

Dear Sir/Madam,

Please find below the Highways Development Management comments regarding the above.

Summary

This application is for the proposed London Gateway Logistics Park Local Development Order 2 (2025) Consultation

London Gateway has had an LDO in place since November 2013. The original LDO permitted up to 829,700 sq m of commercial floorspace. It expired in early November 2023 with 337,225 sq m of floorspace having been delivered.

An interim LDO (1.5) which lasts for a one year period, or until a new LDO2 is in place, was adopted in February 2024 and enables the development of up to 85,000 sq m of additional Use Class B8 floorspace.

The proposed LDO2 is accompanied by an Environmental Statement prepared in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

LDO2 follows both the original LDO1 scheme as well as recently adopted LDO1.5. It relates to the remainder of the London Gateway site being built out with specific land uses being permitted.

LDO2 will permit circa 320,000 sqm of additional commercial development on the Logistics Park, as well as ancillary facilities.

This consultation response follows, and is informed by, a series of meetings and engagement with the LDO2 promoters, which were held in advance of the formal consultation period. This engagement has also included National Highways, as well as Essex County Council.

The London Gateway site is well located to the nearby port. Some of the existing occupiers have functions that relate to the port and importing goods. The port and London Gateway site has access to rail freight provision offering an opportunity to transport goods by rail to elsewhere in the Country.

At the request of Thurrock Council Highways Development Management, surveys have been undertaken of the existing buildings operational under the LDO1, providing an understanding of the baseline existing travel patterns. The current range of occupiers are mostly B8 warehousing. These surveys provide good data on the existing travel of staff and operational trips to and from the London Gateway site. The surveys demonstrate a higher degree of traditional peak hour demand and less shift working than had been anticipated when LDO1 was originally proposed

and assessed. These patterns of travel demand also mean that a previously anticipated early PM peak demand (2-3pm) is however less of a concern.

Policy

National Policy

The importance of provision for appropriate logistics infrastructure is stressed within the emerging proposed changes to the National Planning Policy Framework which states:

“84. Planning policies should:

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;
- b) set criteria, or and identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period. Appropriate sites for commercial development which meet the needs of a modern economy should be identified, including suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics.
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

(Source: Proposed reforms to the National Planning Policy Framework and other changes to the planning system dated 30th July 2024.)”

Local Policy

Relevant Local Policy for LDO2 is set out in Thurrock Council's Core Strategy and Policies for Management of Development (as amended).

These include policy CSTP15 which states “In Greater Thurrock, accessibility, especially to work, education and healthcare, will be improved. To achieve this the Council and partners will: I. Promote and support the use of passenger services that respond to demand particularly in areas with poor accessibility.”

CSTP16 National and Regional Transport Networks states “1. The Council will work with partners to deliver improvements to national and regional transport networks to ensure growth does not result in routes being above capacity. Public transport improvements will be prioritised in order to achieve a modal shift. To achieve this the Council and partners will:

VI. Target key economically important routes for accident reduction interventions.

VII. Support the delivery of additional highway capacity, including through the use of technology and

information, but only where modal shift will be insufficient to address congestion. Opportunities will be taken to improve public transport as part of any enhancements.

Priority will be given to routes that provide access, especially for freight, to Strategic Employment Sites, the ports at London Gateway, Tilbury and Purfleet, and regeneration areas. This will include:

- i. M25 between junctions 27 and 30
- ii. M25 junction 30
- iii. A13 from A128 to A1014
- iv. A13 and A1089 junction improvement
- v. A1014 from A13 to London Gateway

2. Thurrock Council will, with the National Highways and relevant stakeholders where appropriate, identify cost effective interim measures to deliver sustainable and efficient national and regional transportation infrastructure within Thurrock.”

Policy CSTP17 Strategic Freight Movement and Access to Ports states “The Council will support the logistics and port sectors, and the positive impacts of freight activity in Thurrock and beyond, by:

1. Facilitating a shift to rail freight and freight carried on the River Thames.

This will be through:

I. Protecting inter-modal, rail and water-borne freight facilities from other development at locations where a demand exists or is expected to exist.

II. Promoting the use of rail and water borne freight facilities by supporting the development of appropriate infrastructure.

III. Supporting improvements to facilitate sustainable freight movements, including the rail hub at London Gateway, the South West Thurrock Railhead and improving access to the ports.

