



EBBSFLEET DEVELOPMENT CORPORATION Planning Committee

Neil Cameron KC (Chair)
Valerie Owen OBE (Vice Chair)
Rev Penny Marsh
Fred Maroudas
Cllr David Mote
Cllr Lee Croxton

A meeting of the above Committee will be held on Wednesday 8th May 2024
at 5:00pm at The Observatory and via Microsoft Teams.



PLANNING COMMITTEE AGENDA

Wednesday 8th May 2024

1. **Apologies for Absence**
Fred Maroudas
2. **Declarations of Interest**
To receive declarations of interest from Members
3. **Urgent Items**
4. **Record of Meeting**
To approve the record of the meeting held on 10th April 2024

ITEMS FOR CONSIDERATION

5. EDC/23/0163 - Northfleet Embankment East

Proposal

Development of previously developed land to provide an employment park containing five buildings (Building 1 = three storey, Buildings 2 to 5 = of two storey height) comprising Use Classes E(b) (Food and Drink), E(g)(i) (Office), E(g)(ii) (Research and Development), and E(g)(iii) (Light industrial) with new site access from Crete Hall Road, parking and landscaping following demolition of a remnant building.

Recommendation

Approval, subject to the following:

- (i) Imposition of planning conditions with delegated authority to the Director of Planning & Place to make minor changes to the wording; and
- (ii) Completion to the satisfaction of Ebbsfleet Development Corporation as Local Planning Authority of a deed of planning obligation under s.106 of the Town and Country Planning Act 1990 (as amended) to secure the financial contributions relating to air quality.

6. Delegated Items Report – April 2024 For Noting

EBBSFLEET DEVELOPMENT CORPORATION

PLANNING COMMITTEE MINUTES

SUBJECT TO APPROVAL AS AN ACCURATE RECORD AT THE NEXT MEETING OF THE COMMITTEE

Date: Wednesday 10th April 2024
Time: 16:00 – 16:38

Present: Neil Cameron KC (The Chair)
Valerie Owen OBE (The Vice-Chair)
Councillor David Mote
Councillor Lee Croxton
Rev. Penny Marsh

The Chair opened the meeting and noted that the video would be published on the EDC's website after the meeting.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Fred Maroudas.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. URGENT ITEMS

There were no urgent items.

4. RECORD OF MEETING

The minutes from the Planning Committee meeting held on 31st January 2024 were approved, subject to amendment of the wording in the final paragraph of Item 5 so that it ends 'with planning harm'.

5. EDC/22/0042 – Cable Wharf Primary School, Northfleet Embankment East, Crete Hall Road, Northfleet.

The Case Officer, Ms Simpson, introduced the application as a reserved matters application made by KCC for a two-form entry primary school including a nursery and a special resource provision unit made pursuant to the outline part of the hybrid planning permission of the Northfleet East (Cable Wharf) development. She explained the site context explaining that Cable Wharf is a residential lead development within the Northfleet Embankment East area and the school is intending to be in operation from September 2025. The Case Officer described the proposal including site layout, massing, appearance, access and landscaping, and summarised the key issues raised during the process.

The Chair then invited the applicant's team to speak in support of their application. Sophie Lamarque, project architect (Lee Evans Partnership), addressed the Committee and explained that the scheme had been designed to respond to the Design for Ebbsfleet Guide and the Department for Education's output specification. She explained that the design, construction and operation of the building follows a sustainable approach delivering a net-zero carbon, fossil fuel free building and would provide significant opportunities for the community, in accordance with the hybrid planning permission and associated the s.106 Agreement. She explained further that the appearance, layout and landscaping has been well considered to provide visual impact, but a safe space for children, and it would contribute towards EDC's overall vision for Northfleet Riverside.

The Chair invited committee members to raise any questions.

Cllr Mote advised of his general support for the proposal, but did have reservations with the parking, and re-iterated a previous concern regarding internal lighting. Ms Lamarque answered that roof lights had been incorporated and that the design has been informed by a daylight report to demonstrate adequate internal daylight.

The Vice Chair commented that the detailing of the façade has been improved and asked how it might be drained and whether it would become stained. Ms Lamarque answered that the roof is pitched is designed to allow water to run towards east and west elevations, to avoid having drainpipes on the front (north) elevation.

The Vice Chair asked a question about the landscaping to seek reassurances that it would be fully delivered and established, noting that the school would benefit from a strong landscaped boundary. A further question related to highways and potential for congestion and management issues at drop off and collection times. Matt Hayes, Architect of Lee Evans Partnership, answered that the most appropriate mechanism to secure the landscaping is by condition, to include a management plan. He also explained that parking could be managed through introducing parking restrictions, which are proposed to be secured through a planning condition, including introducing traffic regulation orders when the road is adopted by KCC. It was noted that the school location promotes the opportunity for sustainable transport, and that the existing school doesn't provide a drop off and pick up parking facility.

The Vice Chair agreed that the scheme has improved and he supports dual use of the facilities. Cllr Mote raised a point about accessibility from the surrounding community and asked whether KCC will take ownership of the pathway from the lower pit to the top. Ms Meads, KCC Project Manager, explained that the path is already in KCC ownership and referred to separate proposals to make improvements to it.

The Chair commented that hopefully children and parents of either the existing community or from the Cable Wharf scheme will walk to school and noted the high level of staff parking, asking how many staff were expected to work at the school. Mr Carey of Alethia Anglican Academies Trust answered there may be around 28-29 full

time staff, but the additional parking spaces are necessary because of the specialist provision, the nursery and for community use.

The Chair invited a formal discussion by the committee and commented that it appears to be a good scheme, but advised that quality of the external design of the saw tooth design in particular will be dependent on the quality of the materials, noting such details would require approval through condition.

Cllr Mote agreed this could be an exemplar scheme, both in terms of community provision and environmentally.

Rev. Marsh agreed with comments made and welcomed the changes made and welcomed the community use, but stressed the importance of making sure it remains available and flexible for community use into the future.

The Chair moved to accept the officer's recommendation to approve the application and members voted unanimously in favour.

6. Planning Activity Report – Q4 2023/24

Noted

7. Delegated Items Report

Noted

Meeting closed at 16:38

The following officers were in attendance:

Mr Mark Pullin – EDC Director of Planning & Place
Mr Michael Jessop – EDC Head of Development Management
Mr Simon Harrison – EDC Head of Design
Ms Wendy Simpson – EDC Senior Planning Officer
Ms Karen Cronin – EDC Senior Planning Manager
Ms Julia Johnson – EDC Planning Committee Secretary

Reference: EDC/23/0163

Site Address: Land at Rosherville Way and Crete Hall Road, Northfleet
Embankment East, Employment Southern Parcel, Rosherville Way,
Northfleet.

Proposal: Development of previously developed land to provide an employment park containing five buildings (Building 1 = three storey, Buildings 2 to 5 = of two storey height) comprising Use Classes E(b) (Food and Drink), E(g)(i) (Office), E(g)(ii) (Research and Development), and E(g)(iii) (Light industrial) with new site access from Crete Hall Road, parking and landscaping following demolition of a remnant building.

Applicant: Ebbsfleet Development Corporation

Ward: Rosherville

SUMMARY:

This application relates to land within the Northfleet Riverside strategic development area as identified in the Ebbsfleet Implementation Framework. The site has previously gained outline planning permission as part of a larger development site, which included land on the northern and southern side of Crete Hall Road for up to 21,500 sqm of employment floorspace. Development on the northern site was subsequently built and completed but development on the southern site did not progress. The current application relates to the southern site which is pre-dominantly vacant, previously developed land but also includes public highway land around the perimeter of the site.

The application seeks full planning permission for an employment park containing five buildings in uses Classes E(g)(i) (Office), E(g)(ii) (Research and Development), and E(g)(iii) (Light industrial) and a single unit of E(b) (Food and Drink), demolition of a remnant building, a new access from Crete Hall Road, amendment of the existing access off Rosherville Way, reconfiguration of the highway footpath and grass verge to provide a shared footway/cycleway with planted verge, parking, landscaping and off-site highway works to provide a new pedestrian crossing over Crete Hall Road.

The application has been subject to extensive pre-application discussions and the scheme has been through several iterations. The application actively seeks to implement measures to support and encourage sustainable travel modes in line with the wider Ebbsfleet Garden City vision. Despite not being mandatory, the application proposes a significant Biodiversity Net Gain (BNG) at the site with biodiversity increasing in the region of 10% BNG as well as achieving BREAMM 'Excellent' level of performance in sustainability value, both in exceedance of the policy requirement. The scheme would create a significant number of jobs during construction and operation and a local employment and skills plan commits to ensuring opportunities for local people to benefit.

The development has been designed having due regard to the constraints and requirements of the site and the scheme substantially accords with the Borough Council's adopted policies and guidance and Ebbsfleet design guidance and would significantly enhance the public realm and character of this area, which functions as a buffer area between the residential areas to the east and the large unit commercial area to the west.

The proposals would provide an acceptable level of amenity for users of the site without having a detrimental impact on highway safety, the living conditions of neighbouring

residents, ecology, heritage, contamination or flood risk and is therefore recommended for approval.

RECOMMENDATION:

Approval subject to the following:

- (i) Imposition of the following planning conditions and informatives with delegated authority to the Director of Planning & Place to make minor changes to the wording; and
- (ii) Completion to the satisfaction of Ebbsfleet Development Corporation as Local Planning Authority of a deed of planning obligation under s.106 of the Town and Country Planning Act 1990 (as amended) to secure the following financial contributions:
 1. £3,000 to Gravesham Borough Council towards monitoring of the Air Quality Network.
 2. £3,000 to Gravesham Borough Council towards the implementation of the Gravesham Borough Council Air Quality Action Plan.

Conditions

TIME LIMIT

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

APPROVED PLANS

2. The development hereby permitted shall be carried out in accordance with the following plans:

- NEE_LEP_ZZ_M2_DR_A_00250 rev P05 Site Location Plan
- NEE_LEP_ZZ_M2_DR_A_00200 rev P11 Block 1 Elevation
- NEE_LEP_ZZ_M2_DR_A_00202 rev P11 Block 2 Elevation
- NEE_LEP_ZZ_M2_DR_A_00203 rev P11 Block 3 Elevation
- NEE_LEP_ZZ_M2_DR_A_00204 rev P11 Block 4 Elevation
- NEE_LEP_ZZ_M2_DR_A_00205 rev P12 Block 5 Elevation
- NEE_LEP_ZZ_M2_DR_A_00217 rev P14 Ground Floor Site Plan
- NEE_LEP_ZZ_M2_DR_A_00233 rev P09 First Floor Site Plan
- NEE_LEP_ZZ_M2_DR_A_00231 rev P10 Second Floor site Plan
- NEE_LEP_ZZ_M2_DR_A_00234 rev P03 Refuse and Delivery Strategy
- NEE_LEP_ZZ_M2_DR_A_00240 rev P09 Proposed Site Sections
- NEE_LEP_ZZ_M2_DR_A_00241 rev P08 Proposed Site Sections
- NEE_LEP_ZZ_M2_DR_A_00253 rev P12 Proposed Block Plan
- NEE-TFC-00-00-DR-L-1001 rev P28 General Arrangement (Landscape Strategy)
- NEE-TFC-00-00-DR-L-3001 rev P13 Planting Plan
- NEE_LEP_ZZ_M2_DR_A_00206 rev P01 Refuse Store 01
- NEE_LEP_ZZ_M2_DR_A_00208 rev P01 Refuse Store 02
- NEE_LEP_ZZ_M2_DR_A_00209 rev P01 Refuse Store 03
- NEE_LEP_ZZ_M2_DR_A_00211 rev P12 Block 01 – Ground Floor Plan

- NEE_LEP_ZZ_M2_DR_A_00213 rev P10 Block 02 – Ground Floor Plan
- NEE_LEP_ZZ_M2_DR_A_00214 rev P10 Block 03 – Ground Floor Plan
- NEE_LEP_ZZ_M2_DR_A_00223 rev P08 Block 04 – Ground Floor Plan
- NEE_LEP_ZZ_M2_DR_A_00215 rev P10 Block 05 – Ground Floor Plan
- NEE_LEP_ZZ_M2_DR_A_00224 rev P08 Block 01 – First Floor Plan
- NEE_LEP_ZZ_M2_DR_A_00225 rev P08 Block 01 – Second Floor Plan
- NEE_LEP_ZZ_M2_DR_A_00226 rev P02 Block 01 – Roof Plan
- NEE_LEP_ZZ_M2_DR_A_00227 rev P02 Block 02 – Roof Plan
- NEE_LEP_ZZ_M2_DR_A_00228 rev P02 Block 03 – Roof Plan
- NEE_LEP_ZZ_M2_DR_A_00229 rev P02 Block 04 – Roof Plan
- NEE_LEP_ZZ_M2_DR_A_00232 rev P02 Block 05 – Roof Plan

Reason: For avoidance of doubt and to ensure a satisfactory form of development.

