.

Today, comparison provision only makes up around a quarter of all floorspace in the town centre and includes a number of national multiple retailers alongside small independent local traders. However, in line with national trends for a centre of this size, there is currently only limited demand for new comparison goods floorspace within Grays. However, the picture is different in terms of convenience floorspace, where demand exists from discount food store operators for further representation within the area.

The challenge for the Local Plan is therefore to bring forward a land use planning and implementation strategy which helps deliver the vision set out Development Framework and ensures the delivery of new shopping, leisure and housing uses alongside improvements to access, car-parking and the quality of the public realm and built environment.

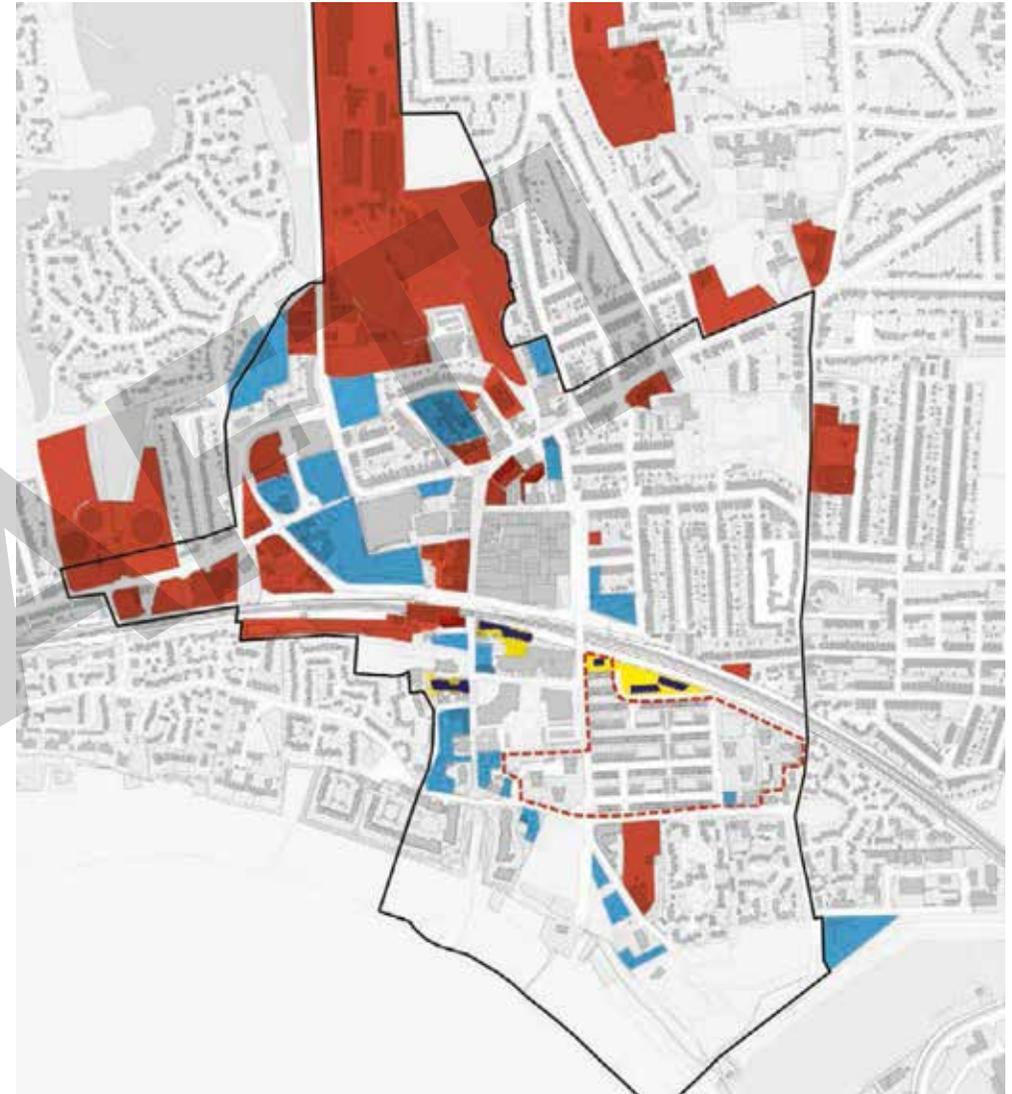


Figure 27: Grays Town Centre Development Framework

## QUESTION 28:

- a) Do you think that the Local Plan should plan positively for additional comparison or convenience shopping floorspace in Grays Town Centre through the specific allocation of additional sites for development and/or should the focus be on strengthening and consolidating retail activity around the Grays Shopping Centre and adjoining areas?
- b) Should the Council manage the mix of permitted uses in Grays town centre to provide more flexibility to accommodate non-retail uses?
- c) If further flexibility is required, what approach should be adopted to maintain an appropriate balance between retail and non-retail activity in and around the town centre?

## Hierarchy of Centres

Retail facilities are an important part of people's lives and an important sector of Thurrock's economy. Achieving the right balance of quality, quantity and distribution of retail facilities is therefore extremely important and the Local Plan will need to ensure that development proposals are appropriate to their location. There are a number of shopping centres in the Borough which vary in size and the range of shops and ancillary services they provide. The current hierarchy of shopping centres in Thurrock is defined under Policy CSTP7 – Network of Centres of the adopted Core Strategy and is set out in Figure 27. This is based on a range of criteria, including the size of the centre, the quantitative and qualitative range of retail and other uses present, together with its role in meeting the wider economic, civic, social and cultural needs of the Borough's residents and visitors.

The NPPF requires that local plans should define a network and hierarchy of town centres and promote their long-

