

NURALITE INDUSTRIAL ESTATE - 20190290

20190290: The proposal is for the systematic redevelopment of the existing Nuralite site. This includes the importation of inert materials to cap, and landscape the historic asbestos landfill, thus containing its contamination risk. To demolish the existing buildings of the Nuralite industrial estate, deal with existing contamination, both through capping and removal of areas of hydrocarbon pollution, the laying of new service and utility infrastructure and the construction of 11 new purpose built light industrial type units and a site office.

We refer to the above application, which although only a small part of which lies within our parish, will have a serious and significant adverse effect on the residents of Lower Higham and the Lower Higham Conservation Area. We object to this application and ask you to refuse it.

Application site

The application site has been used for industrial purposes for over a century and additionally, as was common with asbestos manufacture, has been the subject of asbestos tipping/disposal of faulty products. The current owners have negligently disturbed the capped tipping areas exposing some of the [blue] asbestos so that the environmental reports and remediation plans are incomplete as the experts employed deemed the area unsafe to inspect.

The Ordnance Survey plan shows that the site was developed as a close knit series of buildings with access around the perimeter, as was typical of factories at the time. Some buildings appear to have been demolished at periods over the last 50 years and the areas used for yardage and open storage significantly extended.

Transport

We acknowledge the transport studies undertaken.

For most of their existence the Nuralite Works were provide with transport via canal and/or the railway and the site had its own passenger halt as well as sidings. In addition, there never used to be a road access from the Hoo Junction railway sidings onto Canal Road.

Canal Road is a residential road for the whole length of the public highway. However, for most of its length it is a private road (being the old canal towpath) through a rural environment before it meets industrial areas, including the Nuralite site.

The western end of the public highway part of Canal Road is the narrowest part of the road and is of insufficient width to allow two HGVs to pass. In addition, due to the route of the old canal, the road does a Z bend so that one end of this narrow route is not visible from the other. As the only vehicular access route which is already very busy any increase in use will cause further congestion and disruption to residents. Within the documents, it is claimed that only 20% of the buildings at the Nuralite works are currently in use, which means that the potential increase in traffic is beyond any reasonable

expectation of the roads in Lower Higham to cope. The amount of traffic already regularly results in traffic jams caused by the inability of traffic to enter or leave Canal Road. In addition to which the fact within 100 metres at the junction of Gore Green Road and Lower Rochester Road both roads are only about 3 metres wide means that there is a second bottleneck close to the first. To bring the whole of the Nuralite site back into use when the current use of most of it seems to have been abandoned will result in an unacceptable intensification of traffic on the highways. This is shown by the projections in the Traffic Assessment documents as having an unacceptable noise effect on the dwellings in Canal Road and those by the junction at the eastern end of Canal Road. The number of vehicles is projected to rise from the current observed levels of 40-50 an hour for most of the day to about 140 an hour with a peak of about 170 an hour roughly 3.5 times the current level of use, once construction works are completed.

During the construction phase, the number of vehicles is much higher due to the projected average of "686 daily two way trips", 420 of them being HGVs (January 2020 Construction Traffic Management Plan(CTMP)). This is totally unacceptable and no mitigation measures in Canal Road can justify this increase. All materials coming into or leaving the site should be by rail. In addition, the CTMP makes it clear that these will be spread during the day from 6am to 8pm. This is too long. For residents to be able to sleep and enjoy their leisure time, traffic should be limited to 07:00 to 18:00.

The proposed traffic light control of the narrowest part of the public highway part of this road will cause further disturbance to residents. At present due to insufficient off street parking some residents and their visitors have no alternative to park on the road. This effectively narrows the road to a single lane. There is no indication that any consideration has been given to the adverse effect on residents and how to mitigate this.

