

Reference: 16/01300/FUL	Site: South 3 Pacific Avenue Stanford Le Hope SS17 9FA
Ward: Corringham and Fobbing	Proposal: The provision and use for a period of up to 10 years for a temporary lorry park providing a maximum of 441 HGV parking bays within a mix of haulage yard and ad-hoc parking areas. Ancillary facilities including office/welfare buildings, refuelling facilities, access facilities including a new single carriageway access road, lighting, landscaping, drainage and a new electricity substation.

Plan Number(s):		
Reference	Name	Received
LGW-062-101 Rev. 4	Site Location Plan	23.09.16
LGW-062-102 Rev. 6	Site Layout Plan	28.11.16
LGW-062-103 Rev. 2	Site Cross Sections	23.09.16
LGW-062-104 Rev. 3	Access Road Plan	23.09.16
LGW-062-105 Rev. 6	Hard Landscaping Plan	23.09.16
LGW-062-106 Rev. 5	Drainage Layout Plan	23.09.16
LGW-062-107 Rev. 8	Lighting Levels Plan Sheet 1 of 2	23.09.16
LGW-062-108 Rev. 5	Fencing and Gates Layout Plan	23.09.16
LGW-062-109 Rev. 3	Substation Plan and Elevation	23.09.16
LGW-062-110 Rev. 6	Lighting Levels Plan Sheet 2 of 2	23.09.16
LGW-062-111 Rev. 4	Soft Landscaping Plan	23.09.16
LGW-062-112 Rev. 3	Master Plan Layout	23.09.16
LGW-062-120 Rev. 2	Existing Features Plan Sheet 1 of 3	23.09.16
LGW-062-121 Rev. 2	Existing Features Plan Sheet 2 of 3	23.09.16
LGW-062-121 Rev. 2	Existing Features Plan Sheet 3 of 3	23.09.16

The application is also accompanied by: <ul style="list-style-type: none"> Contaminated Land Assessment; Flood Risk Assessment; Planning Statement; and Transport Assessment 	
Applicant: LG Park Leasehold Limited	Validated: 29 September 2016

Date of expiry:

29 December 2016

Recommendation:

A – formally determine that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects

B – Grant planning permission, subject to conditions.

1.0 DESCRIPTION OF PROPOSAL

1.1 In summary, the application seeks planning permission for a temporary lorry park to support activities associated with London Gateway port and logistics park, with ancillary facilities, utilities infrastructure etc. Permission is sought for a 10 year period. The applicant has provided the following schedule of proposed operations associated with the provision and operation of the temporary lorry park:

- ground improvement, levelling and hard surfacing;
- marking-out of HGV parking bays and circulation areas;
- buildings and associated facilities providing administration and driver welfare accommodation;
- vehicle refuelling facilities;
- single carriageway access road with off-road footway / cycleway provision;
- lighting columns;
- drainage infrastructure comprising open channels, pipes, oil separators, outfalls and headwalls;
- soft landscaping;
- electricity substation; and
- security fencing and gates.

1.2 The application is a hybrid submission, that is, permission is sought for both full and outline planning permission. This is further explained below:

1.3 Full Planning Permission:

Full planning permission is sought for:

- two areas of haulier parking (referred to as Park 1 and Park 2);
- access for all of the site;
- street lighting columns along the access road;
- footpath / cycleway along the access road
- open drainage channels to site boundaries;

- one lighting tower;
- a new electricity substation and
- gates and perimeter fencing to Park 1 and Park 2.

1.4 The 'Park 1' haulier parking area would be located on the northern part of the site and would provide spaces for 71 HGV's, with an associated aisle to allow for manoeuvring. Full permission is also sought for a separate haulier parking area referred to as 'Park 2' located to the south of 'Park 1' which would provide parking spaces for 78 HGV's. Therefore full planning permission is sought for a total of 149 HGV parking spaces within 'Park 1' and 'Park 2'.

1.5 Full permission is also sought for a 2m high acoustic fence to the northern and western perimeters of the site, as well as the position of fences and gates for each separate 'yard'. No details of the design or height of the yard fencing and gates has been provided.

1.6 Full permission is sought for a single lighting tower located on the boundary of 'Park 1' and 'Park 2' and at the western-end of these yards. No details of the lighting column or luminaires has been provided, although a lighting levels plan has been submitted.

1.7 Finally, the application seeks full planning permission for:

- street lighting columns to be located on the eastern side of the existing access road to the east of the site;
- a 3m wide footway / cycleway along the existing access road;
- 4 no. points of access onto the existing access road to serve the separate haulage yards;
- an open drainage channel along the northern, eastern and southern boundaries of the site and linking to the existing Carter's Bay Lagoon;
- increases in ground levels to a maximum +4.83m AOD;
- a new electricity sub-station compound measuring 14.4m (l) x 4m (w) x 2.9m (h) located adjacent to the existing access road; and
- soft landscaping to all site boundaries, including tree planting.