PRE-COMMENCEMENT

3. No development shall commence until the developer has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Authority. Within 6 months of the completion of the watching brief a post excavation report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the archaeological interest in the site and avoid irreversible impacts in accordance with Gravesham Borough Local Plan First Review Policy TC7, Gravesham Local Plan Core Strategy Policy CS20 and National Planning Policy Framework paragraphs 200 and 208. The information is required pre-commencement to ensure that construction works manage impacts upon features of archaeological interest.

4. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include as a minimum:
 - (i) Construction phasing;
 - (ii) Routing of construction and delivery vehicles to / from site;
 - (iii) Parking and turning areas for construction and delivery vehicles and site personnel;
 - (iv) Temporary traffic management / signage;
 - (v) Permitted construction traffic arrival and departure times;
 - (vi) Timing of construction related deliveries;
 - (vii) Provision of wheel washing facilities;
 - (viii) Proposed root protection measures for any retained trees adjacent to the application site;
 - (ix) Proposed ecological protection measures during construction (including those of the cliff to the south of the application site);
 - (x) Proposed flood-risk prevention measures during construction;
 - (xi) Temporary construction lighting; and
 - (xii) Monitoring and review provisions with the Local Planning Authority.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details or any subsequent variations that may be approved in writing by the Local Planning Authority pursuant to this condition.

Reason: To mitigate any adverse impact from construction on the local and strategic highway networks, including the A2, to protect the amenity of local businesses and protected species and to mitigate the risks to groundwater, in accordance with DfT Circular 01/2022, Gravesham Local Plan Core Strategy Policies CS11, CS12 and CS19 and of the National Planning Policy Framework paragraph 115.

5. No development shall commence until a Preliminary Ecological Appraisal of the trees and other vegetation on the cliff within the 'blue line' to the immediate south of the application site (as indicated on NEE_LEP_ZZ_M2_DR_A_00250 rev P05 Site Location Plan) has been submitted to and approved in writing by the Local Planning Authority. The Preliminary Ecological Appraisal shall identify whether any additional ecological surveys or mitigation is required and, in the event that additional ecological surveys or mitigation is required, they shall be carried out prior to any tree or other vegetation clearance on the cliff. The Preliminary Ecological Appraisal shall also establish a programme and timescale for ongoing ecological monitoring of the cliff, including identifying whether additional surveys and mitigation are required following any required tree or vegetation clearance on the cliff, and all works shall take place in accordance with the agreed programme and timescale.

Reason – In order to enhance and protect the biodiversity and ecological interests of the development in accordance with of the Gravesham Core Strategy Policy CS12 and of the National Planning Policy Framework paragraph 180.

6. No development shall commence until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the Preliminary Drainage and Flood Risk Strategy dated September 2023 and Additional Drainage Details response dated 14th December 2023 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):
 - (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
 - (ii) appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details prior to first occupation of the part of development to which it relates.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding in accordance with Gravesham Local Plan Core Strategy Policies CS18 and CS19 and National Planning Policy Framework paragraphs 165 and 173.

7. No development shall commence until a foul drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme prior to first occupation of the part of development to which it relates.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with National Planning Policy Framework paragraph 174.

8. No development hereby permitted shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy will include the following components:
 - (i) A site investigation scheme, based on the findings and recommendations of the Preliminary Phase II Ground Investigation and Risk Assessment Report (August 2023) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (ii) The results of the site investigation scheme referred to in (i) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (ii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the Local Planning Authority.

The scheme shall be implemented as approved prior to first occupation of the part of development to which it relates.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with National Planning Policy Framework paragraph 174.

9. Notwithstanding drawing 20413-QODA-SW-00-DR-E-0901 REV P01 (External Lighting Layout) and any other submitted details showing external lighting, no development hereby permitted shall commence until full external lighting details have been submitted to and approved in writing by the Local Planning Authority. The details shall cover lighting on the private land and public highway and shall take account of utilities corridors (existing and proposed), street trees and planting and shall include: height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use. A report shall also be submitted to demonstrate the proposed lighting schemes effect on: the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details and thereafter be maintained in accordance with the approved details.

Reason – In order to prevent harm to bat habitats and illumination of the public highway, whilst affording operationally suitable levels of illumination, in accordance with Policies CS12, CS18 and CS19 of the Gravesham Core Strategy 2014 and paragraph 180 of the National Planning Policy Framework (2023).

PRIOR TO DEVELOPMENT ABOVE FOUNDATION LEVEL

10. No development shall commence above foundation level until a Habitat Establishment and Management Plan (HEMP) has been submitted to and approved in writing by the Local Planning Authority. The HEMP shall include:

- (i) Details of habitats to be established on site
- (ii) Management required to establish habitats on site
- (iii) Overview of management required once habitats have established.
- (iv) Management timetable once habitats have established – capable of being a 5 year rolling timetable.
- (v) Details of any monitoring required.
- (vi) Confirmation of how the management will be funded.

The Plan shall be implemented as approved with the works completed by a competent person with specialist knowledge of habitat types and conditions, such as a qualified ecologist.

Reason – In order to enhance and protect the biodiversity and ecological interests of the site in accordance with Gravesham Core Strategy Policy CS12 and National Planning Policy Framework paragraph 180.

11. No development shall commence above foundation level until an Ecological Enhancement Plan (EEP) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall provide details of ecological enhancement features which will be incorporate into the buildings and landscaping and measures to benefit insects, bats, birds and herpetofauna. The Plan shall be implemented as approved and maintained as such thereafter.

Reason – In order to enhance and protect the biodiversity and ecological interests of the site in accordance with Gravesham Core Strategy Policy CS12 and National Planning Policy Framework paragraph 180.

12. Notwithstanding the details submitted with the application, no development above foundation level shall take place until details and a schedule of all materials and products to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- (i) principal features on the facades (@1:20 or more detailed): vertical cross-section and cross-plans through each window and door opening type, including head, jamb and sill details, infill panels
- (ii) interfaces between brickwork, vertical cladding and roof edges/ parapets (@1:20 or more detailed)
- (iii) elevations (@1:100 or more detailed) with all items which are fixed to the façade (e.g. fins/louvres, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes)
- (iv) key architectural metalwork including service doors, screens and gates
- (v) canopies and soffits, including the primary entrance canopy and associated signage (@1:20 or more detailed)
- (vi) details and brick samples including sample panels constructed for light grey bricks, to include bond, mortar
- (vii) sample of cladding
- (viii) details and samples of window / door types / curtain walling (either provide samples or specific product detail, including infill panels, finishes, glass types and any manifestation)
- (ix) items which are fixed / integrated to the façade (eg fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)

The development shall be carried out in accordance with the approved details.

Reason: To secure high-quality design and detailing and to ensure that materials will make an acceptable contextual response, resulting in the satisfactory appearance of the development in accordance with Policy CS19 of the Gravesham Core Strategy 2014 and paragraphs 131, 135, 138 and 139 of the National Planning Policy Framework 2023.

13. Notwithstanding boundary/gates details shown on drawing NEE-TFC-00-00-DR-L-1001 rev P28 (General Arrangement) and any other submitted details no development shall commence above foundation level until details of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The details shall include a high-quality treatment to the boundaries fronting Rosherville Way and Crete Hall Road. All gates at access points (vehicular and pedestrian) for the site are to open away from the highway. The gate at the Rosherville Way access junction must be set back a minimum of 10 metres from the edge of the carriageway. The gate at the Crete Hall Road vehicle crossover must be set back a minimum of 5 metres from the edge of the carriageway. The development shall be carried out in accordance with the agreed details prior to first occupation of the part of the development to which it relates.

Reason: To secure high-quality design and detailing and to ensure the satisfactory appearance of the development and the free-flow of the local highway network in accordance with Policy CS19 of the Gravesham Core Strategy 2014 and Policy T5 of the Saved Local Plan 2014.

14. No development shall commence above foundation level until planting details (at 1:200 scale or similar) for the whole scheme have been submitted to and approved in writing by the Local Planning Authority. The planting details shall be based on drawing NEE-TFC-00-00-DR-L-3001 rev P13 (Planting Plan) and shall include: the numbers of all trees, hedges and shrubs to be planted; a planting schedule providing tree sizes, pot sizes, heights, spreads; densities and total quantities of individual species. The planting details plan should include details of underground services and lighting in relation to tree planting together with details of any root barriers and below ground root cells and a plan demonstrating adequate soil volumes can be achieved for all new trees. The approved scheme shall thereafter be implemented within the first planting season following first occupation of the part of development to which it relates.

Reason: In order to ensure an acceptable and functional standard of development upon completion, in accordance with Policy CS19 of Gravesham Local Plan Core Strategy and paragraphs 135 of the National Planning Policy Framework.

15. No development shall commence above foundation level until full details of all hard surfacing has been to be submitted to and agreed in writing with the Local Planning Authority. Details shall include size, material, laying pattern and colour finish together with details of kerbing, edging and how parking bays will be demarcated. The development shall be carried out in accordance with the approved details prior to first occupation of the part of development to which it relates.

Reason: To secure high-quality design and detailing and to ensure that materials will make an acceptable contextual response, resulting in the satisfactory appearance of the development in accordance with Policy CS19 of Gravesham Local Plan Core Strategy and paragraphs 131, 135, 138 and 139 of the National Planning Policy Framework.

16. No development shall commence above foundation level until details of all street furniture within the site has been submitted to and approved in writing by the Local

Planning Authority (other than freestanding outdoor furniture for the cafe unit). Street furniture shall include seating, cycle storage, bins and pergola structure within the café courtyard (including any means of climbing plant support such as tensile wires, trellis etc). The development shall be carried out in accordance with the approved details.

Reason: To secure high-quality design and detailing and to ensure that materials will make an acceptable contextual response, resulting in the satisfactory appearance of the development in accordance with Policy CS19 of Gravesham Local Plan Core Strategy and paragraphs 131, 135, 138 and 139 of the National Planning Policy Framework.

17. No development shall commence above foundation level until site wide Landscape Management Plan (LMP) has been submitted to and agreed in writing with the Local Planning Authority. The LMP should cover all hard and soft landscape elements, with detailed management schedules, timings and frequencies for each prescription. The management of the landscape shall be undertaken in accordance with the agreed plan.

Reason: In order to ensure an acceptable and functional standard of development upon completion, in accordance with Policy CS19 of Gravesham Local Plan Core Strategy and paragraphs 135 of the National Planning Policy Framework.

PRIOR TO THE FIRST USE/OPERATION

18. No part of Units 10 to 15, as shown on General Arrangement drawing NEE-TFC-00-00-DR-L-1001 rev P28, shall be occupied or brought into use until a detailed structural survey of the cliffs (shown as being within the blue line on the General Arrangement drawing) adjacent to the southern edge of the site, has been submitted to and approved in writing by the Local Planning Authority. The survey shall include:

- (i) details of any corrective actions;
- (ii) a Management Plan that establishes monitoring, maintenance and management (including the funding mechanism) of the structure of the cliffs by an appropriate competent specialist during the lifetime of the development; and
- (iii) details of a temporary alternate turning provision for large vehicles (if the stabilisation works are undertaken while any part of the employment park hereby approved is operational)

The temporary alternate turning provision shall be made available during the agreed stabilisation works to the cliff if any of Units 1 to 9 are operational and shall be maintained in place until the agreed cliff stabilisation works are complete and all plant, equipment, spoil and vehicles related to the cliff stabilisation works are removed from the site. No part of Units 10 to 15 shall be occupied until all identified corrective measures have been carried out in full, and the cliff exclusion area, shown on the General Arrangement drawing within the application site, has been completed. The cliffs shall thereafter be maintained in accordance with the approved Management Plan at all times.

