

<b>Reference:</b> 22/01606/FUL	<b>Site:</b> Titan Works Titan Road Grays Essex
<b>Ward:</b> Grays Thurrock	<b>Proposal:</b> Demolition of existing buildings and the redevelopment of the site to provide flexible industrial and warehousing floorspace for Use Classes E(g)(iii), B2 and B8, together with associated access, parking, and landscaping

<b>Plan Number(s):</b>		
Reference	Name	Received
21009 - TP - 100	Location Plan	30th November 2022
21009 - TP - 101	Site Plan as Existing	30th November 2022
P22-1969-01C	Landscaping	28th September 2023
P22-1969-02C Sheet 1	Landscaping	28th September 2023
P22-1969-02C Sheet 2	Landscaping	28th September 2023
P22-1969-02C Sheet 3	Landscaping	28th September 2023
P22-1969-02C Sheet 4	Landscaping	28th September 2023
P22-1969-02C Sheet 5	Landscaping	28th September 2023
21009 -TP-102F	Site Plan as Proposed	28th September 2023
21009 -TP-103C	Site Plan as Proposed – North Section	28th September 2023
21009 -TP-104D	Site Plan as Proposed – Central Section	28th September 2023
21009 -TP-105C	Site Plan as Proposed – South Section	28th September 2023
21009 -TP-106A	Key Site Plan	28th September 2023
21009-TP-107A Sheet 1	Site Sections Sheet 01	28th September 2023
21009-TP-108A Sheet 2	Site Sections Sheet 02	28th September 2023
21009-TP-109A Sheet 3	Site Sections Sheet 03	28th September 2023
21009-TP-110A Sheet 4	Site Sections Sheet 04	28th September 2023
21009-TP-111A	Block A Floor and Roof Plans	28th September 2023
21009-TP-112B	Block A Elevation and Section	28th September 2023
21009-TP-113A	Block B Floor and Roof Plans	28th September 2023
21009-TP-114B	Block B Elevation and Section	28th September 2023
21009-TP-115	Block C Ground Floor and First Floor Plans	1st December 2022

21009-TP-116A	Block C Second Floor and Roof Plans	28th September 2023
21009-TP-117B	Block C Elevation and Sections	28th September 2023
21009-TP-118	Block D Floor Plans	1st December 2022
21009-TP-119A	Block D Roof Plans	28th September 2023
21009-TP-120B	Block D Elevations and Sections	28th September 2023
21009-TP-121	Block E Floor Plans	1st December 2022
21009-TP-122A	Block E Roof Plans	28th September 2023
21009-TP-123B	Block E Elevations and Section	28th September 2023
21009-TP-124A	Indicative Site Views	28th September 2023
21009-TP-125D	Parking layout plan	26th October 2023
21009-TP-126C	Titan Road Entrance	3rd October 2023
21009/TP_127	Titan Road Car Tracking	3rd October 2023
21009/TP_140B	External Material Finishes Samples	28th September 2023

The application is also accompanied by:

- Planning Statement
- Design and Access Statement
- Environmental Statement (ES) Volumes 1-2, Non Technical Summary including the following technical chapters:

- o Air Quality
- o Climate Change Resilience and Greenhouse Gases
- o Noise and Vibration
- o Socio-Economics
- o Transport and Access

Along with the following appendices:

- o Phase II Geo-environment Site Assessment
- o Flood Risk Assessment and Drainage Strategy
- o Energy and Sustainability Strategy
- o External Lighting Impact Assessment and Lighting Strategy
- o Construction Management Plan
- o Site Waste Management Plan
- o Health Impact Assessment
- o Transport Assessment
- o Framework Travel Plan
- o Sustainable Distribution Plan
- ES Addendum and Appendices
- Arboricultural Impact Assessment and Tree Survey Plans

- Archaeological Desk Based Assessment
- Biodiversity Metric and Net Gain Report
- BREEAM Report
- Car Parking Management Plan
- Ecological Assessment
- Flood Warning and Evacuation Plan
- Grays Market Assessment
- Heritage Statement
- Secured By Design Statement
- Town and Visual Impact Assessment

**Applicant:**

c/o James Walker (Agent)  
Savills

**Validated:**

7 December 2022

**Date of expiry:**

8 March 2024 (PPA time extension agreed)

**Recommendation:** Grant Planning Permission subject to conditions and obligations

This application is scheduled for determination by the Council’s Planning Committee because the application is considered to have significant policy or strategic implications (in accordance with Part 3 (b) Section 2, 2.1 (a) of the Council’s constitution).

**1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL**

1.1 The key elements of the proposals are set out in the table below:

<b>Site Area (Gross)</b>	13.79 ha of which 9.12 ha is useable due to existing cliff faces and banks		
<b>Employment</b>	Up to an estimated 650 and an estimated 115 jobs during construction		
<b>Units</b>	28 industrial units		
<b>Land Uses and Floorspace</b>	<b>Use Class</b>	<b>Maximum Floorspace (sqm)</b>	
	B8 – Storage and Distribution	39,636 sqm	
	B2 – General Industrial and Manufacturing		
	E(g)(iii) – Industrial processes		
<b>Hours of Use</b>	24 hour use		
<b>Biodiversity Net Gain</b>	The proposal would have a 10% increase in habitat and 38.5% increase in hedgerows on site		

<b>Building Heights</b>	Proposed building heights range between 7m to 15m high
<b>Access</b>	One vehicle access from Hogg Lane (A1012)
<b>Parking</b>	Car Parking - 410 car parking spaces LGV/HGV Parking/Docking – 57 spaces Cycle Parking – 152 cycle parking spaces

1.2 Full planning permission is sought for the demolition of existing buildings and the clearance of the site to allow for the redevelopment of the site to provide flexible industrial and warehousing floorspace for Use Classes E(g)(iii), B2 and B8 comprising of 28 units and a total floorspace of 39,636 sqm, together with associated access, parking, and landscaping. The following headings describe in more detail the proposal:

Access

1.3 The existing site access would be re-used for the purposes of all access arrangements to the site. A new internal spine road would serve all units within the site and would follow a north to south alignment. A security hut and barrier would be installed similar to the existing arrangement on site.

1.4 The site includes a currently unused route linking to Titan Road adjacent to the Thameside Theatre. The plans show that a pedestrian and cycle route would be formed linking to Titan Road and the Grays Town Centre area. This path would be gated but open from dusk to dawn for the general public to walk or cycle across the site. Staff of the proposed units would have access 24 hours access to the gate and path for those needing to access from Titan Road.

Layout and Uses

1.5 The proposed layout of the development would create units on both sides of the internal spine road. There are 28 units proposed across six blocks with blocks A, B and D running parallel with the estate road. The proposal includes a mix of small to medium sized units for start up business as well as two large units. All units either would benefit from mezzanine floors or dedicated first floors with Unit C also having a second floor level, all of which would be used for ancillary office and welfare uses.

1.6 To the front of each unit there would be dedicated parking and servicing arrangements with additional parking areas shown adjacent to the units. For the larger units dedicated HGV areas would be created for docking and servicing arrangements. Landscaping, biodiversity areas and amenity areas would also be created in and around the proposed built development within the site.

1.7 The proposal would provide flexible industrial and warehousing floorspace for uses that include industrial processes (E(g)(iii)), general industrial (B2) and storage and distribution (B8). The proposed buildings would create a range of unit sizes from small units, for small and medium sized enterprise (SME) sized businesses and larger units. The table below shows the units and floorspace with all units having two internal levels and unit C1 having the benefit of three internal floor levels:

Block	Block A	sqm	Car Parking	LGV/HGV Parking
A	A1	1200	10	2
	A2	1000	10	1
	A3	920	10	1
	A4	920	10	1
	A5	1000	10	1
	A6	1440	14	2
	Total	6480	64 plus 20 spaces in the car park	8
B	B1	3577	22	3
	B2	2782	22	3
	Total	6359	44 plus 14 spaces in the roadside car park	6
C	C1	11040	75	14
D	D1	534	3	1
	D2	506	3	1
	D3	506	3	1
	D4	444	3	1
	D5	511	3	1
	D6	478	3	1
	D7	450	3	1
	D8	407	3	1
	D9	407	3	1
	D10	422	3	1
	D11	422	3	1
	D12	436	2	1
	D13	477	3	1
	D14	427	3	1
	D15	452	3	1
	D16	544	3	1
	D17	650	3	1
	D18	704	3	1
	Total	8775	53 plus 74 spaces in the car parks	18

E	E1	6982	56	11
UNALLOCATED			10 in main entrance car park	

1.8 The table below shows the blocks and floorspace:

Block	Floorspace sqm
A	6480
B	6359
C	11040
D	8775
E	6982
<b>Total</b>	<b>39636</b>

1.9 The proposed development would operate on a 24 hours a day 7 days a week basis.

Scale and Height

1.10 The height of the proposed units would range from 8.5m high up to 19m high for the largest unit. Unit C would be the tallest unit.

Appearance and Materials

1.11 The buildings would be modern typical industrial style buildings with external finishes include ribbon glazing, metal cladding and glazed entrances. During the course of the application the elevation plans have changed to reflect a colour palette to be more in keeping with this environment with a mixture of green, chalk white and grey coloured finishes.

1.12 Units would have a range of roof types featuring dual pitched roofs for blocks A and B, monopitch to block D and roofs with a curved apex for the larger units of blocks C and E. 15% of the roofspace would include rooflight windows to allow daylight into the units. Unit E would include a seeded green roof over the office element. The roofs would also include photovoltaics/solar panels.

1.13 Hard surfacing would include concrete, tarmac and block paving. Amenity areas would have a Hoggin Mix buff surface finish. Boundary treatment would consist of 2.4m high welded mesh panelling, knee high timber fencing along with security bollards. Cycle shelters would include green roofs.

Landscaping and Ecology/Biodiversity

- 1.14 The landscaping strategy includes retention of existing vegetation at the perimeter of the site and a mix of new planting areas including tree planting, hedges, shrubs and meadow grasses across the site. Ponds are located between block C and D, and new ponds would be created near the access road and to the rear of block E with provision of amenity use including seating areas for use for future occupiers. A deck area would overlook the pond.
- 1.15 In terms of biodiversity the planting proposals and selected plant spaces would include flowering plants to attract bees with beehives to be provided within the site. It is envisaged that the proposal would deliver a net gain of 10.39% in habitat units and a new gain of hedgerow units of 38.56%.

### Drainage

- 1.16 A new surface water drainage system would drain to a new drainage system with infiltration basis and discharge connection to a public sewer. The surface water drainage system would include a retention approach of balancing ponds and sub surface storage, and an infiltration approach of trenches, basins, soakaways, porous and permeable paving. Interceptors would be installed for pollution management and mitigation. The surface water drainage system would be subject to a management and maintenance strategy.

### Parking

- 1.17 The proposal would provide 410 car parking spaces across the site serving the 28 units. The proposed car parking would include 82 spaces for electric vehicles with charging points and this is 20% of the car parking spaces to be provided. Disabled parking spaces would also be provided, and 2 spaces would be provided on site as car club spaces between Units D12 and D13. The proposed parking includes parking for each unit but also on street parking areas (within the site) and a dedicated car park in the location of the existing car park within the site. The proposed layout plan shows that each unit would provide parking space and/or docking/loading bay parking for HGV/LGV or other commercial vehicles. A parking management company would be set up for effective operation of the parking on site for all future leaseholders and owners, and for on site enforcement requirements.
- 1.18 The Titan Road pedestrian and cycle access location shows that 3 disabled parking spaces would be provided within the site at the end of the cul de sac of Titan Road and these spaces would be allocated for use by the neighbouring Thameside Theatre. These disabled parking spaces are in addition to the 2 existing disabled parking spaces in Titan Road.

### Cycle Parking

- 1.19 The proposed development quantum would result in 101 cycle spaces for staff and 51 spaces for visitors and these cycle spaces would be placed across the site to support each unit.

#### Travel Plan

- 1.20 A site wide Framework Travel Plan has been submitted and would provide opportunities for travel to the site by modes other than the private car and in particular single occupancy car trips. The site wide Framework Travel Plan would therefore encourage sustainable travel by encouraging increased use of buses, public transport, car sharing, walking and cycling.

#### Sustainable Distribution Plan

- 1.21 A Sustainable Distribution Plan (SDP) has been provided with the application. This includes specific measures which seek to manage the impact of freight traffic and HGV movements at the site onto the local highway network. The measures include on site service arrangements, types of vehicles accessing the site, managing the frequency and timings of deliveries, training all staff, direct freight routing, a HGV booking system and promoting the Thurrock Freight Quality Partnership.

#### Servicing and Refuse Strategy

- 1.22 The applicant's TA states that each unit would have at least one designated loading bay which will either accommodate a 10m rigid vehicle or a 16.5m articulated vehicle depending on the size of the unit and occupier requirements

#### Planning Obligations

- 1.23 The applicant offers financial contribution of £100,000 to improve operation at the Treacle Mine junction through provision of a second exit lane onto Lodge Lane from the roundabout and offers a Travel Plan to implement sustainable transport options for staff and visitors to the site.

#### Phasing

- 1.24 The applicant's ES assumes that the development would be phased as follows:
- Demolition completion by May 2024
  - Construction will begin May 2024
  - Development completion in September 2025

#### Environmental Impact Assessment (EIA) Development



- 1.25 The development requires an Environmental Impact Assessment (EIA) and this assessment is detailed with the Environmental Statement (ES) within the application. The ES considers the environmental effects of the proposed development during construction and during the operational phase (when built and occupied) and includes measures either to prevent, reduce or offset any significant adverse effects on the environment. The ES is accompanied by the figures, technical appendices referred to above.
- 1.26 The Council has a statutory duty to consider environmental matters and EIA is an important procedure for ensuring that the likely effects of new development are fully understood and fully taken into account before development proceeds. EIA is, therefore, an integral component of the planning process for significant developments. EIA leads to improved decision making by providing the development management process with better information. EIA not only helps to determine whether development should be permitted, but also facilitates the drafting of planning conditions and legal agreements in order to control development, avoid or mitigate adverse effects and enhance beneficial effects. Therefore, it is vital that the environmental issues raised by the application are assessed in a robust and transparent manner.
- 1.27 In order to fulfil the requirements of the EIA Regulations it is necessary to ensure (a) that the Council has taken into account the environmental information submitted, and (b) that any planning permission granted is consistent with the development which has been assessed. To achieve this second objective the Council has the ability to impose conditions and secure mitigation measures by Section 106 obligations.
- 1.28 Prior to the submission of the application, and in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations, the applicant applied to the local planning authority for a formal scoping opinion (22/01100/SCO) to confirm the content of information to be provided in the ES, and this was determined on 25 October 2022 with the adoption of the formal scoping opinion.
- 1.29 Since submission of the application in December 2022, the local planning authority has consulted and publicised the application in accordance with the requirements of the Regulations. In September 2023 further information was submitted in the form of ES Addendum with appendices alongside updated plans and technical studies, these were subject to consultation and publicity in accordance with the requirements of the Regulations.