Since the traffic studies were undertaken, Medway Council have granted planning consent for the construction of major housing developments at Cliffe Woods totalling over 300 dwellings. The traffic studies for these show a significant increase in traffic converging on Lower Higham, mainly using Lillechurch Road, Gore Green Road. There needs to be a serious review of the cumulative effects of all the piecemeal developments affecting Chalk Road/Chequers Street and Lower Rochester Road including other developments in Shorne, as well as the projected increase in traffic on Gore Green Road.

Residents in Lower Higham, particularly in Chequers Street, Church Street, Canal Road and Lower Rochester Road are already greatly inconvenienced by the industrial uses along Canal Road. The increase in traffic and the proposed construction of a roundabout will both adversely affect their living environment. In addition, the roundabout is likely to increase the time traffic is stationary increasing air pollution at this junction, as well as noise as all traffic slows/stops and the accelerates away again.

In addition, the roundabout design removes an established tree and does not seem to allow for HGVs and agricultural vehicles coming from Church Street into Canal Road. The road narrowing in this area will again reduce the area which residents who have no off street parking have available to park vehicles. The proposals make no attempt to address this significant adverse effect on parishioners. In addition, despite the current "ghost island markings, the full width of the road is currently used so narrowing the road on the south east side is likely to hinder movement. This junction regularly floods and as part of any works, the drainage needs to be improved.

Higham village already suffers from a significant number of light (and some heavy) goods vehicles using School Lane and Forge Lane or Villa Road instead of Lower Rochester Road Chequers Street,

which brings congestion into the village and outside the school, where parents parking at school times reduce the width to a single lane.

The studies appear to ignore the affect that any increase in traffic will have on National Cycle routes 1 and 179. Route 1, which runs from the north of Scotland to Dover and is strategically important, run from Gravesend along the canal towpath as far as the Nuralite Works, then along Canal Road and from Lower Higham along the Lower Rochester Road and then via Two Gates Hill to Town Road which it crosses at Mockbeggar and continues along Bunters Hill Road. This crossing of Town Road is difficult enough in a car and even more difficult on a bicycle or on foot. Route 179 runs from Lower Higham along Gore Green Road and then Buckland Road. All these roads, as well as Lillechurch Road are typically 4-5 metres in width but sometimes as narrow as 3 metres. At various points larger vehicles have eroded the verges/banks so that they can pass. Any increase in traffic on these roads will be to the detriment of cyclists and existing users.

The junction of the Lower Rochester Road and the B2000 (Town Road/Lower Rochester Road) is difficult to use in the rush hour, especially when turning right towards Wainscott and Strood. The increasing traffic on this road, when couple with the projected increase from this development means that there should be improvements to this junction. A 2016 study for Medway Council suggested that in the AM peak hour, over 70 vehicles, including heavy vehicles turn right onto the B2000 from Higham at this junction. The amount of traffic using the Lower Rochester Road from Higham had, pre Covid 19 increased significantly since 2016.

Residents of dwellings already comment on the vibration they experience inside their homes from passing heavy traffic (most buildings are over 100 years old). An increase of 420 HGVs a day will make this intolerable.

The Lower Rochester Road is a dedicated lorry route to a number of industrial areas within Higham and Shorne, as well as Network Rail's infrastructure maintenance facilities and sidings at Hoo Junction on the Shorne/Higham boundary. Roads through Lower Higham are narrow and also congested. They are not capable of taking addition traffic without significant widening and junction improvements. Roads in Lower Higham, including Canal Road, Lower Rochester Road, Gore Green Road and Lillechurch Road are also used by numerous horse riders and pedestrians and there is already conflict between them and cyclists on the one hand, and motorised traffic, including articulated lorries on the other.

Increasing traffic flows on Lillechurch Road, Gore Green Road and Lower Rochester Road will have an adverse effect on the residents of these roads and business situated on them. Currently there is traffic congestion on Gore Green Road, which at its southern end is only one vehicle wide and for a lot of its length until east of Gore Green, is not off sufficient width to allow two cars to readily pass each other. Despite the fact that the ATC shows buses rarely using this road, it is a bus route for services buses, as stated elsewhere in the documents prepared by RSK , and also for school buses. This error must bring into question the accuracy of the data and thus reports prepared by RSK. It will not be able to cope with the suggested increase in traffic during the remediation and construction phase, with or without trespassing on to private land to provide passing places.

