

Reference: EDC/23/0086

Site Address: Land at Former Northfleet Cement Works, The Shore, Northfleet, Gravesend, Kent DA11 9AN

Proposal: Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north east of College Road (Phase 3A) comprising the erection of 273 no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy, and schedule of public open spaces (condition 9), renewable energy, water conservation and carbon reduction technologies (condition 11), community facility (condition 14), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15)

Applicant: Bellway Homes Limited (Thames Gateway)

Parish / Ward: Northfleet and Springhead

SUMMARY:

This application seeks approval of reserved matters including details of access, layout, scale, appearance and landscaping for 273no. dwellings and a community centre being the third major residential phase of the Northfleet Embankment West mixed-use development. The residential land is being marketed by Bellway Homes as Harbour Village. 82no. of the dwellings (30%) would be delivered as affordable housing and the proposals also include the creation of a new riverside park.

The principle of residential development in this location has been established by the outline planning permission. The area also forms part of EDC's strategic site at Northfleet Riverside with a key aspiration that development would re-connect the existing communities with the River Thames and provide a range of high-quality housing, jobs and recreational places.

The application is guided by the approved detailed residential masterplan that the outline planning permission requires reserved matters applications to be in accordance with. This established "vision objectives" including creating a sustainable neighbourhood, reflecting and celebrating the site's industrial heritage, creating a cohesive network of streets and open spaces, providing a range of new homes and creating a waterfront destination with connections to the River Thames. Different character areas were proposed to ensure a distinctive development reinforcing local character and heritage. The proposals continue the design narrative from earlier phases and include the new character areas of the Fastrack Road and River Edge. The proposals perform well when assessed under Building for a Healthy Life.

The layout extends the street hierarchy established in earlier phases and the layout of the built form would frame views across and through the site, establishing visual links to the River Thames and across Northfleet. The provision of dwellings meeting Building Regulations Part M4[2] and M4([3] - Accessible and Adaptable Dwellings exceeds the Section 106 Agreement requirement, and all dwellings are designed to meet the Nationally

Described Space Standard. Sustainability measures are proposed for energy and water efficiency, as well as electric vehicle charging.

The parking for the site is reduced below the masterplan approved levels and will result in car free units but a package of mitigation measures, including additional sustainability measures to those within the approved Residential Travel Plan, and an additional legal agreement to fund a Parking Permit Area in adjacent streets have been agreed by the applicant. Subject to these measures being secured the parking levels are considered to be acceptable.

Additionally, recent investigation of the Robins Creek wall structure has resulted in the need for new retaining sheet pile wall to be constructed behind the Robins Creek wall to reduce the load from the proposed development on the existing wall. A strategy for this new wall has been submitted and details are to be agreed by condition.

Subject to the additional legal agreement and conditions the proposals are considered to generally accord with the principles and parameters established by the outline planning permission, detailed residential masterplan and adopted planning policies, and to be aligned with the Ebbsfleet Implementation Framework. They would form part of the third phase of residential development to meet EDC's aspirations for Northfleet Riverside whilst also providing an additional public open space within the phase itself and a new community facility for the benefit of new and existing residents.

The application is therefore recommended for approval subject to conditions.

RECOMMENDATION:

Authority be delegated to the Director of Planning and Place to approve the application and issue reserved matters approval, subject to:

- (i) The imposition of the planning conditions as set out below, with delegated authority to the Director of Planning and 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:
 - £3,000 towards Gravesham Borough Council undertaking a design, consultation and advertising exercise for modifying the existing Traffic Regulation Order (TRO) in neighbouring public highway, to be paid prior to first occupation of Phase 3A;
 - £10,000 towards Gravesham Borough Council modifying / introducing a Permit Parking Area (PPA), including costs associated with lining and signage, to be paid following TRO public consultation and decision to proceed with the modified/new PPA; and
 - £51,000 towards Gravesham Borough Council's operational enforcement of the modified/ new PPA and towards any necessary amendments to controlled parking on streets in the vicinity of the development to address parking issues arising which Gravesham Borough Council considers are directly attributable to the development, to be paid following TRO public consultation and decision to proceed with the modified/new PPA.