2. Facilitating the provision of 24 hour lorry parks at Tilbury Port, London Gateway and West Thurrock. Subject to compliance with other policies in this plan, other lorry parks will be considered in locations where demand can be shown to exist, which are located away from residential areas and have good access to the Strategic Road Network
3. Working as part of a Freight Quality Partnership and with other relevant partners, in order to:
 - Maximise modal shift opportunities.
 - i. Ensure freight traffic keeps to the most suitable routes as defined in Thurrock Council’s Road Network Hierarchy.
 - ii. Promote the use of less polluting freight vehicles.
 - iii. Reduce the adverse impact of congestion caused by road freight on the A13, A1089, and A1306.”

PMD 10 Transport Assessments an Travel Plans

The Transport Assessment has included consideration of an agreed list of committed developments. These include LDO1 and LDO1.5.

The committed / cumulative impact has also included the adjacent Thames Enterprise Park (TEP) proposals which are also accessed via The Manorway and has a resolution to grant planning permission (approved at committee 9/6/22) but has yet to conclude a Section 106 Agreement and to be granted planning permission.

The assessment of the local highway network has considered the impacts at the following local junctions:

- The Sorrells
- Manorway / A13
- Orsett Cock
- Five Bells junctions (both the junctions in Thurrock as well as those within Essex County Council)
- Merge / diverge slip roads between A13 and Manorway

The assessment is based upon the surveys of existing tenants and extrapolating these surveys to forecast for future development travel demand, based upon observed travel patterns.

Mitigation measures are proposed at the junction of The Manorway / A13 and these should be set as a condition in respect a Section 278 Agreement. These are implementing some elements of the improvement scheme that had been previously identified and agreed in previous assessments associated with the Thames Enterprise Park planning application. The proposed amended layout on the Manorway is considered to be deliverable and appropriate and will be delivered as a part of the LDO2 Section 106 Agreement via a Section 278 Agreement. The assessment demonstrates this proposal will improve the operation of the Manorway junction with the A13, but that queuing and delay will still result in the traditional peak hours.

Capacity assessment of the impacts of LDO2 have been undertaken at each of the junctions. The assessment demonstrates that there will not be a severe impact on the junctions, once the mitigation proposed is also included. There will however be a degree of queuing in the peak periods, especially on The Manorway approaches to the A13.

In addition to the capacity assessment the promoters of the LDO2 have also been asked to consider and deliver mitigation to address safety in the local highway. A review of collision records has been undertaken. Mitigation in the form of speed cameras and red-light cameras has been proposed.

A Road Safety Audit is to be provided for the works proposed for the junction of The Manorway and the A13.

Merge and diverge assessments have been undertaken which consider the operation of the slip roads to and from the A13. This assessment demonstrates a low degree of impact as a result of the LDO2 traffic forecasts. The highway network between the A128 Orsett Cock roundabout and the A1014 (The Manorway) have recently been upgraded. Thurrock Council do not consider further upgrade of these slip roads to be required. The assessments are undertaken assuming a worst-case set of assumptions around the level of peak hour demand to and from the LDO2 site and without consideration of the likely redistribution of trips from the peak hours in the future or the potential to actively manage the peak hour travel demand from the LDO2 site. On the basis of the assessment and the recent upgrade of the A13 no further changes to the physical layout of the merge and diverges is considered necessary. The Travel Plan offers the opportunity to manage the development impact, if necessary, in the future.

Lower Thames Crossing

The Lower Thames Crossing (LTC) is the subject of a Development Consent Order (DCO) which has been examined and is yet to report. The timescales for the DCO to report have recently been updated and delayed until May 2025.

The Transport Assessment and Environmental Statement for the LDO2 do not treat the LTC as a committed development.

The uncertainty around the LTC being approved or not, timescales for its delivery and what mitigation may accompany the LTC if it is permitted are acknowledged and the approach to not consider LTC as a committed development and consider the cumulative impacts is therefore agreed. The decision on LDO2 needs to be made in advance of there being any certainty on LTC. It would be impractical for the LDO2 Transport Assessment to assess LTC further.

Travel Plan

A Travel Plan accompanies the site at present. The Travel Plan committee is chaired by Thurrock Council Officers with representatives of DP World, National Highways and Essex County Council attending.

The Travel Plan will be continued with LDO2 and a review of the Travel Plan report has been undertaken to improve its effectiveness going forwards.

We would note that there is some inconsistency between text and action plan in relation to the frequency of monitoring of car parking. The Action Plan should be amended to reflect the text on this point.

PMD 11 Freight Movement

Rail Freight

It is welcomed that the LDO2 is committing to promote and provide sufficient on-site handling capacity to accommodate increases in rail freight

The proposals for LDO2 no longer promoting the delivery of the CUS (Common User Sidings) which was an obligation for LDO1. The TA includes an assessment of the growth in rail use associated with both the port and LDO2 and concludes that the existing port terminals would provide adequate capacity to accommodate future growth in demand for rail freight, acknowledging that there is finite capacity on the local rail network locally. This approach is accepted and agreed as appropriate and recognises the accepted constraints on the wider rail network and how the Travel Plan will facilitate and promote the use of the existing rail freight provision.