1.8 Outline Planning Permission:

Outline planning permission is sought for:

- two additional haulier parking areas referred to as 'Park 3;' and 'Park 4'
- ancillary office / welfare / refuelling / car parking areas;
- three additional lighting towers.

- 1.9 The application seeks outline planning permission for a separate haulier yard referred to as 'Park 3' which would provide 80 HGV parking spaces (indicative). 'Park 4', located on the southern and western part of the site is described by the applicant as a 'common user area' intended to provide short-stay or overnight ad-hoc HGV parking associated with the operation of the London Gateway port and logistics park. 'Park 4' would provide (indicatively) up to 186 HGV parking spaces. It should be noted that planning permission is sought for a maximum of 441 HGV parking spaces across the four yard areas. As the precise requirements for ancillary offices, welfare / refuelling facilities etc. is currently unknown the description of development refers to a 'worst-case' scenario of a maximum 441 spaces. Dependent upon future reserved matters submissions (if planning permission were to be granted) this maximum number of HGV parking spaces could reduce.
- 1.10 Outline permission is sought for ancillary office, welfare, refuelling and car / cycle parking areas for each of the 4 yards ('Parks 1 to 4'). Although the application is accompanied by an indicative masterplan drawing showing how these facilities could be provided on-site, the matters of layout, appearance and scale of these ancillary uses would be effectively reserved for future approval. However, permission is sought for a maximum of 2,500 sq.m. of floorspace.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises a vacant parcel of land, totalling approximately 7.7 hectares in area and located at the south-western corner of the London Gateway logistics park site. The site is located to the north of the Thameshaven rail sidings which serve the London Gateway site and is to the south of a dual carriageway access road which serves plots within the logistics park. A drainage attenuation pond, known as Carter's Bay Lagoon adjoins the site to the west, with the London Gateway administration and office building beyond. An existing road forms the eastern boundary of the site with vacant land within the logistics park beyond.
- 2.2 The site is largely open aside from a small electricity substation and lighting / CCTV columns close to the eastern boundary. There is a range of infrastructure associated with below-ground utilities across the site, these utilities serving the former and current use of the site. Ground levels across the site vary between approximately +2m AOD to +4m AOD. Parts of the site have been surcharged with sand and gravel material recovered from dredging operations associated with the creation of London Gateway Port.
- 2.3 The site is located within the high risk flood zone (Zone 3) although it benefits from tidal flood defences adjacent to the River Thames. At its closest point, the site is

located approximately 100m from the Mucking Flats and Marshes SSSI and Thames Estuary and Marshes SPA.

3.0 PLANNING HISTORY

Reference	Description of Proposal	Decision
97/00271/HSC	Hazardous Substances Consent	Approved
02/00084/OUT	Redevelopment of former Shell haven oil refinery and associated refinery expansion, major road and rail linked logistics and commercial centre: Warehousing, industrial development and ancillary uses	Appeal against non-determination allowed
14/00368/LDOPND	Prior-notification of Development - Proposed common infrastructure corridors within the London Gateway Logistics Park comprising roads, shared use footways/cycleways, landscaping, drainage and service ducts.	Complies with LDO
16/01128/SCR	Request for Environmental Impact Assessment (EIA) Screening Opinion: The construction and operation for a period of 10 years of a HGV parking area comprising three individual haulage yards plus a 'multi-user' parking area. The development shall incorporate ancillary access, drainage and lighting infrastructure in addition to perimeter landscaping. Total development site area approx. 7.7ha.	EIA not required

3.1 Historically the application site comprised open low-lying marshland bisected by drainage ditches and forming part of the marshes located to the south-east of Stanford-le-Hope and Corringham. By the 1960's the site had been drained and developed with buildings and structures associated with the former Shellhaven refinery. The site was located at the extreme south-western corner of the refinery site and was access via the 'Gate 1' access from The Manorway. The Shellhaven

refinery, including the current application site, was decommissioned and demolished in 1999.

- 3.2 In May 2007 the Secretary of State granted outline planning permission for redevelopment of the former refinery with a large-scale commercial centre, comprising predominantly Class B8 (storage and distribution) uses. At the same time consent was also granted for a Harbour Empowerment Order and Transport and Works Act Order. However, the Secretary of State included a condition on the outline planning permission restricting development of the south-western part of the former refinery site (known as “The Tongue” land), apart from ancillary highways works, landscaping, ecological mitigation, provision of services, footpaths and acoustic mitigation. This restriction included the current application site.
- 3.3 Following the grant of outline planning permission, a number of applications to both vary and approve planning conditions were submitted. An application for the approval of reserved matters was also approved. The outline permission was implemented via the construction of a section of internal road close to Gate 2. However, due partly to the complexity of the outline planning permission, the Council and DP World London Gateway developed a Local Development Order (LDO), known as the London Gateway Logistics Park Local Development Order, for the future development of the commercial centre. The Council adopted the LDO in 2013. The boundary of land subject to the LDO includes the “Tongue Land” and therefore the current application site. Within the “Tongue Land” the LDO restricts development to works associated with foul and surface water drainage and electricity infrastructure.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 PUBLICITY:

This application has been advertised by way of press advertisement and public site notice. No replies have been received.