## **2.0 SITE DESCRIPTION**

- 2.1 The site measures 13.79 ha of which 9.12 ha is useable due to existing chalk cliff faces and banks as the site was once used as a quarry. The site is approximately 17m lower in height than the existing natural ground levels that surround the site. The site is currently used as a chemical processing plant occupying a floorspace of 16,290 sqm, including 13,000 sqm of factory and workshop buildings and 4,000 sqm of dedicated bunded compounds housing storage tanks. The site currently operates 24 hours a day with HGV movements in and out of the site throughout the night time hours.
- 2.2 The existing site access is from Hogg Lane (A1012) towards the south west corner of the site and this access is a road that slopes and winds down to the site's ground level. The site includes a currently unused route linking to Titan Road adjacent to the Thameside Theatre, although the site boundary is secured by fencing and is overgrown.
- 2.3 The site is located 300m north of Grays town centre and 500m north of Grays railway station. The site is bound by the A1012 Hogg Lane to the west which runs between Grays town centre to the south and the A13 to the north. Further west of Hogg Lane is the Grays Chalk Quarry Nature Reserve. To the north and east is a predominately residential areas along Cromwell Road and Wallace Road. Areas of allotments also border the site directly north and to the central-east. The area to the south comprises a mix of residential and commercial uses on the edge of the town centre, including Grays Royal Mail Delivery Office and a Ford car dealership and service centre.
- 2.4 The site is allocated on the Core Strategy Proposals Map as Secondary Industrial and Commercial Employment Land, and Land for New Development in Secondary Areas. In terms of site constraints, these are as follows:
- Ground water vulnerability
  - Within Flood Zone 2 & 3 (high risk)
  - Within 250m buffer of historic landfill sites
  - In close proximity to a SSSI to west of Hogg Lane (Chafford Gorge)
  - Close to an area identified as a Local Wildlife site (west of Hogg Lane)
  - Close to an Air Quality Monitoring location on the east side of Hogg Lane, to NW side of site
  - Land is subject to contamination

**3.0 RELEVANT PLANNING HISTORY**

- 3.1 The site has a lengthy planning history and relevant to this proposal is the planning history set out below:

Reference	Description	Decision
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22/01100/SCO	Request for a Scoping Opinion pursuant to Part 4, Regulation 15 (1) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) in relation to a proposed development at Titan Industrial Estate, Grays	EIA Scoping Response  25.10.2022
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#### 4.0 CONSULTATION AND REPRESENTATIONS

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

#### 4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby.

2 objections raising the following concerns:

- Additional traffic
- Environmental Pollution
- Possible excessive noise
- About building C height at the end of a garden
- Construction hours
- More traffic to already busy roads
- Overlooking of property
- Issues with light and noise from the site’s past use and vehicle accessing out of hours

#### 4.3 ANGLIAN WATER:

No comments to make.

#### 4.4 CADENT GAS:

No objection but recommend an informative as the proposed development is close to gas infrastructure.

#### 4.5 ECONOMIC DEVELOPMENT OFFICER:

Recommend that a local employment and skills land is prepared for the construction and end user phase. A local procurement plan shall also need to be submitted. In

additional a financial contribution to local job support/brokerage is needed of £15,000.

4.6 EMERGENCY PLANNER:

No objection.

4.7 ENVIRONMENT AGENCY:

No objection subject to planning conditions requiring decontamination and remediation of contaminated land, no drainage systems to allow for infiltration of surface water into the ground unless details are provided for approval, and no piling to be allowed unless details are provided for approval. Although outside of the control of the Environment Agency it is recommended that flood proofing measures are implemented in building construction, safe refuge is also included in the safety of the building design, and that an emergency flood plan is implemented.

4.8 ENVIRONMENTAL HEALTH:

No objection subject to the recommendations of the Phase II Geo-environmental Site Assessment regarding contamination being implemented and also the requirements of the Environment Agency. For the construction process a Construction Environment Management Plan can include mitigation measures for dust and noise. For the operation use of the site the proposed noise mitigation measures as set out in the Fixed Plant Noise Assessment Technical Note shall be implemented including a condition regarding fixed plant.

4.9 ESSEX AND SUFFOLK WATER:

No response.

4.10 ESSEX COUNTY COUNCIL ARCHAEOLOGY:

No objection as the historic quarrying uses in the past means there that any archaeological deposits are unlikely to have survived.

4.11 ESSEX POLICE ARCHIECTURAL LIAISON OFFICER:

No objection.

4.12 FLOOD RISK ADVISOR:

No objection subject to a planning condition requiring a surface water drainage

scheme to be approved.

#### 4.13 HIGHWAYS:

No objections subject to conditions and obligations.

It is considered that there are a range of improvements that could address public transport and pedestrian connectivity issues, with improvements proposed at the Treacle Mine roundabout and the changes to the pedestrian routings it is suggested that a financial contribution of £50,000 towards pedestrian improvements at the North Stifford Interchange is considered.

It is recommended that a Section 106 agreement is made to deal with these issues and additional conditions to deal with freight management, parking management and travel plan requirements. The applicant is offering a contribution towards mitigation measures at the Treacle Mine roundabout, however, it is clear, that the impact of this development will require improvements to the Treacle Mine to mitigate its traffic impact therefore a contribution is not agreed, instead the developer should carry out the full highway work as part of a Section 278 Agreement for changes to both the Treacle Mine roundabout, Titan Road works and improvements to the access onto Hogg Lane.

A lorry routing strategy and to assist in this strategy a Vehicle Booking System shall be in operation at any time during which the site is open. This system shall record details of the registration, origin, destination, and operators of each vehicle entering and leaving the site and the time of such movements.

Recommend conditions for a Travel Plan, Construction Environment Management Plan (CEMP), vehicle booking system, details of all works to access points into and out of the site, details of final parking layout, adequate loading and unloading turning and parking accommodation, no occupation until all service roads have been constructed and HGV routing to the site.

#### 4.14 LANDSCAPE AND ECOLOGY ADVISOR:

No objection as the proposal would not have significant landscape or ecology effects.

From the Townscape and Visual Impact Assessment it is agreed that the effects would be 'minor' during construction reducing to 'neutral' during the operational phase. For the visual effects from public viewpoints these would be 'minor to moderate adverse' but not 'significant' in EIA terms.

For ecology the proposal would not have any adverse effects on nearby Local Wildlife Sites and the content of the habitat and protected species surveys is noted. An ecological method statement shall need to be provided as a planning condition or through a CEMP. It is recognised that the proposal would provide Biodiversity Net Gain following the implementation of the landscaping plan.

For arboriculture, it is noted that 43 category C trees would be removed but the landscaping scheme proposes new tree planting to mitigate the losses. The landscaping scheme shall need to be secured through a planning condition.

#### 4.15 LISTED BUILDINGS AND CONSERVATION OFFICER:

No objection as the proposal would not harm the setting of nearby designated assets which are located away from the site and are not in the existing character of this existing industrial location.

#### 4.16 NATIONAL HIGHWAYS:

National Highways have no objections and recognise that the Council are looking to partially signalise the A13 Stifford Clays interchange and when this signalisation is in place the associated traffic generated from the proposed development would have no operating or safety impact of concern on the two slip road approaches to the A13 Stifford Clays interchange in 2023/24 or by 2027. The slip road approaches and the A13 are within the strategic road network. National Highways also welcome the proposed mitigation works to the Treacle Mine roundabout, although recognise that this falls within the local highway network managed the by the Council's Highways team and is not within the strategic road network.

#### 4.17 PUBLIC HEALTH OFFICER:

The submitted HIA provides a good starting point but welcome improvements in certain key areas.

#### 4.18 TRAVEL PLANNING OFFICER:

No objection subject to planning obligation to secure a detailed Site Wide Travel Plan and for a monitoring fee of £600 per annum until the last plot is fully occupied plus 5 years post occupation There shall need to be a Site Wide Travel Plan and Occupier Travel Plan(s). Additional measures required for the Travel Plan are required for cycling, promotion of public transport, car sharing and parking. There is a requirement for car club spaces to be incorporated into the parking plan. Remedial measures are also required in the event that the Travel Plan is failing in its objectives needs to these shall need to be agreed.

#### 4.19 URBAN DESIGN OFFICER:

No objections.

#### 4.20 WASTE STRATEGY:

No response.

### 5.0 POLICY CONTEXT

#### 5.1 National Planning Policy Framework

The latest NPPF was published in September 2023. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date<sup>1</sup>, 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<sup>2</sup>; 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.

<sup>1</sup> This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...

<sup>2</sup> The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.

The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

## 5.2 Planning Policy Guidance

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

- Air Quality
- Climate change
- Design: process and tools
- Effective use of land
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- Healthy and safe communities
- Historic environment
- Land affected by contamination
- Land Stability
- Light pollution
- Natural Environment
- Noise
- Planning obligations
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- Tree Preservation Orders and trees in conservation areas
- Use of Planning Conditions

## 5.3 Local Planning Policy Thurrock Local Development Framework



The “Core Strategy and Policies for Management of Development” was adopted by Council on the 28th February 2015. The following policies apply to the proposals:

#### OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)

#### SPATIAL POLICIES

- CSSP2 (Sustainable Employment Growth)
- CSSP3 (Infrastructure)

#### THEMATIC POLICIES

- CSTP6 (Strategic Employment Provision)
- CSTP7 (Network of Centres)
- CSTP14 (Transport in the Thurrock Urban Area)
- CSTP16 (National and Regional Transport Networks)
- CSTP18 (Green Infrastructure)
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSTP25 (Addressing Climate Change)
- CSTP27 (Management and Reduction of Flood Risk)

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD4 (Historic Environment)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD11 (Freight Movement)
- PMD12 (Sustainable Buildings)
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD15 (Flood Risk Assessment)
- PMD16 (Developer Contributions)

#### 5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for

the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

As part of the Local Plan process, background documents have been produced to inform policy. Relevant to this application are the ELLA (Employment Land Availability Assessment) document which was published in February 2023 and revised in April 2023 and the EDNA (Economic Development Needs Assessment) published in March 2023.

#### 5.5 Borough Local Plan 'saved' policy

The Borough Local Plan was adopted by the Council in September 1997. By law, although the end date of the Borough Local Plan has passed, its policies were automatically saved. The saved policies were originally intended to be replaced by the Local Development Framework, including the Core Strategy Local Plan, the Site Allocations Local Plan and Minerals and Waste Local Plan, once adopted. In February 2012, Council approved a revised schedule of saved policies and annexes. Policies listed in this schedule still form part of the development plan and are a material consideration when deciding planning applications.

'Saved' policies E3 (Development within Secondary Industrial and Commercial Areas) and E4 (Land for New Industrial and Commercial Development in Secondary Areas) refer to the Titan Works site for industrial and commercial land uses.

#### 5.6 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

#### 5.6 Grays Town Centre Framework

Although not a planning policy document to the Local Development Framework the Grays Town Centre Framework sets out a framework for the physical and social regeneration of Grays Town Centre. From the Grays Town Centre Framework the site is identified within the Concept Plan, Public Realm and Open Spaces plans as a

potential opportunity site for enhanced pedestrian and cycle routes through the site, with the potential to link up with Badgers Dene to the west, and is identified as an opportunity for a public green as part of any development at Titan Pit.

## 6.0 ASSESSMENT

### Procedure

6.1 The EIA Regulations require local planning authorities to examine the information within the Environmental Statement (ES) to assess the significant effects of the proposed development on the environment (beneficial and adverse), in addition to the material planning considerations. The EIA Regulations require the likely significant effects of the development to cover the direct effects and any indirect, secondary, cumulative, transboundary, short, medium and long term, permanent and temporary, positive and negative effects of the development. The Environmental Statement considers the baseline conditions (existing conditions), construction and operational phases (when the development is occupied) as part of this assessment. This application has been advertised (inter-alia) as a Major Development being accompanied by an Environmental Statement.

6.2 The material considerations for this application are as follows:

- I. Principle of the Development
- II. Socio and Economic Impact
- III. Access, Connectivity, Travel Plan, Parking and Traffic Impact
- IV. Design, Layout and Impact upon the Area
- V. Ecology and Biodiversity
- VI. Flood Risk, Drainage and Water Resources
- VII. Air Quality
- VIII. Noise and Vibration
- IX. Land Contamination and Ground Conditions
- X. Energy and Climate Change
- XI. Effect on Neighbouring Properties
- XII. Heritage and Archaeology
- XIII. Health Impact Assessment
- XIV. Cumulative Impact and Alternative Sites
- XV. Phasing and Construction
- XVI. Viability and Planning Obligations
- XVII. Sustainability
- XVIII. Other Matters

#### I. PRINCIPLE OF THE DEVELOPMENT

- 6.3 The site is allocated on the Core Strategy Proposals Map as 'Secondary Industrial and Commercial Employment Land', and 'Land for New Development in Secondary Areas' where policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) apply.
- 6.4 Policy CSSP2 (Sustainable Employment Growth) identifies Grays as a 'Key Strategic Economic Hub' with 'Core Sectors' in retail but 'Growth Sectors' in business services, recreation and leisure, and public sector services. For Grays an indicative job growth of 1,650 is identified. Although not stated this policy is more aimed at central Grays and the town centre area, which is why there is no identification for industrial and storage warehouse uses within the policy. Policy CSTP6 (Strategic Employment Provision) is more relevant and the policy safeguards existing demarcated 'Primary and Secondary Industrial and Commercial Areas' sites such as this for employment generating uses falling within Use Classes B1 (office, research and development, light industrial), B2 (general industrial), B8 (storage and distribution uses) and sui generis uses. It should be noted that since the policy was adopted the Use Classes Order has been amended and Use Classes B1 for this proposal now falls into Use Class E(g)(iii) (any industrial processes). The site is therefore considered as employment land in the Core Strategy policy context.
- 6.5 In terms of national planning policy, chapter 6 of the NPPF advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities of redevelopment. Paragraph 81 of the NPPF requires planning policies and decisions to create conditions in which businesses can invest, expand and adapt with significant weight to be placed on the need to support economic growth. Paragraph 83 requires planning policies and decisions to recognise and address specific locational requirements of different sectors, including creative or high technology industries, and, most applicable for this site, storage and distribution operations at a variety of scales and in suitably accessible locations.
- 6.6 Outside of the planning policy framework but relevant to this application is the up to date evidence base for the preparation of the Council's new Local Plan for employment uses. The evidence base consists of the Employment Land Availability Assessment (ELAA) dated February 2023 and the Economic Development Needs Assessment (EDNA) dated March 2023.
- 6.7 The ELAA identifies Thurrock as a 'hot spot' for logistics due to the combination of ports, the proximity of the M25 motorway network and access to London and the South East. The ELAA mentions the Titan Works site, as this planning application was a live at the time of the ELAA report but also because the ELAA recognises that the Titan Works site would be able to provide a mix of unit sizes and types in this part of the Borough and 'should be supported'.

- 6.8 The EDNA considers the demand for and supply of employment land in the Borough and recognises various growth scenarios with the majority of demand for warehousing land associated with the ports in the Borough and the future Freeport considerations. The EDNA recognises that there is a case for the future allocation of additional land to support modern industrial and warehousing space for mid sized (3,000 to 10,000 sqm) and small site (<3,00 sqm) units, which is what is offered through this planning application.
- 6.9 The proposed redevelopment of the site would make better use of the entire site as currently areas of the site are not used. This site is a former chalk quarry and is partly occupied by existing development but there are areas of the site that are not occupied and have returned to a more natural environmental state. The re-use of all of the levelled part of the site within the former chalk quarry would make more efficient use of land within an urban area.
- 6.10 Based on the above policy position and the more efficient use of urban land it is considered that the principle of the regeneration of this site for employment land development is acceptable.