Management of Freight Trips

The LDO2 proposals will deliver a significant level of additional B8 development with associated freight movements (both vans and HGVs).

The management of freight will remain an important consideration. Maximising the use of rail freight and the adherence to defined freight routes by occupiers will remain of importance. The Travel Plan includes a number of measures to manage freight movement which are welcomed.

The management of freight will include participation in the Freight Quality Partnership in order to maximise modal shift opportunities. ensure freight traffic keeps to the most suitable routes as defined in Thurrock Council's Road Network Hierarchy, to promote the use of less polluting freight vehicles and to reduce the adverse impact of congestion caused by road freight on the A13, A1089, and A1306.

Mitigation Measures (Condition or S106)

A package of mitigation has been discussed and agreed in relation to LDO2 and is captured in the Heads of Terms and proposed Conditions on the LDO2. It is important that these measures are delivered to mitigate the impacts of the additional development permitted by LDO2 in line with local policy. The mitigation includes the following relating to managing the transport to / from the site.

- Control on the permitted land uses
- A cap on the maximum floor areas permitted for each land use (including change of use)
- That the LDO2 covers a fixed 10-year period
- A limit on the percentage of ancillary office or retail space (maximum 25%)
- Control over the maximum level of floorspace developed and operated as High Intensity Parcel Distribution Centres
- Provision of safe access for all modes, servicing, cycle parking, promoting car sharing and car parking in line with Design Code (note the LDO2 provides permission for the provision of necessary infrastructure including new roads, fencing, CCTV and street lighting).
- The adoption and implementation of an updated Travel Plan, including the costs of monitoring
- An obligation to serve the London Gateway site by bus throughout the period of the LDO2.
- A Highway Amenity Fund to help manage the impact of traffic on the local residential areas which may include safety cameras (red-light) on The Manorway junction with A13
- Safety (speed) cameras on Manorway
- Implementation of physical changes to the Manorway
- Implementation of SCOOT / MOVA on the Manorway / A13 junction
- A financial contribution towards the implementation of an improved bus turning area at Stanford Le Hope railway station
- Providing a safeguarded route to deliver a future link to TEP for HGV, buses and cycling to enhance active travel connection and limit the impact of HGVs
- Commitments to continue to promote and facilitate current and future occupiers so that the use of sea and rail freight is maximised
- Continuing the implementation of mitigation commitments from LDO1.5
- Promotion of electric vehicle charging provision and infrastructure

Conclusion

The LDO2 proposals have been assessed in liaison with Thurrock Council Highways Development Management, as well as National Highways and Essex County Council.

The assessment is considered to be undertaken on a robust basis and has been informed by surveys of the existing tenants at London Gateway and consideration of cumulative impacts.

The consultation documents reflect an agreed approach to assess the transport demand of the additional LDO2 development.

The impact of LDO2 on Thurrock's road network has been assessed, including allowances for agreed cumulative development as well as identified mitigation measures. Based upon this assessment the impact is not considered to be severe.

Suitable mitigation and controls through conditions, the Section 106 (as outlined in the Heads of Terms) and the Travel Plan are included in LDO2. These will be reflected in the completed S106 agreement which will accompany the LDO2.

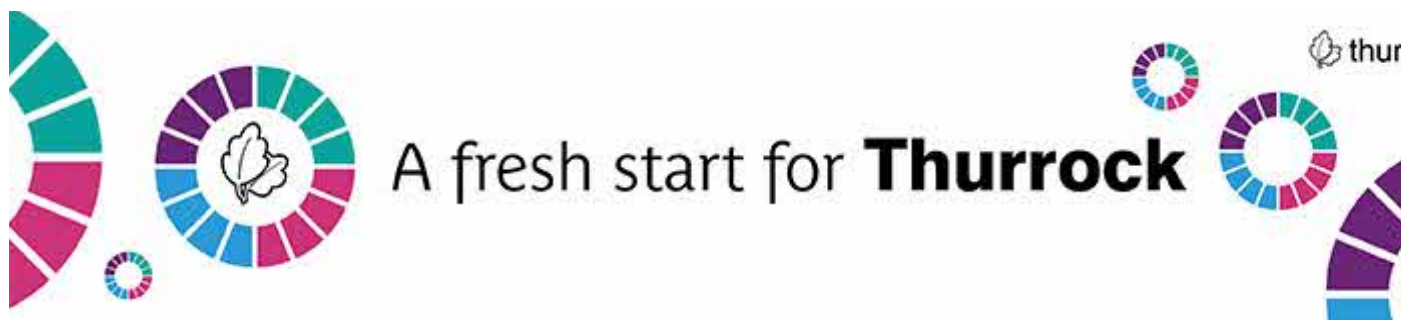
Overall, we would conclude that the LDO2 assessment and mitigation are appropriate.