Reason: In the interests of providing a safe environment during the lifetime of the development whilst ensuring sufficient on-site parking, in accordance with Gravesham Local Plan Saved Policies CS11, CS19 and P3 and paragraphs 180, 189 and 190 of the NPPF 2023.

19. No part of the development shall be occupied until the access points shown on drawing 5706-H-03 rev P4 (Proposed Highway Arrangements), within Appendix B of the Transport Technical Note (April 2024), together with the relevant visibility splays, with no obstructions over 0.6 metres above carriageway level within the visibility splays, have been provided. The access points and associated visibility splays shall thereafter be retained at all times.

Reason: To ensure the impact on the highway network is safe and acceptable in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy, Policies T1 and T5 of the Gravesham Borough Local Plan First Review and paragraphs 114, 115 and 116 of the National Planning Policy Framework.

20. No part of the development shall be occupied until the pedestrian crossing and works within Crete Hall Road, as shown in drawing 15706-H-03 rev P4 (Proposed Highway Arrangements) within Appendix B of the Transport Technical Note (April 2024), have been completed in accordance with the approved scheme.

Reason: To ensure pedestrian safety and increase the sustainability of the site and area in accordance with Policy CS11 of the Gravesham Core Strategy, Policy T5 of the Local Plan First Review and paragraphs 114, 115 and 116 of the National Planning Policy Framework.

21. No part of the development shall be occupied until the car park and roadway serving that unit has been completed including drainage, lighting, final surfacing, electric vehicle charging installation and marking out and thereafter shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any order amending, revoking or re-enacting that Order, shall be carried out on the land so shown or in such a position as to preclude vehicular access to these reserved parking spaces.

Reason: To ensure sufficient on-site parking provision to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and Policy P3 of the Saved Local Plan First Review 2014.

22. With the exception of the situation when an alternate temporary turning area agreed under condition 18 is in use, no part of the development shall be occupied until the vehicle loading/unloading and turning facilities serving that unit shown on the submitted plans (drawing number NEE-TFC-00-00-DR-L-1001 Revision P28), has been completed. The facilities shall thereafter be kept available for such use at all times.

Reason: To ensure the development operates without detriment to the free-flow and safety of the local highway network in accordance with Policies T1 and T5 of the Gravesham Borough Local Plan Saved Policies (2014) and paragraphs 114, 115 and 116 of the National Planning Policy Framework 2023.

23. No unit shall be occupied until the refuse and cycle parking facilities serving that unit, as shown on drawing NEE-TFC-00-00-DR-L-1001 Revision P28, and provision for adaptive bicycles as agreed within the Transport Statement, have been completed and are available for use. The facilities shall thereafter be retained at all times.

Reason: In order to encourage sustainable travel and protect amenity, in accordance with Policies CS11 and CS19 of the Saved Local Plan First Review 2014.

24. No part of the development shall be occupied until a Verification Report, pertaining to the surface water and foul water drainage systems and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage systems constructed are consistent with those which were approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 169 of the National Planning Policy Framework (2023).

25. No part of the development shall be occupied until Electric Vehicle parking serving that unit has been installed in accordance with the mitigation measures within the 'Air Quality Assessment' (Phlorum, ref 11770.5 V2, dated 17/01/2023) to offset the emissions cost of the scheme and with active spaces as shown on drawing NEE-TFC-00-00-DR-L-1001 rev 28 (General Arrangement). The AQA mitigation measures require 40% of the total on-site parking spaces be fitted with active Electric Vehicle chargers (with a minimum output rating of 7kW- Mode 3, AC and be SMART (enabling Wifi connection)) and 60% of the total on-site parking spaces be fitted with passive electric vehicle charging provision (ducting and cabling). The active electric vehicle charging points shall be operational prior to first occupation of the car park to which they relate and, unless otherwise agreed in writing by the Local Planning Authority, shall be retained at all times.

Reason: In order to encourage sustainable travel and protect amenity, in accordance with Gravesham Local Plan Core Strategy Policies CS11 and CS19 and paragraph 116 of the NPPF 2023.

26. Notwithstanding the submitted 'Framework Travel Plan' (DHA, ref: PL/TV/15706, dated January 2024) the development shall not be occupied until a comprehensive Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include as a minimum:

- (i) the identification of targets for trip reduction and modal shift;
- (ii) the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
- (iii) the timetable/ phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
- (iv) the mechanisms for monitoring, review;
- (v) the mechanisms for reporting;
- (vi) the remedial measures to be applied in the event that targets are not met; and
- (vii) the mechanisms to secure variations to the Travel Plan following monitoring and reviews

The development shall only be occupied in accordance with the approved Travel Plan which shall remain in perpetuity unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and paragraph 40 DfT Circular 01/2022.

27. No part of the development hereby permitted shall be occupied until a Noise Management Plan (NMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include as a minimum:

- (i) Noise management through ratings noise limits to the various units being available within the NMP;
- (ii) Confirmation of the ratings noise limits being written into lease contracts for each unit;
- (iii) Contact information in the case of noise complaints; and
- (iv) Details of the noise complaint response procedure.

The development shall operate in full accordance with the agreed NMP.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property and workers within the site in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

COMPLIANCE

28. No external shutters shall be installed on the western elevation of Units 1 to 10, as shown on drawing NEE-TFC-00-00-DR-L-1001 rev P28 (General Arrangement).

Reason: To enable the Local Planning Authority to control such development in the interests of the visual amenity of the street scene in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy.

29. The buildings hereby permitted shall achieve BREEAM level 'Excellent', based on the measures within the 'Energy Statement' (QODA, ref 20413.R1, dated 19.12.22) and the mitigation measures within the 'Air Quality Assessment' (Phlorum, ref 11770.5 V2, dated 17/01/2023), to offset the emissions cost of the scheme and in accordance with the requirements of BREEAM (or such equivalent national measure of sustainability for non-residential design that may replace that scheme from time to time) unless otherwise agreed in writing by the Local Planning Authority. A BREEAM post-construction review shall be undertaken confirming the BREEAM rating achieved for the building(s); this shall be submitted to the Local Planning Authority within 6 months of the building(s) first being brought into use.

Reason: To ensure that the development meets the objectives of energy efficiency in new building design and construction in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy.

30. The units hereby permitted shall operate only between the hours 06:00 to 22:00 Monday to Saturday inclusive and not at any time on Sunday or Bank Holidays. No goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart to the employment park hereby permitted on outside these hours and the gates to the employment park hereby permitted shall be secured closed outside of these operational hours. The café use only hereby permitted may also operate between the hours of 0800 to 1800 on Sunday or Bank Holidays.

Reason: To ensure that the development does not prejudice the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

31. No drainage systems infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework (December 2023).

32. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework.

33. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework.

34. All works shall take place in accordance with the recommended mitigation works within the Detailed Unexploded Ordnance (UXO) Risk Assessment (1st Line Defence, ref EP13412-00, dated 25/05/21).

Reason: To ensure safety of the works/workers and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any order amending, revoking and re-enacting that Order with or without modification, no enclosure of the service yard areas to the eastern side of Units 1 to 10, as shown on drawing NEE-TFC-00-00-DR-L-1001 rev P28 (General Arrangement), shall be carried out within Schedule 2, Part 2, Class A of that Order.

Reason: To enable the Local Planning Authority to control such development in the interests of the function, visual amenity and character of the Employment Site as a whole in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014.

36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order amending, revoking and re-enacting that Order with or without modification, no change of use

development shall be carried out within Schedule 2 of that Order to change the use of any of the units hereby approved.

Reason: To enable the Local Planning Authority to control such development in the interests of the supply of shortage employment floorspace in accordance with Policy CS03 and CS07 of the Gravesham Local Plan Core Strategy.

37. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) the commercial units within Block 1 hereby approved shall not be occupied other than for the specified use falling with Class E(b) (Food and Drink), Class E (g)(i) (Office), E(g)(ii) (Research and Development) and E(g)(iii) (Light industrial) as set out in the approved floor plans. No change of use development to another use within Class E is permitted.

Reason: To enable the Local Planning Authority to control such development in the interests of the supply of shortage employment floorspace in accordance with Policy CS03 and CS07 of the Gravesham Local Plan Core Strategy.

38. The development shall adhere to the requirements of the approved 'employment and Skills Plan' (Wilmott Dixon, dated 19/01/24) document at all times, unless otherwise agreed in writing by the Local Planning Authority through a variation to the document.

Reason: In order to contribute towards the delivery of skills training and the promotion of apprenticeships and work placements, in accordance with Policy CS07 of the Gravesham Local Plan Core Strategy 2014.

39. No mezzanine floors shall be installed in any of the units, nor shall there be any internal subdivision of any of the units, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control such internal works which would increase the floor area of units or number of units, to ensure sufficient on-site car parking provision to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and Policy P3 of the saved Local Plan First Review 1994.

Informatives

1. POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with paragraph 38 of the National Planning Policy Framework, Ebbsfleet Development Corporation, as local planning authority, has taken a positive and creative approach to the proposed development, focusing on finding solutions:

- The applicant was provided with pre-application advice;
- The agent was advised of planning issues during the processing of the application and additional information has been submitted to address these;
- The application was determined within the relevant timescales.

This has involved extensive discussions and negotiations both during the pre-application and planning application stages in a collaborative manner.

2. SUPPORTING DOCUMENTS

The following documents have been considered in the assessment of this planning application:

- Application form
- Revised Application form (part)
- 20413-QODA-SW-00-DR-E-0901 REV P01 External Lighting Layout
- NEE_LEP_ZZ_M2_DR_A_00256 GEA Block Schedule
- NEE_LEP_ZZ_M2_SA_A_00255 rev P07 Unit Area Schedule
- Utilities Report (ref: LM/97236, dated 30 June 2021)
- 37810-001 Underground Utilities Services Layout
- 37810-002 Underground Utilities Services Layout
- Cover letter (Lee Evans Partnership, ref: LTR/P03894/1/NA, dated 27 Feb 2024)
- Arboricultural Impact Assessment and Method Statement (Greenspace Ecological Solutions, ref: Rev A, dated February 2024)
- Design and Access Statement (Lee Evans Partnership, ref: Rev 07, dated 27/02/24)
- Biodiversity Net Gain Assessment (February 2024) (Related to penultimate layout)
- Ecological Assessment (Greenspace Ecology, ref: J21084_EA_Rev D, dated February 2024)
- Employment and Skills Plan (Willmott Dixon, dated 19/01/2024)
- Preliminary Drainage and Flood Risk strategy (HOP Consulting Ltd, ref: NEE/01/FRA v3, dated September 2023)
- Additional Drainage details (letter)(HOP, ref: AK/LSF/15982-1, dated 14 December 2023)
- EIA Assessment (Lee Evans Partnership, ref: LTR/03894, dated 22 August 2023)
- Planning Statement (Lee Evans Partnership, ref: P3894, dated October 2023)
- Desk Study Report (Southern Testing, ref: J14812 issue 2, dated 20 August 2023)
- Preliminary Phase II Ground Investigation & Risk Assessment Report (Southern Testing, ref: J15260 issue 2, dated 30 August 2023)
- Transport Statement (DHA, ref: PL/TV/15706, dated August 2023)
- Transport Technical Note – Response to KCC H&T (DHA, ref: PL/TV/15706, dated April 2024)
- Transport Technical Note – Response to National Highways (DHA, ref: PL/TV/15706, dated April 2024)
- Framework Travel Plan (DHA, ref: PL/TV/15706, dated January 2024)
- Historic Environment Desk-Based Assessment (Wessex Archaeology, ref: 268090.01, dated December 2022)
- Energy Statement (QODA, ref: 20413.R1, dated 09.12.2022)
- Ventilation Statement (QODA, ref: 20413.R2, dated 02.12.2022)
- Environmental Sound Survey and Assessment (Bloc [Consulting], 26638REP-1C, dated 23/08/2023)
- Noise Impact Assessment (Bloc [Consulting], 26638REP-3C, dated 23 August 2023)
- 20413-QODA-SW-00-DR-E-0901 rev P01 External Lighting Layout
- Air Quality Assessment (Phlorum, ref:11770.5, dated January 2023)
- Demolition Survey (TRAC, Issue 1, dated 20 September 2021)
- Safety and Security Needs Assessment (IJA, ref: 2665-WDC Rev 01, dated August 2022)
- Detailed Unexploded Ordnances (UXO) Assessment (1st Line Defence, ref DA13412-00, date 18/06/2021)
- Preliminary UXO Risk Assessment (1st Line Defence, ref EP13412-00, dated 25/05/21)
- Email from Agent dated 11.04.2024 confirming no UPVC windows/doors

3. DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority as proceeding without the necessary permissions could nullify this permission.

