

Application by Port of Tilbury London Limited for an Order Granting Development Consent for a Proposed Port Terminal at the Former Tilbury Power Station ('Tilbury2') Ref: TR030003

The Examining Authority's First Written Questions and requests for information (FWQs) Issued on 27th February 2018

Thurrock Council (TC) response

1.1 Air Quality			
FWQ	Question to:	Question:	TC response:
1.1.3	Applicant, TC	<p>In TC's relevant representation [RR-031], TC asserts that respiratory disease deaths, hospital admissions for Chronic Obstructive Pulmonary Disease (COPD) and premature mortality from cancer are experienced more often than average in Tilbury, and TC requests further discussion on the mitigation measures – in particular the use of cleaner and greener vehicles. Supply of shore power should also be given priority:</p> <p>a) Would TC supply its evidence for its assertion regarding the health effects stated above?</p> <p>b) Would the Applicant state its response to TC's points above?</p>	<p>a) Ward level data for local health statistics is available on the Public Health England web-site (www.localhealth.org.uk). Relevant local health data from this web-site for Thurrock Borough and the two wards closest to the site (Tilbury St. Chads and Tilbury Riverside & Thurrock Park) is reproduced at Appendices 1.1.3.</p>
1.2 Biodiversity, Ecology and Natural Environment			
1.2.13	Applicant, TC	<p>Local Wildlife Sites Please explain how many LoWS have been designated in the Thurrock Council area.</p>	<p>The last published Local Wildlife Site review (Thurrock Biodiversity Study 2007) identified a total of 70 Local Wildlife Sites (see Appendix 1.2.13). A new review of the Local Wildlife Sites was undertaken in 2016 with a draft report produced in 2017. There were some issues that needed to be addressed before the new sites can all be adopted.</p>
1.2.14	TC	<p>Local Wildlife Sites Please advise whether the site plans and details of the LoWSs that would be directly impacted by the Proposed Development, provided</p>	<p>The current citations and maps for the two existing Local Wildlife Sites are attached (Appendix 1.2.14a). These are still showing on the Council system. However the Council is not in a position to confirm whether the Tilbury Centre LWS</p>

		<p>by the Applicant [APP-047] remain extant, or whether any boundary changes or grounds for designation have changed. If there have been changes, please provide up to date versions of the relevant documents.</p>	<p>is still present due to the ongoing demolition works in the surrounding area.</p> <p>The draft citation for the proposed new Local Wildlife Site area is also attached (Appendix 1.2.14b). This has been shared with the Tilbury 2 ecologists previously and is shown in their reports.</p>
1.4	Consideration of Alternatives		
1.4.1	Applicant (parts a to d); TC, Kent County Council and Essex County Council (parts d, e only).	<p>In ES paragraph 6.36, the Applicant explains that the CMAT facility is <i>“more easily located away from the jetty itself as the process of moving aggregate from self-discharging vessels by conveyor is not distance sensitive.”</i></p> <p>a) In view of this, why is there not any consideration of alternative locations for the CMAT within other areas of the port or on nearby industrial land?</p> <p>b) Would all of the aggregates arriving at the Tilbury2 facility be within self-discharging ships?</p> <p>c) What is the maximum distance that self-discharged aggregate (from dredgers or ships) could be moved by conveyor to reach an aggregate processing plant, or stockpile locations?</p> <p>d) Is it essential to co-locate asphalt plants, concrete plants and concrete block making facility close to the source of aggregates?</p>	<p>d) From a technical point of view it is not strictly necessary to co-locate such plants close to aggregates. However, from an environmental point of view it is considered desirable to have the supply of aggregates near to mineral activities as this would reduce handling, vehicle movements and the potential for dust during production of the products. It also would make measures to control dust easier to implement as the potential dust producing areas would be limited in extent. There are also sustainability benefits, notably reducing the need for double-handling, in locating processing facilities close to the first importation point of the material, and at a river and rail-connected location. TC notes that Cemex operates an existing cement plant at the Port of Tilbury and Aggregate Industries operate a concrete plant at London Gateway Port. The location of processing facilities at wharf, jetty or port locations would therefore appear to be common.</p> <p>e) Hanson Cement, Purfleet Works, London Road, West Thurrock RM20 3NL: this site shares conveyors with aggregate storage and a cement batching plant.</p>

