

<p>Reference: 15/00268/FUL</p>	<p>Site: Land south of railway line and adjacent to Purfleet distribution terminal, London Road, Purfleet</p>
<p>Ward: West Thurrock and South Stifford</p>	<p>Proposal: Use of land for vehicular storage, formation of hardstanding and associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, and drainage infrastructure on land at the former Paper Mills site, London Road, Purfleet.</p>

Plan Number(s):		
Reference	Name	Received
NWPU-2014-PA-101-0	Planview Site Location Paper Mill Land	13.03.15
NWPU-2014-PA-102-0	Planview Paper Mill Land Existing Site	13.03.15
NWPU-2014-PA-103-0	Planview Paper Mill Land The Proposal	13.03.15
NWPU-2014-PA-104-0	Paper Mill Land Planview - Sections	13.03.15
NWPU-2014-PA-105-0	Paper Mill Land Sections - Details	13.03.15
NWPU-2014-PA-106-0	Paper Mill Land – Details Entrance / Exit Gate Checkpoint	13.03.15
Pcif141208-3-171156_papermillA.pdf – 08/12/14 1/3	Lighting Plan	13.03.15
Pcif141208-3-171156_papermillA.pdf – 08/12/14 2/3	Lighting Plan	13.03.15
Pcif141208-3-171156_papermillA.pdf – 08/12/14 3/3	Lighting Plan	13.03.15

The application is also accompanied by:

- Planning Supporting Statement;
 - Design and Access Statement;
 - Transport Assessment (+ Appendices);
 - Preliminary Ecological Appraisal;
 - Flood Risk Assessment;
 - Construction Statement;
 - Emergency Procedures Plan; and
 - Environment Statement, with the following chapter headings –
- Introduction

<ul style="list-style-type: none"> - Site description and proposed development - Environmental issues and methodology - Hydrology and flood risk - Natural heritage. 	
<p>Applicant: Purfleet Real Estate</p>	<p>Validated: 17 March 2015 Date of expiry: 1 June 2015 – Article 34 Extension of time agreed with applicant</p>
<p>Recommendation: Grant planning permission, subject to conditions.</p>	

1.0 DESCRIPTION OF PROPOSAL

1.1 In summary, the application seeks full planning permission for a vehicle storage area with associated infrastructure. The application contains a number of elements detailed in italics and described below:

1.2 *Demolition of remaining structures at the site including tank bases and the existing pumping station and outlet to the Thames*

As noted in the ‘Site Description’ below, a number of the bases of former tanks are located on the western part of the site and a pumping station building remains at the site’s south-western corner. The remainder of the site south of the railway line is covered in a concrete hardstanding. The tank bases and hardstanding would be broken-up and crushed on-site, then re-used as a foundation layer for a new hardstanding.

1.3 *Construction of hardstanding for open air vehicle storage providing a total of 1,836 car parking spaces and 7 car transporter bays*

The application site is located to the west of the 42ha Purfleet Thames Terminal (PTT) operated by C.RO Ports London Ltd (C.RO). PTT currently handles approximately 400,000 trailers, containers and tankers per year, and the import and export of approximately 200,000 vehicles annually by ferry. The development proposals are intended to provide additional storage capacity for PTT, specifically for additional vehicle storage. The application site is proposed to provide open storage space capable of accommodating up to 1,836 car spaces with 7 car transporter lanes. The vehicle storage area is proposed within c3.8ha of the site, located south of the railway lines. The vehicle storage is proposed within defined bays arranged in rows of 4 spaces, parked bumper to bumper, arranged north-south across the site.

The surface of the parking area would comprise tarmac on top of a base layer and a sub-base of crushed concrete. Finished ground levels across the site would vary

between 1.8m AOD to 2.4m AOD, representing an overall decrease in existing levels across the site.

1.4 *Installation of a pre-fabricated gatehouse building and lifting barriers*

A pre-fabricated gatehouse / office building would be sited at the north-western corner of the 'main' site close to the point where the access road crosses the railways lines. The structure would measure 11.1m (l) x 2.9m (w) x 3.5m (h). Vehicle barriers to control access and egress from the site would be sites adjacent to the gatehouse.

1.5 *Security fencing around the operational site area*

All boundaries of the operational area on the 'main' site would be secured with a concrete wall (to a height of 1.5m above ground level) topped with a steel palisade fence 2m in height. The total height of the security fencing would be 3.5m above ground level. Existing fencing adjacent to the public footpath on the southern boundary of the site would be retained. A new 1.7m high timber post and rail fence would be installed on the western boundary of the site, adjacent to the 'green zone'.

1.6 *New surface water drainage system including a new pumping pit housing two pumps and new outlet pipes for discharge to the Thames*

Ground levels across the parking area would fall such that surface water would fall into a number of gullies which in-turn would feed underground drainage pipes. These pipes would collect surface water at the south-western corner of the site within a pumping pit, from where surface water would be pumped via pipes above ground level over the tidal defence and into the River Thames. A back-up pump would be provided in case the primary pump failed.

1.7 *Lighting columns, incorporating CCTV cameras*

The 'main' site would be illuminated via lights mounted on 14 floodlight columns. Each column would support 3 LED luminaires at a height of approximately 15.2m above ground level. The floodlight columns would also provide a mounting for CCTV cameras, although details of the position or height of CCTV equipment has not been provided.

1.8 *Landscape planting and habitat creation along western boundary within the site boundary*

A 'Green Zone' of open land and planting is proposed located between the operational parking area and the site's western boundary. This Zone would measure a maximum of 10m in width, with a length along the boundary of approximately 140m. It is intended that the Zone would provide suitable habitat for invertebrates, as well as new tree and shrub planting as a visual screen.

1.9 Other elements of the proposals:

Access to the application site would be from London Road via the existing private estate road within the International Timber site and the existing level crossing. Cars imported to the PTT site by ferry would leave the terminal travelling west along London Road for a distance of approximately 550m before entering the application site. Cars would be stored on-site for up to 22 days before leaving on vehicle transporters (9-car capacity). The proposed operation on the application site would be on a 24-hour a day, 7 days a week basis. The proposed operation would generate 16 full-time equivalent jobs, employed in car operations, security etc.

1.10 Other Applications:

This application is the third of three recent planning applications submitted for development associated with the PTT:

- 14/01387/FUL: Use of part of the land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, drainage infrastructure on land at the former Exxon Mobil Lubricants site, London Road, Purfleet. – This application involved a site located immediately to the east of the Purfleet Fuels Terminal site and west of the existing PTT site. Planning permission was granted in May 2015 but development has not commenced.
- 14/01392/FUL – Purfleet Farm - Use of part of land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated landscape and infrastructure works including erection of a gatehouse building, lighting columns, erection of fencing, drainage infrastructure including a surface water balancing pond, infill and alteration to levels, alterations to vehicular access to London Road – This application involved the ‘Purfleet Farm’ site located south of London Road and close to the Stonehouse Corner roundabout. Planning Committee resolved to grant planning permission in April 2015 subject to planning conditions and a s106 legal agreement. At the time of drafting this report, the agreement had not been completed and no decision has been issued.

