

**Town and Country Planning Act 1990**

**Appeal by G&K Groundworks; ACT Roadways Ltd**

**Site Address: Land East of Manor Trading Estate, Benfleet, Essex, SS7 4PS**

**Appeal Reference APP/M1520/W/22/3310794**

**Core Documents**

**Volume 1**

**A. Submitted application**

**1. Relevant Submissions**

- 1.1 21/0532/OUT Revised Application Form 28.04.2022
- 1.2.1 21/0532/OUT Location Plan Drawing No. 163839DP M006
- 1.2.2 21/0532/OUT Site Plan Drawing No. 16 3739DP/E102
- 1.2.3 21/0532/OUT Development Master Plan (25.11.2022) Drawing No.163839 P205B
- 1.2.4 21/0532/OUT Revised Location Plan Drawing No. 163839DP M005D
- 1.2.5 21/0532/OUT Revised Measurement Plan Drawing No. NC18 442 P204b
- 1.2.6 21/0532/OUT Integrated Acoustics (IAL) Noise Constraint Study July 2020
- 1.2.7 21/0532/OUT HA Acoustics Façade Noise Exposure Assessment HA AD96 V1
- 1.2.8 21/0532/OUT HA Acoustics Façade Noise Exposure Assessment HA AD96 V2
- 1.2.9 21/0532/OUT Schedule of Commercial Building Floor Area and Parking Provision Drawing No 16 3839 DP M007 A
- 1.2.10 Transport Assessment. April 2021

**2. Statutory Consultee responses**

- 2.1 21/0532/OUT Jacobs Noise Constraints Study
- 2.2 21/0532/OUT Minerals and Waste Planning 29.06.2021
- 2.3 21/0532/OUT Minerals and Waste Planning 03.09.2021
- 2.4 21/0532/OUT Minerals and Waste Planning 23 12.2021
- 2.5 21/0532/OUT Mineral and Waste Planning 26.04.2022
- 2.6 21/0532/OUT Essex Fire and Rescue 29.06.2021

- 2.7 21/0532/OUT Essex Fire and Rescue 10.08.2021
- 2.8 21/0532/OUT CPBC Legal
- 2.9 21/0532/OUT Anglian Water
- 2.10 21/0532/OUT CPBC Environmental Health
- 2.11 21/0532/OUT CPBC Environmental Health Additional comment
- 2.12 21/0532/OUT CPBC Waste and Recycling
- 2.13 21/0532/OUT Environment Agency
- 2.14 21/0532/OUT SuDS 24.06.2021
- 2.15 21/0532/OUT SuDS 03.09.2021
- 2.16 21/0532/OUT SuDS 09.02.2022
- 2.17 21/0532/OUT SuDS 23.03.2022
- 2.18 21/0532/OUT Natural England
- 2.19 21/0532/OUT Essex Highways
- 2.20 21/0532/OUT Infrastructure Officer
- 2.21 21/0532/OUT NHS

### **3. Officers Report**

### **4. Decision Notice**

## **B. Planning Appeal**

- 1. Appeal Form
- 2. Statements of Case
  - 2.1 Appellants Statement of Case
  - 2.2 Planning Authority Statement of Case
- 3. Statement of Common Ground
- 4. Schedule of conditions
- 5. Planning Obligations
- 6. CIL Compliance Statement
- 7. Proofs of Evidence
  - 7.1.1 Appellant Proof - Russell Forde v1.0
  - 7.1.2 Appellant Planning Proof Appendices - Russell Forde (1)

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## **Core Documents**

### **Volume 2**

#### **B. Planning Appeal**

- 7.1.3 Appellant Noise AD961-2023 Proof
- 7.1.4 Appellant Noise ( AD961-2023) Appendices
- 7.1.5 Appellant Highways Proof Text 31.01.23 Issued Final
- 7.1.6 Appellant Highways Proof Appendices 31.01.23 Issued Final - Reduced size
- 7.1.7 Access Plan 22.02.23
- 7.1.8 Proof of Evidence Josie Nixon
- 7.1.9 Acoustic Appendices. Josie Nixon
- 7.1.10 Noise Rebuttal by Josie Nixon
- 7.1.11 Noise Rebuttal by Josie Nixon Appendices
- 7.2.1 Local Authority Proof A Hutchinson (Planning)
- 7.2.2 Local Authority Proof Appendices of A Hutchinson
- 7.2.3 Local Authority Proof of E Davis (Noise)