PLANNING CONDITIONS

Approved Plans

1. The development hereby permitted shall be carried out in accordance with the following approved plans and pursuant to any planning conditions contained hereinafter:

Site Plans

EHV-BPTW-S01-00-DR-A-0100-C06 – Site Plan - Ground Floor
EHV-BPTW-S01-ZZ-DR-A-0102-C06 - Site Plan - Typical Floor
EHV-BPTW-S01-ZZ-DR-A-0103-C06 – Site Plan - Roof Plan – Typical PVs

EHV-BPTW-ZZ-ZZ-DR-A-0010 rev C01 - Location Plan

Supporting Drawings

EHV-BPTW-ZZ-00-ST-A-5401 rev C05 – Dwelling Size Strategy Diagram – GF
EHV-BPTW-ZZ-ZZ-ST-A-5402 rev C05 – Dwelling Size Strategy Diagram–Typical FP
EHV-BPTW-ZZ-00-ST-A-5601 rev C05 – Parking Strategy
EHV-BPTW-ZZ-00-ST-A-5901 rev C05 - Refuse Strategy Diagram
EHV-BPTW-ZZ-00-ST-A-6101 rev C05 – Vehicle Strategy Diagram
EHV-BPTW-ZZ-00-ST-A-6201 rev C05 - Cycle Strategy Diagram
EHV-BPTW-ZZ-ZZ-ST-A-6401 rev C05 - Materials Strategy Diagram
EHV-BPTW-ZZ-ZZ-ST-A-6501 rev C05 - Roof Strategy Diagram

Affordable Housing

EHV-BPTW-ZZ-00-ST-A-7101 rev C05 - Tenure Strategy Diagram – GF
EHV-BPTW-ZZ-ZZ-ST-A-7102 rev C05 - Tenure Strategy Diagram – Typical FP

Floor Plans

EHV-BTPW-B01-00-DR-A-1001 rev C04 – Block A - GF Plan
EHV-BTPW-B01-01-DR-A-1002 rev C04 – Block A - 1st and 2nd FP
EHV-BTPW-B01-04-DR-A-1003 rev C04 – Block A – Roof Plan
EHV-BTPW-B01-03-DR-A-1004 rev C04 – Block A - 3rd FP

EHV-BTPW-B02-00-DR-A-1011 rev C04 – Block B&C- GF Plan
EHV-BTPW-B02-01-DR-A-1012 rev C04 – Block B&C 1st & 2nd FP
EHV-BTPW-B02-04-DR-A-1013 rev C04 – Block B&C Roof Plan
EHV-BTPW-B02-03-DR-A-1014 rev C04 – Block B&C 3rd FP

EHV-BTPW-B04-00-DR-A-1031 rev C05 – Block D&E – GF Plan
EHV-BTPW-B04-01-DR-A-1032 rev C05 – Block D & E – Typical FP
EHV-BTPW-B04-05-DR-A-1033 rev C05 – Block D & E – Roof Plan

EHV-BTPW-B06-00-DR-A-1051 rev C05 – Block F&G - GF Plan
EHV-BTPW-B06-01-DR-A-1052 rev C05 – Block F&G – Typical FP
EHV-BTPW-B06-05-DR-A-1053 rev C05 – Block F&G – Roof Plan

EHV-BTPW-B08-00-DR-A-1071 rev C05 – Block H - GF Plan
EHV-BTPW-B08-01-DR-A-1072 rev C05 – Block H- Typical FP
EHV-BTPW-B08-09-DR-A-1073 rev C05 – Block H - Roof Plan

Elevations

EHV-BTPW-B01-ZZ-DR-A-2001 rev C04 – Block A - Elevations (1 of 3)
EHV-BTPW-B01-ZZ-DR-A-2002 rev C03 – Block A - Elevations (2 of 3)
EHV-BTPW-B01-ZZ-DR-A-2003 rev C04 – Block A - Elevations (3 of 3)

EHV-BTPW-B02-ZZ-DR-A-2011 rev C04 – Block B&C - Elevations (1 of 2)
EHV-BTPW-B02-ZZ-DR-A-2012 rev C04 – Block B&C- Elevations (2 of 2)

EHV-BTPW-B04-ZZ-DR-A-2031 rev C05 – Block D&E - Elevations (1 of 3)
EHV-BTPW-B04-ZZ-DR-A-2032 rev C05 – Block D&E - Elevations (2 of 3)
EHV-BTPW-B04-ZZ-DR-A-2033 rev C05 – Block D&E - Elevations (3 of 3)