The travel plan proposals recognise the remoteness of the site but do not address the resultant difficulties if most employees and visitors are not to come by private transport.

Canal Road is too narrow to cope with the existing and any increase in traffic volumes. If it is decided to grant consent:

- 1) The applicant should be required to widen the public highway part of Canal Road from the western end of the residential buildings to the start of the private road. The private road should be wide enough for two articulated lorries for a minimum of 100m from the boundary with the public highway.**
- 2) In order to safely accommodate vehicles, cyclists and pedestrians, Canal Road should have a separate pavement and cycleway.**

The travel plan is predicated on a shuttle bus to Higham station. Unless the bus service to Lower Higham is to be significantly improved on a permanent basis (ie not just 3 or 5 years), any consent should require the shuttle bus should be extended to the Falstaff PH so that there is a link with the main buses from Gravesend to the Medway Towns. The shuttle bus must be a long term requirement (eg 15 or 25 years as a minimum).

The study should consider traffic movements at the junctions of Town Road with the Lower Rochester Road and Lillechurch Road, and suggest significant upgrades and improvements to these junctions. Given the dramatic increase in traffic volumes on these rural roads, additional works are needed to take account of the requirements of users of the National Cycle Route, pedestrians and horse riders using the roads in Lower Higham. All improvements should be implemented as a condition of any consent.

The applicant should be required to widen Lower Rochester Road, especially from Sandhill Lane to Chequers Street (including reducing the height of the field at the junction) so that it has room for two way traffic and cyclists and pedestrians; and vehicles can go from Lower Rochester Road into Chequers Street safely.

The proposed roundabout will not solve the problem at this junction due to the volume of traffic. Any on-street car parking removed (either physically or by additional restrictions) must be provided elsewhere within a 2 minute walk of the properties concerned.

The proposed reorganisation of the Canal Road, Chequers Street, Church Street, Lower Rochester Road junction with a roundabout is inappropriate in this Conservation Area.

A weight limit should be imposed for School Lane, Forge Lane and Villa Road of 3.5 tonnes except for buses, council refuse vehicles and vehicles delivering to premises within the restricted area.

Construction and remediation materials should be delivered to the site by rail.

The increase in traffic after the construction phase is predicted to be over 3 times current levels. This is an unacceptable increase in the volume of traffic and, on its own, is sufficient reason to refuse the permission sought.

Proposed Development

The application and its supporting documents state that it is an increase on the existing covered area and states that only about 20% of the current space is currently in use. The remainder of the area therefore appears to be abandoned. Any replacement or rebuilding should be limited to replacing the currently used floor space.

The existing car park at the entrance to the site used by walkers and others should not be removed as part of the development

The development also refers to the need to properly contain the tipped asbestos so that it is not a health hazard. The applicant damaged the current containment of most of the tipped area by its own negligence and Gravesham Borough Council and the Environment Agency should exercise their duty to force remediation of this damage before any planning consent is granted. Any consent should then address further remediation not only of the site but also that part of Canal Road owned by the applicant, which appears to be supported on tipped asbestos.

The footprint of any new buildings and yardage/ open storage areas should remain within the existing developed area and should not encroach on the areas previously used for tipping asbestos, ponds, etc. Although the application states that it is for 11 Units, plus an office block, this is misleading as each 'Unit' is a building designed to be subdivided and multilet for industrial or warehouse use so there will be many business units. For example, 18/171/04 appears to show that "Unit C" actually forms 12 separate premises.