## II. SOCIO ECONOMIC IMPACT

- 6.11 The site is currently used as a chemical processing plant occupying a floorspace of 16,290 sqm, including 13,000 sqm of factory and workshop buildings and 4,000 sqm of dedicated bunded compound storage tanks. The site currently employs 86 members of staff with 51 members of staff being Thurrock residents.
- 6.12 When compared with the existing floorspace on the site proposed development of 39,636 sqm of floorspace would result in a net gain of 23,346 sqm of floorspace. It should be noted that the proposed 28 units aim to provide a mix of small and medium sized businesses along with two large units. The proposal would provide 650 jobs for the operational phase of the development and 115 jobs for the construction phase of the development.
- 6.13 Section 10 of policy CSTP6 identifies that the Council will work with partners and developers to enhance the knowledge and skills and local employment opportunities for residents include the promotion of local labour and training agreements. A local employment and skills package would be secured through a planning condition or obligation for both the construction and operation phases of the development. This package would include training opportunities, apprenticeships, using local labour sources and advertising for jobs locally for the benefit of Thurrock residents. The Council's Economic Development Officer requires this along with a local procurement plan and a financial contribution to local job support/brokerage of £15,000.

- 6.14 The applicant's Environmental Statement (ES) identifies that the new employment land floorspace and jobs created through the operational phase and construction phase would have a 'permeant beneficial effect of slight significance across the long term' in Environmental Impact Assessment terms.

### III. ACCESS, CONNECTIVITY, TRAVEL PLAN, PARKING AND TRAFFIC IMPACT

- 6.15 Various local planning policies as well as the guidance stated in the NPPF/PPG are relevant to this material consideration and are identified below. Traffic and Transport was 'scoped in' for the Environmental Impact Assessment and the ES assesses the proposed development's impact upon Traffic and Transport.

#### Vehicle and Pedestrian Access

- 6.16 Policy PMD9 seeks to minimise the number of new accesses required onto the highway network and to ensure that new access creation makes a positive contribution towards highway safety.
- 6.17 Policy CSTP15 requires assessment of developments in relation to sustainable travel choices with necessary appraisal of accessibility for all members of the community and promotes permeability and legibility. Paragraph 104 of the NPPF promotes opportunities for walking, cycling and public transport, and paragraph 112 (a) of the NPPF requires applications for development to maximise pedestrian and cycle movements and ensure accessibility for all.
- 6.18 The site's existing vehicular access would be re-used for the purposes of all access arrangements to the site. The access at Hogg Lane is formed of a 25m circa wide bellmouth junction with a dedicated right turn lane on the northbound carriageway. From the access with the public highway the road follows a ramped arrangement descending to a lower ground level of the site via 180-degree bend. The access permits two-way traffic and includes a dedicated footway on the outside of the bend for pedestrian use. This access would be used for the proposed development. The applicant's Transport Assessment (TA) confirms the access complies with geometry, visibility splay standards, capacity and swept path requirements for HGV access. The Council's Highway Officer raises no objections but considers that improvements may be needed to the access where it joins Hogg Lane in regard to resurfacing, relining and signage as well as improvements for pedestrian and cycle access, which would need to be secured through planning conditions/obligations.
- 6.19 Currently from the lowest point of the access there is a security barrier and security building, which would be removed to allow access to flow into the new internal spine

road would serve all units within the site. A new security arrangement is shown on the plans and such details shall need to be secured through a planning condition.

- 6.20 In addition to the existing access to the site which can provide for walking and cycling access, another route to be used as a pedestrian and cycle access is proposed from the internal spine road through the south of the site linking to Titan Road adjacent to the Thameside Theatre. This route would link to the Grays Town Centre area and would provide a better pedestrian and cycle route to the Grays Town Centre area avoiding the need to use Hogg Lane. Through the course of the application revised plans have been provided to show the proposed improvement works to the Titan Road access, which raise no objections but shall need to be secured through planning conditions/obligations.
- 6.21 The Council's Highway Officer raises no objections to the provision of these access points and routes which are considered acceptable with regard to policies CSTP15 PMD2, PMD9 and paragraphs 104, 108 and 112 of the NPPF.

#### Connectivity and Accessibility to transport hubs and local facilities

- 6.22 Policy CSTP15 also seeks to improve accessibility to work through the promotion of passenger services and transport services, prioritise rights of way/ improvements, provide links to the national cycle network route 13 and to ensure new development promotes high levels of accessibility by sustainable transport modes and local services are conveniently located to reduce the need to travel by car. Paragraph 108 of the NPPF requires safe and suitable access for all users and encourages applicants to maximise these travel options.
- 6.23 With regard to pedestrian and cycle access the applicant's TA demonstrates that with an 800m and 2km walking distance there is access to a number of local amenities. Within 800m of the site is the town centre that provides a range of amenities and services along with access to two transport hubs which are the bus station and the Grays railway station. For cycle access there is access to a range of residential areas within 5km of the site. Two national cycle routes numbered route 137 and numbered route 13 can be accessed along with various traffic routes, signed cycle routes and on-road cycle lanes within the wider area.
- 6.24 From the Grays Town Centre Framework document, the site is identified within the Concept Plan and Public Realm and Open Spaces plans as a potential opportunity site with an opportunity for enhanced pedestrian and cycle routes through the site (with the potential to link up with Badgers Dene to the west). The site plan has been revised by the applicant to allow for the ability to walk and cycle from the proposed new site entrance at Titan Road through the site to the main road site access joining

Hogg Lane. This is welcomed and would achieve the connectivity opportunity as identified in the Grays Town Centre Framework document.

- 6.25 For bus connectivity there are 12 routes identified in the applicant's TA within the area, many of which would be accessed via the bus station in the town centre and many run regular services. For rail connectivity the Grays railway station provides frequent trains that links to the other stations in the Borough and to further afield destinations including Upminster, Basildon, Southend and London.
- 6.26 The Council's Highways Officer has identified that there are a range of improvements that could address public transport and pedestrian connectivity issues, with improvements proposed at the Treacle Mine roundabout to be secured through a s278 agreement under the Highways Act and the changes to the pedestrian routings it is suggested that a financial contribution of £50,000 towards pedestrian improvements at the North Stifford Interchange. There also a requirement to enhance the current site access arrangements at Hogg Lane and this may involve resurfacing, relining or further signing at the junction, also to be secured through a s278 agreement under the Highways Act.

#### Travel Plan

- 6.27 Policy PMD10 requires Travel Plans to promote sustainable transport alternatives, which would include travel incentive mitigation measures and the policy requires the promotion of sustainable transport alternatives to private vehicle car use. Policy CSTP14 looks to ensure new development promotes high levels of accessibility by sustainable transport modes. Paragraph 113 of the NPPF requires 'all developments that will generate significant amounts of movement should be required to provide a travel plan'.
- 6.28 Appendix 11.3 of the TA includes a site wide Framework Travel Plan and it explains that the primary aim of the site wide Framework Travel Plan is to provide an agreed reference point for individual Travel Plan Statements (TPS) to be prepared by individual occupiers of the units. The site wide Framework Travel Plan would provide opportunities for travel to the site by modes other than the private car and in particular single occupancy car trips. The site wide Framework Travel Plan would therefore encourage sustainable travel by encouraging increased use of buses, public transport, car sharing, walking and cycling.
- 6.29 The objectives of the site wide Framework Travel Plan include:
- To promote sustainable and active travel to the site for all staff members working on site.



- To promote sustainable transport choices for employees and visitors to and from the site.
- To promote accessibility by walking, cycling, public transport, taxis and car sharing.
- To increase awareness of environmental and social benefits of using alternative modes of transport.
- To encourage the use of electric vehicles through the provision and ongoing monitoring of charging points.

6.30 The site wide Framework Travel Plan proposes that a Travel Plan Co-ordinator would be employed for each unit to ensure individual Travel Plan Statements and site wide Framework Travel Plan are achieved. The TPC will have the responsibility of setting up a site wide working ground to meet at least annually. Marketing will be used to promote the travel plan and travel choices. Regular monitoring will be required for each TPS for each occupier to assess travel patterns to work for a five-year period following occupation. The site wide Framework Travel Plan will set targets towards a 10% mode shift from single occupancy car drive trips from the baseline of a 5 year period. In the event that site wide Framework Travel Plan targets are not met then corrective measures would be put in place through a review meeting to determine what measures can be taken to further reduce travel-related impact and achieve greater take up of measures in the Travel Plan. These could include measures such as public transport taster tickets, car parking spaces replaced by car sharing/car club spaces and further funding support for a travel plan co-ordinator.

6.31 Details of the site wide Framework Travel Plan and the individual occupier Travel Plans shall be secured through planning conditions or obligations. The Council's Travel Planning Officer requires a financial contribution of £600 per annum for monitoring purpose up until five years after the occupation of the last unit and this would be secured through a planning obligation. Additional measures for the site wide Framework Travel Plan are required for cycling, promotion of public transport, car sharing and parking. There is a requirement for car club spaces to be incorporated into the parking plan and the applicant has included dedicated car parking spaces for this purpose. Individual occupier travel plans shall also need to be secured.

6.32 The Travel Plan approach is considered acceptable having regard to policy PMD10 and paragraph 113 of the NPPF and shall be secured through planning conditions and/or obligations.

### Parking

- 6.33 Policy PMD8 requires developments to comply with the Council’s Parking Design and Development Standards (February 2022). Paragraph 107 of the NPPF advises on setting parking standards and paragraph 109 of the NPPF refers to lorry parking.
- 6.34 The proposed development would involve a range of land uses and the Council’s Parking Design and Development Standards (February 2022) identify the following parking requirements for the proposed land uses:

Use	Use Class (new Use Classes references in Brackets)	Car Vehicle Parking Requirement
Storage and Distribution	B8	1 space per 150 sqm
General Industrial and Manufacturing	B2	1 space per 50 sqm
Industrial Processes	E(g) (iii)	1 space per 30 sqm

- 6.35 In addition to the above the Council’s Parking Design and Development Standards (February 2022) also identifies requirements for electric vehicle, disabled and motorcycle parking.
- 6.36 The proposal would provide 410 car parking spaces across the site, which is the equivalent of 1 space per 93 sqm. The applicant’s TA acknowledges that this level of parking is in between the parking ratio for B2 and B8 uses as stated in the Council’s Parking Design and Development Standards (February 2022). If all units were B2 units then the requirement would be for 793 car parking spaces and if all units were B8 units then the requirement would be for 264 car parking spaces. The applicant’s TA considers this to be an appropriate level of parking for the development. The proposed car parking would include 82 spaces for electric vehicles with charging points and this is 20% of the car parking spaces to be provided. Disabled parking spaces would also be provided. The proposed parking includes parking for each unit but also on street parking areas and a dedicated car park in the location of the existing car park within the site. The applicant’s TA identifies that car parking demand is forecast to peak at 332 spaces needed between 11am and 12pm which is within the 410 spaces proposed.
- 6.37 The Council’s Parking Design and Development Standards (February 2022) do not provide specific requirements for HGV/LGV or other commercial vehicle parking requirements. The proposed layout plan shows that each unit would provide parking space and/or docking/loading bay parking for HGV/LGV or other commercial

vehicles. The larger units would have significantly more HGV/LGV or other commercial vehicles than the smaller units and this has been designed to meet the needs of future occupiers of the units and the associated uses proposed.

- 6.38 The Council’s Highway Officer raises no objections to parking provision subject to the potential increase in electric vehicle facilities as and when demand increases through the travel plan and/or car parking management plan, with both needing to be secured to a permission.
- 6.39 For cycle parking, the Council’s Parking Design and Development Standards (February 2022) require the following:

Use	Use Class	Cycle Parking Requirement
Storage and Distribution	B8	1 space per 500 sqm for staff plus 1 space per 1000 sqm of visitors
General Industrial and Manufacturing	B2	1 space per 250 sqm for staff plus 1 space per 500 sqm for visitors
Industrial Processes	E(g)(iii)	1 space per 100 sqm for staff plus 1 space per 200 sqm of visitors

- 6.40 The applicant’s TA states a minimum level of 1 space per 375 sqm of floorspace would be provided for staff plus 1 space per 750 sqm for visitors. This ratio of cycle parking for the proposed development quantum would result in 101 cycle spaces for staff and 51 spaces for visitors and these cycle spaces would be placed across the site to support each unit. Further details on the cycle parking provision including of the exact number of cycle parking spaces per unit shall be secured through a planning condition.
- 6.41 The Council’s Highway Officer raises no objections on cycle parking provision.

*Construction Phase*

- 6.42 The Construction Environmental Management Plan condition can secure all parking requirements via a planning condition for the construction phase of the development, and this is likely to be located in on site secure compound for parking for staff and visitors associated with the construction work.

*Conclusion on Parking*

- 6.43 For all vehicle parking, the Council's Highway Officer raises no objections and it is considered that the proposed development is in accordance with the Council's parking standards to ensure compliance with policy PMD8 and paragraphs 107 and 109 of the NPPF.

#### Servicing and waste collections

- 6.44 PMD2 requires development proposals to include suitable access to maintenance, waste and emergency vehicles. Paragraph 112 (d) of the NPPF requires development to 'allow for the efficient delivery of goods, and access by service and emergency vehicles'.
- 6.45 The applicant's TA states that each unit would have at least one designated loading bay which will either accommodate a 10m rigid vehicle or a 16.5m articulated vehicle depending on the size of the unit and occupier requirements. Swept path analysis shows that vehicle can access and egress the site of a unit without causing vehicle conflicts. The Council's Highway Officer raises no objections with regard to the requirements of policy PMD2 and Paragraph 112 (d) of the NPPF.

#### Traffic Generation and Trip Rates/Distribution

- 6.46 Before assessing the impact upon the highway network, it is necessary to understand the proposed trip rates associated with the proposed development. The PPG advises that one of the key issues to consider in preparing a Transport Assessment are the 'road trip generation and trip distribution methodologies and/ or assumptions about the development proposal'.
- 6.47 With regard to trip generation, the applicant's TA states the existing use of the site provides 16,290 sqm of industrial floorspace and has been active for 50 years with 70 two way trips at the AM Peak and 50 two way trips at the PM peak. These trips include car drivers, light goods vehicles (LGV) and ordinary goods vehicles (OGV). The applicant's TA states the proposed use, based on 28 units and a floorspace of 38,026 sqm, is predicted to generate 167 additional vehicle trips during the AM peak (237 trips in total) and 105 additional vehicles during the PM peak (155 trips in total). The applicant's TA advises that there would be minimal change in ordinary goods vehicle movements with a reduction of 4 in the AM peak and an increase of 8 in the PM peak.
- 6.48 In terms of trip distribution, the applicant's TA predicts that 50% of all OGVs would route to the A13/A1012 roundabout junction with traffic predicted to head west on the A13 towards junction 30 and then heading north to join the M25. The applicant's TA predicts that the remaining 50% of OGV trips would travel along the Arterial Road towards junction 31 of the M25. For LGV it is predicted in the applicant's TA that

LGVs would distribute all around the local area. All car trips and other vehicles are predicted to be used as a method to travel to work from a range of locations including the local area.