EHV-BTPW-B06-ZZ-DR-A-2051 rev C05 – Block F&G - Elevations (1 of 3)
EHV-BTPW-B06-ZZ-DR-A-2052 rev C05 – Block F&G - Elevations (2 of 3)
EHV-BTPW-B06-ZZ-DR-A-2053 rev C05 – Block F&G - Elevations (3 of 3)

EHV-BTPW-B08-ZZ-DR-A-2071 rev C05 – Block H - Elevations (1 of 3)
EHV-BTPW-B08-ZZ-DR-A-2072 rev C05 – Block H- Elevations (2 of 3)
EHV-BTPW-B08-ZZ-DR-A-2073 rev C04 – Block H - Elevations (3 of 3)

Sections

EHV-BTPW-B01-ZZ-DR-A-2201 rev C02 – Block A - Sections
EHV-BTPW-B02-ZZ-DR-A-2211 rev C02 – Block B&C - Sections
EHV-BTPW-B04-ZZ-DR-A-2231 rev C02 – Block D&E - Sections (1 of 2)
EHV-BTPW-B04-ZZ-DR-A-2232 rev C02 – Block D&E - Sections (2 of 2)
EHV-BTPW-B06-ZZ-DR-A-2251 rev C02 – Block F&G – Sections (1 of 2)
EHV-BTPW-B06-ZZ-DR-A-2252 rev C02 – Block F&G – Sections (2 of 2)
EHV-BTPW-B08-ZZ-DR-A-2271 rev C03 – Block H – Sections

Site Sections

10986-LD-SEC-301 P02 – Sections Sheet 1 of 3
10986-LD-SEC-302 P01 – Sections Sheet 2 of 3
10986-LD-SEC-303 P01 – Sections Sheet 3 of 3

EHV-BTPW-B08-ZZ-ZZ-A-2282 rev C03 – Sections 1 & 2
EHV-BTPW-B08-ZZ-ZZ-A-2283 rev C03 – Sections 3 & 4
EHV-BTPW-B08-ZZ-ZZ-A-2284 rev C03 – Sections 5 & 6

Street Elevations

EHV-BTPW-XX-XX-IM-A-2201 rev C04 - Proposed Site Elevations (1-3)
EHV-BTPW-XX-XX-IM-A-2202 rev C04 - Proposed Site Elevations (4-6)
EHV-BTPW-XX-XX-IM-A-2203 rev C04 - Proposed Site Elevations (7-9)

Site Levels

1803/05/7016 Rev C - Preliminary Level Assessment – Sheet 1 of 2
1803/05/7017 Rev C - Preliminary Level Assessment – Sheet 2 of 2

1803/05/7018 Rev C - Preliminary Levels Sections – Sheet 1 of 2
1803/05/7020 - Preliminary Levels Sections – Sheet 2 of 2

Landscape Details

10986-LD-PLN-310 rev I – Illustrative Masterplan
10986-LD-PLN-312 Issue P09 – GF General Arrangement Ref Plan
10986-LD-PLN-313 Issue P08 - GF Landscape (Sheet 1 of 4)
10986-LD-PLN-314 Issue P08 – GF Landscape (Sheet 2 of 4)
10986-LD-PLN-315 Issue P08 – GF Landscape (Sheet 3 of 4)
10986-LD-PLN-316 Issue P08 – GF Landscape (Sheet 4 of 4)

10986-LD-PLN-317 Issue P04 – FF General Arrangement Ref Plan

10986-LD-PLN-323 Issue P04 – Boundaries and Edges (1 of 4)
10986-LD-PLN-324 Issue P04 - Boundaries and Edges (2 of 4)
10986-LD-PLN-325 Issue P04 - Boundaries and Edges (3 of 4)
10986-LD-PLN-326 Issue P03 - Boundaries and Edges (4 of 4)
10986-LD-PLN-327 Issue P03 – Boundaries and Edges First Floor

