

## Planning and Regeneration Cabinet Committee

Thursday, 28 March 2019

7.30 pm

### Present:

Cllr Julia Burgoyne (Chair)  
Cllr Robin Theobald (Vice-Chair)

Councillors: Lee Croxton  
Brian Francis  
Samir Jassal  
Jordan Meade  
Lauren Sullivan  
Steve Thompson

Wendy Lane Assistant Director (Planning)  
Tony Chadwick Principal Transport and NSIP Project Manager  
Lauren Wallis Committee Services Officer (minutes)

### 52. Apologies

No apologies for absence had been received.

### 53. To sign the minutes of the previous meeting

The minutes of the meeting held on Tuesday, 20 November 2018 were signed by the Chair.

### 54. To declare any interests Members may have in the items contained on this agenda. When declaring an interest Members should state what their interest is.

No declarations of interest were made.

### 55. Presentation on Nationally Significant Infrastructure Planning (NSIP) Projects (including Tilbury 2 and excluding the Lower Thames Crossing)

The Principal Transport and NSIP Project Manager gave a presentation on the following subjects:

- An update of NSIP projects
- The A2 Bean & Ebbsfleet junction improvements (Highways Order)
- The implication or lack thereof for Gravesham Borough Council Resource issues
- A general transport update

The presentation slides can be accessed via the following link:

<http://democracy.gravesham.gov.uk/ieListDocuments.aspx?CId=371&Mid=2930&Ver=4>

### Lower Thames Crossing

The Committee was advised that the Preliminary Environmental Impact Report had not gone down well with a range of organisations submitting concerns, many including the issues highlighted in the response submitted by this Council. The Borough Council understood that Highways England was analysing 28,000+ responses and, as yet, there had been no feedback on issues raised.

An autumn submission of the Development Consent Order (DCO) was expected. Marling Cross would be used for the storage of materials for use in the geophysical testing and this would be a temporary use.

The following questions were asked and answered:

- The Marling Cross Lorry Park entrance was on Kent County Council highway land.
- A projected additional 4,000 lorries using the road system around Marling Cross was mentioned by Kevin Gore – KCC District Manager (Gravesham) at the last meeting of the Gravesham Joint Transportation Board. It was confirmed that this would not happen as no planning application had been submitted for any works and therefore no consent had been given. The DCO would give permission for this sort of activity. There would be an impact and the Borough Council intended to ask for a Traffic Management Plan.
- The construction of the tunnels for the Lower Thames Crossing would start on the Tilbury side. However the cutting at the tunnel entrance/exit on the Kent side would have as big a scale as the tunnels and would result in a huge amount material being removed.
- Members were advised that the DCO would cover the overall permissions required for the scheme and its construction. There would need to be agreements on a whole range of issues with the appropriate organisations, for example KCC as Highways Authority.
- Recognising that Tilbury2 had started as a development management project and consequently was not treated as a strategic project, the Lower Thames Crossing was on a much bigger scale.

### London Resort

The Committee was advised that the Council had not been seriously engaged by the developers of the London Resort for 18 months and the project was therefore, no further forward.

### Tilbury 2

The Principal Transport and NSIP Project Manager noted that Tilbury was closer to the town of Gravesend than it was to the town of Tilbury and was distant from the Essex and Thurrock populations.

The Assistant Director (Planning) explained the proposed layout of Tilbury 2 and that the key concern for the Council was the Construction Materials Aggregate Terminal (CMAT) which would require huge vessels to discharge tonnes of material from a wharf opposite the Canal Basin area which could impact on the residents and businesses of the town. The proposals

had to be determined by the Secretary of State and not by Thurrock Council as originally thought, as the project was large enough to fall within the NSIP criteria. Therefore the Borough Council had become involved in the project late in the process. The Borough Council wanted to constrain the hours of operation so that night time noise nuisance could be avoided. The Borough Council was not told who the operator would be and without this information the final design of the scheme was not known. To reduce the risk of negative impacts on residents and businesses, the Council had negotiated a number of concessions. Triple glazing paid for by the operator had been offered for residents, but the Borough Council did not consider this acceptable and instead had insisted that the noise should be reduced rather than just mitigated. Members were advised that it had been a difficult negotiation as Thurrock Council had been agreeable to the ports proposals. The officer was hoping that the Borough Council was wrong about the noise risk indicated by the modelling and, when operational, the port expansion would have a negligible impact on local residents and businesses. The Assistant Director (Planning) also explained the amount of man-hours staff had spent on Tilbury 2 and highlighted that the Lower Thames Crossing would take far more time.