### Highway Network Assessment

- 6.49 Policy PMD10 requires Transport Assessments to accord with relevant transport guidance and paragraph 113 of the NPPF requires planning applications to be supported by Transport Assessments so that the likely impacts of the proposal can be assessed.
- 6.50 PMD9 requires development to avoid causing congestion as measured by link and junction capacities. Paragraph 104 of the NPPF requires the impact of development on transport networks to be addressed and paragraph 111 of the NPPF identifies that development should only be prevented or refused on highway grounds if there is a 'severe' impact upon the road network.
- 6.51 Within and beyond the Thurrock area policy CSTP16 seeks to improve national and regional transport networks to ensure growth does not result in routes being above capacity. The policy seeks to achieve this through improving capacity by improving transport interchanges and supporting additional highway capacity through the use of technology and information.
- 6.52 The applicant's TA has assessed the impact of the development upon existing junctions, future year traffic growth, committed developments, assessment scenarios and net trips by junction.
- 6.53 It is identified that capacity assessment demonstrates 9 out of the 11 junctions would operate within capacity taking account of the worst case 2027 future and development scenarios for the AM and PM peak hours. Two junctions are predicted to operate over capacity, and these are:
- The Treacle Mine roundabout
  - B186/A1306 Arterial Road roundabout
- 6.54 The applicant's TA identifies that to improve operation at the Treacle Mine junction there is an opportunity to provide a second exit lane onto Lodge Lane from the roundabout. This revised modelling is said within the applicant's TA to improve capacity and the impact of this would mitigate the impact upon this junction. The applicant offers financial contribution of £100,000 based on their cost estimate and traffic management requirements.

- 6.55 For the B186/A1306 Arterial Road roundabout the applicant's TA identifies that there will be negligible impact upon the capacity of the roundabout and therefore no further changes are proposed to the roundabout junction.
- 6.56 The applicant's TA explains that the site wide Framework Travel Plan would help change the modal shift to focus on a move away from single occupancy cars towards more sustainable alternatives including walking, cycling and use of bus services.
- 6.57 For both the traffic generation/trip rates/distribution and the impact upon highway network, the Council's Highway Officer recognises that the proposal would impact upon the wider networks as existing junctions, in particular the A1306 is close or over capacity. The Council's Highway Officer considers the impact would increase queue lengths on junctions on the local network so there is a requirement to implement or contribute to mitigation measures to mitigate the harm from this development. The mitigation can include improvements to address public transport and pedestrian connectivity issues at the Treacle Mine roundabout as well as a contribution towards pedestrian improvements at the North Stifford Interchange and the access along Hogg Lane. The Council's Highway Officer recognises that applicant's offer of a financial contribution of £100,000 towards improvements at the Treacle Mine roundabout but instead of a financial contribution the Council's Highway Officer requires the applicant to enter into a s278 agreement under the Highways Act for changes to the Treacle Mine roundabout. The requirements for the applicant to enter into a s278 agreement under the Highways Act can be secured as a requirement of a s106 legal agreement to ensure the mitigation is secured in reference to this planning application, which is necessary to mitigate the impacts of the development.
- 6.58 In addition to the above, as further mitigation requirements, a lorry routing strategy and a Vehicle Booking System shall need to be secured through this planning application, so it is operational from first use of the site at any time during which the site is open. This system shall record details of the registration, origin, destination, and operators of each vehicle entering and leaving the site and the time of such movements. This can be secured through the Sustainable Distribution Plan approach.
- 6.59 For junction modelling on the Strategic Road Network (SRN) at junction 30 and 31 on the M25 the applicant's TA modelling work shows that the proposed development would have negligible impact when compared to the impact from wider committed developments coming forward. The wider committed developments include the Thames Enterprise Park development proposals (18/01404/OUT) and the Purfleet regeneration development proposals (17/01668/OUT and 20/01129/CV) with both development proposals providing mitigation through improvements to both junctions. The applicant's TA has also undertaken a merge analysis on junction 30 of the M25 with the merge arrangements expected to operate beyond the capacity of their

current arrangements in 2027 future year and committed and sensitivity scenario. However, each on-slip improvements have already been considered by the Thames Enterprise Park proposals (18/01404/OUT) with mitigation proposed that would address some of the overall capacity issues at the junction.

- 6.60 National Highways have no objections and recognise that the Council are looking to partially signalise the A13 Stifford Clays interchange and when this signalisation is in place the associated traffic generated from the proposed development would have no operating or safety impact of concern on the two slip road approaches to the A13 Stifford Clays interchange in 2023/24 or by 2027. The slip road approaches and the A13 are within the strategic road network. National Highways also welcome the proposed mitigation works to the Treacle Mine roundabout, although recognise that this falls within the local highway network managed the by the Council's Highways team and is not within the strategic road network.
- 6.61 The mitigation as identified is essential with regard to meeting the objectives of planning policies PMD9, PMD10 and CSTP16 and paragraph 111 of the NPPF.

#### Sustainable Distribution Plan

- 6.62 For freight transport, policy PMD11 requires development creating more than 200 daily HGV movements to produce a Sustainable Distribution Plan to include evidence that commercially viable opportunities for freight carried by rail, water, pipeline or conveyor have been maximised. The policy also requires for B1, B2 and B8 uses in excess of 30,000m<sup>2</sup> planning obligations for Vehicle Booking Systems for each occupier as part of the overall Sustainable Distribution Plan.
- 6.63 As the proposed development would generate at least 200 daily HGV movements a Sustainable Distribution Plan (SDP) has been provided with the application. This includes specific measures which seek to manage the impact of freight traffic and HGV movements at the site onto the local highway network. The measures include managing the timings of deliveries, training all staff, direct freight routing, a HGV booking system and promoting the Thurrock Freight Quality Partnership. The SDP is intended to be used for and updated in order to manage freight traffic and HGV movements in a cohesive, safe, efficient and sustainable way. The SDP states that the Estate Property Managers will be responsible for the on-going monitoring of the SPD including liaison with each unit occupier, although this more likely to be a requirement to work with the appointed Travel Plan Co-ordinator. The SDP will also be subject to an annual review. The SDP would be secured through a planning condition or obligation.
- 6.64 It is likely that road traffic freight would significantly impact on the highway network and to address the issues and meet policy requirements a Sustainable Distribution

Plan is necessary to accord with policy PMD11. The Council's Highway Officers has no objection.

### ES Assessment

- 6.65 The applicant's ES identifies that the Operational Phase would not generate enough vehicle trips to surpass the 10% threshold outlined in the Institute of Environmental Management and Assessment worst case assessment so there would be a 'negligible magnitude of impact on the sensitive receptors in the area'.
- 6.66 Construction Phase is identified in the applicant's ES to generate fewer vehicle movements than the proposed development per day and when combined with the operational phase there would be a 'negligible impact' on the local area and no additional mitigation (to that stated above) would be required.

### Conclusion for this section

- 6.67 The assessment of the access, traffic impacts, connectivity, travel plan, parking and mitigation measures have been subject to consultation and discussions throughout the lifetime of this planning application. As identified above a number of planning conditions and planning obligations are necessary to mitigate the impact of the development.
- 6.68 Overall, the access, traffic impacts, connectivity, travel plan, parking and mitigation measures are considered acceptable with regard to the relevant policy and the NPPF/PPG tests/considerations. Where identified the mitigation measures can be secured through planning obligations through a s106 legal agreement and planning conditions where identified.

## IV. DESIGN, LAYOUT AND IMPACT UPON THE AREA

- 6.69 Policies CSTP22 and CSTP23 both seek to create high quality design, character and distinctiveness for new developments, and policy PMD2 requires proposals to respond to the sensitivity of the site and its surroundings for various criteria. Chapter 12 of the NPPF as a benchmark to new development, through paragraph 126, requires 'the creation of high quality places'. Furthermore, chapter 12 of the NPPF aims to ensure developments are 'visually attractive' and 'sympathetic to the local character' of an area.
- 6.70 In addition to policy the Thurrock Design Strategy, which seeks achieve high quality design within the Borough, was adopted in 2017 as a supplementary planning document and endorsed as a material consideration in the determination of planning



applications. Section 3 of the Guide ('Designing in Context') requires applicants to appraise a development site by taking the following considerations into account:

- understanding the place;
- working with site features;
- making connections; and
- building in sustainability.

#### Layout and internal layout

- 6.71 The proposed layout of the development would create units on both sides of the proposed central estate road. There are 28 units proposed across six blocks with blocks A, B and D running parallel with the spine road. The proposal includes a mix of small to medium sized units for start up businesses as well as two large units. To the front of each unit there would be dedicated parking and servicing arrangements with additional parking areas shown adjacent to the units. For the larger units dedicated HGV areas would be created for docking and servicing arrangements. The applicant's Design and Access Statement explains that the design approach is to create inward facing development due to the site's constraints of developing in a former quarry but also due to residential properties in the nearby area at the natural ground level above the site. This approach is to also contain traffic noise within the development using buildings as a noise barrier. The proposed site plan does include a proposed 3m high noise barrier to the NW area of the site where there are residential properties in Hogg Lane. This noise barrier can be secured through a planning condition. The cliff face within the site would help contain noise arising from the development.
- 6.72 The internal layout of each unit reflects a similar approach of a warehouse area with ancillary office uses and associated essential services for future business operations located on the ground but also with mezzanine floors.
- 6.73 The existing and only vehicle access into the site from Hogg Lane would be maintained and would therefore continue to allow vehicle and pedestrian access. A new pedestrian access is proposed to access the site via Titan Road adjacent to Thameside Theatre which links to the town centre area.
- 6.74 Overall, there are no objections to the layout of the development having regard to policies CSTP22 and PMD2.

#### Scale and Massing

- 6.75 The height of the proposed units would range from 8.5m high up to 19m high for the largest unit. The surrounding cliff is 17m high so the ridge of one of the units (Unit C)

would project slightly above the cliff, but this would be the ridge of the roof and would therefore be away from the cliff face to not be noticeably higher. The applicant's Design and Access Statement advises that the height of units have been carefully considered in relation to the topography of the site with varying roof profiles. The plans show various site section drawings to demonstrate the impact upon the site with regard to the scale and mass of the development in relation to the cliff faces and topography of the site.

- 6.76 Overall, there are no objections to the scale and massing of the development with regard to policies CSTP22 and PMD2.

#### Design and Appearance

- 6.77 The design and appearance of the proposed buildings would be modern typical industrial style buildings with external material finishes including ribbon glazing, metal cladding and glazed entrances. The cladded elevations would be finished in a range of green, white (to reflect the chalk cliffs) and grey colours.
- 6.78 The units would have a range of roof types featuring shallow dual pitched roofs for blocks A and B, monopitch to block D and roofs with a curved apex for the larger units of blocks C and E. 15% of the roofspace would include rooflight windows to allow daylight into the units. Unit E would include a two-storey projection that would include a seeded green roof over the office projection. The roofs would also include solar panels.
- 6.79 There are no objections raised to the design and appearance of the proposed development with regard to policies CSTP22 and PMD2.

#### Landscaping and Amenity

- 6.80 The applicant's Arboricultural Report identifies a number of trees located within the site and a large number of the trees are located on the cliff face so would not be affected and would not be removed. These trees form part of the natural landscape and provide landscape and biodiversity value. Within the site, where development is proposed, there are a few trees and a few groups of trees that would need to be removed but none of the trees surveyed scored highly in the tree category scoring assessment as set out in the BS 5837, which is the recognised industry standard for tree assessment work. The applicant's Arboricultural Report identifies 43 category C trees would be removed but the Council's Landscape and Ecology Advisor recognises that the landscaping scheme would propose new tree planting to mitigate the loss of trees.

- 6.81 The landscaping strategy includes the retention of existing vegetation at the perimeter of the site and a mix of new planting areas including tree planting, hedges, shrubs and meadow grasses across the site. Hard surfacing materials would include concrete, tarmac and block paving. Ponds are located between block C and D, and new ponds would be created near the access road and to the rear of block E with provision of amenity use including seating areas for use for future occupiers. A deck area would overlook the pond. Further amenity areas would be provided for the larger units of Block C and E within the ground of each unit. Amenity areas would have a Hoggin Mix buff surface finish. Boundary treatment would consist of 2.4m high welded mesh panelling, knee high timber fencing along with security bollards. Cycle shelters would include green roofs. The Council's Landscape and Ecology Advisor raises no objection to the landscaping scheme and this would need to be secured through a planning condition.
- 6.82 The Grays Town Centre Framework identifies within the Public Realm and Open Spaces plan the potential opportunity for a public green as part of any development at Titan Pit. The proposed development does not offer open space for public use as it is the applicant's intention to retain security at the site similar to existing for the future occupiers. A pedestrian and cycle path to Titan Road is proposed which does reflect one of the opportunities identified in the Grays Town Centre Framework.
- 6.83 There are no objections raised to the landscaping and amenity provision of the proposed development with regard to policies CSTP22 and PMD2.

#### Townscape and Visual Impact upon the Area

- 6.84 The applicant's Townscape and Visual Impact Assessment (TVIA) provides analysis to show the impact upon the area and includes 15 different viewpoints in this consideration. In terms of townscape effects, the TVIA shows there would be 'minor to moderate' adverse during the Construction Phase but by the Operational Phase there would be 'low' to negligible effects and impact. In terms of the visual effects, the TVIA shows the proposal is unlikely to be more visible than the existing buildings and structure that occupy the site. There would at worst be a 'moderate adverse effect' during the Construction Phase but by the Operational Phase there would be 'neutral' effects. Any localised residual impacts would be within 50m to 150m of the site boundary. The overall conclusions of the TVIA are that the proposal would not harm the townscape character or local views.
- 6.85 Furthermore, as the site is a former quarry at a lower ground level to the natural ground level that surrounds the site this presents challenges for designing development in such an environment. The proposed development has been carefully considered and would make best of use of the land within site and therefore best re-use of urban land. The proposed layout of the development would follow the spine

road through the site to create a streetscene. Existing and proposed landscaping would help visually improve the appearance of the site. The scale, mass and design of the development would sit comfortably contained within the site when compared to the natural ground level and 3D illustrations help demonstrate the proposed development's impact upon the site and wider area. The proposed development would therefore not lead to any adverse impacts upon the character and appearance of the area.

- 6.86 From the applicant's Townscape and Visual Impact Assessment (TVIA) the Council's Landscape and Ecology Advisor agrees that the effects would be 'minor' during construction reducing to 'neutral' during the operational phase. For the visual effects from public viewpoints these would be 'minor to moderate adverse' but not 'significant' in EIA terms. It is also recognised that the lighting strategy has been designed to minimise upward light output and it is recognised that the area is one of medium district brightness and high light pollution.

#### Conclusion for this section

- 6.87 Overall, the layout, scale and massing, design and appearance, landscaping and amenity, and the impact upon the area are acceptable. The proposal can achieve the requirements of the Thurrock Design Strategy by demonstrating an understanding of the place, working with the site constraints of proposing replacement development in a the former quarry environment, improving connections with the new path to Titan Road, and plan for sustainability as shown by the various energy efficiency measures proposed. Further details can be secured through planning conditions.
- 6.88 The Council's Urban Design Officer raises no objection.
- 6.89 The Essex Police Architectural Liaison Officer has no objection.
- 6.90 The proposed development is considered to provide design led development respecting the surrounding context providing modern units to meet current future needs of occupiers. The proposal is considered acceptable with regard to CSTP22, CSTP23 and PMD2 along with the NPPF and the guidance contained in the PPG.