term vitality and viability by allowing them to grow and change in a way that supports a diverse retail offer, provides customer choice, allows a suitable mix of uses (including housing) and reflects their distinctive characters. In doing so, it is important to note that the role of individual centres within the hierarchy is not static, and is subject to change over time, reflecting wider economic and social trends, as well as proposals for new housing growth and changing community needs. It is likely that the retail and service role of several of the Borough's Local Centres will need to be enhanced, given the scale of housing growth required to meet the Borough's future housing needs. In addition, consideration will need to be given to the need for the development of one or more new centres in addition to Purfleet. Such changes will need to be planned for and reflected in a revised hierarchy of centres, with additional sites and locations for new retail and other town centre uses of an appropriate scale allocated in the Local Plan.

Figure 27: CSTP7 Hierarchy of Centres in Thurrock

<b>Regional Centre</b>	Lakeside
<b>Town Centre</b>	Grays
<b>Local Centres</b>	Corringham, Stanford-le-Hope, South Ockendon, Tilbury, Aveley, Sockets Heath
<b>New Centres</b>	Purfleet, South Stifford
<b>Existing Neighbourhood Centres</b>	Larger neighbourhood parades – Chadwell St Mary, Stifford Clays, East Tilbury, Corringham, Grays, Little Thurrock, Chafford Hundred, Tilbury.
	Smaller neighbourhood parades – South Ockendon, Aveley, Grays, Tilbury, Linford, Stanford-le-Hope, Corringham, Purfleet

## QUESTION 29:

- a) Should the retail hierarchy for town centres and other shopping locations within Thurrock be revised to take into account both historical and future changes in their role including the need to plan for future housing growth?
- b) Are there any other centres that should be included or should any be omitted?

## Town Centre Development

Good shopping centres offer a wide range of quality shops and services. They encourage shoppers to visit and develop a loyalty to the centre and the services it provides. The shopping offer, and the customers it attracts, contributes to increasing the vitality and viability of the shopping centre. It is important that Thurrock's town/shopping centres serve the needs of their catchment areas and that the local plan seeks to increase the number of houses in and around Borough centres to boost trade and enhance their prosperity and vitality. Some centres in Thurrock may have the capacity to include additional retail floorspace due to the number of people and available expenditure in their catchment area. Alternatively, some centres may have more shops than can be sustained by available expenditure and may need to contract or diversify.

The South Essex Retail and Leisure Study identifies the need/capacity for new provision within specific centres, having regard to forward growth and planned/emerging commitments within the district and wider sub-region. The new local plan provides an opportunity to review the level of provision in all centres across Thurrock and to develop a more be-spoke approach to maintaining their future viability and vitality.

