

SECTION C  
MINERALS AND WASTE DISPOSAL

Background Documents - the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

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**Item C1**

**Application by Crossrail Ltd for a Temporary Tunnelling Logistics Facility at Northfleet Works, The Shore, Northfleet, Gravesend – GR/10/1127**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 April 2011.

Application by Crossrail Ltd for a temporary (2011-2016) mixed use scheme consisting of a facility for receiving, handling, processing and transshipment of excavated material and a segment casting and storage facility with ancillary facilities and infrastructure (i.e. a Temporary Tunnelling Logistics Facility) at Northfleet Works, The Shore, Northfleet, Gravesend.

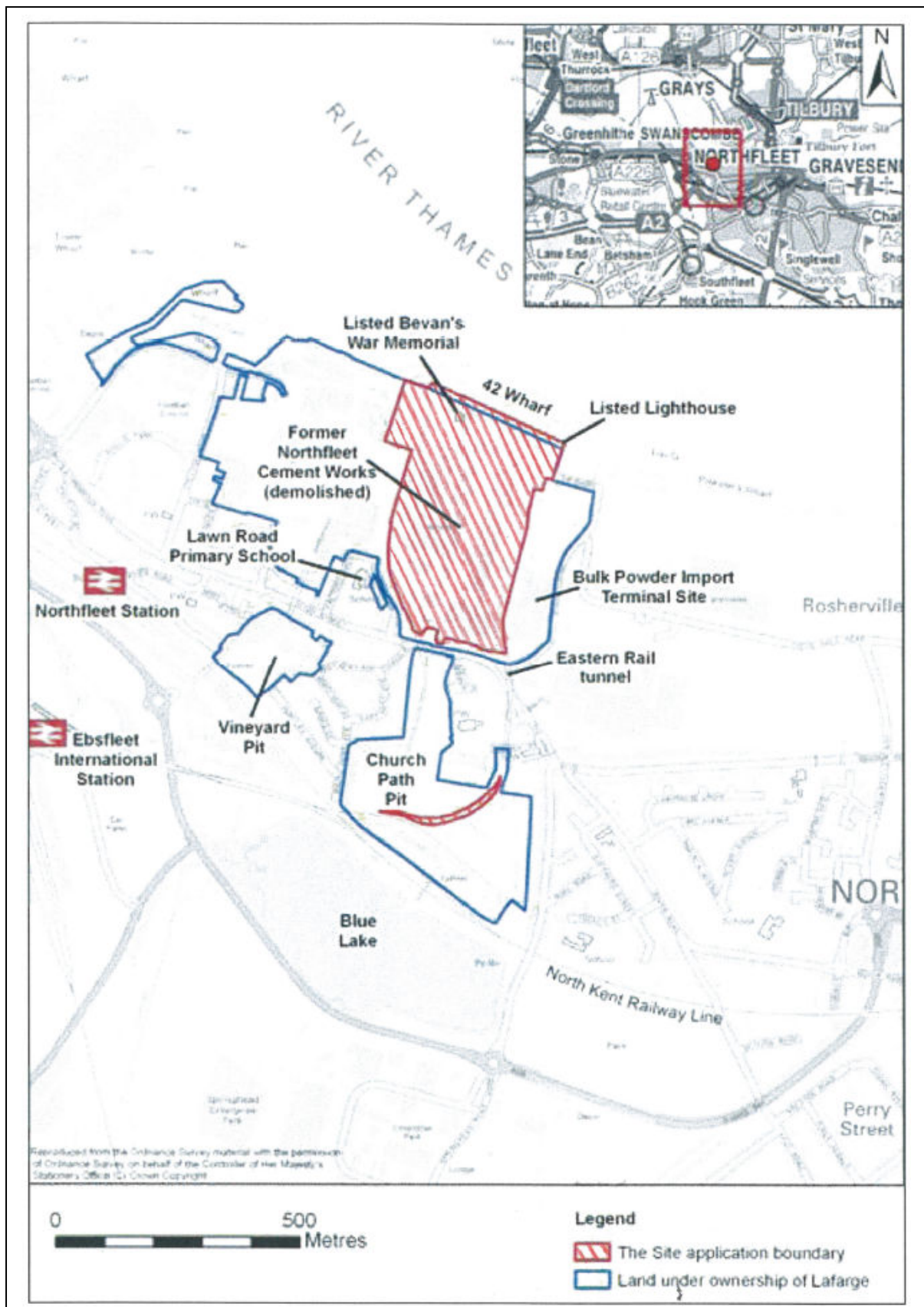
Recommendation: Planning permission be granted subject to conditions.

Local Members: Mr L Christie and Mr H Craske (Mr R Lees adjoining)      Unrestricted

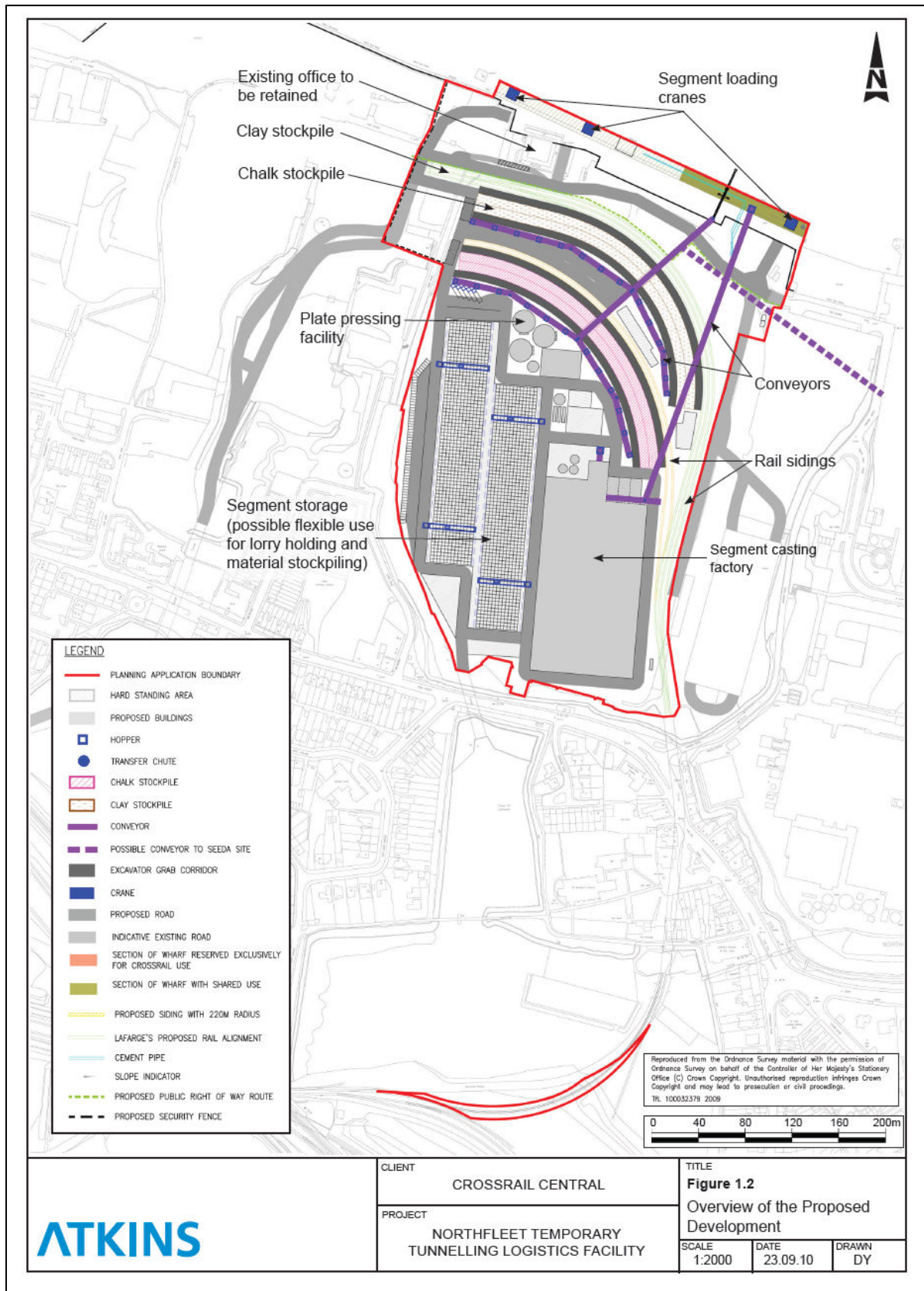
**Site description and background**

1. The application site occupies 13.4 hectares of the former Northfleet Cement Works site on the south bank of the River Thames in Gravesham. The site is bounded by the River Thames to the north, Lafarge Cement UK's bulk powders import terminal to the east, Northfleet High Street to the south and Lawn Road and the rest of the former cement works to the west. The application site also includes a small segment of land within Church Path Pit where the proposed rail access departs from its previous (permitted) alignment. The site location is shown on the drawing on page C1.2. The southern and majority of the western boundaries of the site adjoin high chalk cliffs such that the application site lies at least 20 metres lower than existing properties on Northfleet High Street and Lawn Road.
2. The application site is accessed via Vineyard Pit and two tunnels from the A226 Thames Way (also known as the South Thames Distributor Road 4 or STDR4), part of the Ebbsfleet Valley development. The southern road tunnel goes under the North Kent Railway line and also accommodates footpath NU7A which ascends from Vineyard Pit up to Ebbsfleet Walk. The northern road tunnel goes under Northfleet High Street and is designed for vehicular traffic only. Other road linkages exist from The Shore/Crete Hall Road to the east and Grove Road to the west. Access to the application site is also possible via Church Path Pit through disused rail tunnels and from the River Thames via 42 Wharf. Footpath NU42 passes through the site linking The Shore and Granby Road with The Creek, Lawn Road and Hive Lane (currently controlled due to health and safety issues associated with demolition and redevelopment of the site). Footpaths NU3 and NU6 (to the west of site) link footpath NU42 to The Creek and Hive Lane.