The following consultation replies have been received.

4.3 ENVIRONMENT AGENCY:

No objection, subject to conditions.

4.4 HIGHWAYS ENGLAND:

No objection.

4.5 NATURAL ENGLAND:

No objection, subject to conditions.

Detailed comments are provided on the content of the 'Habitats Regulations Assessment to Inform Screening' submitted by the applicant to support their previously submitted request for an EIA Screening Opinion (ref. 16/01128/SCR). Natural England are broadly satisfied with the findings and recommendations of the applicant's assessment, including the proposed mitigation measures. Natural England are generally satisfied that the impact pathways between the application site and the Thames Estuary and Marshes Special Protection Area (SPA) and associated functionally linked habitats (including the western grazing marshes) have been adequately assessed. Planning conditions are requested to mitigate impact.

4.6 ENVIRONMENTAL HEALTH:

No objection.

4.7 FLOOD RISK MANAGER:

No objection.

4.8 HIGHWAYS:

No objections, subject to conditions.

4.9 LANDSCAPE & ECOLOGY:

No objection, subject to condition.

5.0 POLICY CONTEXT

5.1 National Planning Guidance

National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the

Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

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

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

Planning Practice Guidance

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

- Design;
- Determining a planning application;
- Flood risk and coastal change;
- Land affected by contamination;
- Light pollution;
- Travel plans, transport assessments and statements in decision-taking; and
- Use of planning conditions.

National Policy Statement for Ports (2012)

Although this Statement is intended to provide a framework for decisions on proposals for new port development as part of the nationally significant infrastructure proposals system, it nevertheless is applicable to associated development such as road and rail links. Paragraph 5.4.22 of the Statement notes that the decision-maker may attach requirements to a planning consent that “make sufficient provision for HGV parking, either on the port estate or at dedicated facilities elsewhere, to avoid overspill parking on public roads”.

5.2 Local Planning Policy

Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended) (2015)

The following Core Strategy policies apply to the proposals:

Spatial Policies -

- CSSP2 (Sustainable Employment Growth);
- CSSP3 (Sustainable Infrastructure); and
- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)

Thematic Policies -

- CSTP6 (Strategic Employment Provision)
- CSTP15 (Transport in Greater Thurrock)
- CSTP16 (National and Regional Transport Networks)
- CSTP17 (Strategic Freight Movement and Access to Ports)
- CSTP19 (Biodiversity)
- CSTP27 (Management and Reduction of Flood Risk)
- CSTP33 Strategic Infrastructure Provision

Policies for the Management of Development -

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD11 (Freight Movement)
- PMD15 (Flood Risk Assessment)

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

The above report was considered at the February 2014 meeting of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of

these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- i. Principle of the development;
- ii. Highways considerations;
- iii. Impact on ecology & biodiversity;
- iv. Design & layout;
- v. Ground contamination; and
- vi. Flood risk & site drainage.

i. PRINCIPLE OF THE DEVELOPMENT

6.2 The London Gateway port and logistics park site, including the site of the current application, is within a Primary Industrial and Commercial Area, as defined by the policies map accompanying the adopted LDF Core Strategy (as amended) (2015). Core Strategy Spatial Policy (CSSP) 2 (Sustainable Employment Growth) is relevant and identifies London Gateway as a Key Strategic Economic Hub where the Council will promote and support economic development. The port, logistics and transport sectors are identified by this policy as core sectors at London Gateway.

6.3 Adopted Spatial Policy CSSP3 (Sustainable Infrastructure) identifies a number of key strategic infrastructure projects as “*essential to the delivery of the Core Strategy*”. The provision of lorry parks at West Thurrock, Tilbury and London Gateway is identified as a key project by this policy. Core Strategy Thematic Policy CSTP17 (Strategic Freight Movement and Access to Ports) states that the Council will support the logistics and port sector by, inter-alia:

“Facilitating the provision of 24 hour lorry parks at Tilbury Port, London Gateway and West Thurrock”

6.4 Consequently, the Council’s adopted Core Strategy policies support the principle of lorry parking at designated sites across the Borough, including London Gateway.