The current policy approach relating to retail development, as set out in the Core Strategy, is to promote a sequential approach, whereby first preference should be for town centre sites, followed by edge-of-centre sites, district and local centres and only then out-of-town sites. This policy recognises the importance of town centres as locations for shopping, particularly for people without a car, and the importance of retailing as the dominant economic activity underpinning the social and economic life of town centres. It seeks to reinforce the role of existing centres as the foci of shopping activity by encouraging new retail development, redevelopment or refurbishment in these centres.



## QUESTION 30:

- What are your experiences of shopping in Thurrock? What centres do you visit and do they offer a good range of shops and services? Are there any deficiencies?
- Should any of the retail allocations and town centre boundaries identified in the adopted Core Strategy be amended in order to include areas/sites that would enable the centres to grow and accommodate retail or other town centre uses, including housing, or exclude areas that are no longer appropriate?
- Should any new retail areas be identified for centres without such a designation?

## Other Town Centre Uses

Town centres have historically been the location for a wide range of uses, in addition to retailing, such as theatres, museums, libraries, markets, gyms, health clubs, bingo halls, bowling alleys, cinemas, hotels and eating and drinking establishments. The range and level of facilities tends to vary with the size of the town centre and its accessibility by car and public transport. With the retail role of some town centres in decline, the importance of encouraging a wider range of uses and activities within town centres has increased, both as a means of maintaining their wider economic and social function but also in ensuring that their physical and environmental fabric does not decline due to a lack of investment.



## QUESTION 31:

- a) Are there any other facilities/activities which should be promoted or accommodated in particular town centres?

## Non-Retail Uses in Town Centres

Current policy in the adopted Core Strategy aims to ensure that changes of use within the shopping frontages of town centres take place without undermining their retail function. The policy recognises that space in shopping frontages can usefully be taken up by non-retail uses. Such uses can add to the variety, attractiveness and economic activity of the centre, but only so long as they do not concentrate within the primary shopping area so that the retail character of the immediate area is not undermined and does not deter the movement of shoppers in a particular direction within the centre.

The Thurrock Town Centre Health Check Assessment Report (2018) is available to view on the Council's Local Plan website. ([www.thurrock.gov.uk/localplan](http://www.thurrock.gov.uk/localplan)).



## QUESTION 32:

- a) Do you have concerns about non-retail uses in shopping frontages or the over concentration of particular uses in those centres that you visit?

## Hot Food Takeaways and Betting Shops

Consultation with local communities and Members has shown that there is particular concern surrounding the proliferation of both hot food takeaways and betting shops within our town centres and other shopping areas.

Whilst it is recognised that hot food takeaways and betting shops offer a service to local communities and have a role to play within town centres and other shopping areas, an over concentration of them can be detrimental, affecting the retail character and function of shopping centres. Hot food takeaways can affect local amenity through an increased incidence of litter, smells, anti-social behaviour, noise disturbance, parking and traffic problems. It can also create an imbalance in food choices available to the local community i.e. in areas with high concentrations of hot food takeaways, they form a disproportionate amount of the local food offer.

Evidence shows that both obesity levels and access to unhealthy food is an issue which needs to be addressed nationally. Studies have shown that there is also a correlation between childhood obesity and deprivation, deprivation and higher proportions of takeaways, and levels of overweight/obese people and the number of takeaways.

The prevalence of hot food takeaways increases the temptation/likelihood of people, particularly children, purchasing such food on the way to/from school or during leisure trips. Evidence shows that minimising these opportunities has a beneficial effect on levels of obesity.

Likewise, an over concentration of betting shops has also been linked with incidents of low-level crime and anti-social behavior. There is also a concern over the social impacts of betting shops with regard to the use of fixed odds betting terminals and their effect on health and well-being. This has been recognized by Government whom have introduced regulations that require a planning application to be submitted for new betting shops which require a change of use of an existing unit and measures to ensure that betting shop operators set out how they comply with social responsibility codes when applying for a gambling licence.