		<p>e) Please could the host and neighbouring LPAs provide examples of aggregate wharves (and/or railheads) which are co-located within their area, which host the types of secondary aggregate processing facilities that are proposed in the CMAT, as well as any examples of the types of aggregate processing facilities that are proposed in the CMAT which are not co-located with any wharf and/or railhead (or any other direct source of primary or recycled aggregate), such as on industrial estates?</p>	<p>Aggregate Industries, Purfleet Depot, Jurgens Road, Purfleet RM19 1UA: road stone coating plant not co-located with wharf. Aggregates delivered by rail.</p> <p>Kerneos Limited, Dolphin Way, Purfleet, RM19 1NZ: High alumina cement manufacturers. Not co-located with any wharf railhead or any other direct source. All materials delivered by road.</p> <p>Tarmac Cement and Lime Limited Oliver Close West Thurrock, RM20 3EE: Bulk Terminal can take cement via rail head or jetty.</p> <p>Location plans for the above sites are attached as Appendices 1.4.1e.</p>
1.4.3	Applicant, TC	<p>Does the part of ES paragraph 6.38 (quoted in FWQ 1.4.2) that states that it is PoTLL's investment objectives that are one of two key drivers for the location of the CMAT on the ecologically important areas, confirm that it is questionable whether these aspects of the Proposed Development should be considered to be 'Associated Development'?</p>	<p>The draft DCO (document ref. 3.1) submitted to accompany the application in October 2017 describes at Schedule 1 the Nationally Significant Infrastructure Project (NSIP) as comprising Work No. 1 that is the construction of a RoRo berth. The draft DCO (October 2017 submission) describes the remaining Works within Schedule 1 as Associated Development.</p> <p>However, at the Issue Specific Hearing on the draft DCO held on 21st February 2018 the Applicant stated that Work No.2 (the CMAT berth) was also considered part of the NSIP in addition to work No. 1. TC understands that the Applicant will submit a revised draft DCO at Deadline 1 which will define both Work Nos. 1 and 2 as the NSIP, with the remaining Works defined as Associated Development.</p>

			<p>The definitions for NSIP Harbour Facilities is set out by Part 3 (24) of the Planning Act 2008 and TC notes that the proposals would accommodate more than one type of ship. Therefore, it may well be the case that Work No. 2 is indeed an NSIP as defined by the Act, rather than Associated Development.</p> <p>Paragraph 6.38 of the ES notes that there is more than one factor influencing the form of the proposed development. The answer to question ref. 1.4.1 (above) notes that there are potential environmental and sustainability benefits from the proposed location of the CMAT close to the source of the aggregates (i.e. the CMAT berth). This factor may add weight to the definition of the CMAT (Work No. 5) as Associated Development.</p>
1.6	Contaminated Land and Waste		
1.6.3	TC, Essex County Council (ECC), Kent County Council (KCC)	Are the host and neighbouring waste planning authorities satisfied with the level of detail contained within the Site Waste Management Plan? If not, why not?	<p>No. The SWMP only considers the waste arising from the demolition, excavation and construction phase and should also include provision to consider the waste arising from the operational phase of the project.</p> <p>An estimate of the commercial waste arising from the canteen, offices and workshop has been provided. However, there is no calculation of the waste arising from the operation of the facility, including the batching and block-making facilities. Waste from this process are likely to include packaging wastes from the materials brought onto site, as well as reject materials from the process which will need to be recycled either on-site or elsewhere.</p> <p>The pro-forma used includes a table to “Specify Waste</p>

			<p>Management Facilities” but the names of such facilities are only provided in generic terms. This means that it is not possible to assess whether the most sustainable options for managing the waste arising are to be used and whether these facilities are likely to have sufficient capacity to manage the arisings from the development.</p> <p>TC has provided the Applicant’s agent with a list of waste management facilities in the TC area, but this has not been used. For example, it is estimated that 53,200 tonnes of inert soils and stones and 56,177 tonnes of non-inert dredgings will be sent to an inert recycling facility. It is therefore important to understand the location of the facilities that will be used to recycle this material in order to understand the environmental impact.</p> <p>The table on the final page of the SWMP gives a forecast for the amount of waste arising and the amount to be sent to landfill, but the preceding tables do not show how these numbers are derived. Where quantities of waste are given, (e.g. “Total Forecast Waste”) totals are not shown and so it is not possible to understand the total impact.</p> <p>TC and the Applicant are currently liaising on further assessment work.</p>
1.6.7	TC, ECC and KCC	Do you agree with the Applicant’s statement given in ES paragraph 19.12? If not, why not?	<p>Yes. The Thurrock Core Strategy has a safeguarding policy to support the provision and retention of facilities that supply aggregates and construction materials.</p> <p>The CMAT will add to the capacity for importing aggregates, and to the total quantity of construction materials available.</p>