- 6.5 With regard to HGV parking within the logistics park area, the LDO is subject to compliance with a Design Code and paragraph B4.3 of that Code states:

“For development in excess of 30,000sq.m. where 24-hour operation is required, adequate welfare facilities shall be provided within the plot for drivers of commercial vehicles at a rate of one driver/commercial vehicle per 3,500sq.m. If such facilities are unable to be provided on plot (or if there is a shortfall in on plot provision), alternative facilities shall be provided off-plot at an equivalent rate.”

- 6.6 However, the LDO makes no specific provision for off-plot lorry parking within the LDO area. Furthermore, although London Gateway Port operates a vehicle booking system to control access by hauliers for the delivery or collection of containers, the Port does not have a lorry parking facility. It is also relevant that, in seeking a deed of variation to the Port s106 agreement in respect of M25 highways works (ref. 14/01007/DVOB), London Gateway accepted additional obligations including *“the use of all reasonable endeavours to pursue the provision of a lorry parking facility to which provision London Gateway Port retain a robust commitment”*.

- 6.7 The current application can therefore be considered as a commitment to fulfil the Port’s s106 obligation to provide a lorry parking facility. It is the Port’s intention to pursue a larger lorry park facility than currently proposed on a site adjacent to the logistics park through the Local Plan process however this development would serve to accommodate immediate lorry parking demand arising from London Gateway.

- 6.8 Under this heading there are no objections to the principle of the proposed development.

6.9 II. HIGHWAYS CONSIDERATIONS

Vehicular access to the London Gateway port and logistics park site is taken from The Manorway (A1014) which is a dual-carriageway between the A13 (Stanford interchange) and the roundabout junction serving the London Gateway main access road. This main access road is, in turn, a dual-carriageway road and a roundabout junction located adjacent to the DP World head office building splits the main access into separate road arms serving the port and park. An existing estate road serves the application site and this road links directly to the park road arm. Consequently, the site links to the A13 via an existing dual carriageway road network. In February 2014 The Manorway became a 24-hour clearway, thereby restricting parking on this carriageway.

- 6.10 As further relevant background information London Gateway port operates a vehicle booking system (VBS), whereby HGV drivers are allocated a pre-arranged time-slot for the delivery or collection of containers. DP World also currently operates a small lorry parking area located on the northern side of The Manorway and to the east of the former Gate 2 access road. This area provides space for approximately 80 HGVs and is available on a first-come first-served basis for drivers who may arrive too early for their VBS time-slot or drivers seeking a rest stop. This facility does not offer full-time security.
- 6.11 This planning application is supported by a Transport Statement (TS) which makes clear that the proposal would provide lorry parking and welfare facilities for hauliers using London Gateway port and logistics park in the form of three private yards for haulier operators and a multi-user area for overnight parking. Therefore the lorry park is intended to support activities at London Gateway and would not be open to non-London Gateway traffic.
- 6.12 With reference to potential trip generation, the TS confirms that the proposed temporary lorry park would not generate any additional heavy vehicle movement on the public highway network, over and above those movements already assessed within the committed port and logistics park developments.
- 6.13 The applicant's Transport Statement suggests that there will be three functions associated with freight activity at the site comprising:
- overnight stopovers;
 - short-stay stops (rest / refuelling) and
 - deliveries of fuel and supplies.

Overnight stopovers will include both 'vehicle only' stopovers and 'vehicle and driver' stopovers. 'Vehicle only' stopovers will take place within the haulier yard areas, with HGVs left overnight whilst HGV drivers travel to and from the site at the beginning and end of shifts. 'Vehicle and driver' stopovers would occur in the multi-user area with HGV drivers parking-up and staying with their vehicles overnight. In addition to these overnight stopovers, it is anticipated that the lorry park will be used on a short-stay basis whilst drivers refuel vehicles or use welfare facilities. Finally, vehicle movements would be generated by deliveries of fuel and supplies to the refuelling and welfare facilities.

- 6.14 The TS assumes that all HGV movements associated with the proposals are included within the traffic forecasts supporting the LDO. Therefore it is only HGV drivers' private journeys between home and the site, associated with 'vehicle only' stopovers, which have been assessed. This is because these vehicle movements were not modelled in earlier vehicle movement forecasts. The traffic movement of

staff employed in the operation of the refuelling, welfare and office functions are also modelled as part of the assessment accompanying the current application. The Transport Statement forecast the following daily vehicle activity (presented as one-way car trips):

	Vehicles
Overnight stopover ('vehicle only')	198
Employees	16
Total	214

Further modelling within the applicant's Statement forecasts the generation of 44 no. two-way car trips in the morning peak hour (08.00-09.00) and 40 no. two-way car trips in the evening peak (17.00-18.00). The impact of these additional peak-hour vehicle movements on surrounding road junctions would be negligible.

- 6.15 In conclusion under this heading, the impacts of the development are not expected to have a material impact on the surrounding transport network. The proposed lorry park is intended to serve the logistical needs of London Gateway port and logistics park. However, in order to ensure that HGV movements associated with the lorry park do not result in levels of traffic above those already assessed by the Local Development Order, a planning condition would ensure ongoing monitoring, assessment and mitigation as necessary.