#### V. ECOLOGY AND BIODIVERSITY

- 6.91 Policy CSTP19 seeks measures to contribute to biodiversity in the Borough through positive biodiversity management. Policy PMD7 requires development proposals to retain local biodiversity value and enhance on site to mitigate any loss of biodiversity. Paragraph 175 of the NPPF advises that development should be 'minimising impacts on and providing net gains for biodiversity'.

- 6.92 Ecology and biodiversity were scoped out of the Environmental Impact Assessment at the scoping stage of the process before the planning application was submitted so there are no Environmental Impact Assessment considerations required.
- 6.93 The site is not subject to any statutory ecological designations with the nearest known ecological designations being the Grays Thurrock Chalk Pit SSSI (Site of Special Scientific Interest) to the western side of Hogg Lane. This SSSI supports a variety of habitats including open grassland, scrub and young to old woodland. The site is recognised for its importance as it includes an assemblage of invertebrates. The nearest Special Protection Area is the Thames Estuary and Marshes SPA which is approximately 7.9km east of the site. The applicant's Ecological Assessment states that given the scale and type of proposals there would be no direct or in combination effects on the SSSI or SPA.
- 6.94 The Grays Pit Extension Local Wildlife Site is located approximately 30m west of the site boundary. The applicant's Ecological Assessment considers the proposal would have some indirect effects, such as an impact upon retained habitats, but advises that various mitigation can be achieved during the Construction phase through a Construction Environment Management Plan (CEMP) and this can be secured through a planning condition.

#### Ecological Assessment

- 6.95 The applicant's Ecological Assessment identifies that a habitat survey was conducted in August 2021 and July 2022 that confirmed the dense scrub is the dominant habitat. Another habitat shown on an official ecology website is Open Mosaic Habitats (OMH) located in the far northern and southern portions of the site which were part of the former chalk quarry land use, however, more recent survey work shows these areas were not considered to support OMH. The survey work identified that the surrounding cliff embankments and associated vegetation act as wildlife corridors but would be retained with existing opportunities for roosting bats and birds protection. The applicant's Ecological Assessment identifies that Japanese Knotweed and Butterfly-bush as an invasive species is present on site in one area. Both species would be subject to removal measures.
- 6.96 The applicant's Ecological Assessment explains that survey work found the presence or evidence of bats, badgers, hedgehogs, reptiles, amphibians and invertebrates. The applicant's Ecological Assessment confirms that no significant effects would be experienced subject to securing appropriate mitigation, as set out in full in the Ecological Assessment.
- 6.97 In terms to bats and any bat roosts, it is recommended that one of the on site buildings identified from survey work to have been used by bats is to be demolished

and therefore, separately to the planning application process, a licence from Natural England will be required for removal of any roosting bats as a protected species by an ecologist.

- 6.98 The site also includes suitable habitats for badgers with setts recorded on site. The applicant's Ecological Assessment explains that the proposed development would protect badger setts within the site, with the exception of four setts which will be temporarily closed through a Natural England licence with checks undertaken prior to ground works commencing to check if the entrances of setts have been excavated in the intervening period. The applicant's Ecological Assessment also recognises that there are good populations of common lizard and slow worm present close to the northern and southern boundaries and subject to habitat manipulation this will enable these animals to remain on site.
- 6.99 Works relating to habitat removal will be undertaken outside the bird nesting season (March to July inclusive) to avoid any potential adverse impacts on nesting birds and this will be subject to a planning condition.
- 6.100 The proposed development includes new planting and this will be designed to improve habitats and include new habitats to benefit all species present and encourage increased biodiversity on site. The proposal is supported by a Biodiversity Metric identifying that the proposal would have a 10% increase in habitat and 38.5% increase in hedgerows. The proposed habitats include wildflower grassland, green roofs, native hedgerows, freshwater ponds and associated marginal planting, native shrub, mixture of native and non-native specimen tree planting and decorative shrub planting. Such measures can improve green infrastructure at the site and more details can be secured through planning conditions for the Operational Phase of the development. A Construction Environmental Management Plan (CEMP) can secure mitigation measures for the construction phase of the development.
- 6.101 The applicant's Ecological Assessment concludes that 'there is no overriding ecological reason why the site could not be developed in line with the proposed development'.

#### Conclusion for this section

- 6.102 The Council's Landscape and Ecology Advisor considers that the proposal would not have any adverse effects on nearby Local Wildlife Sites and the content of the habitat and protected species surveys is noted. The lighting strategy would also help mitigate impacts upon ecology at the site. An ecological method statement shall need to be provided but this can be through the CEMP planning condition. It is recognised that the proposal would provide Biodiversity Net Gain following the implementation of the

landscaping plan and through ecological enhancements secured by planning conditions.

- 6.103 In conclusion to this section of the report the proposed development is considered acceptable subject to the conditions as stated above and having regard to policies CSTP19 and PMD7 as well as the guidance contained in the NPPF/PPG.

## VI. FLOOD RISK, DRAINAGE AND WATER RESOURCES

- 6.104 Policies CSTP27 and PMD15 are relevant along with paragraphs 159 to 169 of the NPPF and the guidance contained within the PPG on flood risk need to be considered.
- 6.105 The site is located in a high risk flood zone (Flood Zone 3a). The applicant's Flood Risk Assessment (FRA) advises that the site is flat and low lying within the former chalk quarry with a general ground level of between 1.5m to 1.9m AOD across the site with the exception of northern portion of the site which is 5m AOD and the southern portion at 3.1m AOD. The natural ground level outside of the site is 6.71m AOD. It is also stated that the site is at most risk from flooding from the tidal River Thames, which is located 850m to the south of the site. The site is afforded flood protection from an extensive and maintained tidal flood defence system along the frontage of the River Thames, which is designed for the 1 in 1,000 year flood event. With the flood defence in place the risk from flooding is low. Flooding from groundwater due to the underlying geology (chalk) is considered high so the proposed development would require mitigation to address this, but surface water run off and sewers is considered to be of low risk.
- 6.106 As the site is located within the highest risk flood zone (flood zone 3a), as identified on the Environment Agency flood maps and as set out in the PPG's 'Table 1 - Flood Zones', the site is subject to a high probability risk of flooding. The proposal would provide flexible industrial and warehousing floorspace for uses that include industrial processes (E(g)(iii)), general industrial (B2) and storage and distribution (B8). All of these uses fall within the 'Less Vulnerable' use category of the PPG's 'Annex 3: Flood Risk Vulnerability Classification'. For the 'Less Vulnerable' uses the PPG's 'Table 2 – Flood Risk Vulnerability and Flood Zone Incompatibility' table identifies that this form of development is 'appropriate' for this flood zone.

### Sequential and Exception Tests

- 6.107 The aim of the Sequential Test is to steer proposed development to areas of little or no risk of flooding. In this instance the application site is located in a high-risk flood zone and the site is a Local Plan allocation as shown on the LDF Proposals Map as 'Secondary Industrial and Commercial Employment Land', and 'Land for New

Development in Secondary Areas', which is 'employment land' in the policy context. Where planning applications propose uses/development in accordance with the Local Plan allocation the application of the Sequential Test is not required, which is the planning position with this application.

- 6.108 The Exception Test is not required either because the development is 'appropriate' for this flood zone based on the proposed uses falling within the 'Less Vulnerable' uses the PPG's 'Table 2 – Flood Risk Vulnerability and Flood Zone Incompatibility' table.

#### Flood Risk Assessment

- 6.109 The site is protected from flooding by existing flood defences, but the applicant's FRA includes a breach evacuation strategy for users of the site. There is a site-specific Flood Warning and Evacuation Plan (FWEP) submitted with the application which identifies responsibilities to sign up to flood warnings, a flood event management response plan, an evacuation plan, a flood event recovery and an annual review process. The Council's Emergency Planner raises no objections and the FWEP will be subject of a planning condition for compliance reasons. In terms of physical works ground levels would be raised to mitigate and address potential groundwater flood risk.
- 6.110 The Environment Agency raise no objection to the application on flood risk grounds but recommend that flood proofing measures are implemented in building construction, safe refuge is also included in the safety of the building design, and that an emergency flood plan is implemented.

#### Surface Water and Foul Drainage

- 6.111 With regard to surface water, the applicant's FRA explains that surface water drainage system would drain to a new drainage system with infiltration and a discharge connection to a public sewer at a controlled greenfield discharge rate of 40/L/s. The surface water drainage system would include a retention approach of balancing ponds and sub surface storage, and an infiltration approach of trenches, basins, soakaways, porous and permeable paving. Interceptors would need to be installed for pollution management and mitigation. The surface water drainage system would be subject to a management and maintenance strategy. The Council's Flood Risk Advisor raises no objection subject to the surface water drainage scheme being secured through a planning condition. The Environment Agency raise no objection to the application subject to a planning condition requiring no drainage systems to allow for infiltration of surface water into the ground unless details are provided for approval.



6.112 For foul water drainage, a new foul water drainage system would need to be installed to connect with the exist pumped outfall to the public sewer. Anglian Water have no objections to the application.

### ES Assessment

6.113 Flood risk, drainage and water resources were scoped out of the Environmental Impact Assessment at the scoping stage of the process before the planning application was submitted so for flood risk, drainage and water resources there are no Environmental Impact Assessment considerations required.

### Conclusion to this section

6.114 There are no objections raised from the Environment Agency, Flood Risk Advisor, Emergency Planner or Anglian Water as the proposal would not increase flood risk or impact upon water resources or drainage providing mitigation measures identified in this assessment are secured through planning conditions. On such basis the proposal is therefore considered acceptable with regard to policies CSTP27 and PMD15 and with regard to paragraphs 159 to 169 of the NPPF and the guidance contained within the PPG.

## VII. AIR QUALITY

6.115 Policy PMD1 seeks safeguard amenity from air pollution and paragraph 186 of the NPPF requires 'planning decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants' along with guidance within the PPG.

6.116 Air Quality was 'scoped in' for the Environmental Impact Assessment and the ES assesses the proposed development's impact upon air quality.

6.117 In terms of baseline conditions, the site is not within an Air Quality Management Area (AQMA) but the applicant's ES identifies that the Council's AQMA 1 (London Road, Orsett Road and Stanley Road) and AQMA 3 (Hogg Lane and Elizabeth Road) are within the study area and are adjacent to the site. These existing AQMA's are because of nitrogen dioxide concentrations although the long-term trend in data and shows concentrations have been falling over time and are expected to continue to fall.

6.118 For the Construction Phase, the construction works is likely to result in dust emissions from demolition, any earthworks, construction and vehicle movements. A dust risk assessment has used to define the possible impact of construction activities in regard to dust soiling upon human health along with construction transport

movements and emissions. The ES study assesses the impact, and this is predicted to be 'negligible' in EIA assessment terms. A Construction Environmental Management Plan would be secured and implemented as a planning condition to mitigate and manage dust and air quality controls arising from soil/ground conditions and vehicle emissions from construction activities.

- 6.119 For the Operational Phase, the applicant's ES identifies that road traffic emissions would be the main sources of future airborne pollution. The ES air quality chapter (7) explains that atmospheric dispersion modelling has been carried out to assess the impact upon local air quality with pollution concentrations to be predicated to be below the air quality objective levels set by the Government in the future year of 2027. As a result of these predictions the impact of future air quality on the future occupiers of the site and all human receptors at locations adjacent to the affected road network are assessed to be to be 'negligible' in EIA assessment terms. As such no mitigation measures are necessary but the applicant's Framework Travel Plan will encourage sustainable travel and electric vehicle charging spaces to future proof the development.
- 6.120 For cumulative effects the ES identifies that the proposal alongside existing and committed development would have no cumulative effects.

#### Conclusion to this section

- 6.121 The Council's Environmental Health Officer raises no objections subject to air quality mitigation measures being secured through a Construction Environment Management Plan as a planning condition. The Travel Plan measures can either be secured through a planning condition or planning obligation. For these reasons the proposal is considered acceptable with regard to policy PMD1, the criteria set out in paragraph 186 of the NPPF and guidance within the PPG.

### VIII. NOISE AND VIBRATION

- 6.122 Policy PMD1 seeks safeguard amenity from noise and vibration pollution and paragraph 184 of the NPPF advises that 'decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment...and in doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'. The PPG also offers guidance on noise with links to the Noise Policy Statement for England (NSPE), World Health Organisation (WHO) Guidelines and various British Standards.

- 6.123 Noise was 'scoped in' for the Environmental Impact Assessment and the ES assesses the proposed development's impact upon noise.
- 6.124 The applicant's ES identifies (chapter 9) the baseline conditions involve background noise sources from road traffic (Hogg Lane) and any existing activities on site. The applicant's ES demonstrates that four baseline noise monitoring locations within and outside of the site over four days in September 2021. The results of these surveys demonstrate an average sound level between 39 to 53 dB. The nearest residential sensitive receptors are located at locations around the site to the north west (Hogg Lane), to the east (Cromwell Road, Russel Road and Wallace Road), to the south (Brooke Road) and to the west (Badgers Dene). The Thameside Theatre is to the south of the site and users of the theatre could also be considered sensitive receptors.
- 6.125 The Construction Phase of the development would give rise to increased sound levels from the demolition of existing buildings and plant on site, and through the proposed construction of new buildings and associated hardstanding and roads within the site. The applicant's ES recognises that demolition and construction activities are likely to cause some noise and vibration leading to a 'slight disturbance' for residents and other users of sensitive buildings. Increases in noise levels due to off site road traffic during the demolition and construction activities is predicted to be 'negligible' in EIA assessment terms. A Construction Environmental Management Plan would be secured and implemented as a planning condition to mitigate and manage on site construction activities.
- 6.126 For the Operational Phase, the applicant's ES has considered the effects of a worst-case operational noise approach through noise modelling assessed against the relevant noise guidance. As a result, noise limits have been proposed operational fixed plant with suitable acoustic design and the applicant's ES assesses this approach is unlikely to cause disturbance to residential receptors. A noise barrier is proposed to the north west of the site closest to the proposed Unit C as shown on the plans is to provide noise screening to receptors along the residential area of Hogg Lane. For all residential receptors the applicant's ES assesses the effect of noise from operational moving plant would be 'slight' in EIA assessment terms for daytime and night-time operations with off-site road traffic noise predicated be 'negligible' in EIA assessment terms. The Council's Environmental Health Officer requires a condition for all fixed plant to accord with the details set out in the Fixed Plant Noise Assessment Technical Note. Planning conditions can be imposed to require details of plant/ventilation equipment and details of the proposed noise barrier to all be agreed prior to first usage of the development/individual units.
- 6.127 In terms of cumulative effects, for the Construction Phase the applicant's ES identified that nearby receptors are likely to experience a 'slight adverse' impact in

EIA assessment terms from the cumulative effects of this development and if the proposed development Norman Hall, Cromwell Road (21/01022/FUL) were to take place at the same time. For the Operational Phase, the ES identifies that there would be 'negligible adverse' cumulative effect from increase in traffic flow using various roads within the immediate road network.