10986-LD-PLN-450 Issue P04 - Sitewide Softworks (1 of 4)
10986-LD-PLN-451 Issue P04 - Sitewide Softworks (2 of 4)
10986-LD-PLN-452 Issue P04 - Sitewide Softworks (3 of 4)
10986-LD-PLN-453 Issue P04 - Sitewide Softworks (4 of 4)
10986-LD-PLN-459 Issue P06 – EA Canopy Offset
10986-LD-SCH-805 rev P03 – Illustrative Planting Schedule- Riverside Park

Highway Details

1803/05/SK71 Rev G - Tracking through Phase 3 to EA asset (sheet 1 of 2)
1803/05/SK73 Rev D - Tracking through Phase 3 to EA asset (sheet 2 of 2)
1803/05/SK91 - Phase 3A Parking Access Visibility Splays
1803/05/SK91 – Crossroad Layout
332410098_300.100_001 rev P05 – Vehicle Tracking 11.4m Refuse Vehicle (3 sheets)
332410098_300.100_002 rev P04 – Vehicle Tracking - Fire Vehicle (3 sheets)
332410098_300.100_003 rev P04 – Vehicle Tracking – Luxury Car
332410098_300.100_004 rev P04 – Vehicle Tracking – 9.5m Pantehnicon (3 sheets)
332410098_300.100_005 rev P04 – Vehicle Tracking – 7.5T Panel Van (3 sheets)
332410098_300.100_006 rev P04 – Parking Restrictions Plan – Double Yellow Lines
332410098_300.100_007 rev P04 – 2.4m x 34m Visibility Splays
332410098_300.100_011 rev P02 – 2m x 43m Pedestrian Crossing Visibility
332410098_300.100_013 rev P02 – Community Centre Vehicle Tracking – 7.5T Panel Van (2 sheets)

Reason: For the avoidance of doubt and to ensure a satisfactory form of development and visual amenity in the locality.

Details required prior to commencement of Northern Parcel

Flood Defence Wall Protection

2. No development to the northern side of the Fastrack route, shown in drawing no. EHV-BPTW-ZZ-00-ST-A-6101 Rev C05 (Vehicle Strategy Diagram), shall commence until a scheme of retaining wall protection works, to cover the lifetime of the development, protecting the retaining walls forming the south eastern edge of Robin's Creek and the Thames Tidal Defence walls within the site boundary from damage due to adverse loading has been submitted to and approved in writing by the Local Planning Authority. The protection works scheme shall be supported by

site investigation works and calculations to demonstrate its adequacy to protect those walls during future works using any of the equipment shown in drawing numbers 1803/05/SK71 & 1803/05/SK73 (Tracking through Phase 3 to EA Asset), working up to those walls. The submitted scheme shall also be designed to provide support to the existing Robin's Creek wall and the Thames Tidal Defence walls and to facilitate the possible future removal of the existing Robin's Creek dock wall (for example if saline River Thames water was reintroduced into Robin's Creek and its removal became necessary).

The approved scheme shall then be implemented in full prior to works above ground level, with the exception of demolition, enabling works and site investigation works, within 10 metres of either wall, and maintained as such thereafter for the lifetime of the development.

Reason: To minimise the risk of damage to the existing retaining wall on the edge of Robin's Creek as a result of the development, to preserve the flood storage capacity of Robin's Creek and prevent an impedence to the flow of the River Ebbsfleet where it flows through the creek or the risk of pollution that a failure of the retaining wall could cause and to achieve the necessary operational access without threatening the integrity of the relevant sections of the Thames Tidal Defence wall. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework (2023) and Policy CS18 of the Gravesham Local Plan Core Strategy.

Operational Access to the Flood Defence

3. No development to the northern side of the Fastrack route, shown in drawing no. EHV-BPTW-ZZ-00-ST-A-6101 Rev C05 (Vehicle Strategy Diagram), shall commence until a scheme of operational access space and routes to and along the River Thames flood defences and the Robin's Creek retaining wall, including temporary access routes, has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme of operational access space and routes shall then be implemented in full throughout the construction phase and maintained as such for the operational lifetime of the development.

Reason: To facilitate operational access to the Thames Tidal Flood Defences and the Robin's Creek retaining wall and to prevent an increased risk of flooding. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework (NPPF) and Policy CS18 of the Gravesham Local Plan Core Strategy.