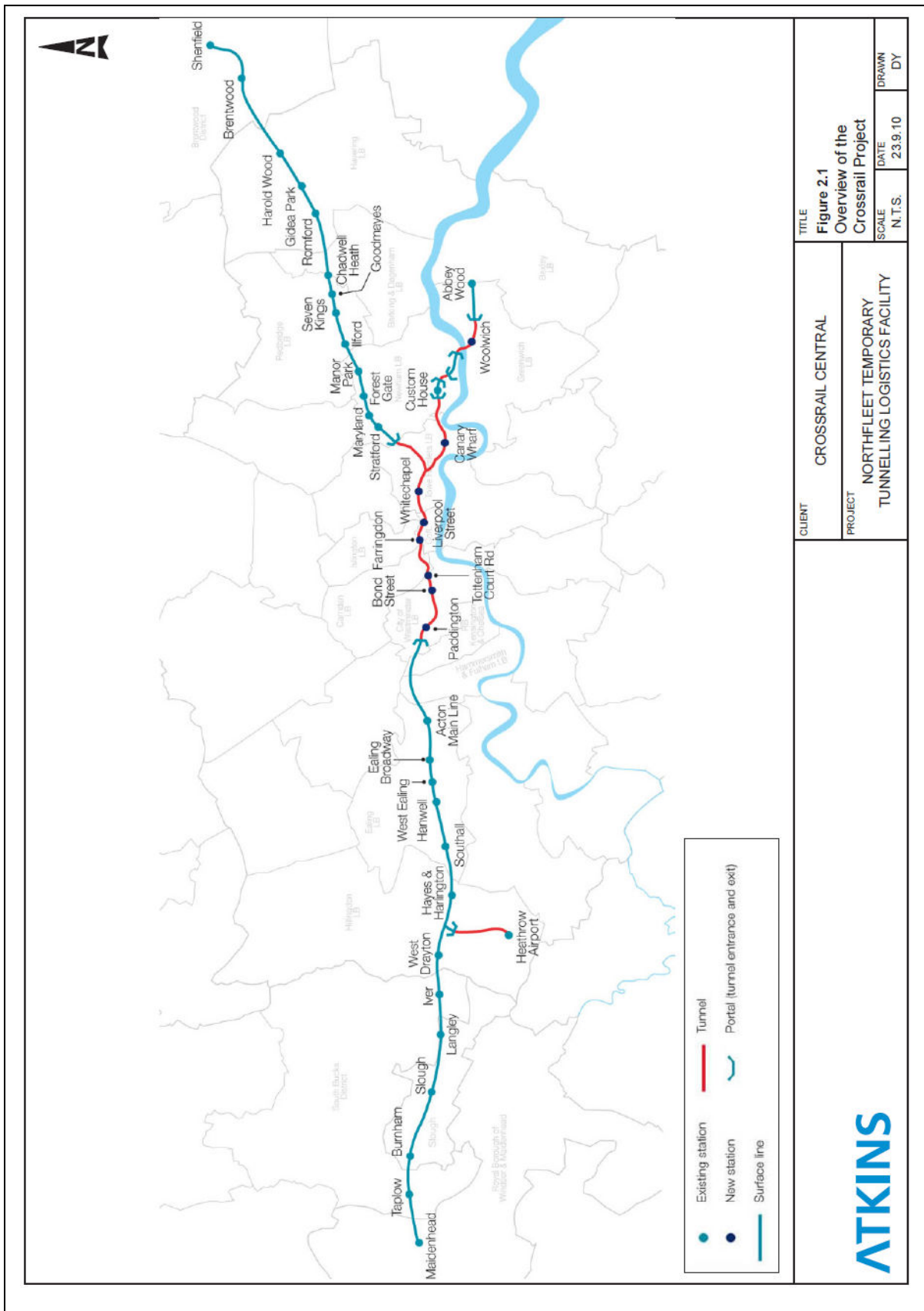
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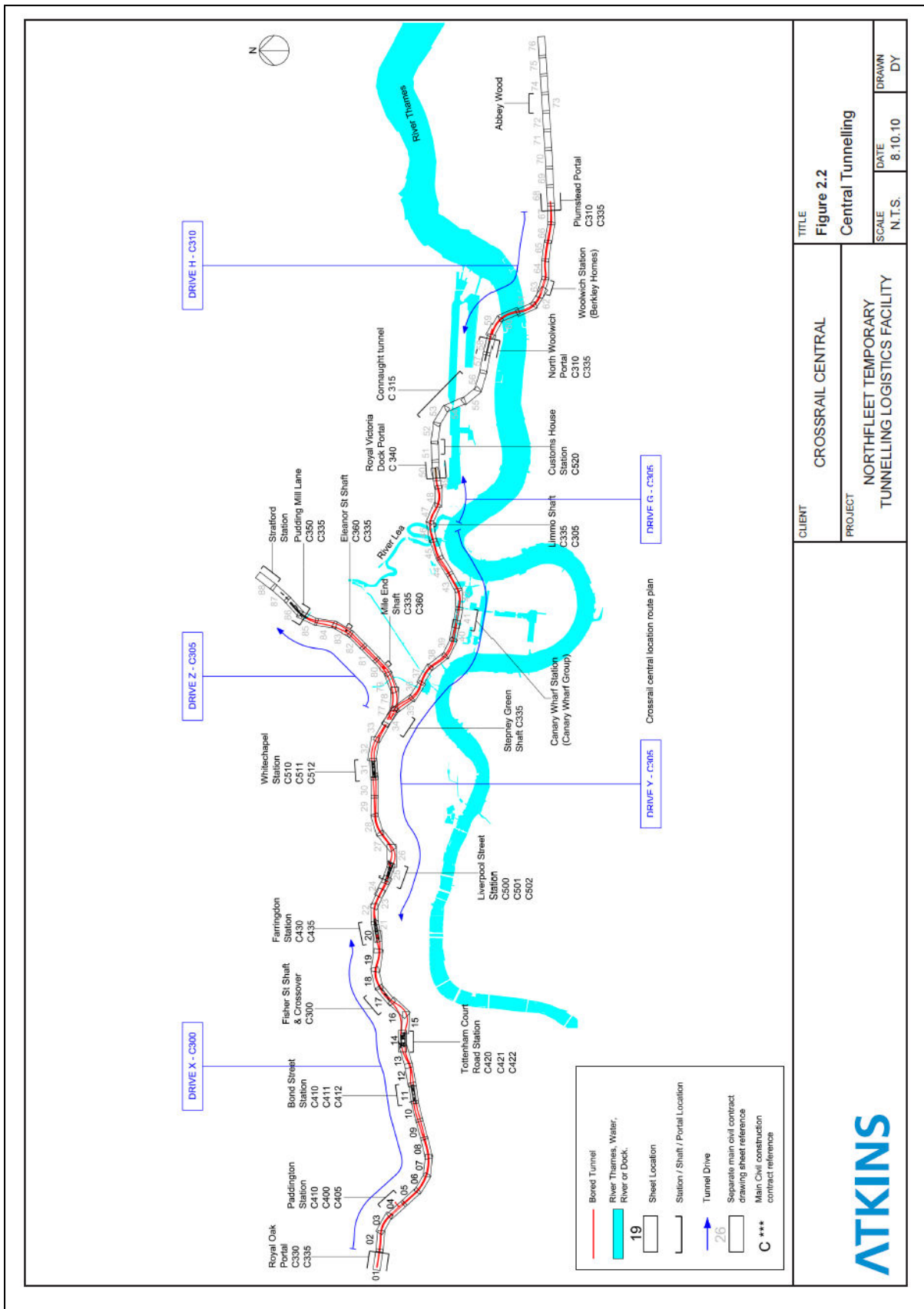
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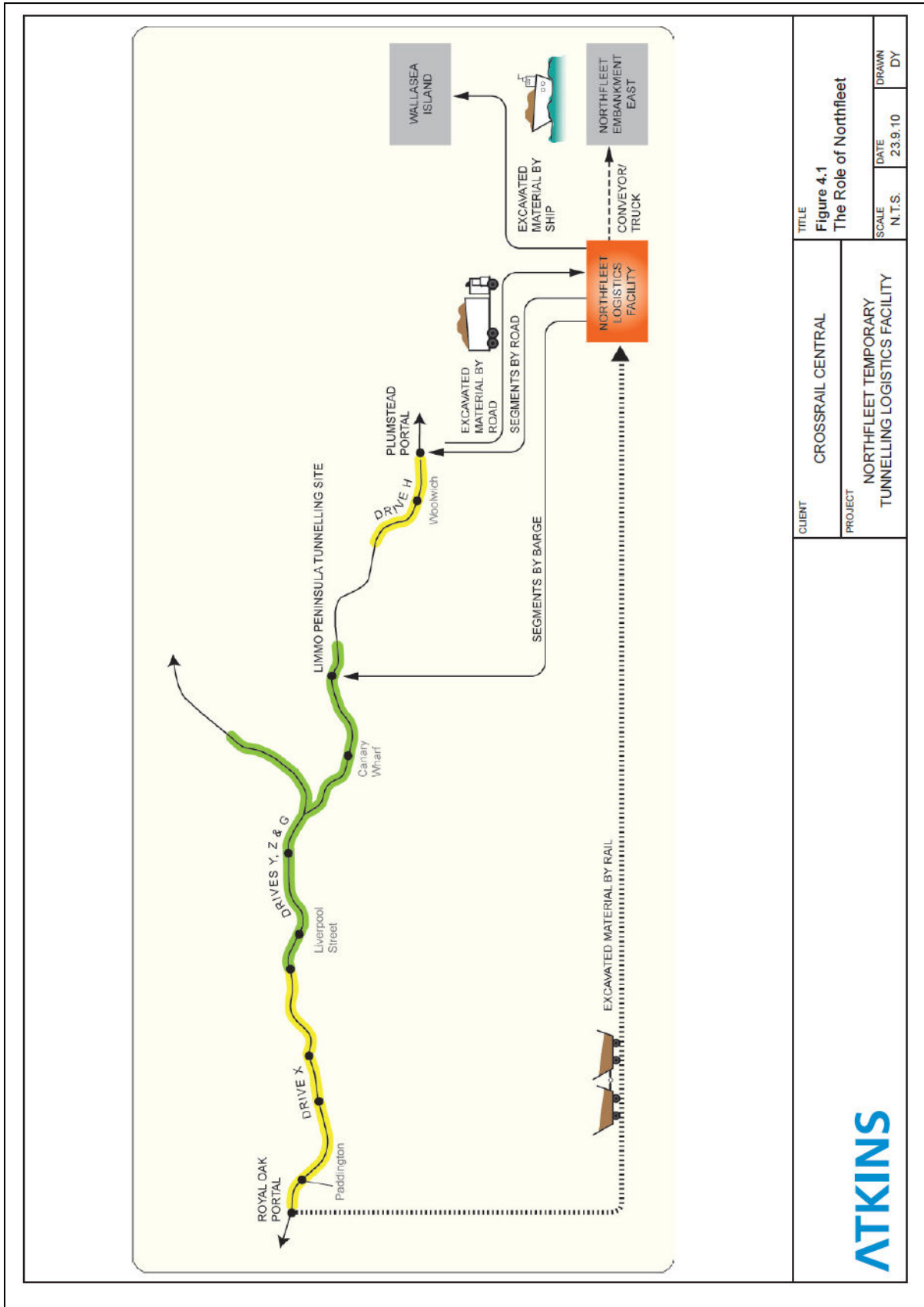
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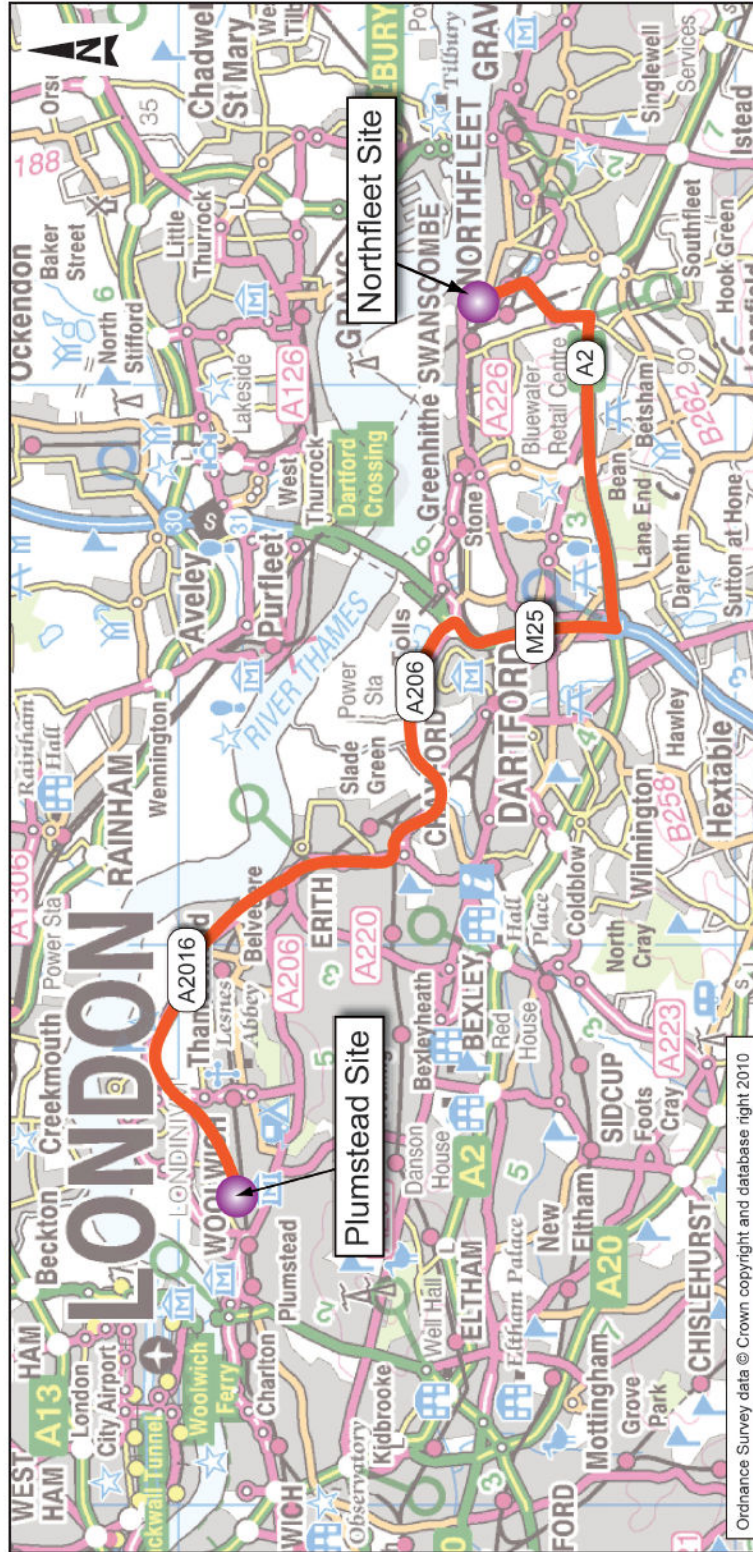
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CLIENT	CROSSRAIL CENTRAL		
	PROJECT	NORTHFLEET TEMPORARY TUNNELLING LOGISTICS FACILITY	
TITLE	Figure 4.1 The Role of Northfleet		
SCALE	N.T.S.	DATE	23.9.10
		DRAWN	DY



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CLIENT	CROSSRAIL CENTRAL	TITLE	Figure 4.3	SCALE	N.T.S.	DATE	23.9.10	DRAWN	DY
	PROJECT	NORTHFLEET TEMPORARY TUNNELLING LOGISTICS FACILITY	Proposed Lorry Route						