III. IMPACT ON ECOLOGY & BIODIVERSITY

Habitats Regulations:

- 6.16 The application site is located close to internationally and nationally designated sites (Thames Estuary and Marshes SPA and Ramsar site). European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). In considering the European site interest, the local planning authority, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that the proposals may have. The Habitat Regulations, which are a UK transposition of EU Directives relating to the conservation of natural habitats, flora and fauna and specifically wild birds, apply to certain designated sites including Special Protection Areas (SPA) and Ramsar sites. Of particular relevance to this application, regulation 61 of the Habitats Regulations requires, inter-alia, that:

Before deciding to give any permission for a plan which:

- (a) is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects), and*
- (b) is not directly connected with or necessary to the management of that site*

The competent authority must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

- 6.17 Natural England has provided a detailed response to the applicant's 'Habitats Regulations Assessment to Inform Screening' report, submitted to support their request for an EIA Screening Opinion (ref. 16/01128/SCR). Natural England confirm that they are broadly satisfied with the findings and recommendations of the applicant's assessment and are generally satisfied that the impact pathways between the application site and the Thames Estuary and Marshes Special Protection Area (SPA) and associated functionally linked habitats (including the western grazing marshes) have been adequately assessed. Measures to mitigate impact can be secured by planning conditions.
- 6.18 It is therefore recommended that the local planning authority formally determine that, on the basis of the information available, the proposed development will not have a likely significant impact on a European site either alone or in combination with other plans or projects. This recommendation, set out as 'Recommendation A' below, should be considered before 'Recommendation B' (the recommendation to grant temporary planning permission).

IV. DESIGN & LAYOUT

- 6.19 The proposed lorry park would comprise a largely open area of hardsurfacing, involving a pre-cast block surface for truck parking areas and asphalt surfacing for the access road, cyclepath and footways. The only above-ground buildings and structures associated with the proposals would comprise:
- security fencing / gates and acoustic fencing to the site perimeter and in-between yards;
 - 4 no. 25m high lighting towers to illuminate the lorry park;
 - 10 no. 10m high street lighting columns to illuminate the access road / cyclepath / footpath;
 - new electrical substation; and
 - office, welfare and refuelling facilities for each haulier yard and the multi-user area.

The proposed fencing and gates would be located on those parts of the site for which both full and outline planning permission is sought. Indicative locations of these boundary treatments have been provided, although there are no details of the design, heights or materials. Therefore, a planning condition is required to require details such that the visual impact of these features can be controlled.

- 6.20 In order to provide floodlighting to the lorry park, the proposals include the provision of 4no. floodlighting columns to a height of 25m. The precise design of the columns and the associated luminaires has not been provided, although a lighting levels plan has been submitted to show the spread of light across the site (lux contours) and potential light spill beyond site boundaries. As with boundary treatment, a planning condition can address this issue and the potential visual impact.
- 6.21 Full planning permission is sought for a new electrical substation located on the eastern site boundary. This would comprise an enclosed meter room measuring 6.5m (l) x 4m (w) x 2.9m (h) flanked on either side by transformer enclosures measuring 4m (l) x 4m (w). The meter room would be a flat-roofed structure with external walls finished in a dark green colour. The two transformer compounds would be secured with a black coloured palisade fence. The sub-station would be a relatively small structure which appear visually unobtrusive. The proposed black coloured transformer fencing would match the agreed finishing colour of boundary treatments within the logistics park area.
- 6.22 Finally, the application seeks outline planning permission for office, welfare and refuelling facilities within each of the haulier yards and the multi-user area. No details of the design or appearance of these facilities has been provided although their location is identified at the eastern end of the site, close to the individual points of access. Permission is sought for up to 2,500sq.m. of floorspace. In the context of a site area totalling 7.65 hectares (76,500sq.m.) the proposed quantum of floorspace is considered reasonable and ancillary to the primary lorry parking use.
- 6.23 Consequently, and subject to appropriate planning conditions, it is considered that the design and layout of the proposals are acceptable.

V. GROUND CONTAMINATION

- 6.24 By way of background, the Local Development Order for the logistics park is subject to an agreed Contaminated Land Risk Assessment and Remediation Strategy. The application is accompanied by a contaminated land assessment. This assessment confirms that intrusive ground investigation of the site, in the form of trial pits, was undertaken in 2011. Ground conditions comprise a layer of made ground above alluvium. Ground contamination was not encountered during ground investigation and subsequent laboratory testing of samples did not identify any exceedance of target values.
- 6.25 However, during the removal of obstructions from the site earlier this year, one area was identified for remediation due to potential hydrocarbon contamination. In addition, hydrocarbon material has been removed from an existing drainage interceptor. Approximately 400cu.m. of contaminated material has been removed

from these two on-site locations and is being stockpiled awaiting treatment and disposal. Backfilling of the removed material has taken place with appropriate testing of the backfill material. Further importation of material is required to create the required surface levels and validation of imported material will be required.