In line with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the Council issued a Screening Opinion which advised that the proposals constituted an EIA development. As noted above, the planning

application is accompanied by an ES.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises approximately 4.2 hectares of land formerly used as part of the Thames Board Mills site. The ‘main’ part of the application site, located south of the Fenchurch Street to Tilbury railway line, comprises some c.3.8 hectares of land formerly occupied by Thames Board Mill buildings. The remainder of the application site consists of a vehicular access across the railway line and the existing estate road which links to London Road. The ‘main’ site was cleared of former buildings and structures in the early 2000’s, although hardstandings and the foundations of now removed tanks remain on-site. The site has been partly colonised by scrub vegetation since removal of the buildings. A small pump house structure remains in the south-west corner of the ‘main’ site.
- 2.2 To the south of the site is the flood defence wall adjacent to the River Thames. Public footpath no. 141 runs parallel to the site’s southern boundary. On the southern side of the flood defence is an unused concrete jetty associated with the former use of the site by Thames Board Mills. To the west of the ‘main’ site is the vacant ‘Cory’s Wharf’ site which is within the Council’s ownership. The northern boundary of the ‘main’ site is formed by the railway line. A remnant bridge across the railway lines linking former factory buildings remains in place. On the northern side of the railway lines in the International Timber site, owned by Saint Gobain Ltd. To the east of the site is the Purfleet Fuels Terminal site. As a large scale petrol storage site this terminal is subject to Health and Safety Executive guidance applying to hazardous installations. The majority of the ‘main’ site is within the Development Proximity Zone, which is an area extending to 150m from the boundary of the petrol storage tank bunds. The remainder of the ‘main’ site is within the ‘Inner’ HSE consultation zone, with that part of the application site forming the access road (north of the railway lines) located in the ‘middle’ and ‘outer’ zones.
- 2.3 The site consists of a flat and low-lying parcel of land generally between 1.3m and 2.6m AOD. The site and surrounding land to the east and west is within the high risk flood zone (Zone 3a).

3.0 RELEVANT HISTORY

Reference	Description	Decision
63/00066/FUL	Pipeline	Approved
96/00606/FUL	Erection of new machine house, warehouse and electricity sub-station	No decision
99/00503/FUL	Alterations and extensions to effluent treatment plant	Approved
05/00001/OUT	Re-development for a mix of uses including residential (C3), community	Approved

	uses (including some or all of uses A1/A2/A3/D1/D2) and employment uses(B1/B2/B8) with public open space, enhanced riverside walkway, bridge over railway, landscaping, associated new highway and pedestrian/cycleway access into and within site and associated works.	
11/50401/TTGOUT	Demolition of existing buildings; site preparation; redevelopment of the application site for a mix of uses including; Residential (up to 3,000 units); Retail Floorspace - Use Class A1, Financial & Professional Services Floorspace - Use Class A2, Food & Drink Facilities - Use Classes A3, A4 & A5 (6,900sqm); Employment & Business Uses - Use Classes B1, B2 & B8 (31,000sqm); Hotel - Use Class C1 (3,300sqm); Community, School & Civic Facilities - Use Class D1 and Leisure Uses - Use Class D2 (6,500sqm); Car Parking Spaces; Relocation of Existing Station Ticket Hall; Public & Private Open Space and Landscaping, Highways, Access, Engineering and Associated Works	Approved
14/00798/SCR	Environmental Impact Assessment Regulations Screening 2011 surface car storage at the former Paper Mill site adjacent to the Purfleet Thames Terminal. (Referred to as Site 3 - 3.7ha former Paper Mill Site)	EIA required

- 3.1 Historical Ordnance Survey mapping dating from the 1890's shows that at this time the site was partly occupied with the original Thames Paper Mills site buildings. A small terrace of residential properties was also located in the north-eastern corner of the current site. Further Mill buildings were added in later years, principally to the north of the site. By the 1920's further Thames Paper Mills buildings had been added on the site, along with tanks and railway sidings. Mapping from the 1930's show that a jetty had been added to the river frontage of the site, with further extensions to the Board Mills buildings. By the 1960's buildings and structures covered the majority of the site.
- 3.2 Aerial photographs of the site from 1999 show that by that date former Paper Mills buildings had been removed, although tanks and plant remained. Aerial

photographs dating from 2004 show the site cleared of all buildings and structures, although concrete slabs remain.

- 3.3 The current application site formed part of the wider planning application site of the 'Purfleet Centre' regeneration proposals, referred to under reference 11/50401/TTGOUT in the table above.

4.0 CONSULTATIONS AND REPRESENTATIONS

- 4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's web-site at: www.thurrock.gov.uk/planning/15/00268/FUL.

4.2 PUBLICITY:

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

- 4.3 Neighbour consultation letters have been sent to 121 surrounding properties. Two letters of objection has been received raising the following concerns:

- additional traffic;
- traffic congestion;
- impact on residential occupiers;
- increased noise;
- air pollution;
- disturbance and pollution during construction;
- light pollution;
- prejudicial to Purfleet Centre regeneration proposals; and
- impact of 24-hour operation.

- 4.4 The following consultation replies have been received:

4.5 BUGLIFE:

The site was ear-marked for ecological mitigation as part of the Purfleet Centre masterplan application (ref. 11/50401/TTGOUT). It is hard to imagine where such an extensive area of habitat could be created elsewhere in the local area which would sufficiently deliver for biodiversity. Currently, the habitat itself on the application site is of relatively low value for invertebrates, hence it being appropriate for the creation of new brownfield habitat in the Purfleet Centre application. In this respect Buglife would have no objection to the development in itself. However, it is

important that this application is considered within the context of the wider Purfleet regeneration plan in the Purfleet Centre application and that the previous commitment for the large mitigation area is adhered to.

4.6 HIGHWAYS ENGLAND:

No objection.

4.7 ENVIRONMENT AGENCY:

No objection, subject to planning conditions.

4.8 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objection.

4.9 ESSEX & SUFFOLK WATER:

No objection.

4.10 HEALTH & SAFETY EXECUTIVE / PADHI:

No objection.

4.12 NATURAL ENGLAND:

No comments.

4.13 NETWORK RAIL:

No objection. General advice given.

4.14 PORT OF LONDON AUTHORITY:

No objection.

4.15 PURFLEET CENTRE REGENERATION LTD:

Object to the application on the basis that the redevelopment proposals and could jeopardise completion of the land assembly process; and the success of the regeneration scheme.

4.16 PURFLEET VILLAGE FORUM:

Express concerns regarding light spillage, increased noise, traffic congestion; limited employment generation; potential loss of land within the Purfleet Centre regeneration proposals

4.17 EMERGENCY PLANNING OFFICER:

No objection, subject to provision of a flood warning and evacuation plan.

4.18 ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

4.18 FLOOD RISK MANAGER:

No objection, subject to planning conditions.

4.20 HIGHWAYS:

No objections, subject to planning conditions.

4.21 LANDSCAPE & ECOLOGY:

No objection, subject to condition.

4.22 PUBLIC FOOTPATHS:

No objections.