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3. The application site is allocated as part of an existing industrial area in the adopted Gravesham Local Plan First Review (1994) and as part of the Northfleet Cement Works / Land East of Grove Road Major Development Site in the Gravesham Local Plan Second Review Deposit Version (May 2000). It also lies within an air quality management area (AQMA) declared for industrial sources of fine airborne particles (PM<sub>10</sub>). None of the site lies within any international, national or locally designated wildlife areas, although the main site access passes underneath that part of the Ebbsfleet Marshes Local Wildlife Site associated with the existing rail sidings. Northfleet Works contains two Grade II listed buildings (a war memorial adjacent to the main offices and Northfleet Lower Lighthouse located at the eastern end of 42 Wharf). A Conservation Area (The Hill), which forms the historic core of Northfleet (containing six listed buildings, including the Grade 1 listed Parish Church of St Botolph), lies just to the south of the main part of the application site on higher land at the eastern end of Northfleet High Street to the north east of Church Path Pit.
4. The County Council resolved to grant planning permission (GR/09/286) for a new Bulk Aggregates Import Terminal on the majority of the application site on 7 December 2010 subject to conditions and the prior completion of a Section 106 Agreement requiring (*amongst other things*): (i) a financial contribution towards highway schemes in the area; and (ii) a routing strategy to ensure that HGVs entering and leaving the site primarily use the A226 (Thames Way) and A2260 (Ebbsfleet Gateway) to access the A2 (Ebbsfleet Junction), avoid the A226 through the Borough of Dartford or other roads in the area where possible, do not use Grove Road and only use The Shore, Granby Road and Crete Hall Road in emergencies or for local deliveries. The Section 106 Agreement was completed on 18 February 2011 and the planning permission issued on 21 February 2011.
5. Gravesham Borough Council is dealing with three other applications on parts of the former Northfleet Cement Works which have yet to be determined:-
  - (i) an outline planning application (GR/09/238) for mixed use development (with all matters reserved for future determination) which covers the rest of the Northfleet Works site (including Church Path Pit and Vineyard Pit). This proposes up to 510 dwellings, 46,000sqm of employment floorspace, 850sqm of retail floorspace, 500sqm of public house/food and drink floorspace, 180sqm of community use, formal and informal open spaces including a footbridge link connecting Hive Lane to Factory Lane and transport infrastructure comprising reservation of land for Fastrack link (between 42 Wharf and the rest of the Bulk Aggregates Import Terminal);
  - (ii) an application (GR/09/385) for a tower, associated navigational equipment and ancillary building to house a generator, fuel tank, equipment, toilet and store to replace the navigational equipment currently on the office building at Northfleet Works; and
  - (iii) a listed building application (GR/10/612) for the relocation of the war memorial.
6. The Crossrail project, which will deliver a railway from Maidenhead (Berkshire) to Shinfield (Essex) and Abbey Wood (Greenwich), will include significant sections of tunnelling. These will primarily be north of the River Thames under central London but will also include sections further west in Hillingdon and south of the River Thames in Greenwich. Each of the sections of tunnel (constructed in “drives”) will be served from

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a construction site (and associated portal): Royal Oak in the City of Westminster (drive X); Limmo in Newham (drives Y, Z and G); and Plumstead in Greenwich (drive H). The extent of the Crossrail project and the locations of the tunnels and “drives” referred in this report are shown respectively on Figure 2.1 on page C1.4 and Figure 2.2 on page C1.5. Whilst all of the construction sites were identified and included in the Crossrail Act (such that deemed planning permission exists for their use), it has become necessary for additional sites to be identified and established for handling excavated material and casting segments to line the tunnels in support of these main sites. Although construction of Crossrail officially began in May 2009 (at Canary Wharf Station) and the main construction programme began in 2010 (including works on the Royal Oak Portal), tunnelling activity will not commence until late 2011.

7. The excavation of the tunnels will create substantial volumes of material (e.g. London clay, chalk, estuarine / marine deposits, sands, gravels and inert tunnel construction materials) for which there will be no viable options for re-use or recycling (the preferred waste management solutions set out in Crossrail’s waste management strategy) within land covered by the Crossrail Act. Whilst it had initially been intended that the materials would be disposed of at various landfill sites, Crossrail now intends to beneficially re-use the materials on other projects. The main recipient will be the RSPB reserve at Wallasea Island (Essex) where it will be used for the creation of coastal habitats in accordance with a planning permission granted by Essex County Council. Up to 6 million cubic metres (m<sup>3</sup>) of Crossrail material is expected to go to Wallasea Island. A site is therefore required to enable the onward transshipment of some of this excavated material to Wallasea Island. Other potential recipients include land at Northfleet Embankment East (between the application site and Gravesend) where SEEDA intend to raise land levels to prepare the land for future development and “future proof” the land against flooding (planning permission does not currently exist for this). The construction of the rail tunnels will also require the casting of large numbers of concrete tunnel lining segments. As there is insufficient space available for this activity at the tunnel portals, a site is also required for the manufacture and delivery of tunnel segments.
8. Crossrail seeks to transport excavated and other materials by rail and water wherever economically sustainable. Under the Crossrail Act, materials from Drive H were to be transported from Manor Wharf in Bexley. However, as that site is not rail linked, has restricted access and does not have sufficient capacity to carry out the activities required to support tunnelling activities, Crossrail needed to find a suitable alternative. The application site was selected as its preferred location for the proposed development as a result of the existing land use, rail and wharf access, train path availability, proximity to Plumstead, site size and site availability. Its proximity to the potential receptor site at Northfleet Embankment East was also a favourable factor.

**The Proposal**

9. The application seeks permission for a temporary mixed use logistics facility to support the construction of the Crossrail tunnels in central London. The facility would provide a flexible resource for the receipt, handling and transshipment of excavated materials and for the casting and dispatch of concrete segments to line the tunnels. As the primary use of the site is for handling excavated materials (waste), the application is being

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determined by the County Council as Waste Planning Authority. The facility would be required for 5 years (from 2011 to 2016) after which all the temporary facilities would be removed. The planning application seeks permission for:-

- Ground regrading and site preparation works;
- Canteen / welfare facilities (within the existing office building);
- Conveyors and associated plant;
- Segment loading facilities;
- Internal roads;
- Rail sidings;
- Areas for car parking and lorry holding;
- Weighbridge, wheel wash and sheeting / unsheeting areas;
- Supporting infrastructure and services (including security fencing, utilities, water treatment areas and a segregated public right of way); and
- Other minor works ancillary to the main proposals.

10. The proposed activities are (in summary):-

- The receipt and short term storage of excavated materials from Drive X (Royal Oak in the City of Westminster) by rail;
- The receipt, processing and short term storage of excavated material from Drive H (Plumstead in Greenwich) by road and/or possibly rail;
- The loading of excavated material onto ships for transport to Wallasea Island;
- The casting of tunnel segments to support up to six tunnel boring machines serving some or all of Drives H (Plumstead in Greenwich), Y, Z and G (Limo in Newham); and
- The delivery of tunnel segments to Drive H (Plumstead in Greenwich) by road and/or possibly rail and Drives Y, Z and G (Limo in Newham) by water.
- It is also possible that tunnel segments could be provided to Drive X (Royal Oak in the City of Westminster) by rail although these are planned to be manufactured and delivered from elsewhere.

An overview of the proposed facility is included on Figure 1.2 on page C1.3 and the role of Northfleet in the Crossrail project is illustrated indicatively on Figure 4.1 on page C1.6.

11. Facilities for the handling of excavated materials would be located on the northern part of the site near 42 Wharf and those for the manufacture of segments on the southern part of the site. The application proposes the following buildings and structures:-

- Two sets of rail sidings emerging from a tunnel in the south east corner of the site;
- Two linear stockpiles (one for clay and one for chalk) adjacent to the rail sidings covering an area of approximately 8,700 square metres (m<sup>2</sup>). The stockpiles would be up to 6m high and on concrete paved areas, delineated with 2m concrete stub walls;
- A small quarantine hardstanding area for holding potentially contaminated material in skips pending confirmation that it is either suitable for handling with the bulk material or requires removal off-site;
- A prefabricated enclosed overhead conveyor system for the movement of

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excavated material into barges. This would comprise a central elevated conveyor which would be fed by feeder conveyors from hoppers at ground level which would be loaded with a loading shovel. The conveyor system would terminate in a discharge point provided by a ship loading facility at the edge of 42 Wharf. The ship loading facility would be supported from the existing wharf piles;

- A plate pressing facility (covering an area of about 850m<sup>2</sup>) for dewatering chalk (if required) consisting of five receiving hoppers, three storage tanks, a bank of plate/filter presses or a belt press and water treatment tank/equipment;
- A single storey factory building (about 190m long, 90m wide, 14m high at its highest point and 14.5m to eaves and covering an area of 15,632m<sup>2</sup>) for batching concrete, casting and cutting tunnel segments, the overnight storage of segments and administrative and support facilities and functions. The facility would be capable of manufacturing about 30 rings (of 8 segments each) per day. Raw materials would be stored externally in silos and aggregate bins;
- An external storage area (adjacent to the segment casting facility) to stockpile the completed segments. The segment storage areas would be on a concrete slab, served by 4 mobile gantry cranes and would occupy an area of approximately 19,400m<sup>2</sup>. Segments would be stored in packs and stacked to a maximum height of 4.5m. The area would be used flexibly and may be used for lorry holding, as a general logistics area and/or for the temporary storage of overflow excavated material.
- A prefabricated enclosed conveyor linking the segment casting factory to 42 Wharf for transporting sand and aggregate arriving by ship at the wharf for use in producing concrete for the segment casting process. Three open-topped and open-fronted concrete-walled aggregate storage bins to receive the incoming aggregate. A quayside hopper would receive aggregate. This would be founded on piles and require the construction of a bridging slab or other superstructure to transfer hopper loads to the wharf piles. Three open-topped and open-fronted concrete-walled aggregate storage bins would be constructed to receive the incoming aggregate;
- There would be three points for the loading of completed tunnel segments onto barges by crane. Each segment loading facility would consist of a 35m crane erected on a superstructure supported by the existing wharf piles and shore. Segments would be loaded from vehicles parked either adjacent to the crane (where wharf loading restrictions allow) or on an extension to the superstructure (where additional loading capacity is required). The segment loading facilities may be mobile plant, to enable a single facility to serve more than one loading point. The structures would comprise an elevated deck, supported from the existing crane rails / beams and piles, together with a ramped section leading to / from the land side of the existing sheet piled quay wall. Vehicular access would be by the existing gates in the flood wall;
- The existing administration building would be refurbished with minor alterations to provide kitchen / canteen facilities on one floor and office / administration facilities in the remainder of the building. External alterations may include a ramp to provide access for people with mobility impairments and additional ventilation outlets;
- A range of support facilities would also be required (e.g. bunded fuel tanks, an oil holding tank and water treatment facilities);
- HGV unloading and temporary parking areas, a weighbridge and associated wheel wash and sheeting / unsheeting areas;

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- Parking spaces for 75 cars (4 disabled) and 5 motorcycles would be provided on the existing hardstanding to the west of the office building and on the western side of the site for Crossrail use. 10 cycle stands would also be provided; and
  - An internal road network, services / utilities, drainage and minor infrastructure such as separation fencing, signage and security gates.
12. Much of the excavated material from the Plumstead Portal is likely to be chalk slurry which would need dewatering prior to transshipment to Wallasea Island. This may be done at Northfleet or at Plumstead. All of the material from the Royal Oak Portal would be clay and is expected to be free of contamination. A total of 1.5 million m<sup>3</sup> of excavated material from the tunnels would be delivered to Northfleet, 66% of which would come by rail from the Royal Oak Portal. The rest of the Crossrail tunnel arisings will be transported to Wallasea Island from other locations.
13. The principal road access would continue to be via the private road from the roundabout on the A226 Thames Way. Access via Grove Road / The Creek to the west and The Shore / Crete Hall Road to the east are proposed for occasional and emergency use only. Pedestrians and cyclists could continue to access the site via Granby Road, Hive Lane and the Creek. Water access would be provided by 42 Wharf. The eastern section of the wharf would be made available for use by Crossrail with parts continuing to be used by Lafarge for the adjacent bulk powders import terminal and other activities. The applicant states that a protocol would be agreed to ensure that the wharf functions effectively for all of the required operations. Rail access would be provided from the North Kent Line via the reinstated rail sidings through Church Path Pit. The applicant states that Lafarge may use the rail sidings to serve the existing bulk powders import terminal would use the sidings for the bulk aggregates import terminal once the Crossrail occupation of the site has ceased.
14. The applicant states that the clay material delivered from the Royal Oak Portal would arrive on a maximum of 4 trains a day, 7 days a week and that 5 train paths a day have been booked with arrival / departure times including late at night and early in the morning. The excavated material is programmed to arise for approximately 18 months during 2012 and 2013. The delivery of stockpiled material to Wallasea Island by barge is expected to last for about 2.5 years and result in up to 4 ships a day. Ship movements would be influenced by the tide and weather such that it would be necessary for there to be the flexibility to load ships 24 hours a day, 7 days a week. The number of HGV movements per day associated with excavated materials (from the Plumstead Portal) would depend on the progress rate of tunnelling, whether the tunnelling is in sequence or parallel, whether the material is dewatered at Plumstead and whether a proportion is transported by rail. In a worse case scenario, the average could be around 150 HGV loads per day (300 movements) with a maximum of 280 HGV loads per day (560 movements) over a 12 month period. These numbers could reduce significantly in other scenarios (including those where movements take place over a longer time period (12 to 18 months) or where materials are able to be transported by rail. Based on the programme for Drive H these HGV movements to take place (as necessary) during 2012, 2013 and 2014. The delivery of sand and aggregate for the production of tunnel segments would result in up to 2 self-unloading vessels visiting the site each day. Cementitious powders and fibres could be delivered by road in a maximum of 18 HGVs (36 movements) a day for about 2.5 years. The delivery of tunnel segments by road to the Plumstead Portal could give rise to an

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average of 12 HGV loads a day and 23 loads maximum if the tunnelling is undertaken in sequence but up to 46 loads maximum if the tunnelling is undertaken in parallel. Segments to Limon in Newham would all go by barge. On the basis of the above, the worst case for HGV numbers associated with the importation of excavated materials and cementitious powders and fibres to Northfleet and the export of tunnel segments from Northfleet could be as high as 344 loads (688 movements) a day. The applicant proposes the preparation of an HGV Management Plan and the use of a “preferred lorry route” between the Plumstead Portal and Northfleet (i.e. using the A2016, A206, M25, A2, B259, A2260 Ebbsfleet Gateway and A226 Thames Way). This route is shown on Figure 4.3 on page C1.7.