- 6.26 Comments received from the Council's Environmental Health Officer raise no objections to the proposals. The Environment Agency confirms that they have reviewed the applicant's contaminated land assessment and its content is agreed. The Agency consider that planning permission could be granted, subject to a number of standard planning conditions.

VI. FLOOD RISK & SITE DRAINAGE

- 6.27 The site is located within the high risk flood zone (Zone 3a) and therefore the application is supported by a Flood Risk Assessment (FRA). This high flood risk classification is based upon the risk from the Thames Estuary, however the site benefits from tidal defences. These defences protect the site to the 1 in 1,000 year event (0.1% annual probability).
- 6.28 As the site is protected by existing tidal defences, the FRA examines the residual risk of flooding as a result of a breach in defences. The existing site could experience flood water depths of up to 0.75m during the 1 in 200 year breach event (0.5% annual probability) and would experience a significant hazard during the 1 in 1,000 year (0.1% annual probability) breach event. However, the proposals include the raising of ground levels such that the site would no longer be at risk of flooding in a 1 in 200 year breach event.
- 6.29 The Environment Agency has confirmed that the proposed lorry park use is classified as a 'less vulnerable' development, as defined by the NPPF. In these circumstances the development is 'appropriate' as set out by the 'Flood Risk Vulnerability and Flood Zone Compatibility' table at paragraph 067 of the NPPF (ref ID: 7-067-20140306). Nevertheless, the proposals are still subject to the application of the Sequential Test, which has the aim of steering new development to areas with the lowest risk of flooding. In this case, all of the London Gateway site as well as adjoining land to the north, east and west is located within the high risk flood area. As noted above, the proposed lorry park is intended to serve the needs of London Gateway port and logistic park and therefore a location away from the London Gateway site is unsuitable for operational reasons. Accordingly, the location of the proposed lorry park passes the Sequential Test as there are no other suitable operational sites at a lower risk of flooding.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 This application proposes a lorry park to serve the London Gateway port and logistics park, to operate for a temporary period of 10 years. The lorry park would provide self-contained yards for haulage contractors operating at London Gateway and a multi-user area for use by casual users visiting London Gateway. No objections are raised to the principle of the proposed land and, subject to planning conditions, the development would have no detrimental impact on the surrounding highway network.
- 7.2 The site is located close to the Thames Estuary and Marshes SPA and Ramsar site which is afforded European level protection. However, subject to mitigation measures to be secured by planning conditions, there would be no unacceptable impact on ecological receptors. Nevertheless, given the designation of the nearby ecological interests, it is necessary to screen the proposals for likely significant effects on the European site. This is set out at Recommendation A below.
- 7.3 Planning conditions can be used to control the final design and appearance of the operational development and to mitigate the impact of the proposals. In conclusion, it is recommended that planning permission is granted subject to conditions.

8.0 RECOMMENDATION

8.1 Recommendation A:

That the local planning authority formally determine pursuant to regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended), and on the basis of the information available, that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects.

8.2 Recommendation B:

Grant planning permission, subject to the following conditions:

Definitions:

1. Within the following conditions "Outline Part" means that part of the development for which outline planning permission is granted as identified by the colour green on drawing number LGW-062-102 Rev. 6 and "Full Part" means the remaining areas on drawing number LGW-062-102 Rev. 6 for which full planning permission is granted.

Time Limits:

2. The development for which full planning permission is hereby granted (the "Full Part"), as identified on drawing number LGW-062-102 Rev. 6, must be begun not later than the expiration of 3 years from the date of this permission.

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

3. Details of the layout, scale, appearance and landscaping of the development (hereinafter called the 'reserved matters') for which outline planning permission is hereby granted, shall be submitted to and approved in writing by the local planning authority not later than the expiration of 3 years from the date of this permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. The development for which outline planning permission is hereby granted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Temporary Use:

5. The use of the site for lorry parking hereby permitted shall be discontinued and the associated buildings and structures shall be removed from the site on or before 31st December 2026 in accordance with a scheme of work submitted to and approved in writing by the local planning authority.

REASON: In order to comply with the terms of the submitted planning application.