Details Required Prior to Above Ground Works

Visibility Splays

4. Notwithstanding the drawing numbers 332410098_300.100_008 rev P02 (2m x 2m Pedestrian Inter-Visibility), 332410098_300.100_009 rev P02 (Inter-Visibility for Cycles – In) and 332410098_300.100_010 rev P02 (Inter-Visibility for Cycles – Out), no development above ground level shall take place to the northern side of the Fastrack route, shown in drawing no. EHV-BPTW-ZZ-00-ST-A-6101 rev C05 (Vehicle Strategy Diagram) until full details of pedestrian and cyclist visibility splays, including security gate details at podium parking court entrances, have been submitted to and approved in writing with the Local Planning Authority. The

approved pedestrian and cyclist visibility splays shall be constructed prior to first occupation of the development and retained thereafter.

Reason - In the interest of highway and pedestrian safety, in accordance with adopted Policy CS11 of the Gravesham Local Plan Core Strategy and Local Plan First Review Saved Policy T5

Architectural Detailing

5. No development above ground level shall take place until the following architectural details (including samples if requested) have been submitted to and approved in writing by the Local Planning Authority:

- (i) Brick detailing annotated on the approved drawings
- (ii) Parapet capping
- (iii) Low boundary wall and railing
- (iv) Entrance porches
- (v) Entrance canopies
- (vi) Building name signage
- (vii) Window reveals
- (viii) Balconies including balustrades and finish to underside of the balcony platform

The approved architectural details shall be constructed in accordance with the approved details prior to first occupation of the building to which they relate and shall be retained thereafter.

Reason: To ensure that architectural features of buildings which are essential to distinctiveness of the development and satisfactory appearance of the development as a whole are assessed at a sufficiently early stage in the construction to enable their delivery in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy and paragraphs 55 and 130 of National Planning Policy Framework.

Public Realm Furniture

6. Notwithstanding the approved plans, no development shall take place above ground level until a scheme of Public Realm Furniture has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include: additional seating opportunities in the northeastern corner of the riverside park (overlooking the River Thames), planters, benches, cycle stands, advertising installations, poles, posts, columns, information boards, bins, artworks, pergola structures and tensile wires within the roof gardens. The details shall be in accordance with the EDC Public Realm Strategy guidance as far as possible. Public realm furniture included within the operational area for the maintenance of the flood wall, as shown on drawings approved under condition 3, shall be fully demountable. The approved public realm furniture development shall be installed prior to first occupation of the part of the development or public open space to which they relate and be retained at all times.

Reason: To maintain a good standard of design and residential amenity and to facilitate operational access to the Thames Tidal Flood Defences and the Robin's Creek retaining wall and to prevent an increased risk of flooding. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework (2023) and Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy.

Street Lighting

7. Notwithstanding drawing no. 332410098/300.600/001 P04 (Proposed Street Lighting), no development above ground level shall take place until a detailed street lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The detailed lighting scheme shall include the form (including those proposed as de-mountable), appearance and lux levels of the proposed lighting and include sufficient detail to demonstrate how the lighting will mitigate impacts on ecology. The details shall include a plan showing how lighting will be co-ordinated with soft landscaping. The lighting shall be installed in accordance with the approved details prior to the first use of the relevant road(s) or open space(s) by members of the public, including general vehicles, pedestrians and cyclists, and thereafter be retained in working order at all times.

Reason: To ensure safe and functioning roads and public realm for all users in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy and paragraph 96 and 135 of the National Planning Policy Framework.

Boundary Treatments

8. No development above ground level shall take place until details of the form and appearance of all boundary treatments in the locations shown in drawing numbers 10986-LD-PLN-323 Issue P04, 10986-LD-PLN-324 Issue P04, 10986-LD-PLN-325 Issue P04, 10986-LD-PLN-326 Issue P03 and 10986-LD-PLN-327 Issue P03 (Boundaries and Edges Plans), including heights, materials and finishes, together with full details of any retaining walls, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved boundary treatments shall be installed prior to first occupation or use of the part of the development or public open space to which they relate and thereafter be retained at all times.