It should be stressed that both hot food takeaways and betting shops do have a role to play in our town centres and shopping parades but measures could be taken to prevent the clustering of these uses. Clustering of hot food takeaways and betting shops can create 'hotspots' which attract increased numbers of customers, particularly in the late evenings with regard to hot food takeaways, and can lead to problems with noise disturbance, littering and anti-social behaviour. These matters have direct and indirect effects on the health and well-being of the local community and can affect the vitality and viability of shopping centres. The clustering of any use restricts the choice of retail outlets available and affects the retail appeal and sustainability of a shopping area.

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## QUESTION 33:

- a) Should there be restrictions on the number and distribution of hot food takeaways and betting shops in town/shopping centres to avoid over-concentration and clustering?
- b) Should there be restrictions on hot food takeaways near to schools, youth facilities and parks?

## Transport and Access

Planning policy at all levels promotes the idea of sustainable transport choices through the reduced need to travel by car and improving accessibility by public transport, walking and cycling. Through the process of preparing the Local Plan, there is an opportunity to identify proposals to carry out traffic management measures or public realm works that can improve traffic circulation and/or pedestrian movement. This could also include action to encourage more people to walk and cycle into town centres.

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## QUESTION 34:

- a) Are there any traffic management measures or public realm works that are needed in particular town centres?
- b) Are there any pedestrian or cycle routes that are needed in particular town centres?

## Car Parking

The Core Strategy seeks to influence the demand for travel and the new Local Plan will also need to maximise the use of sustainable modes of travel (public transport, walking and cycling), and reduce the need to travel, by concentrating development in appropriate locations across the Borough's network of centres. Alongside this strategy, the Council will use various other measures/services to influence where and how people travel for shopping, leisure and other social activities. Car parking is an integral part of the town centre offer and its location, quality and management regime has a significant bearing on its attractiveness for shoppers, workers and visitors.

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## QUESTION 35:

- Where could car parking be reduced?
- Is there a need for additional car parking provision in any locations? If yes, please specify if it would be for shoppers, visitors or workers.
- Where could long stay car parking spaces be transferred to short stay?

# SECTION 7: HEALTH & WELL-BEING

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## Sport and Recreation

Paragraph 96 of The National Planning Policy Framework (NPPF) states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need

for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses and opportunities for new provision). Information gained from these assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.



The NPPF also requires that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

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In addition to the policy requirements set out in the NPPF, the Government also published 'Sporting Future: A New Strategy for an Active Nation' (December 2015) which recognises that sport can make a positive difference in improving physical and mental health, individual development, social and community development and economic development. Set against this background, Sport England, a key source of funding for new sporting facilities, has produced 'Towards an Active Nation', their 2016-2021 strategy which signals that their investment priorities will be tackling inactivity, children and young people, taking sport and activity into the mass market, supporting sport's core market, local delivery and the provision of new and improved facilities.

In order to inform the preparation of the Local Plan and respond to the requirements set out in the NPPF, the Council, working in partnership with Sport England, commissioned the consultants Knight, Kavanagh & Page (KKP) in November 2015 to prepare an Active Place Strategy (APS) for Thurrock. The draft document prepared by KKP includes the following:

- Open Space and Play Areas Study
- Indoor and Built Sports Facilities Strategy
- Playing Pitch (and outdoor sport) Strategy
- Active Travel Strategy

The key focus of these reports is to provide an evidence base to help develop a strategy to provide an improved and expanded range of sporting and leisure opportunities to meet the needs of residents and to support funding bids to secure their delivery. The consultants' Technical Reports which were originally completed over the period 2016-2017 and subject to public consultation are currently being updated and will be used to inform the preparation of an overarching Open Space, Leisure and Recreation Strategy for Thurrock which will underpin the development of the Local Plan.

Thurrock has a population of 163,270 (2014 estimate) which is anticipated to increase by 25.5% (40,000) over the plan period to 2037 and this, together with the changing demographic structure of the population, will have significant implications for the Council in terms of the scale and distribution of new housing development and the nature and location of new open space, sports and leisure facilities.

## QUESTION 36:

- a) What should be the priority locations for new or improved open space and sporting or leisure development?
- b) How can the Local Plan support the future viability, development and success of Thurrock's sports clubs at all levels through the development of new or improved facilities? and
- c) What opportunities exist for cross-boundary collaboration in the development or delivery of new open space, sporting or leisure opportunities?