4.23 REGENERATION:

Object to the application on the basis that the operation would not be compatible with the wider regeneration scheme for the area which may undermine confidence in and delivery of the wider regeneration of the locality.

4.24 TRAVEL PLAN CO-ORDINATOR:

If the proposal is considered as part of the wider Port site then a Travel Plan would be required.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase

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

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

1. Building a strong, competitive economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment.

5.2 Planning Practice Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application comprise:

- Air quality
- Climate change
- Design
- Determining a planning application
- Environmental Impact Assessment
- Flood risk and coastal change
- Land affected by contamination
- Light pollution
- Natural environment
- Noise
- Open space, sport and recreation facilities, public rights of way and local green space
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site located within a wider area designated as ‘Land for New Development in Primary Industrial and Commercial Areas’. Policies CSSP2 and CSTP6 apply to these areas. Policy CSSP2 (Sustainable Employment Growth) states that, inter-alia, the Council will promote and support economic development in the Key Strategic Economic Hubs (including Purfleet) that seeks to expand upon their existing core sectors and / or provide opportunities in the growth sectors. The core sectors for the Purfleet Hub comprise storage, warehousing and freight transport. Policy CSTP6 (Strategic Employment Provision) states that, inter-alia, The Council will safeguard existing Primary and Secondary Industrial and Commercial land and premises in, or last used for employment purposes, where it is required to maintain a sufficient supply of employment land in the Plan period. In addition, the Primary and Secondary Industrial and Commercial areas will be reserved for employment generating uses falling within Class B1, B2, and B8 and sui generis uses.

The following Core Strategy policies also apply to the proposals:

SPATIAL POLICIES

- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock¹

THEMATIC POLICIES

- CSTP14: Transport in the Thurrock Urban Area: Purfleet to Tilbury³
- CSTP16: National and Regional Transport Networks³
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP22: Thurrock Design
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27: Management and Reduction of Flood Risk²
- CSTP28: River Thames²

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD7: Biodiversity, Geological Conservation and Development²
- PMD8: Parking Standards³
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans²
- PMD11: Freight Movement
- PMD15: Flood Risk Assessment²
- PMD16: Developer Contributions²

[Footnote: ¹New Policy inserted by the Focused Review of the LDF Core Strategy. ²Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. ³Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

5.4 Focused Review of the LDF Core Strategy (2014)

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

5.5 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The eastern part of the application site is allocated as a ‘Reasonable alternative site option for Primary Employment Land’ within both of these draft documents (ref. E2RAf). The western part of the application site, comprising the foundations of the former tanks, has no allocation. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

5.6 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. The Council recently undertook consultation on the Local Plan Issues and Options (Stage 1).

6.0 ASSESSMENT

6.1 Procedure:

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

- Introduction
- Site description and proposed development
- Environmental issues and methodology
- Hydrology and flood risk
- Natural heritage.

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

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

6.4 There are essentially 8 main issues relating to the consideration and determination of this application:

- I. Development Plan allocation, principle of development and implication of adjoining land uses;
- II. Traffic impact, access, car parking and other transport issues
- III. Urban design, townscape and visual impacts;
- IV. Flood risk, drainage, water quality and water resources;
- V. Ground conditions, contamination and remediation;

- VI. Noise and air quality;
- VII. Effects on ecology and nature conservation; and
- XIII. Impact of the proposals on the Purfleet Centre redevelopment scheme.

I. DEVELOPMENT PLAN ALLOCATION, THE PRINCIPLE OF DEVELOPMENT AND THE IMPLICATION OF ADJOINING LAND USES

- 6.5 The site is located within Purfleet, one of the five 'Key Areas of Regeneration and Growth Locations' identified in the LDF Core Strategy. The "Thurrock Spatial Vision for 2026", as set out within Chapter 3 of the Core Strategy (titled 'The Future of Thurrock') states that regeneration at Purfleet *"will be founded on the development of a mix of dwellings, employment and community facilities focused around a new centre adjoining the railway station and riverside."*
- 6.6 The LDF-CS Interim Adopted Proposals Map allocates the site as 'Land for New Development in Primary Industrial and Commercial Areas' where policies CSSP2 and CSTP6 apply. Policy CSSP2 (Sustainable Employment Growth) also defines Purfleet as a 'Key Strategic Employment Hub' where the Council will *"promote and support economic development ... that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors ... The Key Strategic Economic Hubs will deliver the ... target of 26,000 new jobs for Thurrock over the period 2001-2026 and beyond."* The "core sectors" of the Purfleet Key Strategic Employment Hub are described by Policy CSSP2 as storage, warehousing and freight transport. The proposed open car storage use is defined as a Class B8 use and falls within the established 'Core Sector' of employment uses for Purfleet and accords with the types of employment uses appropriate within such areas. The proposal would assist in delivering the jobs growth envisaged by Policy CSSP2 (Sustainable Employment Growth).
- 6.7 Core Strategy Thematic Policy CSTP6 (Strategic Employment Provision) specifically addresses the Borough's Primary and Secondary Industrial and Commercial Areas. Part 2 (I.) of this policy states that *"The Council will safeguard existing Primary and Secondary Industrial and Commercial land and premises in, or last used for employment purposes, where it is required to maintain a sufficient supply of employment land in the Plan period"*. Part 2(III.) of the Policy goes on to state that: *"the Primary and Secondary Industrial and Commercial areas will be reserved for employment generating uses falling within Class B1, B2, and B8 and sui generis uses"*. As noted above, the application site is allocated as 'Land for New Development in Primary Industrial and Commercial Areas' on the Adopted Interim Proposals Map accompanying the LDF Core Strategy. As a Class B8 use, the proposed vehicle storage use is considered to be consistent with the objective of Policy CSTP6.
- 6.8 Following adoption of the Core Strategy in 2011, the Council undertook two rounds of public consultation (2012 and 2013) on the draft Site Specific Allocations and Policies Development Plan Document (DPD). Both of these consultations identified

the eastern part of the application site, excluding the remaining tank bases, as a 'Reasonable alternative site option for Primary Employment Land'. Both consultations recognised the potential for residential-led mixed use development within the centre of Purfleet. However, the DPD's did not allocate any of the application site for mixed use development. Similarly, both draft DPD's also allocated land to the west and north-west of the site as preferred housing sites without permission, although no part of the application site was allocated for residential purposes. Further work to progress the Site Specific Allocations and Policies DPD was suspended in 2014.