Reason: To maintain a good standard of design and residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

Additional Soft Landscaping within Car Parks

9. Notwithstanding the approved plans, no development above ground level shall take place to the northern side of the Fastrack route, as shown in drawing no. EHV-BPTW-ZZ-00-ST-A-6101 rev C05 (Vehicle Strategy Diagram), until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include additional areas of soft landscaping to the central and western car parks. The approved landscaping scheme shall be carried out in full during the first available planting season prior to first use of the relevant car parking areas. The soft landscaping shall be maintained in accordance with the landscape and ecological management plan (LEMP) to be approved pursuant to the outline planning permission. Any trees, plants or grass that die, are damaged, removed or become diseased within 5 years shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To enhance the quality and appearance of those car parks, provide year-round greening to these areas of public realm and to break up the dominance of hard surfacing and cars in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy

Brown Roofs

10. No development above ground level shall take place until details of brown roofs shown on the approved drawing number EHV-BPTW-ZZ-ZZ-ST-A-6501 rev C05 (Roof Strategy) have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, appearance, form and technical specification of the brown roof, details of brown roof planting, and arrangements for management and maintenance across the lifetime of the development. The brown roofs shall be installed in accordance with the approved details prior to first use of the building to which they relate and shall thereafter be maintained and retained at all times.

Reason: To ensure an acceptable standard of development and upon completion and implementation of on-site renewable energy generation and biodiversity enhancements, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS12, CS18 and CS19

Planting Plans

11. No development above ground level shall take place until planting plans have been submitted to and approved in writing by the Local Planning Authority. The planting plans shall be in accordance with the approved soft landscaping scheme, including details of the numbers of all trees, hedges and shrubs to be planted, together with a planting schedule providing tree sizes, tree pits, pot sizes, heights, spreads, densities and total quantities of individual species. Tree species and sizes shall be informed by EDC's Public Realm Strategy guidance and tree planting details shall be shown in relation to underground services and lighting should be provided and include details of any root barriers and below ground root cells together with a plan demonstrating adequate soil volumes can be achieved for all new trees.

The approved scheme shall be carried out in full during the first available planting season prior to the first use of the relevant road(s) or open space(s) by members of the public, including general vehicles, pedestrians and cyclists, or in the case of podium gardens the first occupation of the related buildings. The soft landscaping shall be maintained in accordance with the Landscape and Ecological Management Plan (LEMP) to be approved pursuant to the outline planning permission. Any trees, plants or grass that die, are damaged, removed or become diseased within 5 years shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To enhance the quality and appearance of the public realm and provide ecological and biodiversity enhancement in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy.

Informative: The Environment Agency Biodiversity Officer advises that the submitted illustrative planting schedule contains variants of a known invasive non-native plant species 'Crocsmia' within in a few areas. This species is listed within Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), a contravention may occur if it is allowed to escape and grow elsewhere, into the wild. They advise that it could also be argued that it is illegal to intentionally plant this species within a landscape of open-connectivity. The risks of potential escape from the development site need to be considered.

Public Art

12. No development above ground level shall take place until full details of public art to be embedded/installed within the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall broadly comply with the Public Art Strategy set out in the Design and Access Statement Addendum (ref. EHV-BPTW-XX-XX-DO-A-0626-C02-A3 dated June 2024) and shall include details of location, design, appearance, lighting and any other features as appropriate, ongoing maintenance strategy and a timetable for installation. The approved public art shall thereafter be installed in accordance with the approved details and timescale and shall thereafter be maintained in accordance with the agreed strategy at all times.

Reason: To ensure that the development creates a high-quality environment through design and layout of open spaces and public realm in accordance with the principles of Kent Design and Policy CS19 of the Gravesham Local Plan Core Strategy.

Hard Landscaping Details

13. Notwithstanding condition 30 of outline planning permission reference EDC/16/0004, no development above ground level shall take place until full details of hard surfacing and kerbs/edging have been submitted to and approved in writing by the Local Planning Authority. Details of kerbs and details of the edging to resin bound gravel paths must be provided. Details should include size, material, laying pattern and colour finish of all hard surfacing together with details of 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 and retained at all times.

Reason: To enhance the quality and appearance of the public realm in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

Play/Gym Equipment

14. No development above ground level shall take place to the northern side of the Fastrack route, as shown in drawing no. EHV-BPTW-ZZ-00-ST-A-6101 rev C05 (Vehicle Strategy Diagram), until full details of all play and outdoor gym equipment has been provided to and approved in writing by the Local Planning Authority. The submitted details shall broadly comply with the Play Strategy set out in the Design and Access Statement Addendum (ref. EHV-BPTW-XX-XX-DO-A-0626-C02-A3 dated June 2024) and shall include details of location, design, appearance, safety/fall zones and associated play surfacing, lighting and any other features as appropriate, ongoing maintenance strategy and a timetable for installation. The approved play and outdoor gym equipment, as well as required ancillary works, shall be installed in accordance with the approved details and timescale and shall thereafter be maintained in accordance with the approved strategy at all times.