Regards

Julian Howes

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Our ref: NH/24/08090

FAO: Chief Planning Officer

Thurrock Council

Sent by email: 11 November 2024

Janice Burgess
National Highways
Bridge House
1 Walnut Tree Close
Guildford
Surrey GU1 4LZ

11 November 2024

Dear Ashley

Proposed Local Development Order London Gateway Stanford Le Hope Essex SS17 9DY (Planning Reference: 24/00984/LDO)

Thank you for consulting National Highways on the Local Development Order 2 (LDO2) for the further development of London Gateway Logistics Park.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

LDO2 will supersede the now lapsed LDO1 and interim LDO 1.5 to permit additional development at the London Gateway Logistics Park. LDO 1.5 incorporates an outstanding S106 Obligation from LDO1 to deliver a mitigation scheme at M25 Junction 30, which will be superseded by relevant obligations agreed for LDO2.

This response represents our formal recommendation with regards to LDO2 for the permission of 733,776 square metres (sqm) of commercial and amenity floorspace, of which 412,326 sqm is already consented by previous LDOs for the site and up to 321,450 sqm is remaining to be consented in LDO2. Our response has been informed by the supporting documentation, which included a Draft LDO2, Transport Assessment (TA), Travel Plan, Environmental Statement and Draft Code of Construction Practice. In advance of this formal consultation there has been ongoing dialogue between National Highways and Thurrock Council, and their consultants, to review and agree matters

relating to the preparation of the TA, and requirements for mitigation to the SRN. There has also been discussion about the Travel Plan for which National Highways submitted comments. Draft Heads of Terms for a S106 Agreement were made available for initial National Highways comment and we await sight of the full draft S106 and further discussion and agreement.

Proposed Development

The proposed development will be accessed from the existing A1014 Manorway. The development's proposed trip generation is based on observed trip information recorded from similar land uses currently occupied within the London Gateway Logistics Park and it is expected to generate up to 689 two-way additional movements in the AM peak hour (8am-9am) and 599 two-way additional movements in the PM peak hour (5pm-6pm). The nearest SRN junction is located approximately 8.5km to the west at A13 / A1089 and M25 Junction 30 is approximately 14.5km to the west. Notwithstanding these distances, the junctions referenced enable access to alternative port facilities and to the wider strategic road network serving the UK.

Condition 10 of the proposed LDO2 permits no more than a total of 55,000sqm of 'high intensity parcel distribution uses' on the site, of which there is already circa 37,000sqm operational on the logistics park. Consequently, LDO2 allows for an additional circa 18,000sqm of high intensity parcel distribution use to come forward on the site. 'High Intensity Parcel Delivery Service' means that the primary activity of the business is the storage, packaging and delivery of parcels to residential and business users for and on behalf of multiple independent sellers as distinct from a retail warehouse and distribution centre where the packaging and distribution is consequential to the retail sale of their own goods or goods for which they have a franchise.

This is to account for the material difference in traffic generation and impacts of high intensity parcel delivery, compared to more traditional storage and warehouse distribution B8 land uses, and to avoid unacceptable impacts on the operation and safety of the SRN.

Traffic Impacts

The development related traffic impacts of LDO2 on the SRN have been assessed using a methodology agreed with National Highways, which identified the need for an improvement scheme at the M25 Junction 30 to mitigate unacceptable impacts. National Highways is proposed as a party to the LDO2.0 S106 Agreement, with the site owners LG Companies and Thurrock Borough Council (TBC), to the extent obligations apply to the LG Companies to improve the SRN. Section 5 of the Draft S106 Heads of Terms states *"Within 12 months of the making of LDO2.0 (or such other timescales as the parties may agree in writing) the LG Companies and National Highways will enter into a S278*

agreement to confirm the specification of mitigation works (to include timings) ('the Mitigation Works') proposed to the M25 Junction 30." National Highways will be seeking agreement that the S106 includes a threshold on an agreed level of floorspace (sqm), over which, any further floorspace cannot be occupied prior to the delivery of the mitigation works.