- 6.9 Since the adoption of the LDF Core Strategy in 2011 and the two Site Specific Allocations and Policies DPD consultations, outline planning permission has been granted for a substantial residential-led, mixed use development, known as Purfleet Centre. The application site for this outline permission includes the current application site. The current proposals will potentially impact on the approved and emerging Purfleet Centre proposals and these implications are considered later in this report.
- 6.10 However, at a 'prima facie' level the current proposals are considered to be consistent with the requirements and objectives of adopted Core Strategy policies CSSP2 and CSTP6.
- 6.11 Paragraph 2.2 of this report notes that the application site is located partly within the Development Proximity Zone (DPZ) and the Inner, Middle and Outer consultation zones drawn around the Purfleet Fuels Terminal, where permissions allow for hazardous substances to be stored in bulk. The Health and Safety Executive, as the relevant authority for hazardous sites, has directed local planning authorities to utilise their 'PADHI' consultation system. The PADHI system has been used for those parts of the site located within the Inner, Middle and Outer consultations zones and, having regard to the nature of the development and the, the PADHI+ system generated the following response "*HSE does not advise, on safety grounds, against the granting of planning permission in this case*".
- 6.12 As part of the application site is within the DPZ (drawn to include all land within 150m of the petrol storage tank bunds) the PADHI consultation system does not apply. Instead, the HSE has published a document titled "Land Use Planning Advice Around Large Scale Petrol Storage Sites". This document assigns sensitivity levels for development proposals within the DPZ and it is only those developments which are "not normally occupied" which will attract a "*does not advise against*" response from the HSE. Not normally occupied development has been defined by the HSE as comprising parking areas (limited to 500 cars), storage facilities (including outdoor storage) and minor transport links. It is considered that the proposals would fall within the definition of (not normally occupied) storage facilities, in which case it is unlikely that the HSE would advise against the grant of planning permission. In any case the HSE has been consulted directly and has confirmed that they "*do not advise, on safety grounds, against the granting of*

planning permission in this case. This advice is based on the development involving the use of the land within the DPZ of the Esso Petroleum Company Ltd site for the large-scale temporary storage of vehicles. The gatehouse facility will be located outside the DPZ and due to the pattern of use of the site any individual will be subject to a limited exposure to risk for short periods of time.”

II. TRAFFIC IMPACT, ACCESS, CAR PARKING AND OTHER TRANSPORT ISSUES

- 6.13 Section 9 of the NPPF relates to promoting sustainable transport and Paragraph 32 states that plans and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.14 Impact upon the Strategic Road Network
Adopted LDF Core Strategy Policy CSTP16 (National and Regional Transport Networks) seeks to deliver improvements to national and regional transport networks to ensure growth does not result in routes being over capacity.
- 6.15 The Transport Assessment (TA) accompanying the application assesses the impact of the development on Junction 31 of the M25. It is relevant that the TA is a consolidated document which assesses the cumulative impact of the current application and the applications referred to at paragraph 1.10 of this report. The TA concludes that Junction 31 would continue to operate within capacity within the morning peak. Traffic associated with the evening peak has a small negative impact on the performance of the approach links. The circulatory carriageway is predicted to operate within capacity. Highways England has been consulted and raises no objection. It is therefore concluded that the proposals would have no severe impacts on the operation of the strategic road network.
- 6.16 Local road network and infrastructure
Adopted Core Strategy Policy PMD9 (Road Network Hierarchy) stipulates where the Council will permit new accesses or the increased use of existing accesses having regard to a road network hierarchy. Part 1 of this Policy contains criteria applying to routes at all levels. That section of London Road west of the Stonehouse Corner roundabout is a Level 2 ‘Urban and Rural Roads / Streets’ as defined by Appendix 6 of the Core Strategy. Therefore the relevant criteria of part 1 of PMD9 are considered in further detail below.

- i. there is no possibility of safe access taken from an existing or proposed lower category road*
- ii. the design of the development minimises the number of accesses required.*

6.17 Access is proposed from the existing junction of the International Timber site with London Road. The application site has a Core Strategy designation for industrial and commercial use. Therefore, It is considered that there cannot be an in principle objection to the use of the existing access, however, it is relevant to consider the impact of any additional traffic.

- iii. The development makes a positive contribution to road safety or road safety is not prejudiced.*
- v. The development avoids causing congestion as measured by link and junction capacities.*

6.18 The TA (p75) advises that the main Terminal Access junction will operate within capacity during peak periods with the development traffic. With regards to the Stonehouse Corner roundabout, the TA concludes that the addition of proposed development traffic would have a negligible impact on the future operation of the junction when compared to the 'without development' scenario (p71). With regard to the A1306 / Meads Corner Roundabout, the TA concludes that the addition of proposed development traffic would have no material impact on the future operation of the junction when compared to the 'without development' scenario (p72). The Council's Highway Team notes that as this junction is nearing capacity on the Botany Way arm, any intensification of use on this arm should be avoided. With reference to the London Road / PTT access, the TA concludes that the addition of proposed development traffic the junction will operate within capacity during the peak periods (p75).

6.19 The TA also considers the impact on the London Road / PTT junction and the impact on the southbound approach to the level crossing. The TA concludes that queuing may be up to 171m in length (including a 25% sensitivity allowance) which is within the existing 231m stacking capacity along the access road. While the Council's Highway Team do not agree with this element of the assessment (citing the frequent incidences whereby HGV's queue out onto London Road when the railway level crossing is closed and when abnormal loads move along the internal service road and the potential for this to be exacerbated by the additional traffic impact from the development including the additional 'shunt-back' trips) they are nevertheless content that the impact on the extent of the queues from the proposals would be adequately mitigated by the additional internal HGV stacking lane proposed along part of the existing terminal entrance.

- iv. The development preserves or enhances the quality of the street scene.*

6.20 The application site is located some distance from the public highway at London Road and consequently does not impact upon the street scene.

vi. Measures are taken to mitigate all adverse air quality impacts in or adjacent to Air Quality Management Areas.

vii. The development will minimise adverse impacts on the quality of life of local residents, such as noise, air pollution, and the general street environment.

6.21 Section VI of this report considers air quality and noise. Whilst the Council's Highways Team are concerned regarding queuing traffic and the implications for the AQMA, the Council's Environmental Health Team raise no objections in relation to air quality.

viii. The development will make a positive contribution to accessibility by sustainable transport.

6.22 In addition to the above Policy PMD9 requirement, Part (v) of Core Strategy Policy CSTP14 (Transport in the Thurrock Urban Area) seek to ensure new development promotes high levels of accessibility by sustainable transport modes. London Road to the north of the application site is served by the no. 44 bus service and the site is less than 0.8km walking distance from Purfleet Train Station. It is considered therefore that the proposal accords with criteria viii of Policy PMD9 and Part (v) of Core Strategy Policy CSTP14.

6.23 Part (vi) of Core Strategy Policy CSTP14 (Transport in the Thurrock Urban Area) seek to Employ Smarter Choices measures to change travel behaviour. However, the nature of the development does not trigger the requirement for a Travel Plan.

6.24 Core Strategy Policy PMD8 (Parking Standards) states that "*Development will be required to facilitate more equitable access and sustainable transport modes through the provision of at least the minimum levels of parking, as specified in the Thurrock Parking Standards Guidance*". The development comprises parking areas which can meet the needs of staff and as such the proposal complies with draft Thurrock Parking Standards and Policy PMD8.

6.25 In light of the above analysis and the consultation comments received from the Councils Highway Team, it is considered that the proposal would not be contrary to Policy PMD9, subject to conditions requiring the provision of the internal stack road on the PTT access road and an operational HGV routing strategy.