15. Crossrail tunnelling activities would be carried out 24 hours a day, 7 days a week. HGV movements associated with Crossrail construction activities would normally be between 07.00 and 19.00 hours Monday to Friday and 07.00 and 14.00 hours on Saturdays (i.e. core working hours plus an additional hour in the morning and evening). As a result of concerns expressed by Kent Highway Services during pre-application discussions about the operation of Junction 1A of the M25 during the afternoon peak (i.e. between 16.00 and 19.00 hours), the applicant has explored the option of HGV movements taking place outside normal working hours. As a result, the impact of 24 hour HGV movements was included in the noise assessment submitted with the application. Whilst the noise assessment predicts no significant noise impacts in the Northfleet area, the applicant states that further analysis is being undertaken to explore the likely noise impacts of HGV movements at night. In the event that these assessments demonstrate that night time noise impacts are within the relevant criteria, it proposes that HGV movements be permitted 24 hours a day, 7 days a week. However, the applicant has stated that it would accept a condition that only allows HGVs to enter and leave the Northfleet site between 07.00 and 19.00 Monday to Friday and 07.00 and 14.00 on Saturdays until it has been demonstrated that impacts associated with HGV movements outside these hours are acceptable. It also proposes that site set up and mobilisation activities would only be undertaken between 08.00 and 18.00 hours Monday to Friday and 08.00 and 13.00 hours on Saturdays.
16. Segment production would take place for about two years and the facility would operate 24 hours a day, 7 days a week. Activities associated with segment production that would take place outside normal working hours would generally be carried out within the factory building in order to minimise noise and disturbance. Activities that may occur outside the building outside normal working hours are the intermittent use of a loading shovel to load aggregates into hoppers (approximately 20 minutes every 2 hours), elevators to move aggregates from ground level up and into dispensing hoppers for batching and the use of a fork lift for handling bags of steel fibres. Other activities that would take place 24 hours a day 7 days a week, are the importation of excavated materials by train and export by ship, the importation of construction materials by rail or ship / barge, the export of tunnel segments by rail or barge and the loading / unloading, handling and transfer of these materials / products on site.
17. The applicant proposes to close public footpath NU42 and provide an amended alignment to connect the Shore with footpath NU3, the Creek and Hive Lane to the west. The link to Lawn Road would remain closed for the duration of the proposed facility. The footpath would be fenced with 2.4m high security fence to ensure that members of public cannot access the operational areas of the site and to provide port

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security fencing for the wharf. The realignment of the public right of way would be the subject of an Order made under the Road Traffic Regulation Act. The two listed structures on the site would be provided with appropriate protection measures to ensure that they are not damaged (e.g. the installation of Jersey barriers (concrete blocks) and 2.4m high timber hoarding). Where development is proposed within 15m of the flood defence wall on the landward side (e.g. site access roads, car parking and two conveyors and their supports) it has been designed so as not obstruct the maintenance of the flood defence wall or prevent any necessary maintenance. For example, the conveyors would be elevated in the vicinity of the wall (to heights of approximately 4.5m and 5.7m) and it would be possible to work around any conveyor supports that need to be positioned close to the flood defence wall. The applicant also states that there is the potential for a conveyor to be installed to link the site directly with Northfleet Embankment East should planning permission be obtained for this and the use of materials at that location.

18. The applicant expects the proposed development to create a range of jobs including 6 managerial posts, up to three shifts of approximately 40 operational staff carrying out industrial jobs and 10 support posts (e.g. site security, fitters / electricians, catering and administration). The exact number will be dependent on the precise range and extent of activities carried out at the site. The applicant also states that as part of its commitment to offer local people the opportunity to increase their skills and become involved in the project, it is working with Jobcentre Plus (a job brokerage service which sources job-ready candidates for contractor vacancies and supports local people in applying for jobs).
19. The application is accompanied by an Environmental Statement and a number of technical reports. It also includes the Crossrail Construction Code (a requirement of the Crossrail Act 2008) which sets out the requirements that all contractors and sub-contractors must comply with during Crossrail works, including site investigation and remediation, demolition, material delivery, excavated material disposal, waste removal and all related engineering and construction activities. It also includes generic mitigation measures identified within the environmental statement. The Crossrail Construction Code also sets out those matters which those responsible for site operations will discuss and agree as necessary with regulators (including local authorities) and the range of environmental issues that would be covered by Environmental Management Plans. Subject to the nature of the location and site these may include some or all of the following:-
  - area management plan, providing general details of implementation, including working hours, site layout and site appearance;
  - emergency plan, including pollution incident controls;
  - community liaison plan;
  - lorry and traffic management plans;
  - green travel plan;
  - noise and vibration management plan;
  - dust management plan;
  - lighting management plan;
  - site waste management plan;
  - ecological management plan; and

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- water management plan.

The Crossrail Construction Code states that the nominated undertaker will obtain consents from the relevant local authority under Section 61 of the Control of Pollution Act 1974. This provides a mechanism for detailed controls on noise and vibration to be imposed, together with the application of Best Practical Means, to minimise impacts associated with construction activities. It also provides for the imposition of monitoring and review of operations over time and could reasonably be applied for all of the proposed activities for the duration of the works. The applicant has confirmed that it would be happy to comply with the requirements set out in the Construction Code and for this to be a conditional of any planning permission granted for the proposed development.

### **Planning Policy Context**

- 20. National Planning Policies** – the most relevant National Planning Policies are set out in PPS1 (Delivering Sustainable Development), Supplement to PPS1 (Planning and Climate Change), PPS4 (Planning for Sustainable Economic Growth), PPS5 (Planning for the Historic Environment), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPG13 (Transport), PPG14 (Development on Unstable Land), PPS22 (Renewable Energy), PPS23 (Planning and Pollution Control), PPS24 (Planning and Noise), PPS25 (Development and Flood Risk), Supplement to PPS25 (Development and Coastal Change).
- 21. South East Plan (May 2009)** – These include Policies CC1 (Sustainable Development), CC2 (Climate Change), CC3 (Resource Use), CC4 (Sustainable Design and Construction), CC7 (Infrastructure and Implementation), RE3 (Employment and Land Provision), T1 (Manage and Invest), T2 (Mobility Management), T8 (Regional Spokes), T10 (Ports and Short Sea Shipping), T11 (Rail Freight), T12 (Freight and Site Safeguarding), T14 (Transport Investment and Management Priorities), NRM1 (Sustainable Water Resources and Groundwater Quality), NRM2 (Water Quality), NRM4 (Sustainable Flood Risk Management); NRM5 (Conservation and Improvement of Biodiversity), NRM9 (Air Quality), NRM10 (Noise), W2 (Sustainable Design, Construction and Demolition), W3 (Regional Self-Sufficiency), W4 (Sub-Regional Self-Sufficiency), W5 (Targets for Diversion from Landfill), W16 (Waste Transport Infrastructure), W17 (Location of Waste Management Facilities), C6 (Countryside Access and Rights of Way Management), C7 (The River Thames Corridor), BE6 (Management of the Historic Environment), KTG1 (Core Strategy), KTG2 (Economic Growth and Employment) and KTG6 (Flood Risk).
- 22. Kent Waste Local Plan (March 1998)** – These include saved Policies W3 (Locational Criteria), W6 (Need), W7 (Re-use of Category A Waste), W18 (Noise, Dust and Odour Control), W19 (Ground and Surface Water Interests), W20 (Land Settlement, Stability, Land Drainage and Flood Control), W21 (Nature Conservation), W22 (Road Traffic and Access), W25 (Siting, Design and Appearance of Plant and Buildings), W25A (Re-use of Buildings and Site Features), W27 (Public Rights of Way), W31 (Landscaping Schemes) and W32 (Operation and Restoration Schemes).
- 23. Gravesham Local Plan First Review (1994)** – These include saved Policies E1

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(Existing Industrial Areas), TC0 (General Townscape, Conservation and Design), TC1 (Design of New Developments), TC2 (Listed Buildings), TC3 (Development Affecting Conservation Areas), TC5 (Archaeological Sites), TC6 (Scheduled Ancient Monuments), TC7 (Other Archaeological Sites), TC10 (Landscaping), C8 (Sites of Nature Conservation Interest), LT8 (Public Rights of Way), T0 (General Policy for Transport), T1 (Impact of Development on the Highway Network), T3 (Development not well related to the Primary and District Distributor Network), T14 (CTRL), R1 (The Commercial Riverside – Maintenance of the River Frontage for Water Transport) and R2 (The Commercial Riverside – Wharves).

24. **Gravesham Local Plan Second Review Deposit Version (May 2000)** – These include Policies MDS3 (Major Development Site – Northfleet Cement Works / Land East of Grove Road), T1 (Location of Development), T12 (New Access on Highway and Public Transport Network), T14 (Freight), T15 (Construction Traffic), T16 (Car Parking Standards), E1 (Existing Employment Areas), E4 (New Employment Areas), E6 (Trees and Landscaping within New Developments), NE7 (New Landscaping and Wildlife Enhancement Initiatives), NE12 (Statutorily Protected Species), NE15 (Contaminated Land and Landfill Sites), NE16 (Air Quality), NE19 (Noise-Generating Development), NE20 (Artificial Lighting), NE21 (Water Quality), NE23 (Tidal Flood Risk Area), NE24 (Energy Efficiency), BE1 (Townscape, Conservation and Design), BE2 (Conservation Area Designation, Review and Protection), BE4 (New Development Within or Adjacent to Conservation Areas), BE7 (Statutorily Listed Buildings), BE9 (Scheduled Ancient Monuments, Sites of Archaeological Interest and other Historic Sites), BE10 (Locally Important Archaeological Sites), BE12 (Design of New Development, Extensions and Alterations), TR3 (Public Access to the Riverside), TR4 (Thames Tidal Defences), LT11 (Development Affecting a Public Right of Way) and LT12 (Improvements to the Public Rights of Way Network).

**Consultations**

25. **Gravesham Borough Council** – No objection to the principle of the proposed development subject to the imposition of planning conditions and other satisfactory safeguards to control the use and limit impacts in relation to potential harm to local amenity and traffic using local highways. Requests that the conditions set out in Appendix 1 be imposed.
26. **Dartford Borough Council** – No objection subject to the HGV Management Plan being implemented in accordance with the details set out in the application.
27. **London Borough of Bexley** – Has expressed concerns about the impact of up to 280 HGVs each (12 hour) day for 18 months travelling between Plumstead and Northfleet on roads in Bexley. Has suggested that the impact could be diluted by extending the operating period but explained that any HGV movements between 21.00 and 07.00 hours Monday to Friday (including Friday night / Saturday morning) and between 13.00 on Saturday and 07.00 hours on Monday on excluded routes under the London Lorry Control Scheme (e.g. the A2016 Eastern Way and Western Way) would require the consent of London Councils. Has advised that many of the junctions within Bexley along the proposed route already suffer from congestion, that the proposals would exacerbate the problem to the detriment of local residents and that no assessment of

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these junctions in Bexley has been carried out. It also points out that the Crossrail Act proposed to transport material from the Plumstead portal via Manor Wharf at the northern end of Norman Road such that fewer roads in Bexley would be affected (and those to the east would not have been affected at all). Implores the applicant to seek to move the maximum amount of excavated material from, and to deliver tunnel segments to, the Plumstead site by rail. In summary, it is concerned that the proposal would result in additional impact on the Borough's roads to the detriment of the environment and residents.