Approved Plans:

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

LGW-062-101 Rev. 4	Site Location Plan
LGW-062-102 Rev. 6	Site Layout Plan

LGW-062-103 Rev. 2	Site Cross Sections
LGW-062-104 Rev. 3	Access Road Plan
LGW-062-105 Rev. 6	Hard Landscaping Plan
LGW-062-106 Rev. 5	Drainage Layout Plan
LGW-062-107 Rev. 8	Lighting Levels Plan Sheet 1 of 2
LGW-062-108 Rev. 5	Fencing and Gates Layout Plan
LGW-062-109 Rev. 3	Substation Plan and Elevation
LGW-062-110 Rev. 6	Lighting Levels Plan Sheet 2 of 2
LGW-062-111 Rev. 4	Soft Landscaping Plan
LGW-062-112 Rev. 3	Master Plan Layout
LGW-062-120 Rev. 2	Existing Features Plan Sheet 1 of 3
LGW-062-121 Rev. 2	Existing Features Plan Sheet 2 of 3
LGW-062-121 Rev. 2	Existing Features Plan Sheet 3 of 3

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

Boundary Treatments:

7. Prior to first operational use of any of the haulage yards or the common user lorry parking area on both the Full Part and the Outline Part, details of all boundary treatments shall be submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be installed prior to the first operational use of the relevant haulage yard or the common user lorry parking area, unless otherwise agreed in writing by the local planning authority.

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

Surface Water Drainage:

8. Prior to first operational use of any of the haulage yards or the common user lorry parking area on both the Full Part and the Outline Part, details of the surface water drainage system shall be submitted to and approved in writing by the local planning authority. The approved system shall be installed prior to the first operational use of the relevant haulage yard or the common user lorry parking area, unless otherwise agreed in writing by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage / disposal of surface water from the site in accordance with policy PMD15 of the Thurrock

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

Landscaping:

9. Prior to first operational use of any of the haulage yards or the common user lorry parking area on both the Full Part and the Outline Part, details of the soft landscaping scheme, including a timeframe for implementation, shall be submitted to and approved in writing by local planning authority. The soft landscaping scheme shall thereafter be implemented in accordance with the agreed details.

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

Light Towers:

10. The position of all light towers within the lorry parking area shall be in accordance with the Site Layout Plan (Ref: LGW-062-102 Rev. 6), unless otherwise agreed in writing by the local planning authority.

REASON: In order to comply with the terms of the submitted application and in the interests of visual amenity.

Lighting Scheme:

11. Prior to first operational use of any of the haulage yards or the common user lorry parking area on both the Full Part and the Outline Part, full details of the lighting scheme (including lighting towers, columns, luminaires and reference to any smart lighting measures) shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to the first operational use of the relevant haulage yard or the common user lorry parking area. For the avoidance of doubt, the lighting scheme shall accord with the submitted Lighting Levels Plans (Ref: LGW-062-107 Rev.8 and LGW-062-110 Rev. 6), unless otherwise agreed in writing by the local planning authority

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

Contamination:

12. No occupation or operation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been 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. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary A aquifer, nearby Thames Estuary) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v.1.1, 2013) position statements A4 – A6, J1 – J7 and N7.

13. 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 a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary A aquifer, nearby Thames Estuary) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v.1.1, 2013) position statements A4 – A6, J1 – J7 and N7.

Service roads etc.:

14. None of the development hereby permitted shall be occupied or operated until

the service road(s), footway(s), cycle paths, loading, parking and turning areas shown on the plans accompanying the application have been constructed in accordance with the approved plans.

REASON: In the interests of road safety and amenity in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD as amended (2015).

Traffic Monitoring:

- 15. Prior to the first operational use of any of the haulage yards or the common user lorry parking area on both the Full Part and the Outline Part, the applicant shall undertake ongoing monitoring of HGV volumes on the London Gateway site access road. If the trigger points set out in the table below are reached during the operation of the lorry park, the applicant shall submit an additional assessment to the local planning authority for approval and shall subsequently implement any additional mitigation measures being identified as reasonably required by the additional assessment:

Access Road Two-Way Port & Park Heavy Vehicle Flows – LDO Sensitivity Test	
Time Period	Total Flow
AM Peak (08:00-09:00)	405
PM Peak (17:00-18:00)	488
12-Hours (07:00-19:00)	6,887
16-Hours (06:00-22:00)	8,149
18-Hours (06:00-00:00)	8,542
24-Hours	10,028

REASON: In order to ensure the safe and efficient operation of the surrounding highway network and in accordance with Policy PMD11 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD as amended (2015).

Lorry Park Management:

- 16. Prior to the first operational use of any of the haulage yards or the common user lorry parking area on both the Full Part and the Outline Part, details of a parking management scheme, including a pricing regime, shall be submitted to and approved in writing by the local planning authority. The scheme also shall specifically detail measures to ensure that available parking spaces on the eastern part of both the haulage yards and the common user lorry parking area are occupied in preference to available parking spaces on the western part of

the haulage yards and the common user lorry parking area. The approved scheme shall be operated on the first operational use of the relevant haulage yard or the common user lorry parking area and maintained thereafter, unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise potential disturbance to ecological interests close to the site in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD as amended (2015).