6.26 III. URBAN DESIGN, TOWNSCAPE AND VISUAL IMPACTS

Good design is important for all types of development in all locations and is important in delivering sustainable development. The encouragement of good design is included in NPPF, including Section 7 'Requiring good design'. With regard to the adopted Development Plan, Core Strategy Policies CSTP22

(Thurrock Design) and PMD2 (Design and Layout) are also relevant. In particular, Thematic Policy CSTP22 promotes high quality design in Thurrock and opportunities to improve the quality of the environment throughout the Borough and particularly in the Regeneration Areas and Key Strategic Employment Hubs. Policy PMD2 requires all design proposals to respond to the sensitivity of the site and its surroundings, to optimise the potential of the site to accommodate development, to fully investigate the magnitude of change that would result from the proposals, and mitigate against negative impacts. Under the heading of “character” PMD2 requires development to contribute positively to the character of the area in which it is proposed, and to surrounding areas that may be affected by it. Development should seek to contribute positively to local views, townscape, heritage assets and natural features, and contribute to the creation of a positive sense of place.

- 6.27 The ‘main’ part of the application site is located south of the railway lines and approximately 275m south of London Road. Until recently substantial factory buildings associated with the former Board Mills site were located north of the railway line and these buildings would have screened the application site from London Road. However, the former factory was demolished in 2012. As seen from the street-level of the pavement on the northern side of London Road, existing tree and shrub planting along the northern boundary of the International Timber site partially screens views towards the application site. As ground levels rise north of London Road, views of the site from the upper storey windows of dwellings in Consiton Avenue and adjoining roads are possible. However, these views are at a minimum distance of approximately 290m. Areas of the former factory buildings are currently being used for open storage of timber products, which is generally compatible with the lawful commercial use of the land.
- 6.28 In terms of the wider landscape and visual impact of the development, the proposed floodlighting columns (at a height of some 15.2m above ground level) and the associated night time illumination would increase the visual prominence of the site. The application site is currently unlit. However, the site is seen in the context of the other industrial structures and major infrastructure in this location. In particular, the car park at the north-east of the International Timber site is floodlit, as is the Esso Fuels Terminal site and the PTT site further east. The existing commercial areas south of London Road are illuminated during the hours of darkness and it would be reasonable to expect the application site to be illuminated for both operational and health and safety reasons. Subject to a planning condition to minimise the impact of glare and overspill lighting, no objections are raised to the proposed external lighting.
- 6.29 Comments received from the Council’s Landscape and Ecology advisor note that the scheme would not have any adverse landscape or visual impacts on the local area, despite the scale of the development. In light of these comments and the analysis above, it is considered that the proposal conforms with Core Strategy Policy CSTP22 and the relevant criteria of Policy PMD2.

IV. FLOOD RISK, DRAINAGE, WATER QUALITY AND WATER RESOURCES

- 6.30 With reference to the issue of flood risk, Part 10 of the NPPF (Meeting the challenge of climate change, flooding and coastal change) is relevant, as are the Core Strategy policies CSTP25 (Addressing climate change), CSTP27 (Management and Reduction of Floor Risk), CSTP28 (River Thames), PMD2 (Design and layout) and PMD15 (Flood Risk Assessment). The application is accompanied by a Flood Risk Assessment.
- 6.31 The site is located within the high risk flood zone (Zone 3a), comprising land assessed as having a 1 in 100 or greater annual probability of river flooding, in this instance from the River Thames. The flood zone classification refers to the probability of river flooding, ignoring the presence of existing tidal defences. In this case the site benefits from the Thames flood defences, which protect to the 1 in 1,000 year standard, the risk from flooding is therefore residual.
- 6.32 The Flood Risk Vulnerability Classification for this type of development (with reference to Planning Practice Guidance, is considered to be 'less vulnerable'. The definition of 'less vulnerable' includes "*buildings used for ... storage and distribution*". Although the application proposes open storage, the 'less vulnerable' classification is the nearest 'fit' to the Planning Practice Guide definition. The Flood Risk Vulnerability and Flood Zone Compatibility table (Table 3 of Planning Practice Guidance) states that 'less vulnerable' development is appropriate in Flood Zone 3a. However, the application is required, to pass the Sequential Test and to be accompanied by a site-specific Flood Risk Assessment.
- 6.33 The primary aim of the Sequential Test is to ensure that flood risk is taken into account at all stages in the planning process in order to avoid inappropriate development in areas at risk of flooding, and wherever possible, to direct development towards areas at least risk of flooding. Paragraph 101 of the NPPF states that "*Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test*". The Adopted Core Strategy was supported by technical evidence, including a Level 1 and 2 Strategic Flood Risk Assessment.
- 6.34 Core Strategy policies CSSP1 to CSSP5 identify the 5 Broad Areas for Regeneration within the Borough, these have all been subject to the Sequential Test. The application site lies within Purfleet, one of the 5 Regeneration Areas and a Key Strategic Employment Hub. Following the application of the Sequential Test, the adopted Core Strategy accepts that it is not possible, consistent with wider sustainability objectives, for the all new employment allocations to be located in zones with a lower probability of flooding. The adopted Core Strategy Interim Proposals Map allocates the application site as 'Land for New Development in Primary Industrial and Commercial Areas'. In light of the above, it is considered

that the Sequential Test has been applied at a strategic level and the development plan allocation supports the proposed use of the site.

- 6.35 It is not possible, consistent with wider sustainability objectives, for the totality of employment development in the Purfleet area to be located in zones with a lower probability of flooding. In this instance, there are sustainability benefits of locating the site in close proximity to the facility for which it will serve, i.e. PTT. Other sites within the regeneration area would not be reasonably available for this purpose. In light of this, the Sequential Test is considered to be passed.
- 6.36 The proposal falls within the 'Less Vulnerable' category as defined by Planning Practice Guidance whereby such uses are appropriate in Flood Zone 3a and as such the proposal does not need to pass the Exception Test.
- 6.37 In terms of 'residual risk', such risk would relate to a breach arising from the failure of the Thames flood defences (albeit the probability of inundation is low given the existence and condition of the flood defences). Nevertheless, there is a residual risk that must be managed. It is considered that it would be appropriate to secure a Flood Warning and Evacuation Plan (FWEP) to address the residual risk.
- 6.38 Regarding surface water drainage, the applicant proposes a new pump installation at the site's south-western corner to discharge surface water over the tidal wall and into the River Thames. The installation would accommodate flows up to the 1 in 100 year rainfall event (with climate change). The Council's Flood Risk Manager raises no object to the proposals, subject to a planning condition. The Environment Agency (EA) raises no objection to the application, subject to planning conditions to safeguard the integrity of the tidal defences.

V. GROUND CONDITIONS, CONTAMINATION AND REMEDIATION

- 6.40 Paragraph 109 of the NPPF states that *"the planning system should contribute to and enhance the natural and local environment by (inter-alia) preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability"*. Adopted Core Strategy Policy PMD1 (Minimising pollution and impacts on amenity) is also relevant.
- 6.41 The initial consultation response received from the EA noted that the site is located above a principal and secondary aquifer, as well as above a Water Framework Directive groundwater body and drinking water protection area. The site is therefore of a high sensitivity and could present potential pollutant linkages to controlled waters. The EA has removed their original holding objection, subject to any planning permission being subject to suitable planning conditions to address groundwater contamination.