1.6.9	TC, ECC	<p>ES, paragraphs 19.26-19.30 consider waste arisings and waste infrastructure baselines using the ECC Replacement Waste Local Plan and the ECC Replacement Waste Local Plan capacity report. Do you consider that this results in a suitable baseline assessment for waste arisings and waste infrastructure? Please give your reasons</p>	<p>No. The site lies within the Unitary area of TC which is also the Waste Planning Authority. The waste capacity of infrastructure in Thurrock needs to be assessed in order to understand the impact of the proposal.</p> <p>The Essex County Council and Southend on Sea Replacement Waste Local Plan (RWLP) and RWLP Capacity Report should not be used as a proxy for Thurrock nor as the baseline for the assessment of arisings and capacity. Using a sequential approach, facilities within the ECC area could be considered after assessing the impact on Thurrock facilities as part of the context for the sub-region to assess the wider impact of the proposal. However, this cannot act as a substitute for understanding the impact of the proposal on Thurrock.</p> <p>Discussions have since taken place between consultants acting for TC and the Applicant to seek to agree the C, D & E waste managed and available capacity of waste management facilities in Thurrock. This has been derived from readily available data from the Environment Agency.</p> <p>The arisings from the proposal also need to be assessed in order to understand the impact of the proposal on the capacity of existing Thurrock waste facilities. This is to be discussed between the parties.</p> <p>TC would then expect the data on both Thurrock C, D & E capacity and impact of the proposal on this capacity to be incorporated into the Impact Assessment for the Environmental Statement.</p>
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1.13	Historic Environment		
1.13.5	Applicant, TC	<p>TC states in its relevant representation [RR-031] that it considers that any impact on the setting of the Tilbury Fort heritage asset from the Proposed Development is an important relevant consideration, and also that the extent to which the proposals can contribute to the policy objective of enhancing public access to the Fort and riverside is a relevant consideration:</p> <p>a) Would TC state whether the current mitigation measures are in its view sufficient, and if not what other mitigation measures it would propose?</p> <p>b) Would the Applicant state how the Proposed Development will contribute to the policy objective of enhancing public access to the Fort and riverside?</p> <p>TC also states that it would be unable to support the application, and asserts that at present the Proposed Development (eg the impact of the extended jetty, and</p>	<p>a) & d)</p> <p>TC's Relevant Representation contained comments summarising the (then) current position from TC service areas, including the Historic Environment Advisor at Essex County Council (Place Services), who advise TC under a service level agreement. Since the submission of the Relevant Representation, the Applicant and TC have been progressing a Statement of Common Ground which includes reference to built heritage. The current draft of this Statement notes that a number of built heritage matters are under discussion.</p> <p>TC's Planning Committee considered the content of a draft Local Impact Report and draft Written Representation at its meeting on 15th March 2018. The LIR noted the 'moderate to major adverse' significance of impacts during construction on both Tilbury Fort and the Officer Barracks. The LIR also noted the residual 'moderate adverse' significance of operational impacts on these heritage assets. TC's Planning Committee agreed the content of the Local Impact Report.</p> <p>The draft Written Representation, also presented to and agreed at TC's Planning Committee meeting on 15th March</p>

		<p>the impact of the new infrastructure corridor on movement and lighting closer to the fort) will cause considerable harm to the setting of a Scheduled Monument of international significance, with the proposed mitigation/enhancement measures lacking clarity and detail, and the overall effectiveness of the proposed mitigation/enhancement appearing limited:</p> <p>c) Would the Applicant state its position with regard to TC's assertions above?</p> <p>d) Would TC state specifically what further mitigation/enhancement measures it would propose?</p>	<p>2018, included a balancing of potential impacts in order to sets out a formal view on the proposals. The Written Representation recognises the residual harm on built heritage assets, but this harm is not judged to be 'significant'. As set out by paragraph 2.1 of the Written Representation TC, on balance, supports the proposals. This formal view of TC, as expressed in the Written Representation therefore balances all of the relevant considerations, including the views of TC's heritage advisor originally expressed in the Relevant Representation. Notwithstanding the views of TC's built heritage advisor, the formal view of TC as expressed in the Written Representation is that, on balance, the application is supported.</p> <p>With reference to mitigation, within the Archaeology and Cultural Heritage chapter (12.0) of the ES the Applicant outlines a number of mitigation proposals and it is accepted that some of these measures will to a degree reduce the level of harm as follows:</p> <ul style="list-style-type: none"> • monitoring works during the construction phase and agreeing potential necessary interventions is considered necessary. Beneath Tilbury Fort are a number of tunnels which have been stabilised by English Heritage. It is important that these areas are surveyed prior to works commencing and then monitored during construction to ensure their structural integrity is not compromised. Full details of the monitoring should be provided as well as agreement on the extent of remedial works to be provided were the development to have an adverse impact upon the structure.
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- utilising a light grey or similar colour material (as yet to be agreed) for the silo and other tall structures will help to reduce the visual impact of the proposals. It is noted, however, that there is no constraint possible for the colour palette of the container storage area which will be prominent from Tilbury Fort.

Potential additional mitigation:

Although the Written Representation approved by TC's Planning Committee on balance supports the proposals, the following measures are suggested as offering the potential to further reduce impact on built heritage assets.

In order to reduce the visual impact of the containers and improve the effectiveness of the vegetative screening consideration could be given to reducing the maximum height of container storage within a zone adjacent to the western boundary of the. TC notes that the Applicant's response to the Relevant Representations includes a Minimisation Statement which states "*that the storage of containers on site is a constantly changing set of movements and stored products, and there is never therefore a constant site wide block of containers causing a monolithic visual impact.*" Nevertheless, the suggested introduction of a height restriction zone adjacent to the western boundary may assist in minimising the potential for a monolithic appearance close to the built heritage asset.