Construction Environment Management Plan:

17. Construction works associated with the development shall be undertaken in accordance with the environmental management controls and mitigation measures set at paragraph 5.5.2 of the "Proposed HGV Lorry Park, Tongue Land, London Gateway – Habitat Regulations Assessment to Inform Screening" report (ref. UK11-22958) submitted in support of the request for EIA Screening Opinion (local planning authority ref. 16/01128/SCR).

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

Flood Risk Management:

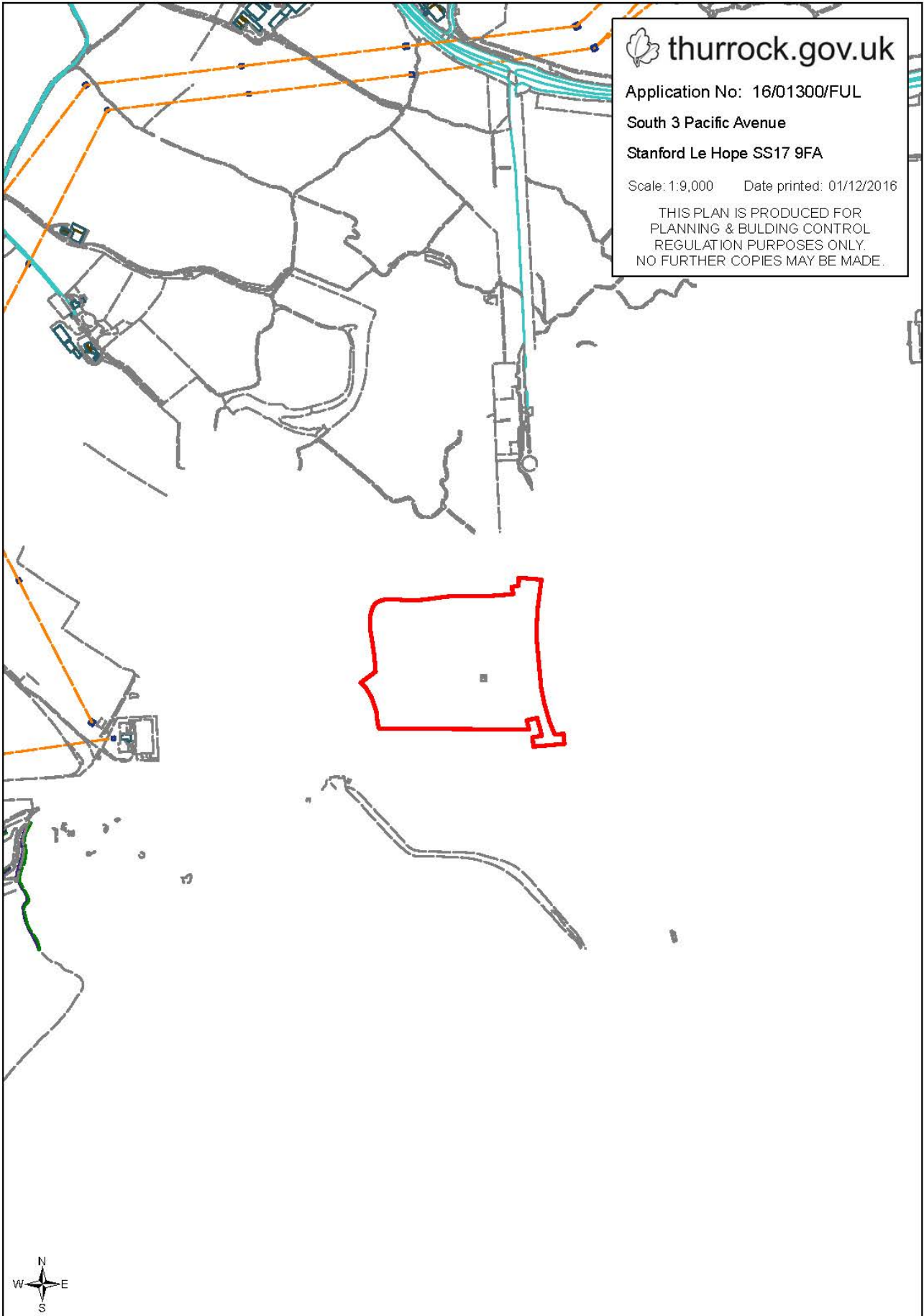
18. Prior to the first operational use of any of the haulage yards or the common user lorry parking area on both the Full Part and the Outline Part a flood risk management strategy shall be submitted to and approved in writing by the local planning authority. The approved strategy shall be operated on the first operational use of the relevant haulage yard or the common user lorry parking area and maintained thereafter, unless otherwise agreed in writing by the local planning authority.

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

Documents:

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

www.thurrock.gov.uk/planning/16.01300/FUL



 **thurrock.gov.uk**

Application No: 16/01300/FUL

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