- 6.42 The Council's Environmental Health Officer (EHO) advises that the site may contain potential contamination hot spots. The applicant had advised that ground investigation and remediation measures would be put in place prior to works commencing. Whilst no details of the investigation and remediation strategy have been submitted, it is considered that such matters can be adequately controlled by planning condition.

VI. NOISE AND AIR QUALITY

- 6.43 Adopted Core Strategy Policy PMD1 (Minimising pollution and impacts on amenity) is relevant and states that developments will not be permitted where they would cause or be likely to cause unacceptable effects on the amenities of the area and neighbouring occupiers or the amenity of future occupiers of the site. Policy PMD9 (Road Network Hierarchy) states that developments will only be permitted where measures have been taken to mitigate all adverse air quality impacts in or adjacent to AQMA's and where the development will minimise the impacts on the quality of life of local residents, such as noise, air pollution, and the general street environment.
- 6.44 There are three AQMA's located close to the application site: AQMA 7 – hotels next to the M25; AQMA 10 – London Road near to Jarrah Cottages; and AQMA 21 – hotel on Stonehouse Lane. These AQMA's are designated for the pollutants of NO₂ (Nitrogen Dioxide) and PM₁₀ (Particulate Matter).
- 6.45 As part of the EIA Screening process before submission of the planning application, the EHO advised that for the London Road AQMA (located closest to the application site) *"the level of change will be imperceptible and insignificant in terms of air quality"*. In terms of the submitted application, the EHO advises that, based on the modelling within the ES, *"there will be insignificant impact on existing air quality."* In light of the above, it is considered that the proposal would have a minimal impact on air quality and as such would not be contrary to Core Strategy Policy PMD9.
- 6.46 With regard to the potential impact of noise, the EHO consider that a restriction is required in order to limit construction activity to reasonable hours. This matter can be addressed by a planning condition attached to any grant of planning permission. During the operation of the development the applicant's modelling concludes that the existing noise environment will not be significantly affected by the proposals. The EHO agrees with this conclusion. The site is clearly located within an industrial area, with other commercial uses, major roads and railways in close proximity. Background noise levels are relatively high and strongly influenced by surrounding uses and transport infrastructure. The proposed operation is unlikely to be audible beyond the site boundaries at any time and is sited well away from the nearest residential receptors at London Road. Consequently it is considered that, subject to planning condition, the proposals would not cause unacceptable impacts on the

amenities of sensitive receptors and as such accords with the relevant criteria of Core Strategy Policy PMD1.

VII. EFFECTS ON ECOLOGY AND NATURE CONSERVATION

6.47 Both chapter 11 of the NPPF (Conserving and enhancing the natural environment' Core Strategy Policies CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) are relevant to the proposals.

6.48 The application site does not form part of any site designated on either a statutory or non-statutory basis for nature conservation interest. The closest statutory designations to the site are:

- Inner Thames Marshes SSSI – 1.3km to the north-west of the site and of importance for breeding birds, overwintering wildfowl, plants and invertebrates;
- Purfleet Chalk Pits SSSI – 0.6km to the north of the site and designated for its geological importance; and
- West Thurrock Lagoon and Marshes SSSI – 1.5km to the south of the site and of importance for overwintering birds.

The consultation response received from Natural England (in expressing no comments) notes that “the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes”. There is no need to consider potential impact on statutory sites any further.

6.49 A preliminary ecological appraisal accompanies the submitted planning application and the ES includes an assessment on nature conservation interests. As noted above, the site formerly comprised part of the part of the Thames Board Mills factory site and was largely covered by buildings and hardstandings. The western part of the site was more recently used for water treatment. However, all buildings and water treatment tanks have been removed (above ground level) although hardstandings and the tank bases remain. The habitats on-site therefore comprise the solid concrete tank bases and a mixture of hardstandings and crushed concrete. This habitat supports a low diversity of planting species (which are colonising the site), principally comprising buddleja (butterfly bush). The ES classifies the on-site habitat as an impoverished version of the Open Mosaic Habitats on Previously Developed Land (OMHPDL). This habitat is of “principal importance”. However, the site would need time and lack of intervention in order to fully develop into this habitat. Existing conditions on-site do not meet the ‘specification’ for the description of OMHPDL

6.50 With reference to protected or notable fauna species, the site has low or negligible potential to support bats, badgers, great crested newts and water voles. Nevertheless, the site has limited potential to sustain breeding birds which are assessed as a receptor of low sensitivity and local value. As reptiles have been

encountered close to the site, reptiles are also assessed as a receptor of low sensitivity and of local value. Conditions present on-site are suitable for use by invertebrates and the ES acknowledges the significance of the wider Thames 'corridor' for invertebrate species. Invertebrates are therefore assessed as a receptor of low to medium sensitivity and district value.

- 6.51 The construction of the proposed development will result in the loss of breeding bird and invertebrate habitats on-site. Therefore mitigation of this impact is proposed in the form of a 'green zone' landscaped buffer adjacent to the western boundary of the site. This area will provide a small area of species rich open mosaic habitat, with a hedgerow of native shrub and tree planting.
- 6.52 The response from the Council's ecology advisor concludes that the site has limited ecological value although it might support nesting birds and provide some foraging for invertebrates. If planning permission is granted a landscape condition is sought which requires a detailed landscape scheme be submitted and approved prior to the commencement of development, this should include details of the habitat creation measures.
- 6.53 Subject to planning condition, there are no objections to the proposals on ecological or nature conservation grounds
- 6.54 XIII. IMPACT OF THE PROPOSALS ON THE PURFLEET CENTRE REDEVELOPMENT SCHEME

Outline planning permission, with all matters reserved, for the Purfleet Centre redevelopment was granted by the Council in May 2013 (ref. 11/50401/TTGOUT). The full description of development for this outline planning permission was:

"Demolition of existing buildings; site preparation; redevelopment of the application site for a mix of uses including; residential (up to 3,000 units); retail floorspace - Use Class A1, financial & professional services floorspace - Use Class A2, food & drink facilities - Use Classes A3, A4 & A5 (6,900sq.m.); employment & business uses - Use Classes B1, B2 & B8 (31,000sq.m.); hotel - Use Class C1 (3,300sq.m.); community, school & civic facilities - Use Class D1 and leisure uses - Use Class D2 (6,500sq.m.); car parking spaces; relocation of existing station ticket hall; public & private open space and landscaping, highways, access, engineering and associated works."

- 6.55 The planning application was originally submitted in October 2011 to the former Thurrock Thames Gateway Development Corporation (TTGDC), who performed a function as the local planning authority for strategic planning applications until 31st March 2012. At the time when the application was submitted TTGDC was also the applicant. The Order transferring the roles and responsibilities of the TTGDC to the Council from 1st April 2012 provided the Council with, inter-alia:

- freehold ownership of all TTGDC land assets and liabilities within the application site, totalling approximately 29 hectares of brownfield land; and
- applicant status for the Purfleet Centre outline planning application.