Based on the Government's website, we appreciate that the applicant has Permitted Development rights but these are limited to

- Any building within 10 metres of the curtilage must be no more than 5 metres high
- Development must be within the curtilage of an existing industrial building or warehouse
- Gross floor space must not exceed:
 - 110% of the original building or 500 square metres (whichever is lesser) on designated land
 - 125% of the original building or 1,000 square metres (whichever is the lesser) on a site of special scientific interest
 - 150% of the original building or 1,000 square metres (whichever is the lesser) in all other cases
- No development to come within 5m of the curtilage boundary
- No development within the curtilage of a listed building
- On designated land any new, extended or altered buildings to use materials similar in external appearance to those used for existing industrial building or warehouse
- Developments that would reduce space available for parking or turning vehicles are not permitted development
- Any new, extended or altered industrial building must relate to the current use of the original building, the provision of staff facilities or for research and development of products or processes
- Any new, extended or altered warehouse must relate to the current use of the original building or the provision of staff facilities
- No new, extended or altered building to provide staff facilities:
 - Between 7pm and 6.30am, for employees other than those present at the premises of the undertaking for the purposes of their employment
 - At all, if a notifiable quantity of hazardous substance is present

The application therefore does not comply with these rights and is a completely fresh application because

- The proposals increase the total floor area by more than 1,000 sq. metres
- The proposals use different materials for external cladding

- The location and heights of some of the development on the site infringe the above limits
- The replacement buildings would be put to a different use.
- The existing use of most of the buildings has been abandoned and so any use would be a new use
- Curtilage in planning terms is different to legal ownership and we submit that the tips, ponds and other undeveloped areas do not form part of the curtilage
- The above permitted rights do not appear to include the proposed separate office building

The proposals do not comply with any permitted development rights and should be rejected

Any redevelopment should be limited to replacing the buildings which are currently in beneficial use for this non-conforming use in the Green Belt and next to ecologically important areas.

Gravesham should use its separate powers to enforce the remediation and safe containment of the asbestos and other ground and air pollutants on the land owned by the applicant and should not rely on an unacceptable planning consent to facilitate this.

The existing car parking area used by walkers and others visiting the SPA should not be removed (it is shown as being planted with trees despite being an area of asbestos tipping) but remain in its current use.

Landscape, environment, Ecology

The site is within Green Belt and next to ecological sites of national and international importance - SSSI, Ramsar, and the Thames Estuary and Marshes Special Protection Area (SPA), there should be no interference with the supporting areas for these wildlife areas, not only the direct feeding areas but the areas which provide habitats and food for insects, small mammals, etc., which provide the food for certain species, which the special designations are designed to protect. Increasing lighting, building heights, building spread and reducing undeveloped/unused areas, etc will all be to the detriment of the existing wildlife. The effect on wildlife should be considered before any mitigating measures are taken into account.

The removal of a tree in the Lower Higham Conservation Area in order to form the roundabout is also unnecessary.

In order to protect wildlife, both during and after construction, the use of the site should be limited to 07:00 – 18:00 Monday to Friday. All use should be prohibited on Sunday.

Security lighting should be designed so as not to escape from the developed area and all other lighting extinguished outside working hours.

Light noise and air pollution together with reducing the 'green areas' with the application site are all detrimental. The development as planned will be to the adversely affect the adjoining Ramsar, SPA and SSSI and will not do anything to enhance the Green Belt in this location.

The proposals will lead to unacceptable increase in night time light pollution to the detriment of wildlife and the designated Ramsar, SPA and SSSI.

Controls need to be introduced to restrict the hours of use to mitigate the effect of the substantial increase in the use of the site.

In summary we believe that this is an opportunistic application design to generate profits for the current site owners in order to pay for their own disturbance of the asbestos tip and appears not to consider other areas of concern (eg the asbestos under the road or that which was tipping into the canal). We do not believe that the applicant should be allowed to increase the current level of activities on the site and that the traffic generated will be to the great disadvantage of those living in Higham. We do not believe that it is possible to design a traffic scheme which is acceptable to allow for the construction and subsequent use of the site as proposed.

For the above reasons, we request that you refuse consent for this inappropriate application.

HIGHAM PARISH COUNCIL