Sheet 3 of the proposed Works Plans identifies a general area within which the proposed silo would be located (Work

			<p>No. 8A). Within the Limit of Deviation for this Work the silo should be sited as far as possible from the edge of the River Thames to ensure that visual impact is reduced in outward historic defensive views towards the Thames from Tilbury Fort, as well as the views across the river to the other forts within the sequence of forts protecting the Thames.</p> <p>As noted in the TC's Local Impact Report, paragraph 12.235 of the ES refers to potential enhancements to Tilbury Fort as further mitigation. TC agrees that measures should be secured to enhance the immediate setting of Tilbury Fort, to better reveal its significance and to ensure its long-term viability as a visitor attraction which is considered its optimum viable use. These enhancements could be secured through a legal agreement between the Applicant and TC and the draft heads of terms for such an agreement appear in document reference 5.3. Paragraph 3.1.1 of the this draft refers to a financial payment ('fund') payable to TC in order to:</p> <ul style="list-style-type: none"> i. undertake a feasibility study into enhancements at the Fort to bring forward tourism and heritage benefits; and ii. implementation of measures identified by the feasibility study to be reasonably capable of implementation. <p>TC will work with the Applicant and English Heritage as necessary to agree the details of the fund and the range of potential enhancements.</p> <p>Separately, paragraph 3.1.3 of the draft Heads of Terms refers to improvements to walking / cycle networks and wayfinding to be secured through an Active Travel Study.</p>
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			Discussions between TC and the Applicant on the details of these enhancements are ongoing.
1.14	Planning Policy		
1.14.2	Applicant, TC	<p>The National Policy Statement for Ports discusses bulk and general marine traffic, where the threshold for a port application to be a Nationally Significant Infrastructure Project (NSIP) is <i>"5 million tonnes for other (bulk and general) traffic"</i>. However the NPS for Ports is silent on the need for bulk aggregate facilities. To what extent should the proposals for the Construction Materials and Aggregate Terminal (CMAT) be considered against the policies for minerals in the National Planning Policy Framework (NPPF) and its associated guidance?</p>	<p>The NPS for Ports mentions bulk and general traffic at paragraph 1.2.3 (in the context of NSIP thresholds) and at paragraphs 3.1.3. & 3.1.4 (in the context of Government policy and the need for new infrastructure). The word 'aggregates' appears only once at paragraph 5.7.1 under the heading of generic impacts on air quality and emissions where it is noted that: <i>"certain cargoes such as cements and aggregates can cause local dust pollution"</i>. However, paragraph 5.7.1 clearly identifies as aggregates as a cargo and by their nature aggregates are considered to be a 'bulk' item. Paragraph 3.1.3 of the NPS notes that <i>"the volume of freight and bulk movements has continued to grow"</i> and against this background it could be considered that the NPS provides general support for the proposed CMAT, although the need for bulk aggregate facilities is not specifically mentioned.</p> <p>TC considers that the NPPF is potentially a relevant consideration pursuant to s104(2)(d) of the Planning Act. Paragraph 142 of the NPPF (Facilitating the sustainable use of minerals) is relevant to the proposals and states that: <i>"Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs"</i>.</p>
1.14.4	TC, ECC and KCC	Please can the host and neighbouring	TC is a Mineral Planning Authority but does not produce its

		<p>councils confirm whether they prepare and publish Annual Aggregate Assessments, and if so, how long have these been prepared for and please provide either the web-links to the documents, or provide the documents as PDFs to the Examination?</p>	<p>own Annual Aggregate Assessment. Instead Thurrock data and information is incorporated into a Greater Essex Local Aggregate Assessment coordinated and prepared by Essex County Council.</p> <p>The first one was completed in 2013, and all four completed annually are all available online with the link as requested:</p> <p>http://www.essex.gov.uk/Environment%20Planning/Minerals-Waste-Planning-Team/Planning-Policy/minerals-development-document/Pages/Greater-Essex-Local-Aggregate-Assessment.aspx</p>
1.14.6	TC, ECC	<p>Are you participants in the East of England Regional Aggregate Working Party (RAWP)? If so, please could you provide any annual reports or other relevant documents prepared by the RAWP that provide information on annual volumes of marine dredged aggregates, crushed rock and recycled/secondary aggregates that are landed at wharves in Thurrock and Essex together with any RAWP documents may indicate a need for new or replacement aggregate wharves on the Thames?</p>	<p>TC is a participant in the East of England Regional Aggregate Working Party (RAWP). Attached are the annual reports produced by the RAWP including the most recent report of 2016 (appendices 1.14.6a and 1.14.6b). The annual monitoring reports contain limited information marine dredged aggregates, crushed rock and recycled aggregates that are landed in Essex and Thurrock.</p>
1.14.12	TC	<p>What is the view of the host authority regarding the need for 1.32ha of Green Belt land for the Proposed Development? Does Thurrock Council consider this Proposed Development to</p>	<p>This matter is addressed by paragraph 6.27 of the Local Impact Report submitted by TC as follows:</p> <p>At the extreme north-east corner of the Main Site sections of the proposed rail siding and a small area of the CMAT would</p>