#### **C. NPPF, National Guidance and Standards**

- 1. NPPF 2021
- 2. National Planning Policy for Waste (October 2014)
- 3. DELIBERATELY BLANK
- 4. DELIBERATELY BLANK
- 5. Noise Policy Statement for England (DEFRA 2010)
- 6. Explanatory Note of the Noise Policy Statement for England (DEFRA, 2010)
- 7. Planning Practice Guidance: Noise (DCLG, 2013)
  - 7.1 Noise Hierarchy Table.
- 8. BS 8233:2014 Guidance on sound insulation and noise reduction for buildings (BSI)
- 9. BS 4142:2014+A2019 Methods for rating and assessing Industrial and Commercial sound
- 10. Planning and Noise, Professional Practice Guidance on Planning and Noise for New Residential Development, 2017
  - 10.1 Pro PG Planning and Noise Supplementary Document 2. Good Acoustic Design May 2017
- 11 DELIBERATELY BLANK

- 12 BS7445-1:2003 'Description and measurement of environmental noise. Guide to quantities and procedures'.
- 13 BS5228-1: 2009 +A1:2014 'Code of practice for noise and vibration control on construction and open sites - Noise
- 14 Traffic Signs Manual, 2019 - Chapter 6 Traffic Control

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## **Core Documents**

### **Volume 3**

#### **D Local Planning policy and Guidance**

- 1 Adopted Local Plan and Proposals Map (1998)
  - 1.1 Saving Direction
  - 1.2 NPPF Conformity Check
- 2 Essex and Southend Waste Local Plan (2017)
- 3 Castle Point Developer Contributions SPD
- 4 Residential Design Guidance SPD (Castle Point Borough Council 2008)
  - 4.1 Adoption-Statement-for-the-Residential-Design-Guidance-Supplementary-Planning-Documents-November-2012
- 5 Parking Standards : Design and Good Practice. (Essex County Council and EPOA 2009)

#### **E Housing Land Supply**

1. Castle Point Annual Monitoring report 01.04.2021 – 31.03.2022
2. Castle Point Annual Monitoring Report-01.04.2020 to 31.03.2021
3. Castle Point Annual Monitoring Report-01.04.2018 to 31.03.2020

#### **F Evidence base**

1. Addendum to the South Essex Strategic Housing Market Assessment (SHMA) (2017)
2. Housing Options Topic Paper (November 2018)

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**Core Documents**

**Volume 4**

**F Evidence base**

3. Strategic Housing Land Availability Assessment (SHLAA) 2018 Update  
Volume 3 Mapping Report
4. Strategic Housing Land Availability Assessment (SHLAA) Review 2018  
Volume 2 Site Schedules
5. Castle Point Strategic Housing and Employment Land Availability  
Assessment (SHELAA) Sites – Development Viability Appraisals Report  
September 2018
6. South Essex Economic Development Needs Assessment (November  
2017)
7. Castle Point Green Belt Review Part 1 (2018)

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**Core Documents**

**Volume 5**

**F Evidence base**

8. Green Belt review part 2 2018
9. Green Belt part 2 addendum (2021)
10. Green Belt Topic Paper 2018
11. Employment and Retail Needs Assessment 2012
12. SHMA 2016
13. Castle Point Employment Study November 2006
  - 13.1 Castle Point Employment Study November 2006 Executive Summary
14. SHLAA-Update-Report-2018- Volume-1--

**G Withdrawn Local Plan**

1. Post Hearing letter dated 06.09.2021
2. Inspectors report dated 03.03.2022

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## **Core Documents**

### **Volume 6**

#### **G Withdrawn Local Plan**

3. Hearing Statements
  - (i) Matter 3: The Green Belt (8 April 2021) Questions 18 - 23
  - (ii) Matter 3: The Green Belt (8 April 2021) Questions 24 - 46
  - (iii) Matter 6: Economic Strategy and policies (8 April 2021) Questions 244 - 263
4. Extract from Main Modifications to Local Plan
5. Minute of decision to withdraw the New Local Plan (15 June 2022)
6. Local Plan Viability Assessment
7. Blank
8. To be advised
9. Report of 28.11.2018 Special Meeting of Full Council
10. Extract from Minutes of 28.11.2018 Special Meeting of Full Council
11. Pre-submission Plan 2018-2033 December 2019 With Modifications proposed as at October 2020

#### **H Relevant Decisions and Legal Judgements**

1. Application CPT/16/02/FUL
  - 1.1 Submitted Plan.
  - 1.2 Decision notice
2. Application CPT/366/06/OUT
  - 2.1 Submitted application and Plans.
  - 2.2 Officer report,
  - 2.3 Decision notice
  - 2.4 Associated appeal decision APP/M1520/A/07/2034627
3. Application 18/0834/FUL, Benfleet Scrap Ltd,
  - 3.1 Submitted application and Plans.
  - 3.2 Officer report
  - 3.3 Decision notice
  - 3.4 Judicial Review Judgement
  - 3.5 Court of Appeal Judgement
4. Application 20/0159/FUL – Road Improvement Scheme, MTE