The preliminary design of the agreed mitigation is shown on DTA drawing 24351-02-GA 'M25 – Junction 30 Mitigation Junction Improvements – General Arrangement'. The Road safety Audit (RSA) Stage 1 has been instructed to commence and any design issues will be taken forward through the detailed design process in tandem with agreement of the S278 with National Highways. The detailed scheme will be subject to a further RSA Stage 2 before construction can commence. The detailed phase discussions will include, where necessary, sign off of on the Drainage Strategy, Flood Risk Assessment, Signage Strategy, Lighting Strategy, Maintenance and Repair Statement and details of any necessary utility diversions.

This is required to mitigate the traffic impacts of the development on the safety and efficiency of the strategic road network and to satisfy the reasonable requirements of road safety in accordance with paragraph 51 of the DfT Circular 01/2022 and paragraph 115 of the National Planning Policy Framework (July 2023).

Travel Plan

Paragraph 6.6 of the S106 Heads of Terms commits "To provide or support during the term of the LDO the provision of a bus service linking the Logistics Park with Stanford-le-Hope railway station and with the local Stanford-le-Hope / Corringham community, in particular Corringham Town Centre." Paragraph 6.8 also commits to the "Implementation of and compliance (including that of relevant occupiers) with the Travel Plan;". In the absence of the full draft S106, National Highways seek to clarify whether the published LDO2 draft Travel Plan will form part of the S106 or, if not, whether key text at paragraph 5.13 of the travel plan, referring to public transport, and at paragraph 6.5, referring to occupiers' responsibilities, will be included in the S106.

A travel plan is needed as a commitment, by both the site promoters and the end occupiers, to enhance sustainable access to the site and to manage down the traffic impact of the development on the local and strategic road network, by incentivising the use of sustainable modes of transport.

Construction Impacts

Chapters 4 and 7 of the Environmental Statement (ES) sets out the construction methodology for the proposed development and estimates the potential construction



traffic generation. Condition 8 of LDO2 states no development may take place under the LDO except in accordance with the draft Code of Construction Practice (CoCP) at Appendix 2 of LDO2, which includes details on construction traffic management, site access, routing, sustainable transport and mitigation.

S106 Heads of Terms

National Highways has been in discussion with Thurrock Council, and their agents, to agree the S106 Heads of Terms. Whilst there is a section of the S106 that deals specifically with SRN mitigation, as an accepted party to the S106 National highways considers it imperative that we see the full S106 and have an opportunity to comment and influence the final version. Despite requests having been made to see the draft S106, at the date of submission of this consultation response a copy of the draft full S106 has not been shared with National Highways. We have been assured that discussion on the S106 can continue beyond the close of this consultation and we await a copy of the full draft S106 to be submitted for discussion.

National Highways Future Road Investment Strategy (RIS)

The current RIS 2 will expire on 31 March 2025. RIS 3 will cover 1 April 2025 to 31 March 2030, or other time periods as agreed by Department for Transport with the Minister for the Future of Roads. This will set a programme for spending on SRN upgrades as well as maintaining existing assets.

We look forward to ongoing engagement as preparation of LDO 2 moves forward to adoption, particularly agreement of the S106 Agreement, and during the lifetime of the LDO.

Your sincerely

Janice

Janice Burgess
Spatial Planner
South East Spatial Planning Team
National highways

Please find below the consultation response from the LLFA.

Consultation Response

The LLFA has been consulted on the LDO proposals with the opportunity to assess and advise on the proposed surface water drainage and design code as part of the LDO2 process. The LLFA propose several amendments to the design code as part of this consultation process. Further to the review of the documentation, the LLFA advise that the proposed amendments enumerated below to the Design Code should be made:-

E2.1:

The surface water drainage for the plots shall be designed in line with Building Regulations Approved Document H, BS EN752, ~~Sewers for Adoption 7th Edition~~ **Design and Construction Guidance for foul and surface water sewers offered for adoption under the Code for adoption agreements for water and sewerage companies operating wholly or mainly in England (Version 2.1, May 2021), C635: Designing for exceedance in urban drainage**, (or the latest equivalent guidance) and best practice guidance to pass the 1 in 2 year flow without surcharge in the system. **Where one document is updated in advance of the others that updated document shall prevail where there is any conflict with the other documents.**

E2.2:

Sustainable methods of surface water collection, conveyance, disposal and attenuation shall be preferred over traditional methods and shall be implemented on each plot wherever practicable to CIRIA ~~697~~ **753: The SuDS Manual and CIRIA 768: Guidance on the construction of SuDS** (or latest equivalent guidance) to withstand flooding up to the 1 in 30 year return period.