		<p>be “<i>very special circumstances</i>” (NPS for Ports, paragraph 5.13.10)?</p>	<p>be sited on land designated as Green Belt extending to c.1.3Ha in area. The General Arrangement Plans (sheet 2 of 5) indicate that this area of the CMAT would be utilised as aggregates storage yard and this element of the proposals could be considered, on a prima-facie level, to be contrary to Policies CSSP4 and PMD6. Paragraph 90 of the NPPF states that local transport infrastructure which can demonstrate a requirement for a Green Belt location is not inappropriate in a Green Belt provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. Extracts from the applicant’s Masterplanning Statement (ref. 6.2.5.A) and Planning Policy Compliance Statement (ref. 6.2.1.A) refer to the engineering requirements influencing the alignment of the railway line and it is accepted that the incursion into the Green Belt is unavoidable. It is considered that the railway line would preserve the openness of the Green Belt and would not conflict materially with the purposes of including land in a Green Belt. The applicant cites a number of factors promoted as very special circumstances supporting the area of CMAT within the Green Belt. It is considered that the factors set out at paragraph 4.158 of the Planning Policy Compliance Statement (ref. 6.2.1.A) clearly outweigh the harm to the Green Belt.</p>
1.14.13	TC	<p>Are there any proposals to change the boundaries of the Green Belt in the vicinity of the Proposed Development?</p>	<p>TC is currently in the process of producing a Green Belt Assessment which will assess strategic land parcels against the purposes of the Green Belt as set out in the National Planning Policy Framework. As yet no formal decision has been made as to whether or not the emerging Local Plan will propose any changes to Green Belt boundaries in the vicinity of the Proposed Development.</p>

1.14.14	TC, Gravesham Borough Council (GBC)	Does the application conflict with any proposals or policies in any development plan documents? If so, please provide a summary and a link to the relevant policy and/or proposals map?	<p>Part 6 of the Local Impact Report submitted by TC comprises a summary of relevant development plan designations, policies and an assessment against those policies. In summary, pending submission and assessment of details of the Ecological Compensation and Mitigation Plan (which is being prepared) the proposals could be in conflict with Policies CSTP19 and PMD7. As the proposals will to a degree impact on the setting of heritage assets there is also some conflict with Policy CSTP24. These policies can be found at page nos. 127, 138 and 203 of the Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended) 2015 attached at appendix 1.14.14. The accompanying Core Strategy policies map can be found at:</p> <p>https://www.thurrock.gov.uk/core-strategy-local-plan/about-core-strategy</p>
1.14.18	TC	What is the host authority's view on the inclusion of these CMAT processing facilities as associated development within the dDCO?	<p>As noted in the answer to question reference 1.4.1 above, there are environmental and sustainability benefits arising from the supply of aggregates close to associated processing activities. The proposed inclusion of CMAT processing facilities would reduce the handling of aggregates and reduce vehicle movements and the potential for the generation of dust. The co-location of aggregate processing facilities at wharf, jetty or port locations is not uncommon in Thurrock.</p>
1.14.24	TC	What is the status of the Tilbury Development Framework, referred to in paragraph 2.39 of the Applicant's Planning Policy Compliance Statement	<p>This matter is addressed by paragraph 6.27 of the Local Impact Report submitted by TC. Page 3 of the Framework refers to status and states:</p>

		[APP-032]?	<p><i>"It is important to note that the Masterplan itself is not intended to constitute part of the statutory Development Plan for Thurrock, and will not be formally adopted as a Supplementary Planning Document (SPD). It is anticipated, however, that upon completion the Masterplan will represent a robust spatial structure to coordinate on-going projects whilst the Local Plan is being developed. It is noteworthy that the new Thurrock Local Plan is underway, and that this document, and its associated background studies, will provide an important part of the evidence base for the Local Plan.</i></p> <p><i>Whilst not a policy-driven document, the Masterplan Framework serves to better integrate the on-going regeneration and developments in Tilbury maximising advantages offered by the location, assets and existing infrastructure as well as industrial and logistics uses".</i></p>
1.15	Landscape and Visual Impacts		
1.15.2	Applicant, TC	<p>TC's states in its relevant representation [RR-031] that there are major concerns over the effects of the scheme on the setting of Tilbury Fort, in which key concerns are: the impact of the extended jetty which will bring the large ships much closer to the Scheduled Ancient Monument; the new infrastructure corridor which will have adverse effects introducing more movement and lighting closer to the Fort; the junction with Fort Road which will also be more visually intrusive. According to TC, the overall landscape mitigation package is</p>	<p>a) The main issue is considered to be the presence of the ships moored at the jetty as these will be much closer to the Scheduled Ancient Monument. The best option would be to move the jetty eastwards away from Tilbury Fort, although it is understood from the Applicant that this is not feasible for operational reasons.</p> <p>TC would therefore propose that additional mitigation and enhancement works could be undertaken in the common land and remnant grazing marsh around Tilbury Fort in order to improve its immediate setting. Measures could include more significant boundary treatments around the Main Site and new infrastructure corridor (including light spill as detailed below) and landscape</p>