28. **London Borough of Greenwich** – No objections.
29. **Essex County Council** – No objection. Has confirmed that planning permission was granted on 9 July 2009 for the importation by sea and the disposal of 7.5 million cubic metres of high quality recovered inert material for landraising at Wallasea Island, Rochford. It states that the Section 106 Agreement associated with this permission requires the majority of the imported waste materials to be from the Crossrail tunnelling project and that the material must be clean, inert and uncontaminated. Material must be imported via the River Crouch and not via the public highway and for the site to be completed and reinstated by 31 December 2019. It also states that there are currently no proposals for wet chalk slurry to be imported although details of dewatering basins have been approved in the event that this facility is required and that a Shipping Management Plan has been approved (including sailing times to be avoided and mechanisms for communicating with the Crouch Harbour Authority) and would need to be complied with.
30. **Swanscombe and Greenhithe Town Council** – Has requested that all necessary consultations are undertaken and taken into account and that the proposed development does not add to or increase the amount of traffic using London Road (given the local problems with traffic on that road).
31. **Highways Agency** – No objection. Has requested that a suitable HGV Management Plan be required by condition and be implemented.
32. **Kent Highway Services** – No objection subject to the following:-
  - 5-year temporary planning permission;
  - no more than 688 HGV movements (344 in and 344 out) associated with the development per day;
  - no development to take place until an HGV Management Plan has been submitted and approved by the County Council;
  - no operations to take place until a Travel Plan has been submitted to and approved by the County Council – this Plan to state what actions will be taken to minimise traffic impact in the peak period (e.g. by encouraging walking, cycling, use of public transport, lift sharing, etc);
  - no operations to take place until an entrance to the facility from the re-opened right of way between The Shore and The Creek has been provided (to enable workers and visitors access the site on foot and cycle);
  - wet excavated materials must be transported by lorries with water-tight load compartments (to avoid the risk of wet slippery deposits on the carriageway);

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- all vehicles to have their wheels washed when exiting parts of the site used for unloading excavated materials, stockpiles, plate-pressing, segment storage and factory work; and
- the applicant funding the optimisation of the traffic signals at the junction of the A226 Thames Way and A2260 Ebbsfleet Gateway if excavations are to be brought from the Plumstead portal by road on the basis that the applicant's own modelling work shows that the junction is likely to be over capacity, that traffic associated with the proposed development would clearly contribute to the problem, that the modelling indicates that the junction can be brought back within capacity by optimising the traffic signal times on the three arms of the junction and as optimisation would reduce delays to the development traffic. Suggests that this could be secured under Section 278 of the Highways Act 1980.

Also advises that as the traffic modelling has used growth factors for Northfleet rather than the higher growth factors for the Borough of Dartford (which were specifically requested since most of route between the site and the A2 lies in Dartford) the traffic volumes are somewhat under-estimated and queues will be longer than predicted. On this basis, and to minimise congestion and environmental impact elsewhere, Crossrail should be encouraged to transport the maximum possible amount of excavated material and tunnel segments by rail.

Also advises that the HGV Management Plan should (amongst other things) set out the approved access route(s) between Crossrail tunnels and the development site (main access road through Vineyard Pit, A226 Thames Way, A2260 Ebbsfleet Gateway, A2, M25 Junction 1A), permitted diversion routes (B255 St Clements Way and A206 Crossways Boulevard if there is a blockage on the M25 and Crete Hall Road and Rosherville Way if there is a blockage on the main access road), prohibited routes (e.g. A226 Galley Hill Road, Springhead Road, College Road, A226 Overcliffe and B261 Old Road West), approved access route for export of excavations to other parts of Northfleet Embankment: via The Shore, Granby Road and Crete Hall Road (if permitted), arrangements for dealing with emergencies / road closures, instructions for drivers, arrangements for investigating and dealing with contraventions, marking of Crossrail HGVs, recording and provision of HGV movements, avoidance of convoys, HGV sheeting and the provision of signage at key junctions on the A226, A2260 and A2 to encourage the use of the approved route.

33. **Port of London Authority** – No objection subject to conditions to:-

- limit the height of any loading crane or other structure on the wharf to no more than 20m (as opposed to the 35m initially proposed); and
- require the submission to and approval by the County Council of a detailed lighting scheme which ensures no adverse impacts on navigation (to be implemented and maintained thereafter).

It has also sought the imposition of a condition(s) designed to maximise the use of the River Thames for the transportation of materials to and from the site.

34. **Environment Agency** – No objection subject to conditions to:-

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- address all aspects of potential contamination at the site;
- prevent piling or other foundation designs using penetrative methods or infiltration of surface water drainage into the ground unless it has been demonstrated that there is no resultant unacceptable risk to groundwater or controlled waters;
- the development not commencing until a scheme to identify and provide a safe route into and out of the site to an appropriate safe haven has been submitted to and approved in writing by the County Council (to be implemented and maintained thereafter).

Has also commented that despite the presence of tidal flood defences, the proposed development could be subject to inundation following a breach of the defences or from groundwater and provided advice on waste, fuel / chemical storage and the need for its prior approval for works or structures within 15m of the bank of the River Thames.

35. **KCC Noise, Dust and Air Quality Consultant (Jacobs) – Dust / air quality:** Advises that the air quality assessment indicates that the increase in traffic as a result of the proposed development during construction and operation would have an insignificant impact upon the nearby sensitive receptors and that the detailed modelling (ADMS) of the air pollutant concentrations of nitrogen dioxide and particulate matter remain well below the air quality objectives such that no further action is required. Also advises that whilst the on-site operations would generate some dust, the design of the site and the dust minimisation measures as set out in the Crossrail Construction Code would alleviate possible dust nuisance.

Noise: Advises that the environmental statement and associated appendices demonstrate that the proposed development could take place within the noise limits set out in the Crossrail Act and that noise (and vibration) impacts could be satisfactorily controlled by the implementation of the measures set out in the Crossrail Construction Code, including the prior approval of related operations through submissions made to Gravesham Borough Council under Section 61 of the Control of Pollution Act 1974.

36. **Natural England** – No comments.
37. **KCC Biodiversity Projects Officer** – Has advised that the mitigation proposed in the environmental statement relating to bats and black redstarts must be carried out to minimise the potential impact on these protected species and that further monitoring must also be undertaken. Has also advised that the proposed foraging habitat (including a new song post) should be created and established prior to works that may affect black redstarts. Notes that the Crossrail Construction Code proposes that these and related issues would be addressed by the submission, approval and implementation of an Environmental Management Plan.
38. **KCC Rights of Way (Countryside Access Service)** – Has no objection to the proposals as they reflect the approach agreed during various meetings and discussions with Lafarge and Crossrail. Has advised that:-
- footpaths NU3 and NU6 have been re-opened following clearance / site preparation works by Lafarge;
  - a further 12 month extension for the closure of footpath NU42 has been sought to

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allow the rail sidings and other works to be completed;

- any footpath should be 2m wide (for pedestrians);
- further discussions are required on the best means of control for vehicles crossing footpath NU42 (this could be manned or preferably signalised);
- the footpath link would need to be achieved by means of a traffic regulation order (and provision of the alternative route) or a diversion order (costs to be borne by Crossrail or Lafarge); and
- cycle access could be provided whereby those who ride to work could use the access road and then walk over the footpath or Lafarge (as landowner) could give a permissive right of access for cyclists. In the latter case, the footpath would need to be widened to at least 2.5m.

Also notes that the footpath route would be subject to further change (including the provision of a cycle path) when the bulk aggregates import terminal and mixed use proposals are implemented.

39. **English Heritage** – No objection subject to the protection of the Bevans War Memorial and Northfleet Lighthouse (both Grade 2 Listed) and KCC Heritage Team considering the archaeological implications of the proposed development. Has also commented that any impacts on The Hill Conservation Area and other heritage assets should be considered and minimised as far as possible.
40. **KCC Archaeology and Conservation** – No objection subject to a condition to secure the implementation of an approved watching brief to monitor and record (as necessary) any works close to the former quarry sides, along the access routes and close to the river near the listed lighthouse. Is satisfied with the assessment of heritage issues and notes the significant level of previous disturbance to the site.
41. **Southern Water** – Has provided information on the positions of a public sewer and water distribution mains and advised that no excavation, mounding, development or tree planting should be located within 3m of the centre of line of these without its consent and that all existing infrastructure should be protected during construction works. Has advised that initial investigations indicate that there is currently inadequate capacity in the local network to provide foul sewerage disposal to service the proposed development and as the proposed development would increase flows to the public sewerage system this could increase the risk of flooding. As the public sewer is a combined system (receiving foul and surface water flows), it suggests that the problem could either be addressed by removing some of the existing surface water from the system (to provide additional foul flows) or by improvements to existing or off-site sewerage systems. Since connection to the public sewer requires consent from Southern Water, it advises that the applicant contact it to discuss these matters. It has also requested that if permission is granted, conditions should be imposed to protect the public sewer and public water supply main and to require the submission and approval of details of foul and surface water sewerage disposal before development is commenced.
42. **Southern Gas Networks** – Has provided information on the positions of its apparatus in the area and various precautions that should be followed when working in the area.

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- 43. **UK Power Networks** – No objections.
- 44. No responses have been received from SEEDA, Network Rail, Kent Wildlife Trust and BT (Openreach).

**Representations**

- 45. The application was publicised both by site notices and newspaper advertisement and 627 local residents / business properties were notified. A public exhibition on the proposals was held by the applicant at Lawn Road Primary School, Northfleet on 5 October 2010. This had been publicised by a mail shot to 894 households and Kent and Gravesham councillors.
- 46. At the time of writing this report 3 letters of representation have been received. One letter of objection has been received from a local business (Dignity Funerals Ltd at 10/11 The Hill, Northfleet). The objections relate to increased traffic, noise and dust and the likely impact of these on its business and clients.
- 47. A letter from the Ramblers requests that footpaths NU3, NU6 and NU42 should be open and available for use prior to determination of the application and a temporary Footpath Diversion Order confirmed for the alignment of NU42. It also states that the re-aligned NU42 may need to be enclosed within the site and gates and barriers erected at crossing points in the interests of safety and security. Kent Fire and Rescue Service has advised that access for fire appliances must be designed to meet the requirements of the County of Kent Act Section 53 and also Approved Document B5.

**Local Members**

- 48. County Council Members Mr Christie, Mr Craske and Mr Lees were notified in December 2010.

**Discussion**

- 49. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the development plan policies outlined in paragraphs 21 to 24 are of greatest relevance. Material considerations include the Planning Policy Statements and Planning Policy Guidance set out in paragraph 20.
- 50. Members will be aware that the weight to be afforded to the South East Plan remains uncertain as a result of the Secretary of State's attempts to abolish regional spatial strategies prior to the enactment of the Localism Bill and the court case associated with Cala Homes' ongoing attempts to ensure that the Plan remains and significant weight is afforded to it pending any new Act. Current advice is that decision makers should have regard both to the policies of the South East Plan (as part of the development plan) and the Government's intention to abolish regional spatial strategies (as a material planning consideration) and determine the weight that should be afforded to each. Members will be updated appropriately if further relevant

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information on this issue becomes available prior to the committee meeting.

51. The main issues to be considered in this case include:-

- the need for the proposed development;
- the suitability of the site for the proposed development;
- transportation issues (e.g. junction and road capacity and the sustainability of the proposals in terms of water, rail and road use);
- noise, dust, vibration and air quality impacts (from the development on site and associated transportation);
- groundwater and surface water impacts (including any ground contamination);
- biodiversity impacts;
- landscape and visual impact;
- impacts on archaeology and buildings and other features of historic interest (including scheduled ancient monuments, listed buildings and conservation areas); and
- rights of way.

The need for the proposed development

52. Crossrail is a key national infrastructure project that is designed to significantly increase the capacity of the rail network into and across London and relieve congestion and overcrowding and meet growth demands, as well as support economic development and regeneration in areas such as the Thames Gateway. The delivery of Crossrail is provided for in the Crossrail Act (2008). Crossrail is identified as a priority project in Policy T14 of the South East Plan which also states that development plans should include policies to safeguard such investment proposals. South East Plan Policies T1 and T2 relating to management and investment and mobility management and Policies T8 and SP2 relating to regional spokes / hubs can also be relied on for policy support. The Gravesham Core Strategy and Development Management Policies Issues and Options consultation document includes the long term aspiration for the extension of Crossrail to the Borough. The objectives of the Crossrail project are also supported by policies in PPS4 and PPG13 relating to the economy and sustainable transport.
53. PPS10 states that the overall objective of Government policy for waste is to protect human health and the environment by producing less waste and using it as a resource wherever possible. It also states that planning authorities should help deliver sustainable development through driving waste management up the waste hierarchy and looking to disposal as the last option. The proposed receipt and onward transportation of the tunnel arisings to either assist in delivering the permitted development at Wallasea Island or for other enabling development in Kent would meet these objectives and is therefore supported in principle.
54. Facilities to assist in the sustainable management of waste arising from the creation of the tunnels and to manufacture tunnel segments used to line these are essential elements of the Crossrail proposals. As explained in paragraph 8, the arrangements originally proposed at Manor Wharf in Bexley are no longer suitable and the Northfleet site is now proposed.