The following questions were asked and answered:

- Concerning the use of public health powers in relation to noise nuisance, The Committee was advised that as the DCO was secondary legislation, this enabled various acts to be disapplied. Therefore, the applicants for Tilbury2 had asked for statutory noise nuisance to be disapplied and provided precedents from other DCOs to justify the request
- Members questioned whether the tides made 24 hour operation necessary. The Committee was advised that this point had been made but it had been suggested that whilst the vessel might need flexibility on the mooring time, the operator could delay the discharge of material if it was not within the defined working times.
- The Assistant Director (Planning) advised that if a Noise Management Plan was in place, then the Borough Council should use this to ensure that the port adhered to the plan
- The issue of increased river traffic caused by Tilbury2 had been raised by officers together with the higher level of pollution caused by most craft using "dirty" or marine diesel.
- Officers had also spoken to the sailing and rowing clubs together with the Port of London Authority to better understand what happened on the Gravesend side of the river.
- The Assistant Director (Planning) gave an explanation of the Environmental Impact Assessment (EIA) and noted the Port of London's desire for an increase in shipping.
- The Principal Transport and NSIP Project Manager also noted that officers would also have to keep a watching brief on the other half of the Tilbury 2 site which was owned by RWE. RWE's plans for a possible 300 megawatt open cycle gas turbine and an energy storage facility had recently been shelved but it was anticipated that another proposal would come forward on the site in due course.
- The adjacent Flexible Energy Plant was also mentioned with its proposal for gas engines which could be up and running from cold in 6 minutes and in 3 minutes from hot. Although this was a gas engine it would still need to be connected to the main electricity grid. The site was on Green Belt and formerly commercial land. Environmental scoping had been done but things had since gone quiet. It was noted that this site was a bit further away from Gravesend than Tilbury Energy Centre.

- There had been small scale gas turbine proposals in Gravesham at the Canal Basin and the Cyclopark but these had been purely speculative.

#### The Bean & Ebbsfleet junction improvements:

The Principal Transport and NSIP Project Manager advised that the Borough Council had informed Highways England about the various concerns held by the Council relating to the transport modelling but it was felt that these should be resolvable.

It noted that there was a very significant archaeological site that had been excavated to the north of the junctions and Members were advised that Kent Council Council's Archaeology Service was aware of it. The artefacts relied on a non-oxygenated (waterlogged) environment and therefore the redevelopment would not be allowed to affect the water table in the area in any way.

#### Other Transport

A question was asked about the cycle route from the Cyclopark via Bedford Road and Cecil Rad into town and whether it could be routed on a safer route through the cemetery. It was confirmed that this had been agreed and that Members should speak with John Pexton – Major Projects Co-ordinator if they required additional information.

Further to a question about the transport interchange at Barrack Row and enforcement for the two bus gates, Members were advised that either APNR cameras or physical barriers could be put in place. However, the APNR cameras required back office support and KCC did not like physical barriers, and the increased number of buses might act as a deterrent to car drivers. Dartford Borough Council was trialling an experimental system.

With regard to the Crossrail extension at Abbey Wood, it was noted that the situation was challenging at the moment. An outline strategic case had been submitted to the Government which included an enlarged Northfleet Station and the critical factor would be the scale of the development in Bexley. Another constraint would be the terminal capacity in London. The Crossrail extension had a number of possible options but Ebbsfleet was the objective.

#### NSIP

The Principal Transport and NSIP Project Manager handed round an illustration of what would take place when a NSIP application was submitted and described the difficulties in applying the very tight timeframe. He gave an explanation of the Planning Inspectorate timelines and what had to be achieved by each deadline. The Borough Council would have to complete a Local Impact Report which had to be factual. The deadlines would be fixed so Members were asked to give consideration as to their involvement and how this could be structured. The Assistant Director (Planning) went through what Councillors could and could not do. Whilst there would be frequent Portfolio Holder briefings, there would not be time for the appropriate Member to be briefed on everything and in the early stages Members would need to give officers a steer to front load the process. The creation of a cross party Member working group was suggested. Members recognised the massive resource implication for officers of the Council and noted that if the London Resort was progressed, then the Council would have two NSIPs to deal with.

The Assistant Director (Planning) and the Principal Transport and NSIP Project Manager were thanked for their detailed and interesting presentation.

## **56. The Great Crested Newt District Licensing Scheme - Verbal Update**

The Assistant Director (Planning) advised that a Housing White Paper had expressed concern over environmental factors delaying development. Great Created Newts being highlighted as a particular concern because surveys of sites could only take place at certain times of the year. As part of the proposed District Licensing Scheme, Natural England had looked at the whole of Kent to determine where landscape scale improvements could be made and it had transpired that Gravesham had the least density of Great Created Newts so was not a focus for new pond developments. All Local Planning Authorities in Kent had been asked whether they would be interested in being the lead for the scheme but none volunteered. Members were given an explanation of the banding and funding system for the ponds and the criteria under which developments could be commenced. Some discontent had been expressed by expert groups because the approach concentrated on one species and they believed that the model was crude and not detailed enough. The fear was that good quality ponds would be lost and replaced by poor quality ponds. Kent County Council and the Kent Countryside Partnership were working together on this initiative.

More information can be found on this topic on the following link:

<https://www.gov.uk/government/news/new-for-newts-better-for-wildlife-business-and-people>

The Chair closed the meeting thanking the Members and officers for their support and hard work.

In return, the Chair was thanked by the Committee.

### **Close of meeting**

The meeting ended at 9.07 pm

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