		<p>considered to be very limited and will not achieve any significant benefits:</p> <p>a) Would TC state what further mitigation/enhancement it would propose for the landscape and visual area?</p> <p>b) Would the Applicant state its position to TC's stated concerns above?</p>	<p>management improvements in the surrounding common land and relict grazing marsh. These measures could also include replacing poor quality fencing, restoring the ditch network, clearing previously dumped material and the provision of new hedges or trees further from the open marsh area.</p>
1.15.5	Applicant, TC and GBC	<p>ES [APP-031] Chapter 9 paragraph 9.245 explains that lighting is designed to avoid or reduce potential lightspill. Effects are assessed as moderate adverse but are considered to be acceptable and would to some extent represent re-establishment of historic industrial and waterfront relating lighting along the Thames:</p> <p>a) Would the Applicant explain why these moderate adverse effects are considered to be acceptable?</p> <p>b) Would TC and GBC state whether they are content with this position, and if not, propose further mitigation measures?</p>	<p>b) There was artificial lighting associated with the operation of the former power station, including both lighting columns adjacent to circulation roads within the site and high mast luminaires lighting the coal storage areas. The existing water treatment works to the west of the Main Site are also externally illuminated. As demonstrated in ES Appendix 9J (Preliminary Lighting Strategy and Assessment) there is significant artificial lighting associated with the existing Port of Tilbury, large scale commercial areas and surrounding built-up areas close to the site. Therefore, proposed lighting on the Main Site would, to a degree, replace artificial lighting on areas which were formerly illuminated.</p> <p>However, the northern part of the Main Site does not appear to have been artificially illuminated in the past to any substantial degree and forms part of a darker area of less developed land between Tilbury and East Tilbury. The main potential issue appears to be for residents on the south and east of Tilbury as described in Appendix 9J – Page 15 receptor ref C.</p> <p>With regard to mitigation measures, TC notes that part 6</p>

			(page 17) of ES Appendix 9J promotes a number of mitigation measures which are considered appropriate. TC also notes that Schedule 2, Part 1 (12) of the draft DCO requires submission and approval of an operational lighting strategy which is to be in general accordance with ES Appendix 9J.
1.16	Noise and Vibration		
1.16.6	TC, GBC	Noise sensitive receptors (NSRs) are listed in Table 17.27 and illustrated on Figure 17.2 of the ES. This includes five receptors along the infrastructure corridor by the town of Tilbury, one at Tilbury Fort and two in Gravesend (across the River Thames). The same receptors have been used for the vibration assessments. Have the LPA's agreed the NSRs?	<p>These receptors were discussed with the applicant and, with the exception of NSR6 at Tilbury Fort, are in close proximity to the noise monitoring positions.</p> <p>The NSRs were presented in the ES and are considered both representative and satisfactory.</p>
1.16.12	TC, GBC	<p>Based on the calculations presented in Tables 17.38-39, the ES concludes:</p> <ul style="list-style-type: none"> Major and significant effects from the CMAT at night time for receptors in Gravesend (NSR 7 & 8) (para 17.174); Localised significant effects at NSR 2 from the RoRo from general storage areas (para 17.181 & 17.221). <p>Do the local authorities have concerns regarding the proposals, with regard to noise? Please detail any concerns.</p>	<p>TC notes that these conclusions are based on a worst case scenario and do not take into consideration additional mitigation which could be secured pursuant to requirement no. 10 of the draft DCO.</p> <p>Nevertheless, a potential concern is the uncertainty that effective mitigation could be achieved following the noise reassessment and with the Operational Management Plan (paras. 17.225 & 17.226), without the necessity of improving the sound insulation of affected dwellings. While this may be an effective solution, noise control at source would be preferred wherever possible.</p>
1.17	Socio-economic Effects		

1.17.3	TC	<p>TC states in its relevant representation [RR-031], that the impact of and opportunities/ benefits arising from the Proposed Development during construction and operation are an issue for consideration:</p> <p>a) Would TC state what it sees to be the impact of and opportunities / benefits arising from the Proposed Development?</p>	<p>The potential impact of the Tilbury2 development is very positive, but TC considers it important that measures are put in place to ensure that this potential is realised.</p> <p>The opportunities arising from the proposed development primarily relate to:</p> <ol style="list-style-type: none"> 1) promote careers in logistics and construction; 2) provide training and placement opportunities to increase employability in the local workforce; 3) the creation of employment; and 4) opportunities for the local supply chain. <p>The Port of Tilbury is already supportive of many local careers, skills and employability initiatives and through this development they have the opportunity to influence more businesses to behave in the way that they do. Certainly TC's aspiration is to have more employers across the Borough who work with us in the way that the Port of Tilbury do. In that context TC would like to be able to use, where it can, development at the Port to help us to achieve this. The items / comments listed below are things that TC would like the Applicant help to promote across the existing Port and the proposed new development at Tilbury2. These are not necessarily direct asks of the Port, as they are already doing much of this anyway, but they can help TC to promote a more positive approach from other developers / employers. The means for achieving this might include developer's agreements/contracts, Section 106 agreements and/or tenancy agreements. The following list represents a 'pick and mix' list of possible measures</p> <ul style="list-style-type: none"> • where appropriate advertising contract opportunities to
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			<p>local suppliers;</p> <ul style="list-style-type: none"> • job opportunities to be advertised locally through Opportunities South East and Jobs@OpportunityThurrock; • recruit local people (by this we mean South Essex) where possible. A target of 15% of workforce seems achievable based on current statistics; • 5% apprentice employment with training starts at each phase of development - groundwork preparation, construction and day to day operations; • transport provision, temporary for new workers to and from the site, until public services in place; • opportunities for workforce development. Existing staff to be CPD trained and developed by local providers, where possible; • be part of a local employer's consortia to support initiatives (such as trailblazers, traineeships, enterprise competitions, careers fairs, strategy boards, operational boards, celebration events, etc.) with the aim of bringing residents into contact with quality employers; • careers information, advice and guidance: <ul style="list-style-type: none"> ○ provide Enterprise Advisors as part of Careers and Enterprise Company programme; ○ provide staff to work as school Governors; ○ support career mentoring activity; and ○ host work experience students including residents with SEN. <p>Links to the Tilbury CLLD (Community Led Local Development Strategy) would also be helpful and continued support during the life of the programme would be beneficial.</p>
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			<p>The socio-economic assessment highlighted comparatively low levels of employment in the local area alongside low skill levels and high levels of child poverty. The opportunities highlighted above could clearly lead to many local benefits.</p> <p>From an employer perspective workforce, is an extremely valuable and increasingly scarce commodity. With significant inward investment in recent times over 5,000 new jobs have been created with more to come. Investment in careers, skills and employability will help businesses to find the workforce that they need and having found them to retain that talent through development opportunities.</p>
1.18	Traffic and Transportation		
1.18.6	Applicant, ECC, TC, Highways England	<p>The ES [APP-031] Chapter 13 paragraph 13.3 et seq cite the Transport Assessment [APP-072], the Framework Travel Plan [APP-073], and Sustainable Distribution Plan [APP-074]. The latter two documents are secured within the dDCO [APP-016] Schedule 2 Part 1 by Requirement 11:</p> <p>a) Would the Applicant state where the Transport Assessment is secured in the dDCO?</p> <p>b) Would ECC and TC state whether they are content with the Transport Assessment as currently drafted?</p> <p>c) Would ECC, TC and HE state whether they are content with the Framework Travel Plan and Sustainable Distribution Plan as</p>	<p>b) TC has areas of concern with the Transport Assessment particularly regarding the proposed mitigation measures and impacts on the local highway network as well as the proposed Active Travel Measures along the new port access road. These concerns are detailed further in the answer to question 1.18.10 below.</p> <p>c) <u>Framework Travel Plan:</u> Generally, the FTP is acceptable, subject to some suggested amendments. A primary point of issue is that the FTP is for the new development only. TC suggests that the FTP should extend across the whole of the Port development within the control of the Applicant. Elsewhere across the Borough, when there are additions to a development, travel plans are required to be inclusive of the whole site, not just the new development. It is accepted that existing occupiers, except any managed by the Applicant, should not be forced to adopt the FTP,</p>

