

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 Agenda for Issue Specific Hearing on Outstanding Environmental, Planning Policy and Socio-economic issues 27th June 2018

Thurrock Council (TC) written response to agenda items

Deadline 5 – 6th July 2018

Historic Environment		
3.13.1	<p><i>External Materials, Colour Palettes and Maximum Heights.</i></p> <p>With reference to Applicant's and TC's responses at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.13.1 ...</p> <ul style="list-style-type: none"> i. Would the Applicant and TC update the Examination on the points stated to be still under discussion – external finishes, colour palettes and maximum heights - and any other outstanding matters? ii. Would the Applicant and TC state how they envisage any agreement reached on external finishes, colour palettes and maximum heights being secured in the dDCO? 	<p>TC response:</p> <ul style="list-style-type: none"> i. The general position regarding these matters is set out at paragraph 4.11.5 of the Statement of Common Ground (revision 8) between the Applicant and TC submitted on 18th June 2018. With reference to the external finishes of those buildings and structures not already addressed by Schedule 2, Part 1 (3) of the dDCO, the Applicant has proposed a palette of finishes using colours found in the surrounding landscape, as viewed from a number of local vantage points. TC agrees with this approach in principle as a way of minimising landscape impact. However, as the proposed palette includes a broad range of colours, TC has suggested to the Applicant that a more limited palette is defined for the 'main' and 'contrast' colours for buildings. TC considers that a narrower palette of finishing colours is preferable in order to achieve some consistency in the external finishes of buildings and structures across the site. Following further discussions with the Applicant, a 'General Specification for Colours at Tilbury2' has now been agreed and the Statement of Common Ground (revision 9) to be submitted at Deadline 5 will reflect the up to date position.

		<p>With reference to the maximum heights of stacked containers the current position is also as set out within paragraph 4.11.5 of the Statement of Common Ground (revision 8). TC does not require a reduction in the proposed height of stacked containers.</p> <p>ii. As discussed at the Issue Specific Hearing TC would suggest that a "Design Colour Code" or similarly worded document could form an additional document to the dDCO with an addition to Requirement 3 to limit the external finishes of the relevant buildings to those colours within the "Design Colour Code". Further discussions with the Applicant have now progressed to agree a 'General Specification for Colours at Tilbury2'.</p>
<p>3.13.5</p>	<p><i>Terrestrial Archaeology Written Scheme of Investigation (WSI).</i></p> <p>With regard to the Terrestrial Archaeology WSI submitted by the Applicant at deadline 4 [REP4-023]:</p> <p>i. Would Historic England, as historic environment advisor and archaeological curator for the terrestrial environment, TC as local authority, and ECC where appropriate, inform the Examination of their views of the fitness for purpose of the Terrestrial Archaeological WSI, identifying any areas that in their view need to be revised or enhanced?</p>	<p>TC response:</p> <p>i. TC is satisfied that the revised Terrestrial Archaeological WSI is fit for purpose and does not require further revision.</p> <p>ii. TC is satisfied that the mitigation measures proposed for the terrestrial archaeological work are appropriate for the proposed scheme.</p> <p>iii. TC is satisfied that the mitigation measures</p>

	<p>ii. With reference to Section 5 of the Terrestrial WSI, which considers mitigation measures, are Historic England and TC satisfied with these proposed mitigation measures?</p> <p>iii. With reference to Appendix 1 of the Terrestrial WSI, are Historic England and TC satisfied with the WSI for Geoarchaeological and Palaeoenvironmental Assessment?</p>	<p>proposed for the geo-archaeological and palaeo-environmental assessment are appropriate.</p>
<p>Landscape and Visual Impacts</p>		
<p>3.15.1</p>	<p>Wider Landscape Improvements.</p> <p>With reference to the Applicant's and TC's responses at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.15.1, in which TC identifies "<i>three issues that could be addressed via the suggested wider landscape improvements</i>" which are under discussion with regard to potential s106 obligations, deliverability, etc – new planting along the infrastructure corridor, enhancements to the area around Tilbury Fort, and landscape enhancement measures within the wider area of Tilbury ...</p> <p>Would the Applicant and TC update the Examination on the progress with their discussions, highlighting matters now agreed, still to be resolved and not agreed?</p>	<p>TC response:</p> <p>Paragraph 4.8.5 of the Statement of Common Ground (revision 8) between the Applicant and TC submitted on 18th June 2018 sets out the agreed position. TC had previously suggested in their response (REP4-005) to the Ex.A's Second Written Questions three proposals for wider landscape improvements within open spaces in Tilbury and within Tilbury Marshes close to the proposed infrastructure corridor. It is agreed that these proposals would be located outside of the DCO boundary. Therefore TC has applied the relevant tests for planning obligations (as set out at paragraph 204 of the NPPF) to the proposals. Following discussion with the Applicant, TC has concluded that the first test at paragraph 204 is not met as the proposals are not considered necessary to make the development acceptable in planning terms. Therefore, TC agrees that the suggested</p>

		<p>wider landscape improvements are not required.</p> <p>However, TC welcomes the acknowledgement within the Statement of Common Ground that, outside of the DCO, the Applicant will continue to engage with TC on initiatives to improve the local environment.</p>
Noise and Vibration		
3.16.5	<p>Noise Reassessment.</p> <p>In TC's response [REP4-005] to ExA's SWQ 2.16.7 [PD-010] ...</p> <ul style="list-style-type: none"> i. Can TC confirm that the reassessment referred to by TC is that in Requirement 10 - this is the reassessment of noise as a whole prior to operation? ii. This reassessment does not appear to require sign off from TC. Is TC content with this? 	<p>TC response:</p> <ul style="list-style-type: none"> i. TC can confirm that the reassessment referred to by TC [REP4-005] is that at Schedule 2, Requirement 10 of the dDCO. TC notes that Requirement 10 refers to the reassessment for Works 1 to 8 in Schedule 1 of the dDCO. These Works cover the whole of the Port activity but exclude Works of transport infrastructure (road and rail). The proposals' 'Scheme Design and Embedded Mitigation' requires a noise reassessment on the basis of the final operational design and procedures for the Ro-Ro and CMAT which are covered by Work nos. 1 to 8 inclusive. The noise reassessment is referred to in section in 17.225 of the ES. ii. TC is not content. TC will need to see the reassessment once completed in order to audit and confirm the findings of the reassessment.

		<p>It will be necessary for TC to agree the conclusions of the reassessment with regard to any package of mitigation measures that may be required as a result of the reassessment predicting any significant effects for a receptor.</p>
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