4. BUILDING REGULATIONS AND OTHER CONSENTS

This decision DOES NOT imply any consent, which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

5. KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

6. PILING

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

7. DRAINAGE

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

8. DISPOSAL OF SOIL

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010

The Waste (England and Wales) Regulations 2011 Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of

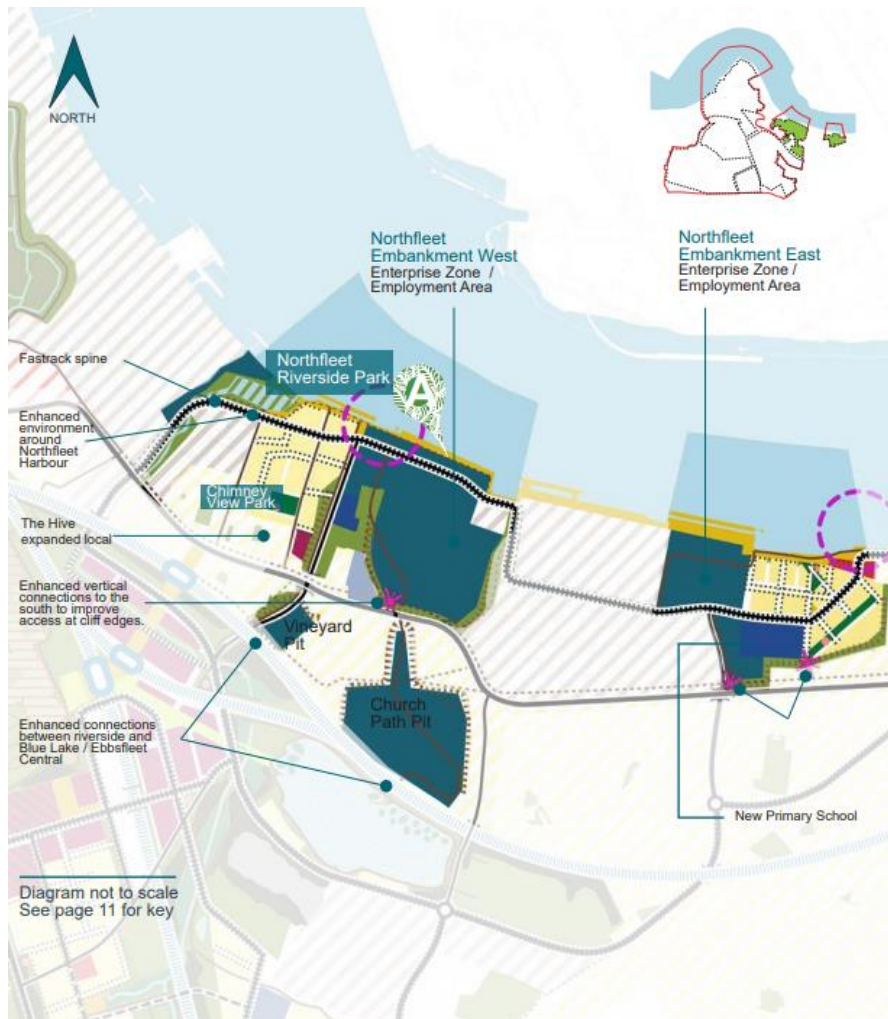
Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

9. **WILDLIFE AND COUNTRYSIDE ACT 1981/HABITAT REGULATIONS 2017**
Many habitats and species are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitat and Species Regulations 2017. Harming or disturbing protected species or habitats is a criminal offence. You need a licence from Natural England or DEFRA if you plan to disturb or remove wildlife or damage habitats.

1.0 SITE CONTEXT AND BACKGROUND

- 1.1 This application relates to southwest corner of the site known as Northfleet Embankment East, which lies within the Northfleet Riverside Strategic Development Area, as identified in EDC's Implementation Framework. Northfleet Embankment East comprises 12 hectares of former industrial land approximately 1 kilometre to the west of Gravesend Town Centre.
- 1.2 The site falls within the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, a substantial opportunity area for major riverside regeneration in Gravesham, identified as key site 1.8 Northfleet Embankment East Regeneration Area for mixed use development under Policy CS03 of the Gravesham Core Strategy.
- 1.3 The image below shows the application site within the wider context of the Northfleet Riverside Strategic Development Area:



- 1.4 The site is about 1.58 hectares (3.90 acres), is irregular in shape and predominantly comprises hardstanding enclosed by metal palisade fencing. The site comprises a broadly flat plot of land, with levels reduced by quarrying during the 19th century, however the southeast part of the site is elevated up to 2 metres above the rest of the site through a landscaped embankment which includes a group of trees. The application boundary excludes the existing Red Lion Public House site on the southern side of Crete Hall Road.
- 1.5 To the east of the site lies the 'Cable Wharf' residential development and the primary school site for that development is immediately adjacent to the application site. A Reserved Matters application for the school has recently been granted under application reference EDC/22/0042.
- 1.6 To the north of the site, on the opposite side of Crete Hall Road, is the Berkeley First factory. To the west of the site, on the opposite side of Rosherville Way, is the Lidl distribution centre. Within the wider area to the north and west of the site are further industrial and employment uses. Crete Hall Road itself will be the route of Fastrack buses around the Northfleet area once completed.
- 1.7 The south of the application site is bound by the chalk cliffs owned and maintained by Ebbsfleet Development Corporation. The cliffs are about 8m to 14m metres in height and at the top of the cliffs is flat blocks in Fountain Walk, a nursery school and the London Road. The pedestrian/cycle route down from the Rosherville area, located on

the top of the cliffs, is via a zig-zag series of slopes and steps located adjacent to the south western part of the application site.

- 1.8 Ebbsfleet Development Corporation previously granted outline planning permission in September 2017, under reference EDC/17/0022, for the redevelopment of the site to provide up to 21,500sqm of employment floorspace, as part of a wider development including land to the north of Crete Hall Road. The outline planning permission was subject to numerous planning conditions and a Section 106 Legal Agreement that secured funding for air quality monitoring, upgrading of traffic lights at the junction of Thames Way/Vale Road, waiting restrictions on roads in the vicinity and contributions towards Fastrack. This permission has now expired.

2.0 PROPOSAL

- 2.1 This application seeks full planning permission for the construction of 5 buildings, that would be subdivided into a total of 16 business units with Office, Research and Development and Light Industrial floorspace and a café.
- 2.2 The schedule of proposed uses across the site would be :
- Building 1 – Ground floor – E(b) Food and drink (café)
Upper floors – E(g)(i) Offices
- Building 2 – E(g)(iii) Industrial processes and/or E(g)(ii) Research and
(3 units) Development
- Building 3 - E(g)(iii) Industrial processes and/or E(g)(ii) Research and
(4 units) Development
- Building 4 - E(g)(iii) Industrial processes and/or E(g)(ii) Research and
(3 units) Development
- Building 5 - E(g)(iii) Industrial processes
(5 units)
- 2.3 Also proposed are: demolition of a remaining small building on the site; associated parking; landscaping; a new crossover access onto Crete Hall Road; works to the adopted footway and highway verge along Rosherville Way to provide a combined footway/cycleway and a re-arranged and planted highway verge; a scheme of highway works to Crete Hall Road to provide a parallel crossing.
- 2.4 In total there would be 96 car parking spaces provided within the site, which includes 5 DDA spaces and a further 12 spaces of a size that could be changed to DDA spaces if required in the future. The spaces would all be allocated to units. 40% of the parking spaces would be equipped with 'active' EV chargers (38 bays) and the remainder of the spaces would be fitted with 'passive' provision.
- 2.5 The proposed hours of operation of the whole employment park is 06:00 hours to 01:00 hours Monday to Saturday, with the site gates being closed outside of these hours.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The planning history for the Northfleet Embankment East area is extensive but these are the only relevant decisions to the application site.

EDC/17/0022 - Outline application with all matters reserved except access for development of brownfield land to provide up to 21,500 sqm (231,000 sqft) of employment floorspace, comprising use classes B1, B2, B8 and A3, A4, A5 and associated site vehicular access. Approved subject to S106 27th September 2017.

EDC/17/0123 - Application for the variation of conditions 4, 5 and 19 attached to outline planning permission reference EDC/17/0022, for development of brownfield land to provide up to 21,500 sqm (231,000 sqft) of employment floorspace, comprising use classes B1, B2, B8 and A3, A4, A5 and associated site vehicular access, to amend the Building Heights Parameter Plan to allow the maximum height of buildings on part of the northern parcel to increase from 12 metres to 13.5 metres and to relocate the proposed pedestrian central refuge island crossing on Crete Hall Road. Approved 1st May 2018.

4.0 PUBLICITY AND REPRESENTATIONS

4.1 The application was publicised in the Ebbsfleet Development Corporation (EDC) weekly list of planning applications.

4.2 Neighbour notification letters were sent to **34** local addresses. The proposals were advertised by site notice and by publication in a local newspaper.

4.3 At the time of publishing this report **3no.** written representations from 2 parties had been received to the application, summarised as follows:

- Traffic noise and pollution will harm neighbours living conditions
- Traffic light controlled crossing or speed cameras required
- Rosherville Way carriageway needs resurfacing to reduce noise
- The ramp/steps link down from London Road needs improving
- Existing trees in the area need maintenance
- More industrial units will not benefit local residents

5.0 CONSULTATION RESPONSES

5.1 The following responses have been received and are summarised as follows:

5.2 **National Highways** - Recommend that conditions should be attached to any planning permission that may be granted. They are content that the traffic implications of the development for the Strategic Road Network, once operational, would not be material, subject to conditions related to a Full Travel Plan and Construction Traffic Management Plan in regard to the use of the A2 for construction traffic.

5.3 **KCC Highways and Transportation** – Raise no objection subject to conditions and a financial contribution towards improvements to the steps connecting Rosherville Way to London Road. The Rosherville Way priority junction and new vehicle crossover onto Crete Hall Road are now acceptable. The revised vehicle tracking addresses previously raised concerns. Section 278 works are required for the pedestrian crossing on Crete Hall Road. Recommendations are made in relation to parking bay size, including Inclusive Mobility spaces. Drop kerbs for cyclists utilising the cycle lane/crossings have now been added. Corduroy paving is only shown on some drawings but will be required for shared surfaces. The steps/ramp down from London Road is being relied on for access to the site but requires improvement and a S106 payment will be required towards improvements. Details of lighting and landscaping,

Construction Management Plan and a Full Travel Plan need to be secured by condition.

EDC Officer Comment – EDC requested details of the cost of the improvements to the steps. At the time of writing this report no sum had been provided for the developer contribution requested, as such this has not been included.

- 5.4 **KCC Heritage** - require the use of a planning condition for an archaeological watching brief.
- 5.5 **Kent Fire and Rescue** – advise that the emergency access requirements for the Fire and Rescue Service under the County of Kent Act 1981 Section 53 appear to have been met and that Building Regulations 2010 must be complied with to the satisfaction of the Building Control Authority.

- 5.6 **Kent Police Crime Prevention** – make various recommendations around matters of layout and security.

EDC Officer comment – the detailed advice from the Kent Police Crime Prevention officer has been provided to the applicant.

- 5.7 **Kent Public Right of Way (PROW)** - Advise that the public footpath NU5 runs to the north of the site as well as the English Coast Path runs to the and provide various instructions in relation to works being carried out in the vicinity of a PROW.

EDC Officer comment – the detailed advice from the PROW officer has been provided to the applicant.