- 4.1 Submitted application, Plans and supporting documents.
  - 4.2 Officer report,
  - 4.3 Decision notice
- 5. Appeal Ref: APP/C1570/W/21/3274573 - Land north of Bedwell Road, Elsenham, Essex
- 6. Essex County Council Decision on Certificate of Lawfulness
  - 6.1 Application ESS/48/22/CPT
    - 1. Delegated report ESS-48-22-CPT
- 7. Appeal Reference; APP/ V1505/W/22/3298599 Land north of Kennel Lane, Billericay, Essex
- 8. Application CPT/638/94 Rear of 30 Brunel Road Submitted Plan
  - 8.1 Decision notice
- 9. Application CPT/01/95 Rear of 30 Brunel Road Submitted Plan
  - 9.1 Decision notice

## **I Miscellaneous**

- 1. Local Plan Development Scheme (November 2022)
- 2. Control of Pollution Act 1974 Waste Disposal Licence 16 Brunel Road (Benfleet Scrap).Licence Reference No. 398/98
- 3. Environmental Protection Act 1990. Waste management licence Refence: EAWML/71298
- 4. Application Variation V002 issued 19 07 2017
- 5. Working Plan for Waste Disposal Licence March 1998
- 6. Letter from Secretary of State 23 March 2018 threatening to intervene in plan making
- 7. Tree Preservation Orders TPO/10/2018, TPO12/2018 and TPO13/2018
- 8. Licence No. SMD0016
- 9. EPR Compliance Assessment Report ID: 71088/0308611
- 10. EPR Compliance Assessment Report ID: 71088/0396219
- 11. EPR Compliance Assessment Report ID: 71088/0422856
- 12. EPR Compliance Assessment Report ID: 71088/0342248



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**Volume 7**

**J Earlier Draft Local Plans**

- 1 Draft Local Plan 2014 - Economic Strategy E3
- 2 Draft Local Plan 2014 Proposals Map Extract
- 3 Draft Local Plan 2016 - Economic Strategy E3
- 4 Draft Local Plan 2016 Proposals Map Extract
- 5 Pre-Publication Local Plan 2018 - Face sheet and Contents
- 6 Pre-Publication Local Plan 2018 - Economic Strategy
- 7 Pre-Publication Local Plan 2018 - Policy HO21 MTE
- 8 Draft Local Plan 2018 Proposals Map
- 9 Draft-Housing-Sites-Housing-Sites-Options-Topic-Paper-2018
- 10 Pre-Submission Local Plan December 2019 - face sheet and contents
- 11 Pre-Submission Local Plan December 2019 - Economic Strategy
- 12 Pre-Submission Local Plan 2019 Proposals Map.

**K Restocking Notice**

- 1 Restocking Notice Map - 1st Draft - Keswick Road 22.10.2018
- 2 REDACTED ANONYMISED Annex 3 - Record of Meeting With Objector
- 3 REDACTED Annex 4 - Reference Committee Report
- 4 REDACTED - Minister Decision - Restocking Notice. Manor Trading Estate 21.10.2022
- 5 REDACTED - Notification to Objector Representation - Minister Decision - RN24.18-19 Manor Trading Estate 25.10.2022  
Document K5  
REDACTED - Notification to Objector Representation - Minister Decision - RN24.18-19 Manor Trading Estate 25.10.2022
- 6 REDACTED Response to objection to Restocking Notice 25.10.2022
- 7 Restocking Notice - REDACTED Land on the north side of Church Road, Benfleet 13.02.2023

- 8 Restocking Notice Map - Signed - Land on the north side of Church Road, Benfleet 13.02.2023
- 9 Restocking Notice Covering Letter - Redacted - Land on the north side of Church Road, Benfleet 13.02.2023
- 10 Restocking Plan Overlay (Forestry Commission Base)
11. Appellants Restocking Notice Areas Plan 16.3839-M011
12. Appellants Adjusted Restocking Notice Area Plan 16.3839-M013
- 13 Appellants Reposition of Contaminated Patch 16.3839-M012
- 14 Appellants Open Areas Plan 16.3839-M010A
- 15 Appellants 23-02-24 GPS to FC RN10- 22-23 Restocking Offer
- 16 Council's Note on the Implications of restocking notice