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The suitability of the site for the proposed development

55. The application site is not identified for any waste management use in the Kent Waste Local Plan (1998) nor is it allocated for any other purpose in the Plan but is allocated as part of an existing industrial area in the adopted Gravesham Local Plan First Review (1994) and part of the Northfleet Cement Works / Land East of Grove Road Major Development Site in the Gravesham Local Plan Second Review Deposit Version (May 2000). The emerging Gravesham Core Strategy and Development Management DPD, which will replace the Gravesham Local Plans and is expected to be adopted in August 2011, envisage the redevelopment of Northfleet Works as a major regeneration opportunity (part of Northfleet Embankment West).
56. Paragraph 24 of PPS10 states that waste management facilities proposed on sites not allocated for such use should be considered favourably when they are consistent with the policies set out in PPS10 and a range of criteria. These criteria include the physical and environmental constraints on development (including existing and proposed neighbouring land uses), the capacity of existing and potential transport infrastructure to support the sustainable movement of waste (seeking modes other than road transport where practicable and beneficial) and giving priority to the re-use of previously developed land. Policy W17 of the South East Plan states that sites for waste management development should be assessed against the following criteria:
- Good accessibility from existing urban areas or major new or planned development;
  - Good transport connections including, where possible rail and water;
  - Compatible land uses such as previous or existing industrial land use; and
  - Be capable of meeting a range of locally based environmental and amenity criteria.
57. Policy W3 of the Kent Waste Local Plan states that proposals which only involve waste processing and transfer at locations outside those identified on the proposals map will not be permitted unless they can avoid the need for road access, or can gain ready access to the primary or secondary route network and preferably have potential for a rail or water transport link and are located within or adjacent to an existing waste management operation or within an area of established or proposed general industrial use. Policy W7 states (amongst other things) that proposals to prepare Category A waste for re-use (e.g. tunnelling arisings) will be considered against whether they:
- would minimise impacts on the local and natural environments;
  - have or could secure ready access to the main road network, or have a rail or water link provided that there is acceptable access to an appropriate road network; and
  - are within or adjacent to existing waste management facilities or are part of a location within an established or committed general industrial type area.
58. Policy E1 of the adopted Gravesham Local Plan First Review (1994) states that priority will be given to the need for employment and where employment development will normally be permitted. Active reclamation (of derelict sites) is also sought by Policy M1. Policy R1 states that there will be a preference for development in the commercial

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riverside adjacent to the river which requires a riverside location and makes use of the river as a means of transport and that any new buildings should be set back sufficiently from the water's edge to enable access to the river for wharfage purposes. Policy R2 states that applications for the expansion of port related traffic at existing wharves fronting the commercial riverside and the development of new wharves on sites fronting the commercial riverside will be supported in principle subject to the surrounding road system being adequate to deal with additional traffic. Policy MDS3 the Gravesham Local Plan Second Review Deposit Version (May 2000) proposes the site be used for mixed use development including port related and distribution employment uses. Policy E4 also encourages businesses able to benefit from rail and sea connections. The emerging Gravesham Borough Council Local Development Framework Core Strategy and Development Management DPD emphasise the importance of wharf capacity and road and rail access to the river in the context of sustainable transport.

59. The application site already has good road and wharf access and is in the process of being reconnected to the North Kent Line (rail) following the recent permission for the bulk aggregates import terminal. The proposed use of the application site at Northfleet for both the waste and manufacturing elements of the proposals would appear capable of complying with all of the above policies provided that it meets the detailed "tests" associated with the various environmental, operational and other policies addressed elsewhere in this report. Given the temporary nature of the proposal, which could be assured by a condition limiting the duration of the development, it would not prejudice the permanent use of the site as a bulk aggregates import terminal or other long term employment uses. The proposed development could also operate satisfactorily alongside the existing bulk powders terminal such that it would not prejudice the ongoing benefits of that operation.

Transportation issues (e.g. junction and road capacity and the sustainability of the proposals in terms of water, rail and road use)

60. The use of sustainable transport (particularly by rail and water) is promoted in PPS1, PPS10, PPG13, Policies T2, T10, T11, T12, KTG1, W4, W16 and W17 of the South East Plan, Policies W3 and W7 of the Kent Waste Local Plan and Policy T14 of the Gravesham Local Plan Second Review Deposit Version (May 2000). Policy MDS3 of the Gravesham Local Plan Second Review Deposit Version (May 2000) also specifically proposes that any development at Northfleet Works addresses possible rail connection to the North Kent Line via Church Path Pit / St Botolph's Pit.
61. Policies W3, W7 and W22 of the Kent Waste Local Plan require good access to an appropriate road network, whilst Policy W22 also requires that proposals should not materially adversely affect the safety or capacity of the road network or the local environment and should ensure that any necessary off-site highway improvements are completed at the developers expense. Policies T0, T1 and T3 of the adopted Gravesham Local Plan First Review (1994) seek to achieve the most effective use of the existing highway network, highway safety and improvement measures and ensure that new development is only permitted where it would be adequately served by the highway network and is well related to the primary and secondary distributor network. These requirements are also reflected in Policies T1 and T12 of the Gravesham Local Plan Second Review Deposit Version (May 2000), where Policy T1 additionally

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requires contributions towards the improvement of highways and green travel plans. These issues are also addressed in the emerging Gravesham Borough Council Local Development Framework Core Strategy and Development Management DPD.

77. Kent Highway Services is satisfied that the proposed development is acceptable in terms of highway safety and capacity and has no objection subject to those measures set out in paragraph 32 being secured. A number of these are included in the Crossrail Construction Code. The Highways Agency has no objection to the proposals subject to a suitable HGV Management Plan being implemented. The measures sought by Kent Highway Services and adherence with the Crossrail Construction Code would also satisfactorily address many of the highway issues raised by Gravesham (e.g. lorry routing and signage and use of wheelwash by HGVs) and Dartford Borough Councils and Swanscombe and Greenhithe Town Council. I am satisfied that all the measures proposed by Kent Highway Services are reasonable and necessary and that they can all be secured by the imposition of conditions (in cases by reference to the Crossrail Construction Code) and / or directly through a Section 278 agreement between the applicant and Kent Highway Services. The applicant has agreed in principle to fund the optimisation of the traffic signals at the junction of the A226 Thames Way and A2260 Ebbsfleet Gateway if excavations are to be brought from the Plumstead portal by road if any over capacity is attributable to its HGVs and has indicated its willingness to adhere to the requirements of the various conditions proposed.
78. Gravesham Borough Council has also sought conditions that would require: (i) all excavated materials being transported from the site by river (unless agreed by the local planning authorities), (ii) adequate parking and lorry parking areas on site, (iii) no HGV movements outside normal working hours unless it has been demonstrated that impacts associated with HGVs outside these hours is acceptable; (iv) a maximum of 5 train paths in and out of the site per day; (v) agreement on the percentages of material brought into the site by road, rail and river, (vi) a limit on the maximum amount of material brought to the site; and (vii) a limit on HGVs during peak hours. Whilst it is Crossrail's intention to transport the majority of excavated materials from the site by river to Wallasea Island, any contaminated materials that could potentially arrive at the site may need to be removed to a suitable disposal site by road. With this exception, a condition to cover (i) would be desirable. This would not preclude excavated materials being exported by other means to the SEEDA site on Northfleet Embankment East or elsewhere, but would require further details of how they would be transported to be submitted for consideration and approved unless this were to be specifically addressed as part of a further planning permission granted by either the County or Borough Council. It should also be noted that any conveyor link between the application site and the SEEDA site would require planning permission. I also consider that conditions to cover (ii) and (iii) would be desirable. I do not accept that conditions should be imposed to cover (iv), (v), (vi) and (vii) on the basis that they would either be unnecessary due to the restriction on the maximum number of HGV movements per day, since Kent Highway Services has not considered them to be necessary or as they would be unreasonable and unnecessarily restrict operations.
79. The London Borough of Bexley has expressed concerns (paragraph 27) about HGV movements between Plumstead and Northfleet for up to 18 months and stated that the proposed use of Northfleet would lead to a greater impact on Bexley than would have

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been the case if Manor Wharf were used as originally intended. It notes that many of the junctions within Bexley already suffer congestion and that no assessment has been provided for impacts on these. It has also expressed some support for extending the operational period for HGVs to dilute the impact but advised that this would require the consent of London Boroughs under the London Lorry Control Scheme. Notwithstanding this, I note that it has not objected to the proposals and encourages the applicant to maximise rail use to minimise road impacts in Bexley. I also note that the proposed route through Bexley (i.e. the A2016 Western Way, Eastern Way and Bronze Age Way and A206 Queens Road, Northend Road, Thames Road and University Way) is on A-class roads and that the vast majority is dual carriageway.

80. One local business (a funeral parlour) located at The Hill, Northfleet, has objected to the proposal due to (amongst other things) perceived adverse impacts on its business and clients. However, since all HGVs would (apart from in emergencies) use the main access to the site via Vineyard Pit to and from the A226 Thames Way and none would use Northfleet High Street or The Hill, I do not believe that this objection can be substantiated. Kent Fire and Rescue Services' request that access to the site must be designed to meet its requirements would be addressed under the Crossrail Construction Code.
81. Members will recall that in permitting the bulk aggregates import terminal, specific limits were imposed on the amount of materials that could be exported from the site by road in order to ensure that the sustainable credentials of the proposed development were secured (particularly in encouraging the implementation of the rail sidings and link to the North Kent Line). In this instance, the Port of London Authority has sought to maximise the amount of materials entering and leaving the site by water and Gravesham Borough Council has sought agreement on the percentage of material to be brought to the site by road, rail and water. Given the temporary nature of the proposed development and the emphasis placed on sustainable transport as part of the Crossrail project, I do not consider that specific limits should be imposed on particular transport modes in this case apart from the maximum number of HGV movements per day sought by Kent Highway Services. It is clear from the proposal that sustainable transport was a key factor in the selection of the site and that rail and water would be used where possible. It is also clear that there would be a strong financial incentive to use rail and water transport where possible (particularly once the rail link is reinstated).
82. Members will also recall that the reinstatement of the rail link to the North Kent Line was not a pre-condition of development for the bulk aggregates import terminal. However, as the current proposals are largely based on the importation of significant amounts of tunnel arisings by rail I do consider that such a requirement is necessary in this case. I am satisfied that this can be addressed by the imposition of a "Grampian" condition that only allows excavated materials to be imported to the site once the rail link is reinstated and available for use unless approval is first obtained from the County Council.
83. Subject to the above matters being secured by conditions (or by agreement between the applicant and Kent Highway Services), I am satisfied that the proposed development would be acceptable in terms of transportation issues and would accord with the above policies.

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Noise, dust, vibration and air quality impacts (from the development on site and associated transportation)

84. PPS23 and PPG24 respectively set out policies on pollution control (e.g. air quality, including AQMAs) and noise that should be considered when determining planning applications. PPS23 states that the relevant pollution control authority should be satisfied that potential releases can be adequately regulated under the pollution control framework, that the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would not make the development unacceptable and that decisions on individual cases must always be justified on the facts applying to those cases. PPG24 makes it clear that the planning system should not place unjustifiable obstacles in the way of development for the creation of jobs and the construction of essential infrastructure that will generate noise. However, it also states that planning authorities must ensure that development does not cause an unacceptable degree of disturbance and gives guidance on how this can be done. Policy NRM9 of the South East Plan seeks to protect and enhance air quality and reduce the environmental effects of traffic. Policy NRM10 seeks to minimise noise impacts.
85. Policy W18 of the Kent Waste Local Plan states that before granting planning permission the planning authority must be satisfied as to the means of control of noise, dust, odour and other emissions, particularly in respect of its potential impact on neighbouring land uses and amenity. Policy W25 states that when considering details relating to the siting, design and external appearance of processing plant, hard surfacing, buildings and lighting, planning authorities should (amongst other things) seek to minimise noise intrusion. Policy NE16 of the Gravesham Local Plan Second Review Deposit Version (May 2000) states that development likely to result in emissions to the air (by reason of operational characteristics or traffic generation) will only be allowed if it does not have an unacceptable effect on health, amenity or the natural environment, taking into account the cumulative effects of other existing and proposed sources of air pollution in the vicinity and that consideration will also be given to whether or not the proposed development would cause current national air quality standards to be exceeded. Policy NE19 states that noise generating development will only be allowed if it does not have a significant adverse noise impact on noise-sensitive uses or if it is not located in an area with low background noise levels which is important for its quiet recreational, amenity or wildlife value. These issues are also addressed in the emerging Gravesham Borough Council Local Development Framework Core Strategy and Development Management DPD.
86. Gravesham Borough Council has no objection to the proposals but has requested that conditions be imposed to secure various matters relating to noise, dust, vibration and air quality if planning permission is granted. Some are already addressed in terms of their transport implications in the above section. Others include: (i) development to comply with the Crossrail Construction Code (the Code shall ensure that there is an adequate public complaint system to address environmental and lorry routing issues); (ii) construction activities to be undertaken in accordance with agreed hours; (iii) controls are imposed over construction vibration; (iv) mitigation of night time use including that doors to buildings are kept closed and no door sirens to be employed; (v) mitigation to be implemented in relation to rail activities; (vi) a mitigation

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methodology for curtailing wheel squeal effects to be agreed and employed; (vii) additional mitigation to be implemented where necessary arising from complaints received within a prescribed distance from the new rail alignment; (viii) details of operational lighting to be submitted for approval; and (ix) mitigation measures are implemented to address emissions of both nitrogen dioxide and particulate matter (PM10) from both traffic and site operations sources including monitoring of the necessary mitigation.