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

MHVR

15. No development above ground level shall take place until details of the glazing and mechanical ventilation heat recovery (MVHR) system to be used for all the residential dwellings hereby approved has been submitted to and approved in writing

by the Local Planning Authority. The glazing details shall include form, performance specification and trickle vents, which shall be installed prior to the first occupation of the of the residential dwelling to which they relate. The MVHR details shall include air intake locations, dust filtration and show how noise/vibration created by the ductwork serving the ventilation system will be adequately controlled between and within properties. Details shall include arrangements for long term maintenance and efficiency of the MVHR systems which shall be installed prior to first occupation of the residential dwellings to which they relate and thereafter maintained in full working order at all times.

Reason: In order to protect residential amenity of the future occupants from industrial noise and in order to protect the commercial viability of safeguarded wharves, in accordance with Policy CS19 of the Local Plan Core Strategy and Policy DM8 of the Kent Minerals and Waste Local Plan.

EV Charging

16. No development above ground level shall take place until details of electric vehicle charging shown in the Parking Strategy set out in the Design and Access Statement Addendum (ref. EHV-BPTW-XX-XX-DO-A-0626-C02-A3 dated June 2024) have been submitted to and approved in writing by the Local Planning Authority. The submitted Electric Vehicle (EV) charging details shall include:

- the location of visitor parking spaces with both active and passive EV infrastructure
- the location and design of supporting freestanding infrastructure to facilitate the EV charging points that are located within the privately maintained highway verges and surface level car parks;
- the service routing for the EV charging equipment overlaid onto a copy of the approved hard and soft landscaping; and
- the arrangements for management and ongoing maintenance and replacement responsibilities of the EV charging equipment and infrastructure.

The approved active and passive electric vehicle charging points shall thereafter be installed prior to first occupation of the dwelling or car park to which they relate and shall be retained at all times.

Reason: In order to encourage sustainable travel and protect amenity, in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy and paragraph 111 of National Planning Policy Framework 2023.

Car Club Vehicle

17. Notwithstanding the 'Residential Travel Plan' 46600/5501 Rev A (Stantec, April 2022) approved under reference EDC/22/0096, no development above ground level shall take place until car club details have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- the permanent location of a minimum of 1no. car club parking space within the boundary of the application site, including associated electric vehicle charging provisions;
- the identification of a temporary car club parking space(s) during construction phase(s);
- the operational arrangements for the car club; and
- mechanism for advertising the approved Residential Travel Framework's one year's free membership per household to the on-site car club (on demand).

Prior to the first occupation of any of the units hereby agreed a minimum of 1no. electric car club vehicle shall be made available for public use from the approved spaces (temporary and permanent) within Phase 3A and shall be retained and maintained for their designated purpose(s) at all times.

Reason: To provide an alternative to private vehicle ownership to mitigate against reduced parking provision from approved masterplan levels and an enhanced package of sustainable travel measures in accordance with Policy CS11 of the Gravesham Core Strategy Local Plan and Ebbsfleet Sustainable Travel Strategy.

PV Panels

18. No development above ground level shall take place until details of photovoltaic panels (PV) have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate how they accord with the estimated energy generation indicated in section 5.1.9 of the Energy and Sustainability Statement v2 by Stantec dated 2nd July 2024 (ref. 332410098) and shall include the location, appearance, form and technical specification of the photovoltaic panels, and how they would be integrated into roofs of the dwellings. The photovoltaic panels shall be installed in accordance with the approved details prior to first occupation of the building to which they relate and thereafter be retained in working order at all times.

Reason: To ensure an acceptable standard of development and upon completion and implementation of on-site renewable energy generation, in accordance with adopted Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy.

Underground services

19. No development above ground level shall take place until details of new underground services within 20m of the visible part of the River Thames flood defence or closer to Robin's Creek than the building line facing Robin's Creek have been submitted to and approved in writing by the Local Planning Authority. The underground services shall be installed in accordance with the approved details prior to first occupation of the building to which they relate and thereafter be retained in working order at all times.