- 5.8 **Environment Agency** – have no objection subject to standard contamination conditions including related to contamination investigation, unexpected contamination, piling and foul and surface water drainage detailed schemes.

- 5.9 **KCC Lead Local Flood Authority (LLFA)** – satisfied with the principles of the proposal and require conditions for a detailed sustainable surface water drainage scheme and verification of the system prior to occupation of any units.

- 5.10 **Gravesham Borough Council** – the Environmental Protection office advises that a 1am closure across the site would not be acceptable adjacent to residential properties. A S106 contribution is required for the monitoring of air quality and the implementation of the Borough Council's Air Quality Action Plan. There also remains the requirement to carry out damage costs calculations and provide the mitigation to that value off site.

EDC Officer comment – the AQ mitigation measures which exceed the value of the costs are to be carried out within the site and secured by planning conditions.

- 5.11 **EDC Noise Consultant** – agree with methodology and findings of the noise assessment, such that compliance with the recommended rating noise criteria will ensure that there would be no adverse impacts on nearby sensitive receptors (existing and future). They agree with the Noise Impact Assessment that the rating noise levels are written into tenant lease contracts but in addition suggests the use also of an operational Noise Management Plan (NMP), to be developed and maintained by the management organisation for the site. In relation to hours of operation no concern in respect to 6am opening but closing of the site be tied to that of the adjacent community use of 10pm.

- 5.12 **EDC Air Quality Consultant** – Concludes the Emissions Mitigation Assessment within the Air Quality Assessment (AQA) report and the ‘Damage Costs’ associated with the scheme have been identified and the mitigation measures outlined are consistent with Kent and Medway’s Air Quality Planning Guidance. They are appropriate for a development of this size and nature.
- 5.13 **Southern Water** – advise that they have a public sewer running through the site. They require the protection of the public surface water sewer within the development site with a 4m clearance required either side of the 900mm sewer; no development or tree planting within 4m of the external edge of the sewer without consent from Southern Water; no soakaways, swales etc within 5m of public sewers; all infrastructure should be protected during construction works; other comments of standard advice.

EDC Officer comment – it is noted that the location of the sewer and the 4m easement is not shown on any submitted drawings. The applicant has advised that Building 1 was relocated to account for the easement and no buildings are now within the easement. The detailed advice from Southern Water has been provided to the applicant.

- 5.14 **KCC Ecology** – We have reviewed the submitted ecological report and BNG Assessment and advise that sufficient information has been submitted to determine the application and there is no requirement for additional surveys on the footprint of the proposed development. However additional ecological information is required for the cliffs adjacent to the site, which may provide bat habitat, as well as bat sensitive lighting details. Planning conditions are suggested in respect to the implementation and management of the proposed habitats; for a bat sensitive lighting scheme and for the agreement of an Enhancement Plan and a Landscape Management Plan. They also advise that a preliminary ecological appraisal for the cliff habitat is required and (if necessary) bat surveys and mitigation measures agreed before the trees are removed from the cliff (at allow for stability surveying) and stability works commence. The BNG for the site which relates to the penultimate layout provided for a measurable net gain on site of 10% BNG.

EDC Officer comment – the advice and opinions of the ecologist have been forwarded to the applicant and conditions drafted.

- 5.15 **UK Power Networks** – advise that the development is located close to the UK Power Networks infrastructure on Crete Hall Road and they provide advice for developers in such situations, including under the Party Wall Act.

EDC Officer comment – the advice from UK Power Networks has been provided to the applicant.

- 5.16 **Health and Safety Executive** – no consultation required.

6.0 PLANNING POLICY

6.1 National Policy & Guidance

National Planning Policy Framework (NPPF) December 2023
Planning Practice Guidance (PPG)
National Design Guide
Building for a Healthy Life 2020

6.2 Development Plan

- 6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.4 The development plan comprises the adopted Gravesham Local Plan Core Strategy September 2014, saved policies from the adopted Gravesham Local Plan First Review 1994 and the Kent Minerals and Waste Local Plan 2020.
- 6.5 Saved policies contained in the Gravesham Local Plan First Review should be given due weight, with such weight to be given according to the degree to which policies are consistent with the National Planning Policy Framework (December 2023).
- 6.6 The Borough Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.
- 6.7 The policies relevant to the consideration of this application are set out below.

Gravesham Local Plan Core Strategy – September 2014:

CS01 -	Sustainable Development
CS02 -	Scale and Distribution of Development
CS03 -	Northfleet Embankment and Swanscombe Peninsula East Opportunity Area
CS07 -	Economy, Employment and Skills
CS08 -	Retail, Leisure and the Hierarchy of Centres
CS09 -	Culture and Tourism
CS11 -	Transport
CS12 -	Green Infrastructure
CS18 -	Climate Change
CS19 -	Development and Design Principles
CS20 -	Heritage and the Built Environment

Gravesham Borough Local Plan First Review 1994 - Saved Policies (September 2014)

TC7 -	Other Archaeological Sites
T1 -	Impact of Development on Highway Network
T5 -	New Accesses onto Highway Network
P3 -	Policy for Vehicle Parking Standards

Supplementary Planning Guidance

GBC SPG 3:	Advertisement Control policy guidelines
GBC SPG 4:	Security measures for shopfronts and commercial premises
KCC SPG 4:	Kent Vehicle Parking Standards (July 2006)

Other Guidance

Ebbsfleet Implementation Framework 2017
Design for Ebbsfleet Guide
Ebbsfleet Public Realm Strategy

7.0 PLANNING APPRAISAL

Principle of Development

- 7.1 The NPPF sets out the Government's commitment to building a strong and competitive economy and that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 85 states that planning decisions should help create conditions in which businesses can invest, expand and adapt with significant weight being placed on the need to support economic growth for both local business needs and wider opportunities for development.
- 7.2 At the local level, Gravesham Local Plan Core Strategy promotes sustainable development by prioritising the redevelopment of previously developed land in the urban area and focussing on former industrial sites within identified Opportunity Areas. The application site lies within the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, and is allocated as a key strategic site, Northfleet Embankment East Regeneration Area under Policy CS03 of the Gravesham Local Plan Core Strategy.
- 7.3 Policy CS03 of the Gravesham Local Plan Core Strategy supports the principle of a mixed-use or employment led development, including up to 87,550 sqm of office, industrial and warehousing floorspace within Northfleet Embankment East delivering new homes and jobs with a target to deliver approximately 940 jobs.
- 7.4 In addition, the Ebbsfleet Implementation Framework seeks to facilitate the establishment and growth of new and existing businesses providing a mix of sustainable jobs accessible to local people that puts Ebbsfleet on the map as a successful business location.
- 7.5 The principle of the proposed development is therefore acceptable in planning policy terms. It is, though, worth noting that despite containing office floorspace that should ordinarily be directed towards an existing town centre, the policy allocation for this site includes office use so there is no requirement for the applicant to justify this out of centre location through a sequential test.

Economy and Employment

- 7.6 There has been a long-standing need for additional employment space in Gravesham Policy CS07 of the Gravesham Local Plan Core Strategy seeks to facilitate economic growth and job creation through delivery of new employment floorspace, including office, industrial and warehouse facilities in the Swanscombe Peninsula and Northfleet Embankment Opportunity Area.
- 7.7 The creation of a strong, productive and inclusive local economy by attracting new investment and a greater variety of job opportunities for local people is a key priority of Gravesham Borough Council's Corporate Plan 2023-27. Gravesham Economy and Employment Background Paper highlights the need for additional office, research and development and storage and distribution floorspace. This paper updates the findings of the North Kent Strategic Housing and Employment Needs Assessment following the changes to the Use Classes Order and the introduction of Class E. The delivery of employment sites allocated in the Local Plan is essential to meet this need.

- 7.8 It is noted that, whilst there is a strong market for flexible office space in North Kent, public sector intervention is often required due to the time required to financially break even with such developments. This proposal is therefore submitted by EDC in its role as the delivery vehicle established by central government to expedite redevelopment of the area.
- 7.9 The rationale for this application, the need for which is underpinned by adopted local policy and commercial market analysis undertaken on behalf of EDC, is to support and enable the development of employment floorspace for a small unit industrial/warehouse led scheme with a limited amount of alternative uses. In response to identified market demand the proposal would allow for the delivery of small business units of to enable a range of businesses to establish from small starter businesses to larger established companies. Whilst the proposal includes flexibility for provision of some retail uses such as a café, this would be of a scale such that they would be ancillary to and support the principal uses being proposed.
- 7.10 The proposed development, in addition to being acceptable in line with local and national policy, is welcomed as it would make efficient use of a vacant previously developed site and help meet the identified employment needs of the Borough. The proposal would also stimulate and act as a catalyst for inward investment to enhance the local economy.
- 7.11 Policy CS03 of the Core Strategy has a policy expectation of 940 full time equivalent (FTE) jobs be provided within Northfleet Embankment East. Since it is understood that 250 jobs have been delivered by the Lidl Regional Distribution Centre and 240 jobs in the 'northern parcel' of the outline permission EDC/17/0022, the expectation is that any development of the remaining undeveloped land delivers approximately 450 jobs.
- 7.12 Using the Government's 'Employment Density Guide' the maximum deliverable job numbers for the site, based on the proposed floorspace, would be 122 FTE jobs. The development would also create temporary construction related jobs. Cumulatively there would be a policy shortfall of jobs achieved within the regeneration area by virtue of the employment developments. An employment and skills plan has been submitted to provide a commitment to ensuring the development provides opportunities for local people and companies to benefit from the job opportunities that would be created, in accordance with local policy and wider EDC social value ambitions.
- 7.13 Within the planning balance for the current proposal the provision of job numbers is only part of the policy consideration. Planning policy restricts the use classes for the site. The size and shape of the site restricts the quantum of floorspace achievable, the layout and parking numbers. The built form needs to be of an acceptable scale and high quality design for this buffer area between the residential area to the east and the large unit commercial area to the west and north.
- 7.14 The proposed uses would provide additional employment floorspace to address an identified shortage within the Gravesham Local Plan. However, with the changes made to the Use Classes Order and introduction of Class E, there is the potential for the future loss of the floorspace to other non-employment uses, or employment uses that are not compliant with Policy CS03 or Policy CS07, through either permitted change of use within a single use class within the Use Classes Order or different uses within the GPDO. Given the shortage of high-quality E(g)(i)(ii)(iii) (former Class B1) floorspace in the Gravesham area any such changes would be undesirable and reduce the availability of employment floorspace.
- 7.15 Therefore, restrictive planning conditions are required to remove the possibility of such permitted changes from the Class E (g)(i)(ii)(iii) use classes through either the GPDO or the Use Classes Order. These would then allow the Local Planning

Authority to carefully consider the impacts of any future changes to the use of the floorspace against relevant policy and demand at that time.

- 7.16 Therefore, notwithstanding the shortfall in the cumulative achievement of jobs in the regeneration area under Policy CS03 of the Core Strategy, subject to suitably worded planning conditions the proposed development is considered to provide a realistic level of new employment floorspace for a site of this size and shape and to address market needs and as such complies with Policies CS03 and CS07 of the Gravesham Local Plan Core Strategy and paragraphs 85, 86 and 87 of the NPPF.

Retail Impact

- 7.17 The application includes provision of a café (use class E(b) food and drink) on the ground floor of Block 1. Policy CS08 of the Gravesham Local Plan Core Strategy offers support to proposals that create local centres to meet retail needs generated by development on key sites. The amount of retail floorspace proposed is approximately 137sqm so is of a modest scale, and in policy terms it does not need to be justified through a retail impact assessment as it would not compete with the town centre, either in isolation or in combination with the modest retail element being promoted through the adjoining residential led development proposal.
- 7.18 Whilst not providing office, industrial or warehouse use, the incorporation of retail space would deliver additional job creation, to complement the range of different job opportunities being proposed as part of the wider redevelopment of Northfleet Embankment East. The cafe would primarily serve the proposed employment park and the surrounding area, which has both large scale warehouse/employment uses as well as housing and a primary school. At present, there are not many supporting uses and facilities within the vicinity for the residential and working populations within the area. The location of supporting uses, such as cafes, is commonplace within employment areas.
- 7.19 As such, although the proposed cafe does not meet the use class restrictions of Policy CS03 and CS07 of the Local Plan, it is considered to be an appropriate supporting use, it would not materially reduce the amount of available employment floorspace to be provided on the site and therefore its inclusion on the site is accepted as a minor departure from policy CS03 and CS07. It would however be necessary to impose a limitation through planning conditions to restrict a greater quantum of retail floorspace being provided on the site.