#### Conclusion to this section

- 6.128 The Council's Environmental Health Officer raises no objections on noise grounds to the proposed development subject to a condition regarding fixed plant. Subject to these planning conditions the proposal is considered acceptable with regard to policy PMD1, the criteria set out in paragraph 184 of the NPPF and guidance within the PPG.

#### IX. LAND CONTAMINATION AND GROUND CONDITIONS

- 6.129 Policy PMD1 seeks to minimise pollution and impacts upon amenity and the natural environment with a requirement for suitable mitigation measures to be imposed through planning condition or obligation. Similarly paragraphs 183 to 188 of the NPPF seek to minimise the adverse impact impacts of pollution on health, living conditions and the natural environment.
- 6.130 Land contamination and ground conditions were scoped out of the Environmental Impact Assessment at the scoping stage of the process before the planning application was submitted so there are no Environmental Impact Assessment considerations required.
- 6.131 The applicant's Phase II Geo-environmental Site Assessment surveyed the site and found instances of exceedances of contamination of soils and controlled waters from commercial uses. The study states that the contamination would not pose a significant risk to the proposed development subject to the incorporation of mitigation measures.
- 6.132 The Environment Agency raise no objection to the application subject to planning conditions requiring decontamination and remediation of contaminated land and no piling to be allowed unless details are provided for approval. The Council's Environmental Health Officer raises no objection subject to the recommendations of the Phase II Geo-environmental Site Assessment regarding decontamination work being implemented. For both consultation responses planning conditions can be imposed as requested.

#### Conclusion for this section

6.133 Following the consultation responses and the mitigation requirements from both the Environment Agency and the Council's Environmental Health Officer there are no objections raised with regard to policy PMD1 and paragraphs 183 to 188 of the NPPF.

#### X. ENERGY AND CLIMATE CHANGE

6.134 A number of policies within the LDF seek to improve energy efficiency and combat climate change. Policy CSTP25 seeks to address climate change and reduce CO2 emissions and policies CSTP26 and PMD13 both seek to encourage low carbon energy sources. Specifically, policy PMD13 sets a requirement for 20% of energy to come from decentralised, renewable or low carbon sources for development of more than 1,000m<sup>2</sup> by 2020. Policy PMD12 sets a BREEAM 'outstanding' requirement by 2019. These policies are compliant with the aims of paragraphs 156 and 157 of the NPPF and guidance within the PPG. The Council's Design Strategy DPD (March 2017) indicates that 'energy efficiency measures deliver considerable savings in running costs during the life of the building.

6.135 Energy and climate change were 'scoped in' for the Environmental Impact Assessment and the ES assesses the proposed development's impact upon climate change. This has been assessed in two parts for Greenhouse Gases and for Climate Change.

6.136 The applicant's Energy Statement considers a range of options in regard to the planning policy requirements. These include air source heat pumps and photovoltaic panels to the roofs of the proposed buildings which would provide at least 20% of energy from renewable energy sources to meet with the requirements of policy PMD13. Other measures include rooflights to buildings for natural light, energy efficient lighting, low flow taps, dual flush toilets, meeting the 'U' values for insulation, planting, landscaping, and increasing on site ecology. The site wide Framework Travel Plan seeks to encourage bus travel, cycle and walking, and cycle storage on site along with electric charging points. A planning condition will be imposed to ensure the development accords with the planning policy and for details of energy measures to be provided through planning conditions.

6.137 The applicant's BREEAM Pre Assessment Reports identifies that the proposal is predicated to achieve a BREEAM 'Outstanding' for Units A1-A6, B1-B2, C and E which would accord with policy PMD12 as the applicant would build out and fit out these units which would include offices.

6.138 However, for Units D1-D18 only a BREEAM 'Excellent' rating can be achieved which is contrary to the current requirements of achieving BREEAM 'Outstanding' in policy PMD12. The policy allows for a relaxation of the BREEAM 'Outstanding' where a

developer can prove that these requirements will be economically unviable and would render the development undeliverable. The applicant has explained that the reason for only achieving a BREEAM 'Excellent' for Units D1-D18 is because the units would be built out with some fit out but no offices are proposed and it will be for future occupiers to consider whether offices would be incorporated. This approach means the credits used for BREEAM scoring cannot achieve the BREEAM 'Outstanding' rating for Units D1-D18. As the site is previously developed land within the urban area planning policy would prefer the site to be re-developed as opposed to providing this development on a greenfield site in the Green Belt. For these reasons the applicant's case for achieving BREEAM 'Excellent' rating for Units D1-D18 is accepted and overall the achievement of BREEAM 'Outstanding' for Units A1-A6, B1-B2, C and E means the a large number of units within the development would meet requirements of policy PMD12.

- 6.139 In EIA terms, the applicant's ES (chapter 8) assesses the impact of the proposed development to be 'minor adverse' in EIA assessment terms for the Operational and Construction Phases, and for cumulative effects for Greenhouse Gas. For Climate Change the proposed development to be 'negligible' in EIA assessment terms for the Operational and Construction Phases, and for cumulative effects.

#### Conclusion for this section

- 6.140 Having regard to policies CSTP25, CSTP26, PMD12, PMD13 and the guidance contained in the NPPF/PPG the proposed energy and climate change measures listed would generally contribute to the requirements of these planning policies, although further information would need to be approved through planning conditions as the development progresses.

#### XI. EFFECT ON NEIGHBOURING PROPERTIES

- 6.141 Policy PMD1 seeks to minimise impacts upon amenity from new development.
- 6.142 The nearest sensitive receptors are occupiers of residential properties that are located along the eastern side of the site in Wallace Road and Cromwell Road, as well as the occupiers of residential properties to the northwest of the site in part of Hogg Lane.
- 6.143 For the occupiers of residential properties to the northwest of the site in part of Hogg Lane these properties mainly comprise of blocks of flats with parking areas nearest the site. The proposed development in this location would be Unit C which is one of the largest units proposed. The layout of this part of the site would mean that an outside activity area in the form of a HGV docking and parking areas to the western side of the warehouse. The distance from the flats to the western edge of the open

hardstanding area of HGV activity would be approximately 33m flats. The building-to-building distance would be approximately 77.5m distance between the flats and the west elevation of Unit C. The building would be located at a lower ground level than the residential properties so visually the impact from the neighbour's properties would not be significant as all that would be seen would be the roof of Unit C. To address any noise/activity a 3m high noise barrier is proposed along the site's western boundary, which is acceptable.

- 6.144 The residential properties in Wallace Road have residential gardens backing onto the site so the houses are away from the cliff face. The proposed development would include Unit C and Units D1 to D7, all these units would back onto the cliff face and at a lower ground level would not have any significant visual impact. The nearest building-to-building distance would be 27.5m and the nearest building to boundary distance would be 14.5m. Two existing ponds are adjacent to the boundary along with the proposed car park to Unit C.
- 6.145 Further towards the southeast part of the site a number of houses in Cromwell Road that have rear gardens backing onto the site. There is a significant distance between the nearest proposed building on site in this location, Unit E, and rear boundaries of these properties. The nearest building-to-building distance would be 64m and the nearest building to boundary distance would be 56m.
- 6.146 All other residential or non-residential properties are too distant to be affected by the proposed development at the site and any increase traffic movements using Hogg Lane and Elizabeth Road on route to the A13 would not be significantly increased to adversely affect residential amenity.

#### Conclusion for this section

- 6.147 Having regard to policy PMD1 and the advice of the Council's Environmental Health Officer it is concluded that the proposed development would not give rise to any significant adverse impacts upon residential amenity and nearby commercial uses/activities.

## XII. HERITAGE AND ARCHAEOLOGY

- 6.148 Policy PMD4 seeks to ensure that the fabric and setting of heritage assets are appropriately protected and enhanced in accordance with their significance.
- 6.149 The applicant's Heritage Statement identifies that the primary heritage considerations are four listed buildings within the wider area. These are the Dell (Grade II listed building), the Lighthouse listed as Mecca Bingo (Grade II listed building), the Falklands War Memorial (Grade II listed building) and the State Cinema

(Grade II\* listed building). The site is currently at a lower ground level due to its former quarry usage and therefore has no intervisibility with these listed buildings. In light of this the applicant's Heritage Statement considers the site makes a 'neutral' contribution to the wider setting of these listed buildings. The proposed development would increase built development at the site, when compared to existing development at the site, however, the applicant's Heritage Statement states the proposal would represent a 'minimal increase in overall massing and would have no adverse impact on these listed buildings or their setting'. Therefore, the applicant's Heritage Statement concludes there would be no harm to the significant of these heritage assets. The Council's Listed Building and Conservation Advisor has no objection as the nearby designated assets which are located away from the site and are not in the existing character of this existing industrial location.

- 6.150 With regard to archaeology, the applicant's Archaeological Desk Based Assessment concludes that there is a 'low to moderate' archaeological potential at the site but suggests a programme of archaeological work can be implemented for any surviving archaeology following its former quarry use. The Council's Archaeology Advisor raises no objection as the historic quarrying uses in the past means there that any archaeological deposits are unlikely to have survived and therefore does not consider a planning condition is necessary for a programme of archaeological work.

#### ES Assessment

- 6.151 Heritage and archaeology were scoped out of the Environmental Impact Assessment at the scoping stage of the process before the planning application was submitted so there are no Environmental Impact Assessment considerations required.

#### Conclusion for this section

- 6.152 Having regard to policy PMD4, the guidance of the NPPF/PPG and the consultation responses from the Council's Listed Building/Conservation Advisor and the Essex County Council Archaeological Officer there are no objections raised to the impact of the proposed development upon built heritage and archaeology.

### XIII. HEALTH IMPACT ASSESSMENT

- 6.153 The applicant's Rapid Health Impact Assessment has assessed the access to health and social care services and other social infrastructure and whether the proposed development would have any impact. The 'potential health impact' from the development has been scored to have either a 'neutral impact' or in some instances a 'positive impact'. This assessment has been made using the Health Urban Planning Checklist (HUDU) to screen the likely health impacts of the proposed development considering health living, active travel, healthy environments and vibrant



neighbourhoods. The HUDU has been used to focus the assessment of effects against 10 key health themes as stated below, along with potential mitigation and enhancement measures:

Health Theme	Potential Health Impact	Recommended Mitigation or Enhancement Action
Access to healthcare services and other social infrastructure.	Neutral	No mitigation or enhancement measures considered necessary as no residential development proposed.
Access to open space and nature	Neutral	No mitigation or enhancement measures considered necessary as no residential development proposed. Plans show proposed improved landscaping
Air quality, noise and neighbourhood amenity	Positive	Construction process will involve a CEMP and the operational phase will involve acoustic design and measures to reduce emissions
Accessibility and active travel	Positive and Neutral	Promote travel plans to identify safe walking routes, cycling opportunities for staff and reducing car based trips through car clubs, car sharing etc.
Crime reduction and community safety	Positive and Neutral	Incorporate Secure by Design measures
Access to healthy food.	Neutral	No mitigation or enhancement measures considered necessary
Access to work and training	Positive and Neutral	Applicant to enter into a Employment and Skills Plan
Social cohesion and lifetime neighbourhoods.	Positive and Neutral	Proposal will provide connectivity through pedestrian connect to Grays Town Centre via a new Titan Road connection.

Minimising the use of resources	Positive	A Site Waste Management Plan (SWMP) will be prepared with future detailed applications. Sustainable design and construction techniques to be incorporated.
Climate change	Positive and Neutral	An Energy Statement shows an energy model. There would be opportunities for biodiversity net gain and surface water drainage system (SUDS) measures.

XIV. CUMULATIVE IMPACT AND ALTERNATIVE SITES

6.154 In accordance with the EIA Regulations the applicant’s ES is required to take account of the cumulative effects of other existing and / or approved schemes in the area. The applicant’s ES has considered the cumulative effects in each of the environmental topic assessments and has taken into consideration the cumulative effects of a long list of consented developments in table 5.2 of the applicant’s ES. There are no objections raised to the list of sites where there would be a cumulative impact. The applicant’s ES has taken account of cumulative impact through each chapter of the ES with the conclusions that the cumulative impact of the development with those listed above would not lead to any significant adverse impacts, and where necessary mitigation is identified which can be used secured through the use of planning conditions and obligations where necessary.

6.155 In accordance with the requirements of the EIA Regulations a description of reasonable alternatives have been studied by the developer. The applicant’s ES has considered alternatives being a ‘do nothing’ scenario and a different design approach but the proposed development seeks to demonstrate the best re-use of the land for its intended purposes and uses. The applicant’s ES advises that the proposed development has taken account of all the constraints and opportunities for the site to minimise potential environmental impacts and to maximise environmental enhancement opportunities.

XV. PHASING AND CONSTRUCTION

6.156 The applicant’s ES assumes that the development would be phased as follows:

- Demolition completion by May 2024
- Construction will begin May 2024
- Development completion in September 2025

- 6.157 There are no objections raised to the proposed phasing of the development.
- 6.158 Planning conditions are required for the Construction Phase including a Construction Environmental Management Plan (CEMP). The CEMP would require details of the construction works programme, hours of use, construction management of traffic and access arrangements, wheel washing, road condition surveys, compound details, temporary hardstandings and hoardings, methods of controlling noise and vibration, methods of controlling air quality mitigation, waste and surface water management, methods to prevent contamination, lighting and biodiversity protection measures.
- 6.159 A Construction Environmental Management Plan can agree to the hours of work for the construction phase, although the ES identifies that the following construction hours are likely to be sought:
- Monday to Friday, 8am to 6pm;
  - Saturday, 8am to 1pm; and
  - Sunday and Bank Holidays, no noisy activities on-site.

#### Conclusion for this section

- 6.160 All the proposed conditions are necessary to minimise any adverse impacts arising from the construction of the development upon amenity, highway impact and nearby biodiversity and ecological designations in accordance with policies PMD1, PMD7 and PMD9.

## XVI. VIABILITY AND PLANNING OBLIGATIONS

- 6.161 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.162 Certain Core Strategy policies identify requirements for planning obligations, and this depends upon the type of development proposed and consultation responses from the application process.
- 6.163 Following changes in legislation (Community Infrastructure Levy Regulations), in April 2015 the Council produced its Infrastructure Requirement List (IRL) which changed the way in which planning obligations through section 106 agreements can be sought. The changes brought in pooling limitations to a maximum of 5

contributions towards a type or item of infrastructure. The IRL therefore provides an up-to-date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.

6.164 Paragraph 56 of the NPPF identifies that planning obligations must only be sought where they meet all of the following criteria:

- a) *necessary to make the development acceptable in planning terms;*
- b) *directly related to the development; and*
- c) *fairly and reasonably related in scale and kind to the development*

6.165 Through the consultation process to this application and following negotiations with the applicant the proposal would require a number of contributions and obligations to mitigate the impact of the proposed development. The table below sets out in summary form the proposed requirements of the planning obligations which would be secured through a s106 agreement. The table includes the commitment, description of the obligation and whether payments to the Council or obligations that are on the applicant to provide the mitigation. The agreed planning obligations have been assessed comply with the requirements of policy PMD16 and paragraph 56 of the NPPF as they are necessary, directly related to the development and fair and reasonable related in scale and kind to the development.