87. KCC's Noise, Dust and Air Quality Consultant is satisfied that the proposed development is acceptable if the various mitigation proposed in the environmental statement and Crossrail Construction Code are secured by conditions.
88. The one formal objection raised by the local funeral business includes concerns about the potential noise and dust impacts associated with the proposed development. However, as Gravesham Borough Council and KCC's Noise, Dust and Air Quality Consultant are both satisfied that the proposed development could proceed (subject to conditions) without leading to significant adverse effects in terms of noise, dust and air quality impacts I do not consider that an objection on these grounds could be substantiated.
89. The Crossrail Construction Code includes measures and associated mechanisms that are capable of satisfactorily addressing potential noise, dust, vibration and air quality impacts, including those raised by consultees. In terms of dust and air quality (including vehicle emissions), the Crossrail Construction Code requires a series of detailed measures and monitoring to be undertaken. The applicant has confirmed that Northfleet would be subject to the most onerous ("Tier 3") procedures given the nature of the proposed facility and I am satisfied that the implementation of these measures would serve to provide satisfactory controls on dust and air quality. This would also address Gravesham Borough Council's point (ix) above.
90. The Crossrail Construction Code states that the nominated undertaker will obtain consents relating to noise and vibration (including hours of working) from the relevant local authority under Section 61 of the Control of Pollution Act 1974. As the relevant local authority for the purposes of Section 61 of Control of Pollution Act 1974 is Gravesham Borough Council, the determining planning authority and relevant pollution control authority would be different in this case. However, there is nothing to prevent the applicant seeking the proposed Section 61 consents from the Borough Council (Environmental Health), as proposed. Given the level of control provided for in the Crossrail Construction Code and which is possible under Section 61 of the Control of Pollution Act, I consider that it would be appropriate in this case for noise and vibration impacts to be controlled through the Section 61 process rather than by the submission to and approval of further schemes by the County Council. This would avoid unnecessary duplication and potential conflict between any submission(s) made under the two regimes. I therefore propose that the County Council include a planning condition requiring adherence with the Crossrail Construction Code and for Section 61 consent to have been obtained before related works commence and complied with thereafter unless formally varied under that process. This would also address Gravesham Borough Council's points (i) to (xii) above. Although working hours would be addressed in the Crossrail Construction Code and under the Section 61 process, I propose that a specific condition be imposed to restrict HGV movements to between

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07.00 and 19.00 hours Monday to Friday and 07.00 and 14.00 hours on Saturdays (as set out in paragraph 78). Discussions with relevant planning and environmental health officers at Gravesham Borough Council since its formal response was received clearly indicate that the Borough Council is happy with this approach and would work closely with the County Council before issuing any approvals under Section 61.

91. As planning permission already exists for rail access to the site, there is technically nothing to prevent its reinstatement and use on the same alignment. However, as noted in paragraph 1 the proposed alignment is slightly different. This amendment is intended to maximise the radius of the horizontal track curvature in Church Path Pit as far as possible and thereby reduce noise (e.g. wheel squeal) associated with trains entering and leaving the site. A number of other measures were proposed for the track as part of the bulk aggregates import terminal designed to minimise noise and vibration associated with the rail link. These included using modern track and components, resilient pads, stiffer rail sections, new ballast, a reduction in joints (welding where possible), improved alignment at any joints, a new automatic water sprinkler system to lubricate the rails, a regular maintenance and replacement system, speed limits, modern rolling stock (bogied as opposed to fixed wheels) and new diesel locomotives. As Lafarge has indicated that it intends to rely on implementation of the rail link and sidings to implement the bulk aggregates import terminal permission, it will be necessary for these measures to be included for use by Crossrail. The Crossrail Construction Code and any submissions made under Section 61 of the Control of Pollution Act would also serve to minimise any adverse impacts associated with use of the rail link.
92. Subject to the above matters being secured by conditions, I am satisfied that the proposed development would be acceptable in terms of noise, vibration, dust and air quality issues and would accord with the above policies.

Groundwater and surface water impacts (including any ground contamination)

93. The main national planning policies relating to groundwater and surface water interests (including flooding and ground contamination) of relevance to the proposals are set out in PPS23 and PPS25. PPS23 sets out policies on pollution control (including those relating to water resource interests) that should be considered when determining planning applications and emphasises the need for close working between the planning and pollution control authorities. PPS23 also states that the potential for contamination to be present must be properly assessed and any necessary remediation or subsequent management measures secured when permissions are granted. Annex 2 to PPS23 sets out more detailed requirements for this. PPS25 sets out policies on appraising, managing and reducing the risk of flooding (tidal, fluvial or other) and emphasises the need to consult the Environment Agency on applications in order to avoid inappropriate development in areas at risk from flooding. Policies NRM1 and NRM2 of the South East Plan respectively seek to ensure that water supply and ground water and water quality are maintained and enhanced. Policy NRM4 seeks to ensure that flood risk is properly assessed and existing flood defences are protected from development. Policy KTG6 seeks to ensure appropriate flood protection and surface water drainage.
94. Policies W19 and W20 of the Kent Waste Local Plan respectively state that the

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planning authority will need to be satisfied that surface and ground water resource interests will be protected and land drainage and flood control have been satisfactorily taken into account. Policies NE21 and NE23 of the Gravesham Local Plan Second Review Deposit Version (May 2000) respectively state that development will only be allowed if it does not result in a deterioration of quality of groundwater or surface water and that development within the tidal flood risk area will only be allowed if it can be demonstrated that it does not harm the integrity of any flood defence structure or the ability to carry out any flood control or maintenance work and provides a means of escape for non-residential uses in the event of a flood. Policy TR4 also specifically states that development that would affect the integrity of, or impinge on access to, the Thames tidal defences will not be permitted and that all works affecting these defences should be appropriately managed, designed and implemented. Policy NE15 of the Gravesham Local Plan Second Review Deposit Version (May 2000) states that development on or in the vicinity of land known or suspected to be contaminated shall be accompanied by the findings of an investigation and assessment identifying the extent and nature of contamination and outline remedial measures to avoid risk to future occupiers and the environment and that any agreed remedial measures must be satisfactorily implemented.

95. The Environment Agency has no objection to the proposals in so far as they relate to groundwater and surface water issues (including potential flooding and ground contamination) subject to conditions designed to ensure that these interests are protected (paragraph 34). Southern Water has no objection subject to conditions to protect the public sewer and public water supply main and require the submission and prior approval of details of foul and surface water sewerage disposal (paragraph 41). Gravesham Borough Council has requested that conditions be imposed to secure: (i) the implementation of suitable mitigation measures to deal with potential contamination (as identified in the Crossrail Construction Code – Contaminated Land); (ii) groundwater monitoring to be undertaken periodically during the operation of the development and at the decommissioning of the temporary works to be reported separately from the verification report; and (iii) a flood risk management plan shall be implemented for the operational phase of development. All of these issues are capable of being addressed by conditions.
96. Subject to the imposition of the conditions to address those matters raised by the Environment Agency, Southern Water and Gravesham Borough Council, I am satisfied that the proposed development would be consistent with the above policies.

#### Biodiversity impacts

97. The main national planning policies relating to ecology are set out in PPS9. Paragraph 1 states that the aim of planning decisions should be to prevent harm to biodiversity interests and secure appropriate mitigation as necessary. Policy NRM5 of the South East Plan states that planning authorities should avoid a net loss of biodiversity and actively pursue opportunities to achieve a net gain across the region. Policy C7 seeks to conserve and enhance the nature conservation resources of the River Thames Corridor through the protection and management of its diverse plant and animal species and habitats.
98. Policy W21 of the Kent Waste Local Plan states that the planning authority will need to

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be satisfied that the ecological interests of the site and its surroundings have been established and provisions made for the safeguarding of species of wildlife importance. Policy C8 of the adopted Gravesham Local Plan First Review (1994) seeks to protect habitats or features of importance for nature conservation. Policy NE12 of the Gravesham Local Plan Second Review Deposit Version (May 2000) seeks to protect wildlife habitats and protected species.

99. The application site is all previously developed and the majority comprises hardstanding associated with the remains of the cement works (now largely demolished apart from the main multi-storey office building). Other areas include the operational wharf, the road access and a small section of rail link within Church Path Pit. Natural habitats are very limited and are restricted to the periphery of the site. Although the proposal would have some impact on black redstarts and bat foraging areas, the environmental statement indicates that such impacts would not be significant.
100. No objections have been raised by KCC's Biodiversity Projects Officer subject to various conditions to secure appropriate mitigation, including that set out in the environmental statement (paragraph 37). Natural England has no comments and Kent Wildlife Trust has not responded.
101. I am satisfied that the proposed development is acceptable in terms of its biodiversity impacts and would meet the requirements of the above policies subject to the imposition of a condition to secure an appropriate Ecological Management Plan (which would also address bat and mitigation strategies as necessary).

Landscape and visual impact

102. The main national planning policies relating to landscape and visual impact of relevance to the proposals are set out in PPS1. PPS1 promotes sustainable development, the protection and enhancement of the environment and the quality, character and amenity value of urban areas. Policy C7 of the South East Plan seeks to maintain and enhance the landscapes and waterscapes of the River Thames Corridor in terms of their scenic and conservation value and overall amenity.
103. Policy W25 of the Kent Waste Local Plan seeks to ensure that the siting, design and external appearance of processing plant, hard surfacing, buildings and lighting is carefully controlled to minimise visual intrusion and assist integration into the local landscape. Policies W31 and W32 respectively seek appropriate schemes of landscaping and operation (with restoration as appropriate). Policy TC1 of the adopted Gravesham Local Plan First Review (1994) states that the design and massing of buildings should normally be in keeping with their surroundings. Policy TC10 states that details of landscaping proposals will normally be required for new developments. Policies MDS3, NE6 and BE1 of the Gravesham Local Plan Second Review Deposit Version (May 2000) are also relevant. Policy MDS3 states that proposals for the redevelopment Northfleet Cement Works should include open space and landscaping. Policy NE6 states that development on sites containing or directly adjacent to trees or hedgerows of amenity, wildlife or landscape value will only be allowed if these landscape features are protected and retained in the long term and all proposals for new development must incorporate new landscaping as an integral part

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of the scheme. Policy BE1 states that priority will be given to conserving and enhancing the built environment in urban areas and particular importance will be attached to the design of new development and environmental improvement schemes.

104. In considering the landscape and visual impact of the proposed development, regard must be had to the former use of the site as a cement works as well as existing, permitted and proposed development in the area. The former cement works comprised very large older industrial and office buildings and built structures which were located at a lower level than much of the surrounding land. The bulk aggregates import terminal would also include large elements of built development and external plant, structures and machinery. The mixed use development proposals include additional large buildings within the Crossrail application site. The bulk powders facility to the east also comprises a large industrial building. The proposed tunnelling logistics facility would comprise buildings and structures of a similar scale and nature to those described above and would have less landscape impact than the former cement works.
105. No landscape or visual impact objections have been raised to the proposed development. As set out in paragraph 86, Gravesham Borough Council has requested (point (viii)) that details of any operational lighting be submitted for approval. This would ensure that any adverse visual and landscape impacts are minimised and would also address the Port of London Authority's concern about potential effects on navigation.
106. Subject to the imposition of a condition to secure a suitable lighting scheme and the development being implemented as applied for, I am satisfied that the proposed development would be consistent with the above policies.

Impacts on archaeology and buildings and other features of historic interest (including scheduled ancient monuments, listed buildings and conservation areas)

107. The main national planning policies relating to the historic environment (including archaeology, scheduled ancient monuments, listed buildings and conservation areas) are set out in PPS5. This contains a number of development management policies (HE6 to HE12) that set out the information required from applicants to enable an assessment of proposals, the principles for determining applications relating to all heritage assets or their settings (designated or otherwise) and the role of recording information relating to such assets. Policy BE6 of the South East Plan seeks to protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place. Policy C7 states that local authorities should seek the conservation and improvement of the historic built environment that is part of the heritage and setting of the River Thames.
108. Policies TC0, TC1, TC2, TC3, TC5, TC6 and TC7 of the adopted Gravesham Local Plan First Review (1994) are all relevant. These (*variously*) seek to conserve and enhance the built environment, protect listed buildings, conservation areas and scheduled ancient monuments and their settings and promote the identification, recording, protection and enhancement of archaeological sites, ancient monuments and historic landscape features and their educational, recreational and tourist potential through management and interpretation. Policies BE1, BE2, BE4, BE7, BE9 and

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BE10 of the Gravesham Local Plan Second Review Deposit Version (May 2000) are also relevant. These effectively cover the same issues as the adopted Plan.