Design and Layout

- 7.20 Gravesham Local Plan Core Strategy Policy CS19 requires that the design, layout, and form of new development should be derived from a robust analysis of local context and character and make a positive contribution to the street scene, the quality of the public realm and the character of the area.
- 7.21 Paragraphs 131 and 135 of the NPPF require good design that functions well and is visually attractive as a result of good architecture, layout and appropriate and effective landscaping that should be sympathetic to local character and history. Good design results in better places in which to live and work and creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and do not undermine the quality of life or community cohesion and resilience.
- 7.22 The importance of local design guidance and supplementary planning documents such as design guides and codes are also emphasised and the use of assessment

frameworks such as Building for a Healthy Life. EDC have produced the 'Design for Ebbsfleet' guide, which is a material planning consideration in this assessment. Building for a Healthy Life assessments are also used to assess development proposals.

- 7.23 In terms of layout the scheme is made up of 5 blocks, the first of which, at the junction of Rosherville Way and Crete Hall Road, would be a public cafe and office space above. The cafe's main entry points would be along the fast-track bus route on Crete Hall Road and it opens up onto a public courtyard. The cafe has a small staff car park to its eastern side accessed by a new crossover off Crete Hall Road.
- 7.24 Buildings 2 to 4, which would provide 10 units, would sit along Rosherville Way with a large- glazed elevation onto the street and an open yard to the rear of each unit. These units are proposed in a house flexible use between light industrial (E(g)(iii)) and R&D (E(g)(ii)). Building 5 would house light industrial units (E(g)(iii)) at the southern end of the site with traditional, enclosed service yards.
- 7.25 Other than for the cafe, the site utilises the existing access point off Rosherville Way, which would be amended and incorporate footways. The main road through the site would give access to the car parks, refuse stores and Building 5. The units in Building 5 are designed to accommodate larger traffic vehicles and a turning head for larger traffic, including refuse vehicles, would be adjacent to Building 5. The service yard spaces for Buildings 2 to 4 would be from a secondary access road running along the rear of these buildings. On the eastern side of the secondary access road would be located outdoor 'break out spaces' within a soft landscaped area. Other generous areas of soft landscaping, proposing significant numbers of trees as well as hedgerow, shrub and wildflower planting, are proposed throughout the main body of the site as well as the public highway.
- 7.26 As part of the development, located within the red line of the application site, the proposal would provide a 2m wide footway/2.5m wide cycleway along Rosherville Way, together with a planted verge between the footway/cycleway and the existing carriageway. A thinner, tapering planting bed is shown in front of Buildings 2 to 4. The shared footway/cycleway would terminate at Crete Hall Road where a new parallel crossing would be provided.
- 7.27 In terms of scale and architecture the proposed Building 1 would be part three /part two storeys in height with a flat roof. The three-storey part of Building 1 would be faced with concrete, textured brickwork at ground floor level and grey standing-seam metal cladding at upper levels. An extended height parapet would create a 'tower' feature at the junction of Rosherville Way with Crete Hall Road. The two-storey rear section would be of all concrete textured brickwork and glazing and curtain wall system would be of 'Beige Red' (terracotta) and 'Pallid Blue' (cyan blue).
- 7.28 Buildings 2 to 5 would be of two-storey height (but with no first floor or mezzanine installed) and utilise a saw-tooth roof form. The proposed external materials strategy for the Buildings 2 to 5 would be of prestressed concrete panel plinth with metal cladding above of 4 shades of blue, grading from lighter to darker across the site. The applicant confirms that no UPVC windows will be used in the development but windows will be either aluminium, aluminium clad or composite.
- 7.29 Additionally, the applicant also proposes that some of the concrete plinth panels on Buildings 2 to 4, fronting Rosherville Way, would be made ready to accept artwork panels to further create visual interest and local community artwork opportunities. The proposed location of the panels within the buildings' frontage is acceptable but the commissioning and delivery of these artworks would be a matter for the applicant

and is not a requirement preventing the occupation of the units nor control by planning condition.

- 7.30 Overall it is considered that the development would result in a cohesive building composition. The roof forms, materiality and colours of the blocks create legibility and cohesiveness. There is a good level of enclosure along Rosherville Way, with Building 1 acting as a corner anchor building, whilst the layout along Rosherville Way create a well-defined relationship to the street, including through the use of landscaping. Active frontages, including of the cafe from Crete Hall Road, and direct access from the street into each Buildings 2 to 4, encourage activity and engagement with passers-by. The re-ordering of the public highway and addition of a parallel crossing as part of the site layout would provide a far friendlier and safer pedestrian experience particularly for those accessing the site and for the area as a whole, including children walking to the adjacent school from Rosherville via the steps/ramp.
- 7.31 As such, subject to suitably worded planning conditions the layout, scale and architecture of the development, together with the landscape strategy, is such that can be considered to constitute high quality design and comply with Policy CS19 of the Gravesham Core Strategy Policy and paragraphs 131 and 135 of the NPPF.

Landscaping

- 7.32 Gravesham Core Strategy Policy CS19 requires new development to include details of appropriate hard and soft landscaping to ensure that the public realm and open spaces are well planned, appropriately detailed and maintained so that they endure. The NPPF requirements for 'Good Design' incorporate appropriate and effective landscaping.
- 7.33 Under this application the proposal includes a 'Planting Plan' (strategy level) as well as the 'General Arrangement Plan' showing hard surface details and the Design and Access Statement explaining intentions for the site landscaping.
- 7.34 Key trees along the re-ordered Rosherville Way, and within the cafe courtyard, are proposed to be planted as semi-mature trees which is in line with the EDC Public Realm Strategy (PRS) guidance and help to define the route appropriate to its function. Within the employment park the landscaping and trees would define internal streets and aid a sense of enclosure. Trees internal to the site are shown as smaller specimens and do not meet the PRS. Cost implications have led the applicant to this differentiation, which is unfortunate. The frontages of the proposed units onto Rosherville Way would benefit from the addition of soft landscaping but it is acknowledged that the planting area is limited.
- 7.35 The proposed boundary treatment comprises weldmesh fencing of various styles throughout the site. Whilst this is suitable to the majority of site, it is not considered a high-quality boundary treatment in areas fronting the public highway – Rosherville Way and Crete Hall Road. A higher quality boundary treatment, such as railings, should be used at these parts of the site and can be required by planning condition.
- 7.36 The proposed planting strategy approach to ecology and biodiversity proposes a mix of native shrubs, hedges, trees and wildflower planting. Trees and shrubs would be used to enhance the entrance of the site and strategically placed to provide shading and break up the expanses of parking. Native hedges would be used at the boundary with the adjacent school site and public house to provide screening and reduce pollution and wildflower planting would increase the overall biodiversity mix. The recent addition of hedging alongside the carriageway edge, within the public highway verge,

would help to act as a physical barrier between pedestrians and road users as well as provide year-round structure to the verge.

- 7.37 Overall, the proposal would create an impactful landscaping for the setting for of the employment park and the creation of a new and very different streetscape that would be pedestrian and cycle friendly and with significant ecological enhancement. Internal to the employment park the landscape strategy would assist the creation of a 'place' with the evident aspiration to create a high-quality commercial area.
- 7.38 Planning conditions are required for detailed planting plans (taking account of underground services and lighting), street furniture in public areas, the large pergola structure within the cafe courtyard, alternate boundary treatment to the western and northern boundaries, hard surface details/samples/edging and a site wide Landscape Management Plan. Permitted development rights need to be removed preventing the enclosing of the open yards to the rear of Units 1 to 10 (Buildings 2 to 4) which at this time would be contrary to the design narrative for the site. Subject to suitably worded planning conditions, the proposal is considered to comply with Policy CS19 of the Gravesham Core Strategy and paragraph 135 of the NPPF.

Amenity

- 7.39 Gravesham Local Plan Core Strategy Policy CS19 requires new development to be located, designed, and constructed to safeguard the amenity of neighbouring properties including privacy, daylight, and sunlight. These considerations also form part of the concern of the NPPF at paragraphs 96, 135, 180 and 191. The NPPF seeks to avoid granting consent for development which would give rise to significant adverse impacts on living conditions, health and quality of life and mitigate and reduce adverse impacts arising from new development.
- 7.40 A Noise Impact Assessment (NIA) has been submitted in support of the application, together with an 'Environmental Sound Survey and Assessment' report. The school building approved under reference EDC/22/0042 will be located approximately 30-35m east of the shared boundary with the application site and would not be harmed by noise from the proposed employment park. Buildings 2, 3 and 4 would also provide screening of traffic noise on Rosherville Way from the school site. The NIA also considers that the more noise sensitive proposed office space can achieve an appropriate internal noise level.
- 7.41 As no tenants nor potential operational noise sources are known the NIA provides rating noise limits for the cumulative plant noise from the development based on a worst case scenario. This includes sound from loading/unloading activity and from mobile plant and vehicles (e.g. forklift trucks) and are required to be considered within the scope of BS 4142. The rating noise limits are presented within a table in the NIA with the recommendation that these rating noise levels are also written into tenants' lease contracts to ensure that this is managed accordingly. Such an approach is considered to be appropriate but for the purposes of planning a Noise Management Plan (NMP) is required which should include as a minimum:
- Noise management proposed through ratings noise limits to the various units being available within the NMP
 - Confirmation of the ratings noise limits being written into lease contracts for each unit
 - Contact information in the case of noise complaints
 - Details of the noise complaint response procedure

- 7.42 In relation to residential amenity the proposed hours of operation for the whole of the employment park is 06:00 hours to 01:00 hours Monday to Saturday. The applicant explains the opening hours proposed are 'to offer maximum flexibility to potential occupiers'. Nevertheless, the opening of all units across the site until 1am is of concern to the Gravesham Borough Council Environmental Protection officer due to proximity of the site to housing at Cable Wharf and the potential for disturbance by late night operation, staff and vehicle movements.
- 7.43 It is noted that the approved hours of use for the outdoor sports facilities at the adjacent school site would be until 10pm and as such the closure of the proposed employment park could reasonably match that timescale without detriment to neighbours' living conditions. Hours of operation can be controlled by planning condition. If potential operators of individual units require later opening than 10pm and they can apply separately for a variation of the planning condition and their proposal be assessed at that time with appropriate measures to minimise disturbance.
- 7.44 The proposed opening time of the site is at 6am and it is considered that the larger units, in Building 5 at the southern end of the site, are most likely to be attractive to users requiring early morning deliveries (potentially by HGV) and operation. This building is furthest from houses and no noise disturbance to residents would be expected at that distance. No concern regarding the opening time of the site is raised.
- 7.45 A planning condition is also required to secure the agreement of a Construction Environmental Management Plan (CEMP) which would control matters related to construction working such as the routing of construction traffic, hours of working, suppression of dust, wheel washing etc. Operation in accordance with the agreed CEMP would ensure protection of the neighbours' living conditions during construction. Many of the matters within the CEMP would be required for the Construction Traffic Management Plan requested by National Highways and as such a combined condition has been drafted.
- 7.46 Subject to suitably worded planning conditions the proposal is considered to suitably ensure the living conditions of residential neighbours and the amenities of other neighbours are not harmed, in accordance with Policy CS19 of Gravesham Local Plan Core Strategy and paragraphs 135, 180 and 185 of the NPPF.

Highway Access and Parking

- 7.47 Gravesham Core Strategy Policy CS11 seeks new developments to mitigate their impact on the highway and public transport networks and sufficient parking in accordance with the adopted standards. Policies T1 and T5 of the Local Plan First Review require the impact on the transport system be considered and that the formation of new accesses only be permitted where no danger would arise. Policy P3 relates to vehicle parking, in accordance with Kent County Council Vehicle Parking Standards. Paragraph 115 of the NPPF provides that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 116 requires, in part, that developments should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 7.48 EDC has developed a Sustainable Travel Strategy, which requires a level of parking that balances the needs of Ebbsfleet's residents without undermining the viability of city-wide high-frequency public transport, or the adoption of walking and cycling for shorter journeys. In relation to school development.