		<p>currently drafted?</p> <p>d) Would the Applicant state whether it intends to update the Framework Travel Plan and Sustainable Distribution Plan during the Examination?</p>	<p>however any new occupiers on the existing Port site, and any occupier on the proposed Tilbury2 site should be made to adopt the FTP across the whole port site. For example, should company 'A', who have been present on the existing Port for 10 years, choose to add an additional presence at Tilbury2, the FTP and TTP's must be adopted across both sites. The purpose of any travel plan is to promote and manage sustainable travel within communities, and this process provides a mechanism to enable a higher inclusion of organisations to be contributing sustainable travel and its impact on the local community. The Applicant could implement the FTP across all operations within their wider site. This request was made by TC in their initial response to the FTP in October 2017.</p> <p>With regard to the proposed Tenant Travel Plans, these should be submitted to and approved by the Sustainable Travel Steering Group prior to bringing the Tenant's site into use, or at the earliest opportunity. All TTP's must use the objectives within the FTP as a minimum requirement, though there will be an expectation for the TTP's to go above and beyond the FTP.</p> <p>The Steering Group should be chaired by the Applicant, as well as undertake any secretarial functions.</p> <p>Cycle Parking – Para 6.2.4 states that cycle parking will be provided in line with the TC's parking standards. It is recommended that cycle parking be delivered in consultation with TC Highways Development Control and Sustainable Transport Teams, to ensure there is</p>
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adequate provision for immediate use, and sufficient provision for growth in cycling, as well as potential safeguarding of space for additional parking.

Within the Walking and Cycling section, a recommendation was also made in relation to making security alarms available for staff when travelling to and from the site. Given the relative remoteness of the site, staff who chose to walk and cycle to the site should have some security of a siren/flashing alarm to attract attention when they feel there are being threatened or in danger.

The monitoring of the travel plan should take place annually, with an annual staff survey across the site. TC's response in October 2017 stated that a survey every two years was considered unacceptable on a site of this size. Para 8.4.3 states that the first travel survey will be undertaken within 6 months of first occupation. TC would like to see staff surveys undertaken within 6 months of the occupation of each tenant site on the development. This will help steer targets specific for each TTP within a short time relative to each tenant site being brought into use.

TC's response in October 2017 also suggested a number of considerations for inclusion within the FTP. The primary request was for an on-site Parking Management Plan, to ensure HGV's and staff vehicles are correctly managed on site. Any car parking management plan would also help to determine how car sharing spaces will be managed and enforced.

TC has re-launched the former Freight Quality Partnership. The Thurrock Freight Logistics and Transporting Partnership has been in place since October 2017. TC are grateful for Tilbury Port's attendance, however all new site occupiers should become members of the FLTP following occupation of the site.

The Five year travel plan period should commence once all works on site have been completed, and not from the period of first occupation. There may be aspects of the site which are not brought into use within five years of any first occupation.

Sustainable Distribution Plan:

Upon reflection, it is recommended that the SDP could be merged into the FTP, to manage all aspects of sustainable travel and transport under one umbrella. The SDP already mentions that the issue of freight will be discussed at the FTP Steering Group meetings.