109. No objections have been received from KCC Archaeology and Conservation subject to conditions to secure the implementation of a watching brief (paragraph 40). English Heritage has no objections subject to the protection of the listed war memorial and lighthouse (paragraph 39).
110. It is important that the listed lighthouse and war memorial are protected and I am satisfied that this can be secured by condition. The war memorial will ultimately be relocated as part of the mixed use development proposals (and subject to listed building consent).
111. Subject to the above matters being secured by condition, I am satisfied that the proposed development would be acceptable in terms of archaeology and heritage issues and would accord with the above policies.

#### Rights of way

112. The main national planning policies relating to rights of way of relevance to the proposals are set out in PPS1, PPG13 and PPG17. PPS1 seeks to promote sustainable development by various means, including through the provision of access that avoids the need for vehicular transport. PPG13 promotes walking and cycling together with other measures designed to increase accessibility and reduce reliance on cars. Paragraph 32 of PPG17 states that rights of way are an important recreational facility which local authorities should protect and enhance and that opportunities to provide better facilities for walkers and cyclists by adding links to existing rights of way networks should be sought. Policy C6 of the South East Plan states that public rights of way should be maintained and enhanced and, where possible, new routes should be made multi-functional.
113. Policy W27 of the Kent Waste Local Plan states that where proposals could adversely affect a public right of way, the County Council will secure the interests of its users. Policy LT8 of the adopted Gravesham Local Plan First Review (1994) seeks to maintain and improve the public rights of way network and, as opportunities arise, seek to provide new recreational footpaths and cycleways in the Borough. Policy R1 states that development in the commercial riverside should provide a public riverside walkway or riverside access where appropriate and consistent with safety. Policies LT11 and LT12 of the Gravesham Local Plan Second Review Deposit Version (May 2000) respectively state that development affecting a public right of way will only be allowed if it includes either its maintenance or diversion on a route no less attractive, safe and convenient for public use and proposals to improve and extend the existing network will be positively encouraged where they provide a shorter or more convenient route (in both cases, they should positively contribute to the Green Grid network and objectives). Policy TR3 also promotes public access to the riverside through the protection of existing rights of way and the provision of new footpaths and cycleways, including green grid connections.
114. As set out in paragraph 2 above, two public rights of way (footpaths NU42 and NU7A) are affected by the proposed development. Whilst Footpath NU7A would not be

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directly affected, HGV and other traffic would continue to use the tunnel between Thames Way (A226) and Vineyard Pit immediately adjacent to it and users would continue to experience impacts associated with this. This would be the case regardless of the outcome of this application. Footpath NU42 is currently closed to allow the implementation of the rail sidings permitted as part of the bulk aggregates import terminal and other works to be completed. As set out in paragraph 17, the application proposes that footpath NU42 be provided on an amended alignment to link with the Creek via footpath NU3 and NU6 (footpaths NU3, NU6 and parts of NU42 are outside the application site and outside the applicant's control). That part of footpath NU42 providing a link to Lawn Road (most of which is outside the application site and outside the applicant's control) would remain closed pending further re-development works. Issues relating to those footpaths outside the application site and outside the applicant's control would need to be addressed by the landowner (Lafarge).

115. Gravesham Borough Council has requested that details of the realigned footpath NU42 be submitted for approval, including how this will link with the remaining footpath in Lawn Road. It has also requested that the realigned footpath be of high environmental quality suitable for cyclists and pedestrians and with the provision of lighting. Kent Highway Services has also requested that cycle access be provided to the site from footpath NU42. The Ramblers has requested that footpaths NU3 and NU6 be re-opened and that issues relating to footpath NU42 be properly addressed. KCC Rights of Way has no objection to the proposals but advises that further discussions are needed with Crossrail and / or Lafarge in respect of the design of the realigned footpath and means of providing safe crossing between the main site and 42 Wharf and that the necessary traffic regulation orders must be secured.
116. The majority of the above issues have either already been secured (i.e. re-opening of footpaths NU3 and NU6) or can be satisfactorily addressed by condition(s) (realignment, design and means of crossing footpath NU42 within the application site). It is not possible for any permission granted for the Crossrail proposals to secure the reinstatement of footpath NU42 to Lawn Road as this is on land outside the applicant's control. This and other issues relating to rights of way outside the application site will need to be addressed with the landowner (Lafarge). Discussions between relevant parties indicate that satisfactory solutions can be agreed to resolve these issues.
117. Subject to footpaths NU7A and NU42 within the application site being kept free of obstruction and available for public use or suitable alternative arrangements being provided (such as those described above), I am satisfied that the proposed development would be consistent with the above policies.

Other issues

118. Ground stability (e.g. tunnels and cliffs): The main national planning policies relating to ground stability of relevance to the proposals (i.e. the potential instability of tunnels and cliffs) are set out in PPG14. PPG14 makes it clear that applications should include appropriate information on actual or potential instability, that decisions should have regard to these issues and that conditions should be used to secure any necessary controls or measures. Policy W20 of the Kent Waste Local Plan requires land stability to have been satisfactorily taken account of. There are no specific ground stability policies in the Gravesham Local Plans.

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119. The application is supported by the same land stability statement submitted in support of the bulk aggregates import terminal and mixed use development proposals. This recommends a range of active management and mitigation measures designed to ensure the continuing stability of the cliff faces. It also proposes the sealing and backfilling of tunnels not required for the proposed development. For those tunnels that would be retained as part of the development proposals, the statement recommends that detailed assessments of the condition and remaining design life be undertaken in order that the need for repair or further support and reinforcement can be established. The statement further recommends that a full investigation of the location, depth and condition of all sub-surface structures (including basements and tunnels) should be undertaken once demolition of existing structures has been completed and that a risk-management strategy for their backfilling to ensure long term stability is developed as part of the detailed design for the site. The applicant states that works to survey and maintain the cliffs will form part of Lafarge's ongoing management of the Northfleet Works site and that a detailed survey of the cliffs adjacent to the application site and rail tunnel is to be undertaken and the results submitted to the County and Borough Council.
120. Given the temporary nature of the Crossrail proposals, as there have been no significant problems relating to the cliffs, rail or road tunnels and as the long term implications of tunnels and cliff stability will be addressed as part of the permanent bulk aggregates import terminal and mixed use development proposals, I am satisfied that there is no need to impose additional measures other than to require the mitigation set out in the land stability statement which accompanies the application.
121. Economic development (employment benefits): The main national planning policies relating to economic development of relevance to the proposals are set out in PPS4. Policy EC10 states that local planning authorities should adopt a positive and constructive approach towards applications for economic development and that applications that secure sustainable economic growth should be treated favourably.
122. The proposed development would provide up to 136 full time equivalent jobs capable of being filled by local people (paragraph 18) and assist in securing the successful implementation of the overall nationally significant Crossrail project.
123. I consider that the proposed development can be viewed favourably in terms of the employment benefits and recent Government statements on the need for a positive approach to securing economic development and employment. I also consider that as well as offering new or continuing employment opportunities for local people, many of those who are employed would be well placed to take up future employment associated with the bulk aggregates import terminal or employment elements of the mixed use development proposals.
124. Gravesham Borough Council has requested that a condition be imposed requiring the applicant to undertake a local recruitment and skills and training initiative for new employees for both the construction and operation phases. The applicant has responded to this by saying that whilst it does not oppose the principle of local recruitment and intends to adopt procedures that would assist local people obtain employment on the project, any condition requiring local recruitment could be contrary

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to European law (and by implication ultra vires). To avoid this possibility, and as the Crossrail contracts include measures designed to promote local employment opportunities, I propose that an informative be attached to any planning permission encouraging Crossrail and its contractors to recruit locally wherever possible and implement job vacancy and related practices designed to facilitate this.

125. Port of London Authority (navigational equipment): The Port of London Authority has requested that the height of any crane or structure on the wharf be limited to no more than 20m (as opposed to the proposed 35m) in order not to ensure that its navigational equipment can continue to operate properly. The applicant has confirmed that the facility could operate with this restriction and I am satisfied that the matter can be addressed by condition.
126. Cumulative impact: Given the temporary nature of the proposed development and as it would take place in advance of, as opposed to alongside, the proposed bulk aggregates import terminal and employment elements of the mixed use development proposals I am satisfied that any cumulative impacts would not be significant.

**Conclusion**

127. For the reasons set out in paragraphs 60 to 126, I am satisfied that the proposed development meets the relevant detailed “tests” associated with the various environmental, operational and other policies such that the use of the application site at Northfleet for both the waste and manufacturing elements of the proposals complies with the policies set out in paragraphs 55 to 58. On this basis, I am satisfied that subject to various conditions, the proposed development accords with relevant development plan policies and that there are no material planning considerations that mean that planning permission should be refused. I am also satisfied that this would remain the case even if the South East Plan were no longer part of the development plan. I therefore recommend accordingly.

**Recommendation**

128. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO conditions covering amongst other matters: 5-year temporary planning permission and removal of plant, materials and buildings at end of this period; site to only be used for receiving processing and storing excavated material arising from the London Crossrail tunnelling activities and for the construction and distribution of tunnel segments for the London Crossrail project; no more than 688 HGV movements (344 in and 344 out) per day; HGV management plan; travel plan; access from footpath NU42 via The Shore and The Creek by foot and cycle; water-tight load compartments for HGVs when transporting wet excavated materials; use of wheel wash; all excavated materials being transported from the site by river (apart from any contaminated materials that could potentially arrive at the site and need to be removed to a suitable disposal site by road or unless otherwise agreed or if a further planning permission is obtained); no HGV movements outside normal working hours (i.e. between 07.00 and 19.00 hours Monday to Friday and 07.00 and 14.00 hours on Saturdays) unless it has been demonstrated that impacts associated with HGVs outside these hours is acceptable; excavated materials only being imported to the site once the rail link is reinstated and

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available for use unless approval is first obtained from the County Council; noise; vibration; dust; air quality; compliance with the relevant parts of the Crossrail Construction Code (including a complaints system to address environmental and lorry routing issues); no development to take place until “Section 61 consent” has been obtained under the Control of Pollution Act and any consent complied with thereafter (unless formally varied under that process); groundwater protection; potential contamination of the site; foul and surface water management scheme; protection of public sewer and public water supply main; flood risk management plan; biodiversity management (e.g. for black redstarts and bats); lighting scheme; archaeological watching brief; protection of listed war memorial and lighthouse; detailed scheme for footpath NU42 (including cycle access); ground stability (cliffs and tunnels); and limiting height of cranes and structures on 42 Wharf to 20m unless otherwise approved by the County Council.

Case Officer: Jim Wooldridge
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Tel. no. 01622 221060
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Background Documents: see section heading.
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**APPENDIX 1 TO ITEM C1**

**Planning conditions requested by Gravesham Borough Council**

1. Temporary permission to expire after five years and all plant, materials and buildings to be removed.
2. Site to be used only for receiving processing and storing excavated material arising from the London Crossrail tunnelling activities and for the construction and distribution of tunnel segments for the London Crossrail project.
3. Heritage assets within the site to be preserved; details of protection for the two listed buildings to be agreed.
4. The applicants to undertake a local recruitment and skills and training initiative for new employees for both construction of the facility and its subsequent operation.
5. Adequate area for parking and lorry parking to be provided within the site.
6. All HGV's to use wheelwash facilities within the site.
7. Lorry routing to be agreed with the planning and highway authorities and to include signage of routes.
8. Maximum of five train paths in and out of the site per day.
9. Unless with the agreement of the planning authorities all excavated material exported from the site shall be transported by river.
10. Agreement over percentage of material to be brought in to the site by road, rail and river transport during the construction and operational phases of the development.
11. Agreement over maximum amount of material to be brought on to the site during the operation of the tunnelling logistics facility.
12. Limitation on numbers of HGV movements to the site during peak hours.
13. No HGV movements outside of normal working hours unless and until it has been demonstrated that impacts associated with the running of HGVs outside these hours are acceptable.
14. Development to comply with the Crossrail Construction Code; the code shall ensure that there is an adequate public complaint system to address environmental and lorry routing issues.
15. Construction activities to be undertaken in accordance with agreed hours.
16. Controls are imposed over construction vibration.
17. Mitigation of night time use including that doors to buildings are kept closed and no door sirens to be employed.
18. Mitigation to be implemented in relation to rail activities.
19. A mitigation methodology for curtailing wheel squeal effects to be agreed and employed.
20. Additional mitigation to be implemented where necessary arising from complaints received within a prescribed distance from the new rail alignment.
21. Details of operational lighting to be submitted for approval.
22. Mitigation measures are implemented to address emissions of both nitrogen dioxide and particulate matter (PM10) from both traffic and site operations sources including monitoring of the necessary mitigation.
23. Suitable mitigation measures to deal with potential contamination shall be implemented as identified in the Crossrail Construction Code – Contaminated Land (CCC).
24. Groundwater monitoring to be undertaken periodically during the operation of the development and at the decommissioning of the temporary works to be reported

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- separately from the verification report.
25. Details of the realigned public footpath within the site to be submitted for approval including how the footpath will link with the remaining footpath in Lawn Road; the realigned footpath should be designed to a high environmental quality suitable for use by cyclists and pedestrians and with the provision of lighting.
  26. A flood risk management plan shall be implemented for the operational phase of development.
  27. An archaeological watching brief shall be implemented during the construction phase of the development.