- 7.49 In this case the application is supported by a Transport Statement, Framework Travel Plan and Transport Technical Notes provided during the application progression and with revised proposals. Included within these documents are traffic modelling for the proposed development to demonstrate the impact of the resultant traffic on the Local and Strategic Road Networks.
- 7.50 Key highway works include new crossover access onto Crete Hall Road, amended access point onto Rosherville Way, a new footway/cycleway of the local highway within the red site line together with the reordering and planting of the highway verge and a S278 scheme to provide a pedestrian parallel crossing across Crete Hall Road (including the removal of the existing crossing island and the narrowing of the carriageway). Internal to the site is required adequate parking, including for EV vehicles and cycles, safe manoeuvring and turning for various vehicle types include HGVs and safe access for pedestrians around this site with commercial traffic.
- 7.51 The applicant has undertaken considerable discussion with National Highways and KCC Highways to overcome their initial objections and subject to conditions related to a revised Travel Plan and a Construction Traffic Management Plan (the latter to comprise part of the CEMP referred to above) for the A2 they agree the impact of the development on the Strategic Road Network would be acceptable.
- 7.52 KCC Highways have agreed that the last revised version of the proposal would be acceptable and without harm to the flow or safety of the Local Road networks, and the traffic (all types) within the site would function appropriately subject to a significant number of planning conditions.
- 7.53 It is also noted that whilst KCC Highways has requested a S106 contribution towards the improvement of the ramp/steps down from Rosherville to the site, no monetary value has been supplied and as such the applicant has not been able to consider and agree this obligation. As such the request of the obligation would not meet the requirements of the NPPF and has had to be discounted.
- 7.54 In summary, subject to suitably worded planning conditions the proposed development is acceptable in transport terms, including the provision of acceptable vehicular and pedestrian access arrangements and impacts of the local and strategic road networks, in accordance with Gravesham Core Strategy Policy CS11, Saved Local Plan First Review Policies T1, T5 and P3 and paragraph 114, 115 and 116 of the NPPF.

Contamination, including UXO and Land Stability

- 7.55 Policy CS19 of the Gravesham Local Plan Core Strategy requires new development to avoid adverse environmental impacts including land contamination and unacceptable risk or harm to the water environment.
- 7.56 Paragraph 189 of the NPPF requires that planning decisions should ensure that new development is appropriate for its location and takes account of the likely effects of pollution on health, living conditions and the natural environment and that the proposed site is suitable for its proposed use that decisions should ensure that taking account of ground conditions and any risks arising from land instability and contamination and requires 'adequate site investigation information, prepared by a competent person...'. Paragraph 180 requires regard to be given to any matters of land instability and paragraph 190 states that 'Where a site is affected by contamination or land instability issues, responsibility for securing a safe development rest with the developer and/or landowner.'

- 7.57 The historic industrial use of the application site means that it is at risk of contamination. A 'Desk Study Report' and 'Preliminary Phase II Ground Investigation & Risk Assessment Report' have been submitted in support of this application. The initial desk study concluded that limited investigation and testing had been undertaken on the site and further intrusive investigations are required. As such, the Phase II report was undertaken. This report identifies three hotspots of soil contamination that require further investigation, groundwater and gases that requires further monitoring and sets out the need for a strategy to deal with unexpected contamination, formal remediation strategy and verification plan.
- 7.58 The site also lies within a Source Protection Zone as the chalk underlying the application site has been designated as a Principal Aquifer by the Environment Agency. Having reviewed the submitted documents, the Environment Agency are satisfied that the proposal will not result in unacceptable contamination risk to groundwater subject to the use of planning conditions related to further contamination investigation and agreement of any required remediation strategy, verification of any such remediation strategy that is implemented, unsuspected contamination, first approval of any intended piling works, and agreement of the details of foul and surface water drainage systems.
- 7.59 The Northfleet area was heavily bombed during WWII and historic records show bomb strikes in close proximity to the site. As such, 'Preliminary UXO Risk Assessment' and 'Detailed Unexploded Ordnances (UXO) Assessment' have been submitted in support of this application. The reports identify the site as having a 'medium risk' of items of German aerial delivered and anti-aircraft UXO and a 'low' risk from other types of allied UXO across the site. The UXO report recommends that a UXO Risk Management Plan be undertaken and UXO Awareness briefings given to staff prior to undertaking intrusive works. For open intrusive works a UXO Specialist be present on site and for all borehole and pile locations intrusive Magnetometer surveying takes place. The mitigation works can be controlled by planning condition.
- 7.60 The application site is located directly adjacent to a former chalk quarry cliff that rises to approximately 8 to 12m high above the part of the application site at the foot of the cliff. The cliff is owned by the applicant and falls with the 'blue line' on the application site location plan. The permanent safety exclusion zone would be created inside the red line of the application site.
- 7.61 The applicant's Geotechnical Investigation Report, submitted in support of the application, assesses the cliff adjacent to the southern end of the site. The cliff has an area with a very steep embankment slope within the cliff form, which the report notes could have resulted from historic failure of the cliff face, and at the toe of this embankment there is a low semi-circular concrete retaining structure, which *'is in moderate to poor condition and shows some signs of movement'*.
- 7.62 The report concludes that detailed inspections/surveys of the cliff are required with possible additional intrusive investigation and stability assessments. It is likely that remedial works will be required, to ensure the stability of the cliffs and provide protection for future site workers from rock falls, together with the likely requirement for a more robust retaining structure at the toe of the embankment slope. Furthermore, ongoing surveying and maintenance of the cliff and retaining structure will be required.
- 7.63 With respect to the proposed layout of the development it would only be the southern end of the application site that would be at risk from the instability of the cliff, including the car park serving Building 5 and Unit 10, within Building 4. The circulation of traffic within the whole site also relies on the turning head in this location for larger vehicles, including refuse vehicles. To avoid delays to the operation of the commercial units that will not use the southern car park, a planning condition is required that would prevent

the occupation/use of Building 5 and Unit 10 until all remedial works to ensure the stability of the cliff have been completed. There would need also to be the agreement of alternate turning for vehicles not able to utilise the formal turning head and provision for parking/works compound for those undertaking works to the cliff.

- 7.64 Subject to suitably worded planning conditions the proposal is considered to suitably mitigate risk of pollution of the groundwater, risk to health from unexploded ordnances and to health and safety by works to stabilise the cliff and as such complies with Policy CS19 of the Gravesham Local Plan Core Strategy and paragraphs 180, 189 and 190 of the NPPF.

Biodiversity, Ecology and Lighting

- 7.65 Policy CS12 of the Gravesham Local Plan Core Strategy supports proposals that conserve, enhance and promote biodiversity to ensure no net loss of biodiversity within the Borough. Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by recognising the wider benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 7.66 Within the application site it is clear that significant effort has been made by the applicant to increase the biodiversity of the site through the proposed landscape strategy. The submission predates the requirement for a 10% increase in Biodiversity Net Gain but in fact the uplift in gain is in a similar region as now mandated by policy (8.75%). This has been achieved by the careful planning of the landscape strategy for the site and the use of a mix of native shrubs, hedges, trees and wildflower planting.
- 7.67 However, the KCC Ecologist is minded that habitat surveying of the adjacent cliff is also required. The cliff falls within the blue line (identifying 'other land owned by the applicant') on the site location plan and is immediately to the south of the application site red line with the exclusion zone created with the application site. The cliff forms part of continuous ridge to the east of the site and where bat roosting within the cliff face and activity along the cliff has been confirmed. Bats are a protected species as identified within the Wildlife and Countryside Act 1981 (as amended).
- 7.68 The applicant's Geotechnical Investigation Report concludes that detailed inspections/surveys of the cliff are required and it is likely that remedial works will be required to ensure the stability of the cliffs and provide protection for future site workers from rock falls, together with the likely requirement for a more robust retaining structure at the toe of the embankment slope. The stability of the cliff is considered to be material to the development, notwithstanding that it falls outside of the application site, and as such the ecology of the cliff is also a material consideration as it would likely be impacted by the required stability works.
- 7.69 Circular 06/2005 indicates that it is essential that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, are established before planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.
- 7.70 In this case investigation of the stability of the cliff and any remedial works are required by planning condition. The KCC Ecologist has advised that a preliminary ecological appraisal of all the trees on the cliff (which will need to be cleared to allow for the cliff stability surveys to be carried out) must be carried out as soon as possible to ensure that appropriate ecology surveys and mitigation (if needed) can be implemented prior to any tree clearance. She then advises that following tree clearance follow-up bat surveys may also be required for the cliffs if the vegetation works provides additional visibility of the cliffs and potential bat roosting features become apparent.

- 7.71 The applicant has advised that they will be carrying out any required stabilisation works to the cliff under their responsibilities as landowner. However, landowner responsibilities in relation to the cliff stability fall outside of the remit of planning policy and legislation. The LPA can only consider the development before them under the Development Plan and as such both the cliff stability and the ecology of the cliff that may be affected by those stability works are material to the planning consideration of the proposed development and must be addressed, in this case by planning conditions. These will need to be pre-commencement to ensure the construction working, as controlled by the CEMP, will take account of any bats.
- 7.72 Notwithstanding the above, the KCC Ecologist has also advised that revision of the submitted lighting plan is required as the light spill into the site boundary/cliff area is too bright, being at least 7.5lux without accounting for horizontal luminance. Harm through light disturbance to bats' habitat would not be acceptable. A bat sensitive lighting plan is required to reduce the spill at the site boundary or switching lighting off at night. In this case the applicant has applied for closing of the site at 1am and even though this is to be restricted by planning condition there may be future applications of individual units to extend operational hours. The applicant advise that they wish to have as much flexibility as possible for future operators of the units. As such a bat sensitive lighting scheme is required and can be the subject of planning conditions. Additionally, a condition requiring the agreement of an Ecological Enhancement Plan, including measures to benefit insects, bats, birds and herpetofauna is also required.
- 7.73 Therefore, subject to suitably worded planning conditions the proposal is considered to meet the requirements of Policy CS12 of the Gravesham Local Plan Core Strategy and the NPPF in relation to ensuring the impact of the proposed development on the ecology and biodiversity interests related to the development.

Flood Risk and Drainage

- 7.74 Gravesham Local Plan Core Strategy Policy CS18 expects development proposals to reduce the overall local risk of flooding and demonstrate that they are adequately defended and safe over their lifetime. Policy CS19 seeks proposals to build in resilience to the effects of climate change, including protection against flood risk. Paragraphs 165 and 173 of the NPPF state that new development should not be at risk of flooding nor increase the risk of flooding elsewhere. Development should utilise sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 7.75 A 'Preliminary Drainage and Flood Risk Strategy' has been submitted in support of the application together with additional clarifications requested by the LLFA. The site is located within Flood Zone 1 as shown on the Environment Agency flood Risk maps, which means that it has a 'very low' risk of river flooding. The site is also at only low risk of surface water flooding. As such the site is suitable for the proposed use and the LLFA is satisfied that the submitted drainage strategy will ensure protection against flood risk both on the site and within the wider area.
- 7.76 Southern Water have advised that they can facilitate connection of the development to the foul sewer and the submitted surface water drainage plan indicates no flows greater than existing which would be satisfactory to them. They do also highlight a 4m easement for the sewer running through the northern part of the site. The applicant advised that the development respects this 4m easement but the sewer and easement are not marked on any of the application drawings.

7.77 Therefore, subject to the use of planning conditions for the agreement of both the detailed surface water drainage system and the foul water drainage system, as well as verification of the system prior to occupation of any units, the proposal is considered to comply with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy and with Paragraphs 165 and 173 of the NPPF (Dec 2023) in relation to flood risk and drainage.

Air Quality

7.78 Policy CS03 of the Gravesham Local Plan Core Strategy seeks new development to achieve environmental improvements, especially in air quality in the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, where particulate matter (PM10) levels were particularly high. Paragraph 192 of the NPPF seeks compliance with national objectives for pollutants, AQMAs/Clean Air Zones and local Air Quality Action Plan and improvements to air quality or mitigation of impacts.