## Designing active places

Over 70% of adults are overweight or obese in Thurrock, which is significantly higher than the national average. At the age of 5, children in Thurrock have a similar rate of obesity to the national average. Yet, by the age of 10 and 11, 23.9% of children are obese and 37.9% have excess weight (are either overweight or obese), which is significantly higher than the national and regional averages. The Council's Joint Strategic Needs Assessment on Whole Systems Obesity, which examines the reasons for high obesity levels in Thurrock, recommends that the Council seeks to embed active design principles in the emerging Local Plan.

In October 2015 Sport England supported by Public Health England launched an Active Design Guidance document to help support the creation of healthy places. The main principles outlined in the document are set out in Figure 28. These principles are based on national urban design best practice and can be applied to many different types of development, including the enhancement of existing places.



Figure 28: Active Design Principles

## QUESTION 37:

Should the Council seek to embed Sport England's Active Design Principles in the emerging Local Plan? Please reference supporting evidence where possible.

## Ensuring that the health impacts of new developments are appropriately assessed

National policy recognises the need to understand and take account of the health status and needs of the local population, including expected changes and information about relevant barriers to improving health and well-being.

Health Impact Assessments assess the positive and negative effects of new development on local communities and/or individual population subgroups.

Requiring a Health Impact Assessment for large and/or sensitive planning applications will ensure that site promoters and developers have properly considered the impact of the development on communities and on the delivery of positive public health outcomes. For developments that are already required to submit an Environmental Impact Assessment (EIA), it may make sense to integrate health impacts into the EIA as the methodology is similar and there is some overlap in the evidence gathered and used for both assessments.

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## QUESTION 38:

Should the Council seek to require a Health Impacts Assessment to be submitted as part of large and/or sensitive planning applications? Please reference supporting evidence where possible.

## Safeguarding local identity

Promoting high quality design and supporting local character and distinctiveness are strong themes embodied in national policy. In planning how an area might change and develop over the next 20 years, it is important to consider the things that make that place unique and are truly valued by its communities.

## Local green spaces

Green infrastructure contributes to the quality and distinctiveness of the local environment. It creates opportunities for walking and physical activity and generally adds to quality of life. Green infrastructure is diverse in character and can include formal parks and gardens, informal grassed areas, linear paths, towpaths, sports pitches and other kinds of landscaped areas.

For many local communities, securing high quality green infrastructure in and around their neighbourhoods is important. National planning policy gives local communities the opportunity to nominate important Local Green Spaces for special protection in Local Plans. If a space is formally designated as a Local Green Space in the Local Plan, it would effectively give that space the same protection from development as a Green Belt site.

In July 2016, the Council invited communities to nominate Local Green Spaces in their area that they felt meet the following criteria:

- Geographically close to the community it serves;
- Special to that community because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife etc.;
- Local scale i.e. not an extensive tract of land.

This consultation only generated 34 responses. Therefore, the Council has decided to reopen the nomination process as part of this consultation.

## QUESTION 39:

Are there any local green spaces in your area that you feel are special to your community? Please include information about the location of the space and the reason why you believe it should be allocated as a Local Green Space.





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## Local Plan Issues and Options (Stage 2) - Engagement Strategy

In preparing a new Local Plan the Council is required by legislation to produce a Statement of Community Involvement (SCI). The SCI sets out the activities the Council must legally undertake when preparing a plan. This engagement strategy builds upon the basic requirements of the SCI and presents a comprehensive list of engagement and communication activities that will be undertaken during and following the public consultation period on the Local Plan Issues and Options (Stage 2) document.

**Public consultation will commence on Wednesday 12 December 2018 and run until Friday 22 February 2019.**

### ACTIVITIES TO BE UNDERTAKEN DURING THE PUBLIC CONSULTATION PERIOD

Event type	Specific activity	Desired outcome/s
<b>Activities designed to meet our statutory consultation requirements</b>	<b>Make document available</b> Formal consultation document and comments form made available at libraries, community hubs, online and at the Your Place, Your Voice: Local Plan Issues and Options (Stage 2) events.	<ul style="list-style-type: none"> <li>Statutory consultation requirement – awareness of and participation in the consultation.</li> </ul> <b>Lead:</b> Growth and Strategy Team Supported by a Communication Plan
	<b>Duty to Cooperate workshop/s</b> Formal workshop/s with Duty to Cooperate Bodies including adjacent Local Authorities and key infrastructure organisations	<ul style="list-style-type: none"> <li>To ensure that the authority fulfils its legal duty to cooperate with the relevant bodies/agencies.</li> </ul> <b>Lead:</b> Growth and Strategy Team
	<b>One to one Duty to Cooperate meetings with relevant bodies/agencies</b>	