It is pleasing to see that the site is proposing for approximately 44% of aggregates to be transported by rail. It would also be encouraging if other freight arriving at the port is also moved via rail, significantly removing the number of HGV's from the local road network. However the greatest concern is what happens should this quantity or proportion of aggregate movement by rail, and by water (approx. 10%) is not achieved. There is concern that there is insufficient capacity on the rail network beyond the London-Tilbury-Southend railway

line, particularly freight paths through London which will allow such capacity movements. There is additional competition from other ports in the area and region, as well as existing demand from Tilbury. The SDP does not state what the outcomes are to be if these targets are not achieved.

The SDP alludes to the use of a Vehicle Booking System without outwardly saying so, however this will most likely be used to manage demand. Within Thurrock, the greater issue is the availability of freight parking for vehicles which have arrived early or need to rest. There are currently insufficient details of these proposals within the SDP. There is also a requirement to support some overnight parking within the area created by additional HGV traffic within the area.

As per the FTP, the SDP monitoring states that it will be monitored for a period of five years after first occupation. TC believes the monitoring should commence upon first occupation, and for a period of five years following the completion of the development and full occupation. Monitoring should also take place each year, and not once every two years.

Overall, the submitted FTP and SDP are not sufficiently drafted to be acceptable. However, with some minor amendments based on the comments TC has provided, these can be considered acceptable. Accordingly there currently remains a need for the Applicant to remain in contact with TC.

1.18.10	Applicant, TC	<p>With reference to TC's relevant representation [RR-031], TC states that it disagrees with some of the assumptions and opinions within the submitted Transport Assessment [APP-072], in particular in relation to the local road network:</p> <ul style="list-style-type: none"> a) Would TC specify the matters on which it disagrees with the Applicant? b) Would TC specify its outstanding issues regarding impact on the Asda roundabout junction and associated mitigation proposals, and state what other mitigation measures it would propose? c) Would the Applicant state how the Proposed Development has addressed vehicle movement on the local roads network? d) Would the Applicant state how it has addressed the needs of non-motorised users (local walking and cycle network, including public rights of way) 	<ul style="list-style-type: none"> a) TC's view is that there are three main areas of concern comprising (i) direct traffic impact on the Asda roundabout junction, which is Highway England's asset; (ii) the proposed Active Travel provision along the new port access road including onward links to Brennan Road; and (iii) the efficiency and resilience of the A1089 for planned maintenance and emergency road closures. <ul style="list-style-type: none"> i. Whilst the direct traffic impact cannot be directly objected to in relation to the intensification of access at this junction, there is concern with the proposed mitigation measures for this junction which will see a worsening to the RFC on the Dock Road, Tilbury and Thurrock Park Way arms at peak times. Both of these arms are TC highways assets. ii. With regard to Active Travel provision, the proposed crossing facility should be relocated to the new junction between Ferry Road and the port access road and consideration should also be given to signalling the junction. TC notes that the Applicant suggests that the junction would operate in relation to the proposed priority junction status. However, TC is concerned that when pedestrian and cycle movements are factored into the operation of this junction, as well as the significant movements of HGVs and car between Tilbury2 and Gate 2 (existing Port pre-delivery and inspection facilities) then this would meet the criteria to consider a signalised junction with toucan phase. No assessment of this junction as a signalised junction has been forthcoming and the Applicant is encouraged to undertake this assessment. With reference to
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			<p>proposed cycle links along the port access road, these appear to terminate at the point where Fort Road starts to progress north over the existing railway over-bridge. The existing bridge structure does not have sufficient road space to provide a cycle facility and no footways exist on the north side of the bridge linking to Brennan Road. TC has requested that the Applicant consider a potential onward link to Brennan Road, particularly as TC has aspirations to designate National Cycle Network 13 through the centre of Tilbury, along Brennan Road and then south to Tilbury Fort along Fort Road. This is considered as suitable mitigation against the closure of the at-grade crossing facility (FP 144) between the Hairpin Bridge and Fort Road bridge by maintaining two enhanced facilities for pedestrians and cyclists to access the riverside and Tilbury-Gravesend ferry.</p> <p>iii. The Local Impact Report submitted by TC referred to the efficiency and impact of the development if and when the A1089 is subject to road closures, either planned maintenance or as a result of an incident. These events can cause significant congestion and HGV movements in and around Tilbury, due to the 24-hour operation of the existing Port, to the detriment of highways safety, efficiency and amenity. TC has requested the Applicant and Highways England to investigate whether strategic maintenance crossover facilities on the A1089 could be provided, which would aid the efficient use of that road and would enhance the efficiency of the existing and proposed extended port.</p>
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			<p>b) TC is of the view that alternative mitigation measures should be advanced that do not affect the Dock Road, Tilbury and Thurrock Park Way arms of the Asda roundabout junction. During pre-submission discussions TC suggested the assessment of full or part signalisation of the junction. The Applicant has suggested that full signalisation would not be feasible without significant change to the junction and this is agreed. However, the feasibility of part signalisation has not been provided. As a minimum, this should be investigated to determine feasibility and assess whether this could be a viable mitigation measure. In any event, TC would take the lead from Highways England and will look closely at their representations on this matter.</p>
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