7.79 During determination of this application, the Northfleet Industrial Area Air Quality Management Area (AQMA) was revoked after 5 years of compliance with national objectives, this reflects a significant improvement in levels of PM10 in the area. The revocation does not remove the matter of air quality from being a material consideration in planning applications and there remains that requirement for developments to carry out assessments for the impact of their development on the local air quality for both PM10 and nitrogen dioxide and for them to propose mitigation measures.

7.80 There also remains the requirement to carry out damage costs calculations and provide the mitigation to that value off site. The monitoring of air quality and the implementation of Gravesham Borough Council's Air Quality Action Plan are also continuing requirements, as such they have requested the following developer contributions:

- £3,000 to Gravesham Borough Council towards monitoring of the Air Quality Network
- £3,000 to Gravesham Borough Council towards the implementation of the Gravesham Borough Council Air Quality Action Plan

The data from this monitoring then assists the consultants working for developers when carrying out their assessments and provides data to confirm whether the development continues to have no detrimental impact on the locality and vice versa.

7.81 In this case an Air Quality Assessment has been submitted in support of the application. This report concludes that the operational impacts were considered 'not significant', which is agreed by the LPA's specialist consultant. An Emissions Mitigation Assessment has been included within the report and the 'Damage Costs' associated with the scheme have been identified. The mitigation measures proposed are the installation of 40% active and 60% passive EV chargers, the installation of Air Source Heat Pumps (ASHP) into each of the units, travel plan, cycle storage, improvements to the cycle paths and network, a 'welcome pack' for new staff encouraging sustainable transport modes, green infrastructure to absorb dust and other pollutants. These mitigation measures, over a 5 year period, are acceptable under the Kent and Medway's Air Quality Planning Guidance and are appropriate for a development of this size and nature. The various mitigation measures will be secured through planning conditions.

- 7.82 Subject to the obligations as set out above and a suitably worded planning condition the proposal is considered to mitigate air pollution risk and as such complies with Policy CS03 of the Gravesham Local Plan Core Strategy and paragraph 192 of the NPPF.

Heritage

- 7.83 Policy CS20 of the Gravesham Local Plan Core Strategy accords high priority to towards the preservation, protection and enhancement of its heritage and historic environment. When considering the impact of a proposed development on heritage assets will have regard to the scale of the harm and the significance of the asset. Saved Policy TC7 of the Gravesham Borough Local Plan First Review says that applications will normally be refused unless arrangements have been made to allow for satisfactory archaeological investigation.
- 7.84 Paragraph 200 of NPPF states that where development on a site has the potential to include heritage assets with archaeological interest a desk-based assessment and, where necessary, field evaluation be submitted. Paragraph 208 says that where a development would lead to less than substantial harm to the significance of a heritage asset the harm should be weighed against the public benefits of the proposal.
- 7.85 In this case a 'Historic Environment Desk-Based Assessment' has been submitted in support of the application. The report concludes archaeological remains are unlikely to survive on the site due to its previous use for chalk quarrying. The significance of heritage assets will not be harmed by the proposed development.
- 7.86 The KCC Archaeologist advises that the site lies within an area of multi-period archaeological potential and the historic map evidence demonstrates that much of the site has been subject to past impacts, including extensive chalk quarrying (increasingly deep toward the south). He considers that it is possible that some small areas of the site may be relatively undisturbed and may contain archaeological evidence of past activity, but he thinks that these are likely to be limited in number and area. He therefore recommends the use of a planning condition to secure an archaeological watching brief to ensure that any archaeological interest revealed during the piling and other groundworks is recorded.
- 7.87 Subject to a suitably worded planning condition it is considered that less than substantial harm would occur to the significance of a heritage asset (in this case archaeological features) and the benefits of a sustainable new commercial development would outweigh that harm, in accordance with Policy CS20 of the Gravesham Local Plan Core Strategy Saved Policy TC7 of the Gravesham Borough Local Plan First Review and paragraph 208 of the NPPF.

Sustainability and Climate Change

- 7.88 Gravesham Local Plan Core Strategy Policy CS18 requires new development to include proposals for low carbon and renewable energy generation, including combined heat and power and CS19 requires new development, in its design and layout, to take advantage of opportunities to building resilience to the effects of climate change, including delivering carbon reduction, provision for low carbon and renewable energy and minimising energy consumption and water use.
- 7.89 The NPPF sets out the key role planning plays in delivering reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.

- 7.90 The application commits to targeting a BREEAM 'Excellent' rating for water efficiency and collection and exploring options for achieving the delivery of a low carbon scheme. The submitted 'Energy Statement' advises that the energy performance of the development would be mainly driven by:
- Airtight construction
 - Good levels of insulation
 - Air source heat pumps for heating and hot water
 - Solar PV arrays for generating electricity
 - Energy efficient building services and controls
- 7.91 The proposals therefore comply with requirements of Local Plan Policies CS18 and CS19 and national requirements. A verification condition is required to ensure that the various measures within the Energy Statement are incorporated into the development, to achieve BREEAM 'Excellent'.

Planning Obligations

- 7.92 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. These tests are set out as statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in the NPPF.
- 7.93 This report has identified the requirement to secure financial contributions to monitor air quality within the Gravesham Borough Council Local Authority area and implement its Air Quality Action Plan. These have been agreed with the applicant.
- £3000 to Gravesham Borough Council towards monitoring of the Air Quality Network
 - £3000 to Gravesham Borough council towards the implementation of the Gravesham Borough Council Air Quality Action Plan
- 7.94 In requesting and negotiating the obligations as part of this application, the Local Planning Authority is satisfied that they meet the statutory tests in the CIL Regulations and as described in paragraph 57 of the NPPF.

HRA Screening

- 7.95 Projects likely to have a significant effect upon a protected site are to be subject to an Appropriate Assessment of their implications for the site in the context of its conservation objectives, provided that the project is not directly connected with or necessary to the management of the protected site.
- 7.96 The proposed development is located within 6 kilometres of the South Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar Site, both European Sites designated due to important assemblages of wintering water birds. The proposed development is not connected with and not necessary for the management of the European sites.
- 7.97 Due to the commercial nature of the proposed development and the separation distances it is not considered likely that the development will impact upon the protected sites and therefore it is not necessary to undertake an appropriate assessment of the

implications of the proposed development on the European sites in view of their conservation objectives.

Environmental Impact Assessment

- 7.98 An EIA Screening Opinion was submitted as part of this application. EDC have adopted the opinion the proposed development is not EIA development and an Environmental Statement is not therefore required.

Building for a Healthy Life Assessment

- 7.99 NPPF Paragraph 138 states that Local Planning Authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of the development. These include design advice and review arrangements and assessment frameworks such as Building for a Healthy Life (BFHL).
- 7.100 A BFHL assessment of the scheme has been undertaken by EDC officers. BFHL is a design tool to measure and assess good design for new homes that is supported by the housebuilding and architectural industries as well as Government and Local Authorities. The proposed development is considered to perform satisfactorily against the 11 relevant BFHL questions, achieving 9 greens and 2 ambers, summarised below. Those shown in grey are not applicable to this scheme.

Integrating the neighbourhood

1 Natural Connections	2 Walking, cycling and public transport	3 Facilities and services	4 Homes for everyone
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Distinctive Places

5 Making the most of what's there	6 Memorable Character	7 Creating well defined streets and spaces	8 Easy to find your way around
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Streets for all

9 Healthy Streets	10 Cycle Parking and Car Parking	11 Green and Blue Infrastructure	12 Back of footpath-front of house
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8.0 FINANCIAL CONSIDERATIONS

- 8.1 Regard should be had to any local finance considerations so far as material to an application for planning permission and financial benefits will accrue to the area if approval is granted. The Government wishes to ensure that the decision-making process for major applications is as transparent as possible, so that local communities are more aware of the financial benefits that development can bring to their area. In this area the following benefits to the public purse accrue from development: Business Rates in respect of the commercial units.

9.0 HUMAN RIGHTS

- 9.1 The application has been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation below, is compatible with the Act.

10.0 PUBLIC SECTOR EQUALITY DUTY

- 10.1 In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to –

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine the objectives of the Duty.

- 10.2 It is considered that the application proposals would comply with the objectives of the Duty.

11.0 CONCLUSION

- 11.1 The proposed development would make a significant contribution to the overall employment provision within the Ebbsfleet Garden City in line with the Ebbsfleet Implementation Framework and act as a catalyst for inward investment to enhance the local economy making efficient use of a vacant previously developed site and help meet the identified employment needs of the Borough. The proposed development would help to meet the shortfall of commercial employment space identified in the Gravesham Local Plan Core Strategy and provide much needed and accessible employment opportunities, as well as providing a café, to the benefit of the community of the immediate Northfleet Embankment East key regeneration site and wider area.
- 11.2 The design and layout of the development is aspirational in many ways for a small commercial park with a holistic design incorporating and responding to an uplifted public highway with a footway/cycleway and treelined street. The built form would create an enclosed edge to the park and an active edge to the public realm with direct access into edge units, glazed frontage and artwork pieces along Rosherville Way. Internally the employment park would be a green and people friendly space with significant planting, outdoor breakout spaces and the secondary access road potentially providing a lower-trafficked/activity area for units backing on to it. The BNG for the site would be vastly improved from the existing situation in the region of 10% overall. The proposals will not result in harm to the amenity of existing or future residents, future workers within the site, the environment, heritage interests or the transport network. The development would be in accordance with local and national planning policies and there are no material considerations of sufficient weight that would dictate that the application should be refused.
- 11.3 In considering this application, due regard has been given to all comments and representations received and where possible these have been addressed through negotiation with the applicant.
- 11.4 It is therefore concluded that the proposed development accords with adopted national and local planning policies as well as principles established in the EDC's Implementation Framework. The application is therefore recommended for approval subject to imposition of the planning conditions, informatives and planning obligations in respect to air quality monitoring listed in the officer recommendation, with delegated authority to the Director of Planning & Place to make minor changes to the wording.

LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

Period for Report: April 2024

EASTERN QUARRY:

Application Reference: EDC/23/0188 Decision Date: Fri 19 Apr 2024

Location: Alkerden Education Campus Eastern Quarry Watling Street Swanscombe Kent

Applicant: Eastern Quarry Ltd

Proposal: Discharge of condition 20 (substation details) pursuant to reserved matters approval EDC/20/0002

Ward: Ebbsfleet

Decision: Approved

Application Reference: EDC/24/0017 Decision Date: Fri 26 Apr 2024

Location: The Roundabout On The Junction Of Watling St Bean Lane And B225 Watling Street Dartford Kent DA9 9SX

Applicant: Mrs Woodward (Agent: Ryan Woodfine – Planning Direct)

Proposal: Display of 4 non-illuminated free-standing advertising boards on roundabout

Ward: Ebbsfleet

Decision: Refused

Application Reference: EDC/24/0018 Decision Date: Fri 26 Apr 2024

Location: Roundabout At Junction Of Bluewater Parkway And St Clements Way Greenhithe Kent DA9 9XX

Applicant: Mrs Woodward (Agent: Ryan Woodfine – Planning Direct)

Proposal: Display of 4 non-illuminated free-standing advertising boards on roundabout

Ward: Stone Castle

Decision: Refused

LAND NORTH OF LONDON ROAD:

Application Reference: EDC/23/0018 Decision Date: Wed 24 Apr 2024

Location: Former Croxton And Garry Site Tiltman Avenue Swanscombe Kent DA10 0LL

Applicant: C/O Agent - Mr Gregory Evans

Proposal: Discharge of condition 6 (SW Drainage Report) pursuant to reserved matters approval EDC/21/0064

Ward: Greenhithe & Knockhall

Decision: Approved

Application Reference: EDC/23/0019 Decision Date: Wed 24 Apr 2024

Location: Former Croxton And Garry Site Tiltman Avenue Swanscombe Kent DA10 0LL

Applicant: C/O Agent - Mr Gregory Evans

Proposal: Discharge of condition 22-part a) and b) (Surface Water Drainage) pursuant to Outline Planning permission EDC/17/0110 (as amended by EDC/19/0161 and EDC/20/0008)

Ward: Greenhithe & Knockhall

Decision: Approved

NORTHFLEET EMBANKMENT EAST:

N/A