6.166 The proposed planning obligations are as follows:

<b>Commitment</b>	<b>Description</b>	<b>Payments to the Council (index linked) and obligations on the applicant where stated</b>
<b>Education, Employment and Skills Strategy</b>		
Education, Employment and Skills Plan	<p>An Education, Employment and Skills Plan for the Construction and Operational Phases of the development. This will include training opportunities, apprenticeships, using local labour sources and advertising for jobs locally.</p> <p>A local procurement plan is also needed and a financial contribution to local job support/brokerage of £15,000.</p>	<p>Obligation on the applicant to produce and submit the Education, Employment and Skills Plan for approval.</p> <p>£15,000 payment to the Council</p>

Commitment	Description	Payments to the Council (index linked) and obligations on the applicant where stated
<b>Highways and Travel (a section 278 agreement will be required for any of the obligations involving works to the highway) unless a payment is stated</b>		
Treacle Mine roundabout improvements	Improvements to A1012 arm of the Treacle Mine roundabout as indicatively shown on drawing no.'s <ol style="list-style-type: none"> <li>1. TIE-LE-GEN-XX-SK-CE-001-S4-B - Titan Industrial Estate Proposed Roundabout Improvement Scheme Sketch Long Lane</li> <li>2. TIE-LE-GEN-XX-SK-CE-003-S4-B – A1012 Approach Improvements</li> <li>3. TIE-LE-GEN-XX-SK-CE-004-S4-B – A1012 Vehicle Tracking</li> </ol>	Obligation on the applicant to enter into a s278 agreement. Prior to commencement of the S. 278 works to the Treacle Mine roundabout, details need to be submitted to and approved. Then implemented prior to first occupation of the development
Improvements at the North Stifford Interchange	A financial contribution of £25,000 towards pedestrian improvements at the North Stifford Interchange.	£25,000 payment to the Council prior to first occupation and the Council has 10 years to secure additional funding and implementation
Improvements to the site access on Hogg Lane	A requirement to enhance the current site access arrangements at Hogg Lane in the form of resurfacing, relining and further signage along with improvements to pedestrian and cycle access.	Obligation on the applicant to enter into a s278 agreement. Prior to commencement of the S. 278 works to Hogg Lane access, details need to be submitted to and approved. Then implemented prior to first occupation of the development
Titan Road Improvements	Works to the south end of Titan Road for improvements to the site's south	Obligation on the applicant to enter into

<b>Commitment</b>	<b>Description</b>	<b>Payments to the Council (index linked) and obligations on the applicant where stated</b>
	<p>access and Titan Road as identified on drawing no. 21009-TP-126 Rev C - Titan Road Site Entrance</p>	<p>a s278 agreement. Prior to commencement of the S. 278 works to Titan Road, details need to be submitted to and approved. Then implemented prior to first occupation of the development</p>
<p>Travel Plan</p>	<p>To provide site wide Framework Travel Plan and individual Travel Plans for individual occupiers of the units. The site wide Framework Travel Plan would therefore encourage sustainable travel through a number of objectives encouraging increased use of buses, public transport, car sharing, car club, electric vehicle parking, walking and cycling.</p> <p>A Travel Plan Co-ordinator would be employed for each unit to ensure individual Travel Plans and site wide Framework Travel Plan are achieved. The Travel Plan Co-ordinator or identified role shall monitor the Sustainable Distribution Plan and Car Park Management Plan.</p> <p>Regular monitoring will be required for each individual Travel Plans for each occupier to assess travel patterns to work for a five-year period following occupation.</p>	<p>Obligation on the applicant to provide, fund and implement the Travel Plan for maximising sustainability</p>

Commitment	Description	Payments to the Council (index linked) and obligations on the applicant where stated
	In the event that site wide Framework Travel Plan targets are not met then corrective measures would be put in place.	Obligation on the applicant to provide, fund and implement the corrective Travel Plan measures.
	Council Travel Plan Monitoring Fee	£600 per year payment for monitoring services until the last plot is fully occupied plus 5 years post occupation
<b>Council's Planning Monitoring Fee</b>		
Monitoring Fee	A financial contribution to cover the cost of the Council's monitoring work and discharging of S106 obligations	£5,000 payment to the Council prior to commencement of the development

Conclusion for this section

6.167 The proposed planning obligations meet the relevant tests as set out in paragraph 56 of the NPPF and are necessary to mitigate the impact of the proposed development.

XVII. SUSTAINABILITY

6.168 As part of the planning balance consideration has to be given to the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF with all three needing to be satisfied for the 'presumption in favour of sustainable development' to apply.

6.169 For the economic and social objective, the proposal would provide new jobs and would involve substantial investment into the local economy. The proposed development would lead to construction opportunities. For both the Construction and Operational Phases the proposal would lead to indirect as well as direct employment opportunities from this use.

6.170 For the environmental objective the proposed development would lead to a visual and physical improvement to the site and its environment when compared to its

existing appearance through high quality designed employment buildings, provision of a new access link to Titan Road for improved pedestrian and cycle connections to Grays town centre, biodiversity and ecological improvements, energy efficient buildings, and the remediation of any contaminated land.

- 6.171 On the basis of the above the proposed development would satisfy the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF.

## XVIII. OTHER MATTERS

- 6.172 Waste was scoped out of the Environmental Impact Assessment at the scoping stage of the process before the planning application was submitted so there are no Environmental Impact Assessment considerations required.
- 6.173 There is limited information on the future cliff face management and maintenance during construction and then the operational phase so a planning condition has been included to require further information on this.

## 7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 The proposed development would bring forward small, medium and two large sized business units for either industrial processes (E(g)(iii)) or general industrial use (B2) or storage and distribution use (B8) on a site allocated for employment generating uses in the current Local Plan. Therefore, the proposal would provide comply with policies CSSP2 (Sustainable Employment Growth) and (Strategic Employment Provision) and would comply with national planning policy through chapter 6 of the NPPF. Furthermore, the proposed uses reflect and comply with the up-to-date evidence base for the preparation of the Council's new Local Plan through the Employment Land Availability Assessment (ELAA) dated February 2023 and the Economic Development Needs Assessment (EDNA) dated March 2023. The principle of the development is therefore acceptable.
- 7.2 To offset the loss of 86 jobs at the site the proposed development would significantly increase employment numbers at the site and is envisaged to provide 650 jobs for the operational phase of the development and 115 jobs for the construction phase of the development, and through an Education, Employment and Skills Plan there would be opportunities for local people to work at the site.
- 7.3 The proposal would result in a more intensive use of the site than the current operations on site and this would lead to associated vehicle movements and implications upon the highways network. However, mitigation has been identified and will be secured through planning conditions and obligations to allow the development



to be acceptable as identified through the consultation responses from the Council’s Highways Officer and National Highways.

- 7.4 During the course of the application the proposed development has been subject to negotiation with the Council’s Urban Design Officer and the proposal was improved in visual and appearance terms. The proposed design, layout, scale and impact of the development is considered acceptable in design terms.
- 7.5 In accordance with the EIA Regulations the ES has assessed the considerations ‘scoped in’ and has taken account of the cumulative effects of other existing and / or approved schemes in the area, no objections are raised.
- 7.6 All other material planning considerations are considered in planning terms subject to planning conditions and obligations as identified in this report.
- 7.7 The recommendation provides full details of the proposed planning conditions and planning obligations that would be secured through a section 106 legal agreement including financial contributions and section 278 highways agreements to the Council to mitigate the effect on the highway infrastructure and highway management alongside the promotion of a multiple sustainable transport mode opportunities through a travel plans, and an education, employment and skills strategy.

**8.0 RECOMMENDATION**

- 8.1 To Grant Planning Permission subject to the following:
  - i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

<b>Commitment</b>	<b>Description</b>	<b>Payments to the Council (index linked) and obligations on the applicant where stated</b>
<b>Education, Employment and Skills Strategy</b>		
Education, Employment and Skills Plan	An Education, Employment and Skills Plan for the Construction and Operational Phases of the development. This will include training opportunities, apprenticeships, using local labour sources and advertising for jobs locally.	Obligation on the applicant to produce and submit the Education, Employment and Skills Plan for approval.

Commitment	Description	Payments to the Council (index linked) and obligations on the applicant where stated
	A local procurement plan is also needed and a financial contribution to local job support/brokerage of £15,000.	£15,000 payment to the Council
<b>Highways and Travel (a section 278 agreement will be required for any of the obligations involving works to the highway)</b>		
Treacle Mine roundabout improvements	Improvements to A1012 arm of the Treacle Mine roundabout as indicatively shown on drawing no.'s <ol style="list-style-type: none"> <li>4. TIE-LE-GEN-XX-SK-CE-001-S4-B - Titan Industrial Estate Proposed Roundabout Improvement Scheme Sketch Long Lane</li> <li>5. TIE-LE-GEN-XX-SK-CE-003-S4-B – A1012 Approach Improvements</li> <li>6. TIE-LE-GEN-XX-SK-CE-004-S4-B – A1012 Vehicle Tracking</li> </ol>	Obligation on the applicant to enter into a s278 agreement. Prior to commencement of the S. 278 works to the Treacle Mine roundabout, details need to be submitted to and approved. Then implemented prior to first occupation of the development
Improvements at the North Stifford Interchange	A financial contribution of £25,000 towards pedestrian improvements at the North Stifford Interchange.	£25,000 payment to the Council prior to first occupation and the Council has 10 years to secure additional funding and implementation
Improvements to the site access on Hogg Lane	A requirement to enhance the current site access arrangements at Hogg Lane in the form of resurfacing, relining and further signage along with improvements to pedestrian and cycle access.	Obligation on the applicant to enter into a s278 agreement. Prior to commencement of the S. 278 works to Hogg Lane access, details need to be submitted to and approved. Then implemented prior to

Commitment	Description	Payments to the Council (index linked) and obligations on the applicant where stated
		first occupation of the development
Titan Road Improvements	Works to the south end of Titan Road for improvements to the site's south access and Titan Road as identified on drawing no. 21009-TP-126 Rev C - Titan Road Site Entrance	Obligation on the applicant to enter into a s278 agreement. Prior to commencement of the S. 278 works to Titan Road, details need to be submitted to and approved. Then implemented prior to first occupation of the development
Travel Plan	<p>To provide site wide Framework Travel Plan and individual Travel Plans for individual occupiers of the units. The site wide Framework Travel Plan would therefore encourage sustainable travel through a number of objectives encouraging increased use of buses, public transport, car sharing, car club, electric vehicle parking, walking and cycling.</p> <p>A Travel Plan Co-ordinator would be employed for each unit to ensure individual Travel Plans and site wide Framework Travel Plan are achieved. The Travel Plan Co-ordinator or identified role shall monitor the Sustainable Distribution Plan and Car Park Management Plan.</p> <p>Regular monitoring will be required for each individual Travel Plans for each occupier to assess travel patterns to</p>	Obligation on the applicant to provide, fund and implement the Travel Plan for maximising sustainability

Commitment	Description	Payments to the Council (index linked) and obligations on the applicant where stated
	work for a five-year period following occupation.	
	In the event that site wide Framework Travel Plan targets are not met then corrective measures would be put in place.	Obligation on the applicant to provide, fund and implement the corrective Travel Plan measures.
	Council Travel Plan Monitoring Fee	£600 per year payment for monitoring services until the last plot is fully occupied plus 5 years post occupation
<b>Council's Planning Monitoring Fee</b>		
Monitoring Fee	A financial contribution to cover the cost of the Council's monitoring work and discharging of S106 obligations	£5,000 payment to the Council prior to commencement of the development

ii) the following planning conditions:

**Standard Time Limit**

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

**Reason:** To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Date of Commencement of the Development**

2. Within 2 weeks following commencement of the development the local planning authority shall be informed in writing of the commencement date of the development.

**Reason:** To ensure the commencement date is known for the benefit of conditions and planning obligations associated with this planning permission.

### Approved Plans

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

<b>Plan Number(s):</b>		
Reference	Name	Received
21009 - TP - 100	Location Plan	30th November 2022
21009 - TP - 101	Site Plan as Existing	30th November 2022
P22-1969-01C	Landscaping	28th September 2023
P22-1969-02C Sheet 1	Landscaping	28th September 2023
P22-1969-02C Sheet 2	Landscaping	28th September 2023
P22-1969-02C Sheet 3	Landscaping	28th September 2023
P22-1969-02C Sheet 4	Landscaping	28th September 2023
P22-1969-02C Sheet 5	Landscaping	28th September 2023
21009 -TP-102F	Site Plan as Proposed	28th September 2023
21009 -TP-103C	Site Plan as Proposed – North Section	28th September 2023
21009 -TP-104D	Site Plan as Proposed – Central Section	28th September 2023
21009 -TP-105C	Site Plan as Proposed – South Section	28th September 2023
21009 -TP-106A	Key Site Plan	28th September 2023
21009-TP-107A Sheet 1	Site Sections Sheet 01	28th September 2023
21009-TP-108A Sheet 2	Site Sections Sheet 02	28th September 2023
21009-TP-109A Sheet 3	Site Sections Sheet 03	28th September 2023
21009-TP-110A Sheet 4	Site Sections Sheet 04	28th September 2023
21009-TP-111A	Block A Floor and Roof Plans	28th September 2023
21009-TP-112B	Block A Elevation and Section	28th September 2023
21009-TP-113A	Block B Floor and Roof Plans	28th September 2023
21009-TP-114B	Block B Elevation and Section	28th September 2023
21009-TP-115	Block C Ground Floor and First Floor Plans	1st December 2022

21009-TP-116A	Block C Second Floor and Roof Plans	28th September 2023
21009-TP-117B	Block C Elevation and Sections	28th September 2023
21009-TP-118	Block D Floor Plans	1st December 2022
21009-TP-119A	Block D Roof Plans	28th September 2023
21009-TP-120B	Block D Elevations and Sections	28th September 2023
21009-TP-121	Block E Floor Plans	1st December 2022
21009-TP-122A	Block E Roof Plans	28th September 2023
21009-TP-123B	Block E Elevations and Section	28th September 2023
21009-TP-125D	Parking layout plan	26th October 2023
21009-TP-126C	Titan Road Entrance	3rd October 2023
21009/TP_127	Titan Road Car Tracking	3rd October 2023
21009/TP_140B	External Material Finishes Samples	28th September 2023

**Reason:** For the avoidance of doubt and to ensure the development accords with the approved plans with regard to policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

#### Use Class Restriction

- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any provision in any Statutory Instrument revoking or re-enacting that Order) the development hereby permitted shall not be used for any purposes other than uses falling within Use Classes E(g)(iii), B2 and B8.

**Reason:** To ensure that the Development is carried out in accordance with the approved plans in regard to the employment land allocation through policies CSSP2 and CSTP6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

#### Ancillary Offices

- Any space proposed for offices shall only be used for purposes in conjunction with and ancillary to the primary use of that unit and shall not be occupied as separate office uses. The office content will be ancillary to the main operation of

the unit and shall not exceed 30% of the overall Building Floorspace (Gross External Area).

**Reason:** To ensure that the Development is carried out in accordance with the approved plans and in regard to highway movements associated with office uses which would lead to increased vehicle movements which would have an impact upon the efficiency of the highways network through policies CSTP6, PMD9 and PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Removal of permitted development rights for commercial uses**

6. Notwithstanding the provisions of Part 7, Classes A, H, and L of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revising, revoking and re-enacting that Order) no enlargement by way of extension(s) or by way of the installation of a mezzanine floor(s) in a unit which is subject of this permission shall be carried out without planning permission having been obtained from the local planning authority.