Event type	Specific activity	Desired outcome/s
<p><b>Your Place, Your Voice' Community Planning Events (YPYV) – to take place in January and February</b></p>	<p><b>Fill in the &lt;blank&gt; boards</b> - Freestanding boards with a question on each side staggered so participants can snake their way through and vote for the options they think are right for their area.</p> <p>Sample question 1: We need more homes for &lt;BLANK&gt;? Potential options:</p> <ul style="list-style-type: none"> <li>- Older people</li> <li>- Young families</li> <li>- People who want to build their own home</li> <li>- Executives</li> <li>- Single person households</li> <li>- Other</li> </ul> <p>Sample question 2: We need more &lt;BLANK&gt; in our town centre? Potential options:</p> <ul style="list-style-type: none"> <li>- Leisure activities</li> <li>- Variety of shops</li> <li>- Restaurants</li> <li>- Housing</li> <li>- Community uses</li> <li>- Other</li> </ul>	<ul style="list-style-type: none"> <li>• Increased awareness, understanding and participation in the consultation</li> <li>• Wider participation by residents who may not normally engage on strategic planning issues</li> <li>• Promote discussion about how certain areas could develop and change over the plan period</li> <li>• To gain a deeper understanding of the types of development that are needed in an area</li> <li>• Promote a more open and transparent decision making process and create a sense of shared ownership of the plan</li> <li>• Opportunity to ask questions of Growth and Strategy Team and complete consultation comment form</li> </ul> <p><b>Lead:</b> Growth and Strategy Team Supported by Planning for Real, Community Development and Communications</p> <p>Outcomes as above across all YPYV</p>

Event type	Specific activity	Desired outcome/s
	<p><b>Development issues and opportunities model/map</b> – Stylised map of the local area including where relevant space is around settlements. Surrounding the map will be a range of development issues and opportunities cards. Participants will be asked to place cards down on the map in relevant locations. There will also be blank cards if the participant doesn't see any cards that are relevant to the comments they would like to make.</p> <p>Sample cards:</p> <ul style="list-style-type: none"> <li>- Opportunity for new live/work units</li> <li>- Opportunity for a small scale urban extension</li> <li>- Important strategic green space/park</li> <li>- Good location for a trim trail or outdoor gym</li> <li>- Good location for a new hotel</li> <li>- Need for a new primary school here</li> <li>- Need for a new bypass here</li> <li>- Opportunity for a new train station</li> </ul>	<p>activities – session to be led by Planning for Real</p>

Event type	Specific activity	Desired outcome/s
	<p><b>YPYV Visual Minutes</b> Share outcomes from previous sessions and action taken – you said, we did/will be doing...</p> <p>Identify and signpost opportunities for community action where relevant and not tied to planning or other council processes. Signpost to existing local opportunities, activities and groups for resident participation.</p>	Supported by Community Development
<b>Stakeholder forums</b>	<p><b>Local Plan Youth Forum</b> – Knowledge and skill building session with young people aged 13-18. Invitations will be sent to youth cabinet and secondary schools.</p>	<ul style="list-style-type: none"> <li>• Increasing knowledge and understanding about planning matters in core communities to enable them to respond to planning consultations more effectively</li> <li>• Gain a different perspective on key topics</li> <li>• Promote a more open and transparent decision making process and create a sense of shared ownership of the plan.</li> </ul> <p><b>Lead:</b> Growth and Strategy Team Supported by Community Development</p>
	<p><b>Local Plan Residents Forum</b> - Knowledge and skill building session with local residents. Invitations will be sent to community forums and advertised through social media/other channels.</p>	