E2.3:

Flooding for flows up to 1 in 100 year return period + 25% allowance for climate change (**or latest equivalent climate change guidance**) may be contained within low-risk areas such as car parks and landscaped areas within the plot boundaries of both Southern and Northern Zones as shown on Figure 16 and may be pumped or overflow to the Logistic Park swale, **provided that the design avoids flooding of internal property in this event.**

E3.1:

A Pollution Prevention Plan (PPP) shall be prepared for each plot by the occupier. It shall have regard to the processes and risks associated with the proposed business activities and this shall be made available for inspection at any time. **Provision shall be made as part of the PPP to minimise the risk of remobilisation of, and washout of any pollutants such as sediment.** Equipment to contain spillages, including oil booms but also drain blockers and dams to contain soluble pollutants, shall be made readily available.

The LLFA is also required to maintain a flood risk register and is the statutory body. As such, the LLFA requests that protected provision is made through the insertion of a new paragraph E2.8 (plot drainage requirements) and M2.7 (site wide drainage requirements) to read:

“Plans of the surface water drainage infrastructure shall be submitted to the Lead Local Flood Authority (LLFA) no later than the submission date of a prior notification request”

The LLFA also request that an amendment is made to the Prior Notification of Development Form and the Non-Material and Minor Material Amendment Notification Forms to request confirmation that plans of the surface water drainage infrastructure has been sent to the LLFA for information only for inclusion onto the register.

On the basis of the amendments and protective provisions being included into the LDO design code no objection is raised to the proposed scheme.

Should you have any questions on the above, please let me know.

Thank You,

Remsha
Remsha Mohammed Remlal Senior Flood Risk Officer | Highways Development Management

thurrock.gov.uk | highwaysDM@thurrock.gov.uk

Thurrock Council, Civic Offices, New Road, Grays, Essex RM17 6SL

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



Thurrock Borough Council
Development Control
Civic Offices New Road
Grays
Essex
RM17 6SL

Our ref: AE/2024/129855/02-L01
Your ref: 24/00984/LDO
Date: 20 November 2024

Dear Sir/Madam

NOTICE IS GIVEN THAT THURROCK COUNCIL PROPOSES TO MAKE THE LONDON GATEWAY LOGISTICS PARK LOCAL DEVELOPMENT ORDER 2 (2025) (LDO2) GRANTING PLANNING PERMISSION FOR UP TO 733,776SQM OF COMMERCIAL AND AMENITY FLOORSPACE OF WHICH 412,326 SQM IS ALREADY CONSENTED BY PREVIOUS LDOS FOR THE SITE. IN NOVEMBER 2013 THE COUNCIL MADE THE LONDON GATEWAY LOGISTICS PARK LOCAL DEVELOPMENT ORDER (2013) WHICH PERMITTED UP TO 829,700SQM OF COMMERCIAL FLOORSPACE. IT EXPIRED IN EARLY NOVEMBER 2023 WITH 337,225SQM

LONDON GATEWAY PORT LTD THE ADMINISTRATION BUILDING LONDON GATEWAY 1 LONDON GATEWAY DRIVE STANFORD LE HOPE ESSEX SS17 9DY

Following the submission of our previous letter dated 16 October 2024, referenced AE/2024/129855, where we raised an objection on flood risk grounds, we have been provided with an updated Flood Risk Assessment for this proposal. We have reviewed this document and are now able to remove our previous objection.

We now have no objection to this planning consultation, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below. We would ask that the condition detailed in our response is added to the order.

Flood Risk

Our maps show the site lies within tidal Flood Zone 3a, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for a Local Development Order associated with port related commercial development, which is classified as a combination of 'less vulnerable' and 'more vulnerable' development due to the inclusion of a nursery on site, as defined in [Annex 3:Flood Vulnerability classification](#) of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site-specific Flood Risk Assessment (FRA).

In the previous consultation, the flood risk associated with the overtopping of flood defences, which based upon current flood defence data, would be expected within the development lifetime had not been considered. In response, a revised flood risk assessment (FRA), has been submitted which details the risk of overtopping as well as breach and details how these risks shall be managed.

If you are satisfied that the application passes the sequential and exceptions tests and will be safe for its lifetime, we request the following conditions are appended to any permission granted:

- Finished ground floor levels shall be set no lower than 4.8 metres above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason for Condition

To reduce the risk of flooding to the proposed development and future occupants.