6.56 The Council has therefore inherited the benefit of the outline planning permission and controls, as landowner, some 50% of the land subject to the Purfleet Centre planning permission. The current application site and the adjoining International Timber site to the north are at the south-eastern corner of the Purfleet Centre site, as shown on the site boundary of 11/50401/TTGOUT. However, both the current application site and the International Timber sites are not in the Council's ownership.

6.57 In March 2014, following the conclusion of a competitive procurement exercise, Cabinet approved the appointment of Purfleet Centre Regeneration Limited (PCRL) as the Council's development partner which would ultimately take on responsibility for delivering the project. PCRL's formal submission included a high level masterplan which set out a vision for Purfleet Centre. The proposal took elements of the Council's original scheme and augmented them to propose a development featuring:

- a film, television and media studio complex;
- approximately 2,300 new homes set around a new town centre;
- a new primary school;
- a redeveloped station; and
- local facilities including a supermarket, community hall, health centre, retail units and spaces for cafés/bars.

6.58 PCRL and the Council have progressed towards completing a Development Agreement between the two parties and it is understood that this Agreement is now complete. An update report for the scheme, presented to Cabinet in October 2015, noted that a funding partner (London and Quadrant Housing Trust) had been identified by PCRL and, following an extended due diligence process, terms had been agreed (subject to Board/Cabinet approvals) which will secure the funds necessary to secure the delivery of the first phase of the project. The Cabinet report also noted that, following completion of the Development Agreement a period of around 12 months will be required *"to develop the detailed masterplan, new outline application for the whole scheme and reserved matters application for the first phase of the development."* The current estimate is that a hybrid planning application, comprising outline proposals for the entire site and detailed proposals for the first stage or phase, could be submitted by the end of 2016.

6.59 It is clear that the development parameters established by the outline planning permission (11/50401/TTGOUT) have been, at least in part, superseded by the emerging masterplan. It is therefore extremely unlikely that the Purfleet Centre development will be built-out via the current outline permission.

6.60 The outline planning permission included a number of illustrative “for information only” plans. An “ illustrative masterplan” drawing allocated the current application site partly as a proposed drainage retention pond and partly as a proposed natural landscape habitat with restricted access – the restriction on access reflecting the proximity to the HSE consultation distances drawn around the Esso Purfleet Terminal site. Land to the north of the railway line (the International Timber site) was illustratively allocated for employment uses and car parking by the outline permission. Land to the west of the current ‘main’ site was illustratively allocated as a riverside park. An illustrative phasing drawing accompanying the outline planning permission also suggested development of the current application site would be the last of 4 phases of development.

6.61 By way of background, the consideration of ecological interests, and particularly invertebrates, formed an important part of the outline planning application. Survey work to accompany the 2011 application recorded important invertebrates interests present within parts of Botany Quarry and Cory’s Wharf. As important habitats for invertebrates were shown to be lost by the outline planning application proposals, new compensatory habitat was proposed. This new habitat included a new ‘Riverside Park’ which includes the eastern part of Cory’s Wharf and the current ‘main’ application site. With reference to the outline planning permission, the effect of the current proposals would be to remove part of the compensatory habitat and to remove an area for surface water attenuation. However, as noted above, it is considered extremely unlikely that Purfleet Centre will be developed pursuant to the extant outline permission.

6.62 Any new outline planning permission submitted by PCRL will need to:

- establish the area of the application site – it cannot be confirmed at this stage that the red line boundary of any new application will correspond with the boundary of the extant planning permission;
- formulate development parameters and establish what mitigation and / or compensation is required for drainage and ecology;
- revisit the ecological surveys submitted with 11/50401/TTGOUT through the Environmental Impact Assessment process.

Until the new application is submitted and assessed, it cannot be assumed that the land which forms the current application site will be required for mitigation or compensation purposes.

6.63 The ownership of the current site is also relevant. Currently, a substantial amount of the land required to deliver the Purfleet Centre redevelopment is not within the control of either the Council or PCRL, including the current application site. This land must first be acquired. As the current applicant submits, it is not the proposed car storage use that would prevent redevelopment of Purfleet Centre, rather it is the absence of control over the land.

6.64 The current applicant's position is that the proposed car storage use:

“need not prevent the implementation of the proposed mitigation for the approved Purfleet Centre project, and would indeed provide a beneficial use for the land until it is needed by the Purfleet Centre project and the necessary site acquisition has taken place ... Should the site be acquired, the development partner and/or Council can implement their scheme and replace the vehicle storage use with the planned ecological and drainage mitigation measures; or indeed with any other uses or variation of uses that are subsequently decided (subject to planning permission). It should also be noted that the proposals do not involve significant changes to the site, such as the erection of large buildings or structures, merely the reinstatement of a surface that is suitable for vehicle storage, plus ancillary fencing, gatehouse and lighting ... the small gatehouse feature will be easily removed, being a pre-fabricated structure brought onto the site in one piece. The lighting columns, pumps and outlet pipes will also be designed to be removable ... Against this background, should the site be acquired by the developer or the Council in due course, the site conditions proposed will not be significantly different to those that currently exist and that were considered in the Purfleet Centre ES. Nor would they be a significant obstacle to the creation of the mitigation features required for the Purfleet Centre project.”

6.65 Despite the concerns raised by PCRL, the local Forum and the Regeneration Department (summarised above) it is considered that a planning objection to current proposals could not be justified. Officers have queried with the applicant whether a temporary planning permission would be appropriate, however the applicant is seeking a permanent planning permission. Advice within PPG notes that *“a condition limiting use to a temporary period only where the proposed development complies with the development plan ... will rarely pass the test of necessity”*. As noted earlier in this report, the proposed use is considered to be consistent with adopted Development Plan policy.

6.66 It is also necessary to consider the issue of prematurity, i.e. whether approval of the current application would prejudice emerging planning policy. Advice on this matter is provided within PPG as follows:

“... in the context of the NPPF and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) *the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of*

new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination ...”

6.67 In light of this Guidance it is considered that a refusal of planning permission cannot be justified on the grounds of prematurity.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION:

7.1 Having regard to the analysis contained in this report, the application shows adherence to a range of relevant development plan policies and is therefore recommended for approval.

7.2 In coming to its view on the proposed development the content of the ES submitted with the application has been taken into account as well as representations that have been submitted by third parties. The ES considers the potential impacts of the proposal on a range of receptors and sets out mitigation measures. Subject to appropriate mitigation which can be secured through planning conditions, the ES concludes that any impact arising from the construction and operation of the development would be within acceptable limits. Having taken into account representations received, it is considered that the proposed development is acceptable, subject to compliance with a number of planning conditions that are imposed upon the permission. Therefore, it is recommended that planning permission is granted, subject to the recommendation set out below.