Event type	Specific activity	Desired outcome/s
	<p><b>Local Plan Developers Forum</b> - Workshop sessions to discuss the emerging plan and key evidence documents.</p> <p><b>Infrastructure Providers Forum</b> - Workshop sessions to discuss the emerging plan and key evidence documents.</p>	<ul style="list-style-type: none"> <li>• Create a sense of shared understanding between the Council and the 'Market'</li> <li>• Gaining a 'real world' perspective in terms of viability, deliverability</li> <li>• Limit the number of unanticipated objections in later stages of plan making.</li> </ul> <p><b>Lead:</b> Growth and Strategy Team</p>
<b>Online only</b>	<p><b>Local Plan survey</b> - Online only survey using some of the key questions put forward in the consultation document and at the YPYV events – heavily supported by social media activity both promoting the consultation and events as well as encouraging discussion on these channels.</p>	<ul style="list-style-type: none"> <li>• To provide an opportunity for people who are not able to attend an event to respond to some of the key elements of the 'Your Place, Your Voice' events and the consultation document without the need to read it in its entirety.</li> <li>• Encourage social media activity and engagement in the consultation – evaluation of comments and reach.</li> </ul> <p><b>Lead:</b> Communications Team Supported by Community Development re use of consultation portal.</p>

## ACTIVITIES TO BE UNDERTAKEN FOLLOWING THE PUBLIC CONSULTATION PERIOD

Event type	Specific activity	Desired outcome/s
<b>'Your Place, Your Voice' community planning event</b>	<b>Place planning workshops</b> – A series of workshops with residents in the main location groups looking at the findings of the YPYV events in more details and working with the Council and other key stakeholders to refine a preferred development option for their area in the context of the borough as a whole.	<ul style="list-style-type: none"> <li>• Wider participation by people who wouldn't normally engage with planning</li> <li>• Promote discussion about how certain areas could develop and change over the plan period</li> <li>• To gain a deeper understanding of the types of development that are needed in an area</li> <li>• Promote a more open and transparent decision making process and create a sense of shared ownership of the plan</li> </ul>
<b>Stakeholder forum</b>	<b>Local Plan Youth Forum</b> – Knowledge and skill building session with young people aged 13-18. Invitations will be sent to youth cabinet and secondary schools.	<ul style="list-style-type: none"> <li>• Increasing knowledge and understanding about planning matters in core communities to enable them to respond to planning consultations more effectively</li> <li>• Gain a different perspective on key topics</li> <li>• Promote a more open and transparent decision making process and create a sense of shared ownership of the plan.</li> </ul>

Event type	Specific activity	Desired outcome/s
	<b>Local Plan Developers Forum</b> - Workshop sessions to discuss the emerging plan and key evidence documents.	<ul style="list-style-type: none"> <li>• Create a sense of shared understanding between the Council and the 'Market'</li> <li>• Gaining a 'real world' perspective in terms of viability, deliverability</li> <li>• Limit the number of unanticipated objections in later stages of plan making.</li> </ul>
	<b>Infrastructure Providers Forum</b> - Workshop sessions to discuss the emerging plan and key evidence documents.	
<b>Activities designed to meet our statutory consultation requirements</b>	<b>Duty to Cooperate workshop/s</b> - Formal workshop/s with Duty to Cooperate Bodies	<ul style="list-style-type: none"> <li>• To ensure that the authority fulfils its legal duty to cooperate with the relevant bodies/agencies.</li> </ul>
	<b>One to one duty to cooperate meetings with relevant bodies/agencies</b>	

Event type	Specific activity	Desired outcome/s
<b>Local Plan Planning Performance Agreement (PPA) meetings</b>	<p>Local Plan PPA meeting would be used as project management tool to enable all development partners/site promoters to be clear about what is required of them at all stages of the plan making process. These meetings would be chargeable and the cost of a PPA will depend on the scale of the proposed site, the resources required and input from officers for the project. It will be based on daily rates for officers, including overheads. We may need to bring in additional expertise or temporary staff, which will be funded by the site promoter.</p>	<ul style="list-style-type: none"> <li>• Create a sense of shared understanding between the Council and the 'Market'</li> <li>• Ensure that proposals being worked up by developers and site promoters address the local context and appropriately reflect the needs of local communities.</li> </ul>