Flood Risk Assessment

To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, prepared by Ramboll UK Limited, project number 1620014881, version 2, dated 6/11/2024, are:

Actual Risk

- The site is currently protected by flood defences which protect the site in the present-day 0.5% (1 in 200) annual probability flood event. When considering climate change the defences would be expected to overtop over the lifetime of the development. The current TE2100 policy is 'to continue with existing or alternative actions to manage flood risk. We will continue to maintain flood defences at their current level accepting that the likelihood and/or consequences of a flood will increase because of climate change'. As there is no current plan to ensure defences are raised in line with climate change, it is imperative that the development is designed to be capable of managing flood risk to an acceptable standard without relying upon flood defence in the future.

- Section 5.5.12 of the FRA explores the actual risk of overtopping using the 2024 Strategic Flood Risk Assessment (SFRA). The site could experience overtopping flood levels of up to 4 metres during the 0.1% (1 in 1000) annual probability including climate change breach flood event (up to the year 2125).
- Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 0.5% (1 in 200) annual probability flood event including climate change.
- Finished ground floor levels have been proposed at 4.8m AOD. This is above the 0.5% annual probability breach flood level including climate change of 4.0m AOD and therefore dry in this event.
- A Flood Evacuation Plan has been proposed.

Residual Risk

- Section 5.5.4-5.5.9 of the FRA explores the residual risk of a breach using the 2024 Strategic Flood Risk Assessment (SFRA). The site could experience breach flood levels of up to 4.18 metres during the 0.5% (1 in 200) annual probability including climate change breach flood event and up to 4.21 metres during the 0.1% (1 in 1000) annual probability including climate change breach flood event (up to the year 2125).
- Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 0.5% (1 in 200) annual probability flood event including climate change.
- Finished ground floor levels have been proposed at 4.8m AOD. This is above the 0.5% annual probability breach flood level including climate change of 4.21m AOD and therefore dry in this event.
- A Flood Evacuation Plan has been proposed.

The below issues are not within our remit, and therefore must be considered by yourself before determining the application.

TE2100 POLICY

The site benefits from the presence of flood defences, which defend the Shell Haven & Fobbing Marshes unit to a 1 in 1000 (0.1%) annual probability standard of protection. The site is also influenced by the Thames Estuary 2100 (TE2100) Plan.

The TE2100 Plan was updated in April 2023, setting out our recommendations for flood risk management for London and the Thames Estuary through to the end of the century and beyond. This site is located within the Shell Haven & Fobbing Marshes unit, which has a policy of "P3. Policy P3 is 'to continue with existing or alternative actions to manage flood risk. We will continue to maintain flood defences at their current level accepting that the likelihood and/or

consequences of a flood will increase because of climate change’.

The TE2100 Plan is an aspirational document, rather than a definitive policy, so whether the defences are raised in the future will be dependent on a cost benefit analysis and the required funding becoming available. If the defences are able to be raised, the proposed development will be protected from flooding during the 1 in 1000 annual probability event in line with climate change.

When determining the safety of the proposed development, you should take this uncertainty over the future flood defences and level of flood protection into account. This may require consideration of whether obtaining the funds necessary to enable the defences to be raised in line with climate change is achievable.

Guidance for Local Council

Safety of Inhabitants – Emergency Flood Plan

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

Planning practice guidance (PPG) to the National Planning Policy Framework (NPPF) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a [design flood](#) and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to '[Flood risk emergency plans for new development](#)' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 173 of the NPPF and the guiding principles of the PPG.

We have considered the findings of the FRA in relation to the likely duration, depths, velocities and flood hazard rating against the design flood event for the development proposals. We agree that this indicates that there will be:

- A danger to most people (e.g. there will be danger of loss of life for the general public).

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your Emergency Planners and the Emergency Services on the evacuation proposals.

Partnership funding for new/upgraded defences

Please note that government funding rules do not take into account any new properties (residential or non-residential), or existing buildings converted into housing, when determining the funding available for new/upgraded defences. Therefore as the proposed development may reduce the funding available for any future defence works we would like to take opportunities to bring in funding through the planning system, so please can you consider this when determining the planning application.

Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

We trust this information is useful.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Pat Abbott', is centered below the text 'Yours faithfully'. The signature is written in a cursive style with a horizontal line underneath.

Mr. Pat Abbott
Planning Advisor

Direct dial 0208 4748011

Direct e-mail planning.eastanglia@environment-agency.gov.uk

Date: 28 November 2024
Our ref: 489276
Your ref: LG LDO2.0



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Dear Emma Barnett,

Planning consultation: London Gateway Logistics Park Local Development Order 2 (LDO2.0). Planning permission for up to 733,776sqm of commercial and amenity floorspace of which 412,326 sqm is already consented by previous LDOs for the site.