8.0 RECOMMENDATION

8.1 Grant planning permission subject to the following conditions:

Time Limit

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

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

Accordance with plans

2. Unless required by virtue of a condition attached to this permission, the development hereby permitted shall be carried out in accordance with the

following approved plans:

NWPU-2014-PA-101-0	Planview Site Location Paper Mill Land
NWPU-2014-PA-102-0	Planview Paper Mill Land Existing Site
NWPU-2014-PA-103-0	Planview Paper Mill Land The Proposal
NWPU-2014-PA-104-0	Paper Mill Land Planview - Sections
NWPU-2014-PA-105-0	Paper Mill Land Sections - Details
NWPU-2014-PA-106-0	Paper Mill Land – Details Entrance / Exit Gate Checkpoint
Pcif141208-3-171156_papermillA.pdf – 08/12/14 1/3	Lighting Plan
Pcif141208-3-171156_papermillA.pdf – 08/12/14 2/3	Lighting Plan
Pcif141208-3-171156_papermillA.pdf – 08/12/14 3/3	Lighting Plan

REASON: To ensure that the development is implemented in accordance with the principles established by this permission.

HGV stacking lane

3. Prior to the commencement of development a scheme, as identified on drawing no. NWPU-2015-PM-101 (dated 16.04.15), to provide a HGV stacking lane for six HGV tractors and trailer units on the port access road shall be submitted to the local planning authority. Development shall not commence until such time as the details are agreed by the local planning authority together with a timescale for implementation. The approved scheme shall be implemented and remain in operation concurrently for the entire time the permitted use is in operation.

REASON: To ensure that vehicles entering the site do not queue onto the adopted highway when the level crossing is closed; in the interests of highway safety and efficiency in accordance with Policy PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Surface water management

4. No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i. a timetable for its implementation, and
 - ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the drainage system throughout its lifetime.

REASON: To ensure a satisfactory method of site surface water drainage, in accordance with paragraph 103 of the NPPF and to ensure that there will be no increased risk of flooding to other land/properties in accordance with Policies CSTP25, CSTP27, PMD1, PMD2 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Flood warning and evacuation plan

5. Prior to the first use or operation of the development a Flood Warning and Evacuation Plan (FWEP) for the development hereby permitted shall be submitted to, and approved in writing by, the local planning authority. The measures set out in the approved FWEP (including internal refuge facilities, signage, on-site flood warning system) shall be incorporated into the development and the approved FWEP shall be operational upon first use or occupation of the development and shall be permanently maintained thereafter.

REASON: In order to ensure that adequate flood warning and evacuation measures are available for all users of the building in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Construction and environment management plan (CEMP)

6. A Construction and Environment Management Plan (CEMP) shall be submitted to and approved by the local planning authority prior to commencement of the development hereby approved. Details within the CEMP shall include:
 - I. construction vehicle routing
 - II. construction access
 - III. areas for the loading and unloading of plant and materials
 - IV. wheel washing facilities
 - V. Flood Warning and Evacuation Plan for the construction phase
 - VI. measures to be in place for control and minimisation of fugitive dust and noise during construction
 - VII. water management including waste water and surface water discharge,
 - VIII. method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
 - IX. waste Management Plan

All construction compounds and site offices for the development hereby permitted shall be erected on-site unless otherwise agreed in writing with the local planning authority. Development shall be undertaken in accordance with the approved CEMP.

REASON: In the interests of protecting amenity, highway safety, sustainability, minimising impact upon the environment and ecology and ensuring that the development can be carried out safely without unacceptable risks or impact to

workers, neighbours (including other commercial operations) and other off-site receptors in accordance with Policies PMD1 and PMD12 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Hours of construction

7. No construction work in connection with the development, including the breaking-out and crushing of existing foundations and hard surfaces, shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 08:00 - 18:00 hours;
Saturday 08:00 – 13:00 hours

Unless in association with an emergency or except as otherwise first agreed in writing with the local planning authority.

All site deliveries for the purposes of construction of the development hereby permitted should take place between the above hours unless in association with an emergency or except as otherwise first agreed in writing with the local planning authority. Notwithstanding the above, any impact driven piling shall be restricted to the hours of 08.00 to 17.00 Monday to Saturday only, with no impact driven piling on Sundays, bank holidays or outside of these times.

REASON: In the interests of amenity in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Operational HGV routing strategy

8. Prior to the first use or operation of the development a routing strategy for HGV's associated with the operation of the development shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be operated in accordance with the agreed strategy.

REASON: In the interests of highway safety and efficiency in accordance with Policy PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Contamination and remediation

9. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site

shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express 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 (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) 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.

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

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) 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.

11. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to and approved in writing by the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the local planning authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the local planning authority.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) 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.

12. 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 (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) 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.

Safeguarding and maintenance of flood defences

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) other than the surface water outlet pipe detailed on the approved drawing no fixed above ground structures shall be placed within 9 metres of the landward toe of the flood defence wall.

REASON: To ensure the defences can be maintained for continued flood risk protection.

14. Access to a 9m wide strip clear of all containers, trailers and cars, from the landward toe of the flood defence wall, as shown on drawing numbers NWPU-2014-PA-102-0, NWPU-2014-PA-103 and NWPU-2014-PA-104-0 dated 18 February 2015, will be provided to the Environment Agency within 24 hours of any such request. This includes the removal of steelwork fixing the pipe to the sea wall, where necessary for repairs or defence raising.

REASON: To ensure the defences can be maintained for continued flood risk protection.

External lighting

15. Prior to the installation of any external lighting on-site (except temporary floodlighting associated with construction), details of the spread and intensity of light together with the size, scale and design of any light fittings and supports shall be submitted to, and approved in writing by, the local planning authority. The scheme of external lighting shall include measures to minimise the impact of light off-site and to avoid dazzle and glare which could cause hazard or distraction to operators of the adjacent railway line. The on-site floodlighting shall adhere to the details approved. Thereafter external lighting shall only be provided in accordance with the agreed details or in accordance with any variation agreed in writing by the local planning authority. The floodlighting shall be retained and maintained in a manner which minimises light spill outwith the site and minimise glare from outside the site.

REASON: To minimise the impact of lighting, in the interests of visual amenity, ecology and the safe operation of the adjacent rail infrastructure as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Fencing

16. Prior to the commencement of development details of the design, colour and materials of boundary fencing to be installed on-site shall be submitted to and agreed in writing by the local planning authority. The agreed fencing shall be installed and maintained on-site thereafter.

REASON: In the interests of amenity in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Landscaping

17. No development shall take place until there has been submitted to, and approved in writing by, the local planning authority a detailed scheme of landscaping and habitat creation for the 'Green Zone' (as indicated on drawing no. NWPU-2104-PA-103-0). The detailed scheme shall include measures for the long-term management of the landscaping and new habitat. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development [or such other period as may be agreed in writing by the local planning authority] and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

REASON: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping and ecological enhancement as required by policies CSTP18, PMD2 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

INFORMATIVES:

1. The applicant is reminded that under the Wildlife and Countryside Act 1981 (section 1) it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it absolutely certain that nesting birds are not present. The RSPB publish a booklet "Wild Birds and the Law". English Nature also produces Guidance Notes relating to Local Planning and Wildlife Law – both of which are useful.
2. The Environment Agency advise that under the terms of the Water Resources Act 1991 and our Anglian Region Land Drainage and Sea Defence Byelaws,

the EA's prior written consent is required for any proposed works within 9m of the landward toe of the defence.

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/15/00268/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.

