



Development Management, Civic Offices, New Road,
Grays, Essex, RM17 6SL

Genna Henry
Planning Services
Gravesham Borough Council
Civic Offices
Windmill Street
Gravesend
DA12 1AU

Our Ref: 22/4075/ENQNEI
Your Ref: 20220852 – SCON3
E-mail: mgallagher@thurrock.gov.uk
Date: 12th September 2022

BY E-MAIL

**Town and Country Planning Act 1990
Town and Country Planning (Environment Impact Assessment) Regulations 2017
(as amended)**

Consultation on a request for a Scoping Opinion submitted to Gravesham Borough Council pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) in respect of a proposed outline planning application for development comprising up to 3,500 dwellings, up to 55,000 sq.m floorspace within Use Class E, new football stadium etc. on land surrounding Ebbsfleet United Football Club, Northfleet, Kent.

Dear Genna

Thank-you for your letter dated 22nd August 2022 inviting Thurrock Council's observations on the proposed scope of an Environmental Statement relating to the development proposals and site described above. I note that this Council's observations are sought no later than 12th September 2022. In these circumstances, and in the time available, I have not sought the views of internal Thurrock Council consultees or other consultees who would potentially comment on behalf of receptors and land-use planning interests within Thurrock. Similarly, this matter has not been reported to Thurrock Council's Planning Committee. As a consequence, the views and observations expressed in this letter are on behalf of Thurrock Council as an adjoining local planning authority only.

Thurrock context

I have noted that the north-eastern boundary of the application site adjoins the River Thames and is located c.740m from land within Thurrock (ignoring the slightly shorter distance between the inter-tidal zones on both sides of the River. That part of the application site fronting the River Thames is opposite the Port of Tilbury, and in particular the Port's harbour

lock entrance and the London Container Terminal with its associated berths accommodating container ships.

The Port is a key component in the UK's trading infrastructure and is the 3rd largest port in the country. The Port's estate extends to over 400 hectares in area and operates on a 24 / 7 basis. As the Port occupies c.4km of continuous frontage between Grays town centre and Tilbury Fort, other potential receptors of the impacts of the proposed development are inevitably located further away from the application site. I have estimated that the nearest sensitive residential receptors in Thurrock are located c.2.1km from the nearest part of the application site. There is an Air Quality Management Area (no.24) also located c.2.1km to the north-east of the application site, at Dock Road / Calcutta Road / St. Chads Road, Tilbury. This AQMA is designated for NO₂ from road traffic. The nearest heritage assets to the application site which are located in Thurrock are c.2.5km to the east at Tilbury Riverside Station (Listed Building) and various Listed Buildings within Grays town centre, c.2.5km to the north of the application site. I do not consider that there are any sites designated as of importance for nature conservation within Thurrock which would be significantly affected by the development proposals: West Thurrock Lagoon & Marshes SSSI being located c.3.1km to the north-west of the application site. Finally, you should be aware that there a number of major hazard sites within Thurrock, including sites within the Port of Tilbury. There is also an 'explosives interest' within the Port which may affect the north-eastern corner of the application site.

Potential for significant impact on receptors within Thurrock

As the application site is physically separated from land within Thurrock by the river corridor, my comments are limited to the potential for 'transboundary' impacts (Schedule 3 (3) (c) of the EIA Regulations). I note that the topic of air quality is 'scoped-in' to the EIA and I further note that the Wind Rose diagrams (Figure 16 of the EIA Scoping Opinion Request) confirm a predominant windflow from a south-westerly direction. However, as described above, sensitive residential receptors in Thurrock are located c.2.1km from the application site and it may be the case that the ES confirms that the transboundary impacts of the demolition / construction and operation phases of the proposed development are not significant with regard to air quality.

On the topic of noise and vibration, paragraph no. 154 of the EIA Scoping Opinion Request states:

"The noise and vibration assessment will consider the potential noise and vibration impacts and associated likely effects of the Proposed Development on nearby existing sensitive receptors during demolition and construction works and once the Proposed Development is completed and operational ..."

Paragraph no. 158 also states, under the heading of 'Baseline Conditions', that long-term baseline noise surveys will be completed with survey positions chosen to evaluate noise emissions from nearby roads and industrial sources, including Tilbury Docks.

Further to the wording of paragraph no. 154 above, it is essential to note that land-uses within the proposed development may themselves be receptors to noise emissions from sources within Tilbury Docks. As noted above, the river frontage of the application site is located opposite the harbour lock entrance and riverside berths at the London Container Terminal. Within the wider Port complex are a number of operational berths, working around the clock, which generate noise as well as noise created from on-board ship generators – which can run continuously. Although a distance of c.700m separates the application site from the Port, the River Thames is clearly an ‘open’ corridor and may act as a reflector of noise emissions. I would suggest that noise monitoring positions (Figure 12 of the EIA Scoping Opinion Request) should be chosen to monitor noise generated by the Port.

If noise sensitive land-uses are proposed on or close to the river frontage of the application site, then the ES should undertake a robust assessment of the impact of noise generated by the Port on those receptors. The Port of Tilbury is a ‘statutory’ harbour undertaker, benefitting from permitted development rights and has been operational since the 1880’s. Therefore I consider that the ‘Agent of Change’ principle would apply to place the responsibility of mitigating the impact of any noise nuisance from the Port (as an existing noise generating use) on the proposed new development.

I note that the Traffic and transport chapter of the EIA will be supplemented by a Transport Assessment. Thurrock Council would encourage this Assessment to investigate and where appropriate commit to the use of river transport during the demolition / construction and operational phases of the development.

Cumulative impacts

Paragraph no. 43 (onwards) of the EIA Scoping Opinion Request provides approach to the assessment of cumulative impacts and Table 2 lists both ‘Tier-One’ and ‘Tier-Two’ schemes. I would advise you that Thurrock Council is currently considering a planning application (ref. 22/00466/FUL) proposing ‘Construction and operation of a cementitious products manufacturing facility’ located at Berth 40A, Tilbury Freeport, Tilbury, RM18 7EH. This application is EIA development and Thurrock Council has recently sought the views of Gravesham Borough Council as an adjoining local planning authority. You should give consideration as to whether this project should be ‘scoped-in’ to the assessment of cumulative impacts, particularly with regard to noise or air quality impacts.

Paragraph no. 53 of the EIA Scoping Opinion Request mentions the Lower Thames Crossing Nationally Significant Infrastructure Project (NSIP) and scopes this project out of the EIA. It is currently expected that an application for a Development Consent Order (DCO) will be submitted to the Planning Inspectorate before the end of 2022. Although there may be limited information available for the Lower Thames Crossing at this point in time, once the application for a DCO is submitted a decision on whether it is accepted will be taken within 28 days. In which case there may be ‘overlap’ between consideration of the application for DCO and the planning application. No doubt the relevant highways authorities, both local and strategic, will advise as to whether LTC should be ‘scoped-in’ to the EIA.

I hope that these comments are of assistance and thank-you for consulting Thurrock Council on this matter. I look forward to receiving a request for a consultation response when the planning application is submitted.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Gallagher', is positioned above the printed name.

Matthew Gallagher MRTPI
Major Applications Manager

Gravesham Borough Council