Thank you for your recent communications and meeting to discuss the London Gateway Logistics Park LDO2.0 and the clarification to points received in your letter dated 28th November 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Overall Conclusion on Habitats Regulations Assessment (HRA)

Natural England advises Thurrock Council Planning Authority as the competent authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Thames Estuary & Marshes SPA / Ramsar site and Benfleet & Southend Marshes SPA/Ramsar site have been classified and have no objection to the issuing of the LDO as set out in the proposal. The rationale in reaching this conclusion is set out below.

Following discussion with Thompson Environmental Consultants, Adams Hendry and DP World London Gateway, Natural England are satisfied with the conclusions presented in the HRA for the project and that the evidence provided in support of the HRA confirms that the development will not have an adverse effect on integrity of the protected sites listed above. Natural England are grateful for the clarifications received around points raised during the statutory consultation.

In addition, Natural England note the response provided regarding our comments on the Shriill Carder Bee (& related terrestrial invertebrates) and Black Redstart *Phoenicurus ochruros* and thank Thompson Environmental Consultants for these. Natural England is pleased to hear that DP World London Gateway is undertaking additional work for black redstart outside of the requirements of the LDO2. We would welcome further details, and would be pleased to work with DP World London Gateway on this moving forwards.

Yours sincerely

Alex Baker
Marine Senior Officer – West Anglia Delivery Team

By email only

Date: 6th November 2024**Proposed London Gateway Logistics Park Local Development Order 2 (2025)
Consultation****Sport England Reference:** PA/24/E/TK/68792

Thank you for consulting Sport England on the above LDO consultation.

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

This LDO consultation falls within the scope of the above guidance as it includes provision for new outdoor sports facilities.

Sport England assesses this type of proposal in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Further advice is provided in Sport England's Planning for Sport guidance which can be found here: <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>. In this context I would wish to make the following comments on the draft LDO and its supporting documents:

The draft LDO makes provision for permitting an outdoor sports facility such as a multi-use games area (MUGA) or artificial grass pitch (AGP) at the London Gateway Logistics Park site which would principally be for use by workers at the site. It also make provision for ancillary facilities to support such sports facilities such as storage and changing. I would make the following comments:

- **Floorspace Size:** It is noted that Part 1 of the draft LDO limits outdoor sports facilities in use class F2(c) to not exceeding 3,500 sq.m. While it is unclear what the rationale is for this limit it is advised that this would restrict a facility to a small AGP. A full size AGP suitable for football use for example would have a typical area of 7,420 sq.m (106 x 70m) for instance. If the intention of the limit is to restrict the size of a facility permitted by the LDO to a small sided football AGP then this would be appropriate. However, if this is not the intention and the Council would not want the LDO to restrict a larger AGP facility from being implemented then this limit should be reviewed before the LDO is finalised. The limit would not restrict a conventional sized MUGA from being implemented

however.

- Design Code: Part F11 of the Draft Design Code sets out design requirements for outdoor sports facilities permitted by the LDO. It is requested that this section adds a further requirement which requires AGP and MUGA's to be designed in accordance with Sport England design guidance (or in the case of AGPs designed for football, the Football Association design guidance). This would help ensure that facilities that are permitted by the LDO are designed to a suitable standard from a sports quality, safety and performance perspective. Sport England would usually assess planning applications for new sports facilities when consulted by the Council to provide advice on the suitability of facility design. However, if such facilities are permitted by the LDO, there would be a risk that such facilities would not be designed in accordance with current design guidance which may result in them not being fit for purpose or unsafe. Requiring facilities to accord with Sport England design guidance would reduce this risk. It is therefore requested that the following amendments are made to the Design Code:
 - F11.1 is amended to require AGPs to be designed in accordance with Sport England's Artificial Surfaces for Outdoor Sport design guidance <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces> or (if applicable) the Football Association Guide to 3G Football Turf Pitch Design Principles and Layouts <https://www.thefa.com/get-involved/player/facility-development-and-technical-guidance>.
 - F11.2 is amended to require MUGAs to be designed in accordance with Sport England's Artificial Surfaces for Outdoor Sport design guidance.
 - F11.4 is amended to require floodlights to be designed in accordance with Sport England's Artificial Sports Lighting design guidance <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/artificial-lighting> or (if applicable), the Football Association Guide to 3G Football Turf Pitch Design Principles and Layouts.
 - An additional section should require ancillary buildings to support the use of an outdoor sports facility to be designed in accordance with Sport England's Clubhouses design guidance <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/clubhouses> :

I hope the above comments can be considered before the LDO is finalised.

If you would like any further information or advice please contact me.

Yours sincerely,

Roy Warren
Planning Manager

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T: 07769 741137