**Reason:** Because any increase in Floorspace would lead to increased vehicle movements beyond that assessed in the Transport Assessment and this would have an impact upon the efficiency of the highways network, in accordance with PMD9 and PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Phasing (Zoning) Plan**

7. Prior to the commencement of the development a zone plan that sets out the proposed order or sequence of the development, shall be submitted to and approved in writing by the local planning authority. The development shall commence in accordance with the approved zone plan.

**Reason:** To ensure the development is delivered in timely manner, which is coherent and compliant with policies CSTP22, CSTP23 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Site Access and Site Layout Highway**

8. The proposed site access and internal site wide highway layout of the development as shown on the approved site plan drawing no. 21009 -TP-102F shall be constructed in accordance with the approved drawing and shall be

available for use prior to the first occupation of the development and then shall be maintained and retained at all times thereafter.

**Reason:** To ensure adequate access is maintained, in the interests of highway safety and efficiency amenity in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Highway Construction Details**

9. Notwithstanding the details submitted, prior to the commencement of development details of all construction, dimensions, construction specification, and visibility sight splay details shall be submitted to and approved in writing by the local planning authority. All approved details shall be implemented on site prior to occupation and shall be maintained by the operator of the site for as long as the development hereby approved is in use.

**Reason:** To ensure adequate access is maintained, in the interests of highway safety and efficiency amenity in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Access to pedestrian and cycle route details from Titan Road as per approved plan**

10. The pedestrian and cycle access and improvements on Titan Road as shown on drawing no. 21009 -TP-126 and through the site as shown on the approved site plan drawing no. 21009 -TP-102F shall be constructed as approved and shall be available for use prior to the first occupation of the development and then shall be maintained and retained at all times thereafter.

**Reason:** In the interests of promoting sustainable transport for pedestrians and cyclists in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Security Hut**

11. Prior to the first occupation of the development details of the security hut details of the proposed security hut to the site shall be submitted to and approved by the local planning authority. The proposed security hut shall be constructed in accordance with the details as approved and be in situ before occupation of the development and then shall be maintained and retained at all times thereafter.



**Reason:** In the interests of demarcating the site from public and private access for all users in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Security Barrier and Boundaries**

12. Prior to the first occupation of the development details of the proposed security barrier to the site and security boundaries that demarcate the site from public and private access shall be submitted to and approved by the local planning authority. The proposed security barrier and security boundaries to the site shall be constructed in accordance with the details as approved and be in situ before occupation of the development and then shall be maintained and retained at all times thereafter.

**Reason:** In the interests of demarcating the site from public and private access for all users in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Parking Provision**

13. Prior to the first occupation of the development the vehicle parking area shown on the approved plans, including any parking spaces for the mobility impaired and electric vehicles, has been hard surfaced, sealed and marked out as shown on the approved plans. The vehicle parking area(s) shall be retained in this form at all times thereafter. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

**Reason:** In the interests of highway safety, efficiency and amenity to ensure that adequate car parking provision is available in accordance with policies PMD2, PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Parking Management Strategy**

14. The development shall be operated in accordance with the 'Car Parking Management Plan' dated October 2023 which is attached to and forms part of this permission for the lifetime of the development.

**Reason:** In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Cycle Parking/Powered two wheeler Parking**

15. Prior to the commencement of development full details of the number, size, type and location of spaces, together with the design, dimensions and materials of secure and weather protected cycle parking/powered two wheeler parking facilities to serve the development shall be submitted to and approved by the local planning authority.

The development shall not be occupied until the parking facilities for cycle parking/powered two-wheeler parking have been installed as approved. Thereafter, the approved cycle parking/powered two-wheeler parking facilities shall be implemented and retained for the sole use of cycle parking/powered two wheelers parking for the users and visitors of the development. The facilities provided shall be serviceable and maintained at all times thereafter for the lifetime of the development.

**Reason:** To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policies PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Sustainable Distribution Plan**

16. The development shall be operated in accordance with the 'Sustainable Distribution Plan' dated October 2023 which is attached to and forms part of this permission for the lifetime of the development. This includes HGV vehicle booking requirements for Units B, C and E; servicing strategies and HGV/LGV routing requirements.

**Reason:** In the interest of highway safety and efficiency to ensure that HGV and LGV vehicle movement do not severely adversely impact the local road network and the interests of reducing pollution to air quality, in accordance with policies PMD1, PMD9 and PMD11 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Material and Finishes**

17. The materials to be used on the external surfaces of the development as identified on the 'External Material Finishes Samples' drawing reference no. 21009/TP\_140B and 'Landscape Masterplan' drawing reference no. P22-1969\_01 shall be used in the construction of development prior to the first

occupation of the development and shall be retained and maintained as such thereafter.

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

### **Secured by Design**

18. Prior to the first occupation of the development the measures identified in the 'Secured by Design Statement' dated 9 September 2022 shall be implemented on site and shall be retained and maintained at all times thereafter.

**Reason:** In the interest of creating safer, sustainable communities in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

### **Boundary treatment**

19. The boundary treatment as shown on the 'External Material Finishes Samples' drawing reference no. 21009/TP\_140B and 'Landscape Masterplan' drawing reference no. P22-1969\_01 shall be constructed prior to the first occupation of the development and shall be retained and maintained as such thereafter.

**Reason:** In order to safeguard the amenities of neighbouring occupiers and in the interests of the visual amenity of the area as required by policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Hard and Soft Landscaping**

20. Within the first available planting season (October to March inclusive) following first completion of the development the landscaping works for hard and soft landscaping as shown on the approved plan(s) drawing number(s) P22-1969-02C Sheet 5 and specifications attached to and forming part of this permission shall be fully implemented. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

**Reason:** To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Landscape Management Plan**

21. Prior to the first occupation of the development a landscape management plan, including management responsibilities and maintenance schedules for upkeep of all landscaped areas has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be implemented in accordance with the details as approved and retained thereafter.

**Reason:** To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Ecology Mitigation**

22. The development shall be undertaken in accordance with the terms and specifications contained within the 'Ecology Assessment' dated November 2022 which is attached to and forms part of this permission. This shall include removal of all invasive species including Japanese Knotweed and Butterfly-bush.

**Reason:** In order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Ecological and Biodiversity Enhancements**

23. Prior to the first occupation of the development details of ecological and biodiversity enhancement measures to reflect the Biodiversity Net Gain information within this application shall be submitted to and agreed in writing by the local planning authority. The details shall be implemented in accordance with the agreed details and shall be maintained at all times thereafter.

**Reason:** In order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

DPD (2015).

### **Flood Warning and Evacuation Plan (FWEP)**

24. Prior to the first occupation of the site the requirements of the 'Flood Warning and Evacuation Plan' (FWEP) dated 11 November 2022 which forms part of this planning permission shall be implemented, shall be made available for inspection by all users of the site and shall be displayed in a visible location all times thereafter.

**Reason:** To ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Surface Water Drainage Scheme**

25. No development shall commence until a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy has been submitted to and approved in writing by the local planning authority. The details shall include:

- a) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
- b) Measures to ensure surface water from the vehicle parking and service areas enters into a storm by-pass oil interceptor and measures to prevent infiltration into the ground.
- c) Supporting calculations confirming compliance with the Non-statutory Standards for Sustainable Drainage, and the agreed discharge rate of 40l/s and the attenuation volumes to be provided.
- d) Details of the maintenance and management arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.
- e) Infiltration tests to be carried out in line with 365 for the locations where SUDS are proposed.

The surface water drainage strategy shall be implemented as approved and in accordance with the programme for implementation. The surface water drainage strategy shall then be retained and maintained at all times thereafter.

**Reason:** To ensure the incorporation of an appropriate drainage scheme and to avoid pollution of the water environment and to minimise flood risk in accordance

with policies PMD1 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### All Plant Noise

26. All fixed plant shall be implemented in full compliance the submitted acoustic report dated 7th March 2023 project number 500228.0003.0000, prepared by TRC. The fixed plant once implemented shall be permanently maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels.

**Reason:** To protect the amenities of the nearby occupiers from nearby noise sources in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### Noise Mitigation Barrier Details

27. Prior to the first occupation of the development details of the noise mitigation barrier as shown on the approved site plan drawing no. 21009 -TP-102F shall be submitted to and approved by the local planning authority. The noise mitigation barrier shall be implemented as approved prior to first occupation of the development. The noise mitigation barrier shall be maintained and retained at all times thereafter for the lifetime of the development.

**Reason:** To protect the amenities of the nearby occupiers from nearby noise sources in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### Contamination

28. Prior to the commencement of the development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

A) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

B) A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

C) The site investigation results and the detailed risk assessment (B) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

D) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (C) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** To protect the land and water environment in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015).

### **Contamination – Verification Report**

29. No occupation (of any part of the permitted development / of each phase of development) shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:** To protect the land and water environment in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015).

### **Unforeseen Contamination**

30. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for an amendment to the remediation strategy detailing how this unsuspected

contamination shall be dealt with. Such agreed measures shall be implemented and completed prior to the first occupation of any parts of the development.

**Reason:** To protect the land and water environment in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015).

### **Piling**

31. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:** The National Planning Policy Framework paragraph 174 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

### **BREEAM**

32. All units hereby permitted, with the exception of Block D, shall achieve a minimum of an 'Outstanding' rating under the Building Research Establishment Environmental Assessment Method (BREEAM), unless it can be demonstrated to the local planning authority that it would be economically unviable or not feasible to do so.

A copy of the post construction completion certificate for each unit verifying the BREEAM rating of 'Outstanding' for all units has been achieved, with the exception of Block D, (unless it has been demonstrated that it would be economically unviable or not feasible to do so for that particular unit in which case the BREEAM rating shall be stated, in respect of that unit) shall be submitted to the local planning authority within three months of occupation of that unit.

**Reason:** In order to reduce carbon dioxide emissions in the interests of sustainable development, as required by policy PMD12 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **BREEAM – Block D**



33. All units in Block D shall achieve a minimum of an 'Excellent' rating under the Building Research Establishment Environmental Assessment Method (BREEAM), unless it can be demonstrated to the local planning authority that it would be economically unviable or not feasible to do so.

A copy of the post construction completion certificate for all units in Block D verifying the BREEAM rating of 'Excellent' for all has been achieved, (unless it has been demonstrated that it would be economically unviable or not feasible to do so for that particular unit in which case the BREEAM rating shall be stated, in respect of that unit) shall be submitted to the local planning authority within three months of occupation of that unit.

**Reason:** In order to reduce carbon dioxide emissions in the interests of sustainable development, as required by policy PMD12 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Renewable Energy**

34. Prior to the first occupation of the development, the energy and sustainability measures as detailed in the Energy and Sustainability Statement Revision 004 shall be implemented, maintained and retained in working order through the lifetime of the development.

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

### **Storage of Oils, Fuels or Chemicals and Bunding**

35. All facilities for the storage of oils, fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls with covers. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks plus 10%. All filling points, vents gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow outlets shall be discharged downwards into the bund.

**Reason:** In order to avoid the pollution of ground water and rivers/watercourses in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### Height of Outside Storage

36. No goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the building unless a scheme of screening of such storage has been implemented in accordance with details to have been submitted to and approved in writing by the local planning authority. The areas of storage and related screening shall be retained as approved thereafter.

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

### External Lighting

37. Prior to the first occupation of the development, the external lighting measures for the development shall be implemented in accordance with the External Impact Lighting Assessment revision P04, prepared by Cudd Bentley Consulting And shall be maintained and retained in working order through the lifetime of the development.

**Reason:** In the interests of amenity / ecology and biodiversity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1, PMD2 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### Provision of Superfast Broadband

38. Prior to the first occupation of the development a strategy to facilitate superfast broadband (broadband with speeds of at least 30Mbps as defined by Ofcom) for future occupants of all units shall be submitted to and approved in writing by the local planning authority. The strategy shall, accounting for feasibility and viability, seek to ensure that upon occupation of a unit either a landline or ducting is in place to facilitate the provision of a broadband service to that unit from a site-wide network, unless evidence is put forward and agreed in writing by the local planning authority that technological advances for the provision of a broadband service for the majority of users of that unit will no longer necessitate below ground infrastructure. The development shall be carried out in accordance with the approved strategy and the services (and ducting where applicable) retained and maintained at all times thereafter.

**Reason:** In order to ensure that suitable infrastructure is provided at the site for the benefit of occupiers, in accordance with paragraph 114 of the NPPF.

### **Construction Environmental Management Plan (CEMP)**

39. No demolition or construction works shall be commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall contain or address the following matters:

- (a) Demolition and construction work programme
- (b) Details of the hours of construction and demolition
- (c) Details of the method of demolition and plans and photographs to show all the existing structures above ground level, including existing oil storage tanks, pipelines and associated infrastructure to be demolished
- (d) Demolition and construction traffic access and management plan detailing vehicle haul routing in connection with construction, remediation and engineering operations
- (e) Identification of a strategy to minimise the level of employee travel by car to and from the Site during construction
- (f) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site
- (g) Details of temporary parking requirements
- (h) Road condition surveys before demolition and after construction is completed with assurances that degradation as a result of the works of existing surfaces will be remediated. Extents of road condition surveys to be agreed as part of this CEMP.
- (i) Location and size of on-site compounds (including the design layout of any proposed temporary storage, laydown areas and artificial lighting systems)
- (j) Details of any temporary buildings for the demolition and construction processes
- (k) Details of any temporary hardstandings
- (l) Details of any temporary fencing and hoardings
- (m) The importation and/or stockpiling of material on the Site for the purpose of constructing the Development
- (n) Details of the method for the control of noise with reference to BS5228 together with a monitoring regime
- (o) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime
- (p) Measures to reduce dust with air quality mitigation and monitoring
- (q) Measures for water management including waste water and surface water discharge

- (r) A method statement for the prevention of contamination of soil, groundwater, rivers/watercourses and air pollution, including the storage of fuel and chemicals and to prevent pollution affecting sensitive receptors
- (s) Details of security and other external lighting layout and design in accordance with the Institution of Lighting Engineers Guidance
- (t) An ecology method statement to demonstrate protection measures for biodiversity and ecology
- (u) Contact details for site managers including emergency details and information about community liaison including a method for handling and monitoring complaints.

The development shall only be carried out in accordance with the approved CEMP.

**Reason:** In order to minimise any adverse impacts arising from the construction of the development upon amenity, highway impact on the Local Highway Network and the Strategic Road Network and nearby biodiversity and ecological designations in accordance with policies PMD1, PMD7 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Cliff Monitoring and Maintenance Plan**

40. No demolition or construction works shall be commence until a cliff monitoring and maintenance plan has been submitted to and approved in writing by the local planning authority. The report shall contain:
- a) Mitigation measures that would be in place during the demolition and construction of the development
  - b) The management and maintenance regime for regular assessment of the cliff faces during the construction and operational phases of the development

The development shall only be carried out in accordance with the approved cliff monitoring and maintenance plan.

**Reason:** In the interests of amenity, safety, ecology and biodiversity in accordance with Policies PMD1, PMD2 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application and as a result, the Local Planning Authority has been able to grant

planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: <http://regs.thurrock.gov.uk/online-applications>