Reason: To facilitate operational access to the Thames Tidal Flood Defences and the Robin's Creek retaining wall and to prevent an increased risk of flooding. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework and Policy CS18 of the Gravesham Local Plan Core Strategy.

Prior to First Occupation

Residential Travel Plan for Phase 3A

20. Notwithstanding the 'Residential Travel Plan' 46600/5501 Rev A (Stantec, April 2022) approved under reference EDC/22/0096 no part of the development hereby approved shall be occupied until a Full Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority with an enhanced package of sustainability measures over the previously agreed measures, including timescales for delivery and including, but not exclusively:

- A concierge on site to centrally receive home delivery packages for residents

- Provision of a business lounge (with w.c.) for residents of the riverside apartments so residents working from home have the option to work remotely from that space
- Provision of a further visitor space to the original number proposed so that a 4th car club vehicle can be optionally provided within Phase 3A in the future
- Provision of an on-site resident's gym for riverside apartment residents
- 1no. £100 cycle voucher for each residential dwelling

The development shall thereafter be occupied in accordance with the measures in the updated approved Full Residential Travel Plan.

Reason: To account the particulars of the proposal with reduced parking provision from approved masterplan levels and an enhanced package of sustainable travel measures in accordance with Policy CS11 of the Gravesham Core Strategy Local Plan and Ebbsfleet Sustainable Travel Strategy.

Parking Management Plan

21. Notwithstanding the 'Framework Site Wide Parking Strategy' (Technical Note, Stantec, 332410098/400.100, TN001 Rev A, 14 August 2024) no residential dwelling hereby approved shall be occupied until a detailed 'Parking Management Plan' for Phase 3A has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include, but not be limited to,) details of:

- Permit parking zones
- How the allocation of parking permits within the site will operate (residential, community facility)
- How non-allocated parking within the site will operate (deliveries, visitor parking)
- How cycle parking facilities will operate (resident and visitors)
- How the allocation of the M4(3) parking spaces will operate
- How the allocation of the M4(2) specialist parking spaces will operate
- Temporary car parking spaces for the community facility as necessary (e.g. if Block G facility predates provision of the permanent parking spaces)
- Details of parking controls to prevent indiscriminate and nuisance parking outside of designated bays, such as parking on the pavements or landscaped verges, or causing obstruction to pedestrians along footpaths
- Details of private parking enforcement operation to prevent on street parking outside of designated bays and permitted duration within visitor bays
- Details of arrangements should the management company go into administration
- Details of how future purchasers will be made aware of parking management regime on the site, the allocation of spaces, the availability of car club and one year's free membership per household for the first occupation of a dwelling, the potential introduction of a Controlled Parking Zone within surrounding public highway (which will not issue parking permits to Harbour Village addresses), as part of purchase of this development including how this will be communicated through the marketing process
- Details of the management for the restrictive access bollards
- Details of controlling parking for emergency vehicles and operational vehicles related to flood defence maintenance

The development shall thereafter be carried out in accordance with the approved Parking Management Plan and the approved parking controls and enforcement shall be operational from the first residential occupation and shall thereafter be maintained in perpetuity.

Reason: To ensure adequate management arrangements for residential and visitor car parking, the free flow of traffic on the highway, and to encourage sustainable travel in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy and saved Local Plan First Review Policy P3.

Highway Management Plan

22. No building or floorspace shall be occupied until a Highway Management Plan has been submitted to and approved in writing by the Local Planning Authority. The content of Highway Management Plan shall include details of the management and maintenance arrangements for all components of the highway including the carriageway, footpaths, verges/landscaping, street lighting and any other street furniture. The Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the Plan will be secured by the developer with the management body responsible for its delivery. The approved Plan will be implemented in accordance with the approved details.

Reason: To ensure adequate management arrangements for private highways, verges and street lighting, to ensure the free flow of traffic on the highway, and to encourage sustainable travel in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy and saved Local Plan First Review Policy P3

Community Building Management Plan

23. No building that includes provision of community facility space shall be occupied until a Community Building Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Community Building Management Plan shall set out the following matters:

- details of the community use facilities;
- temporary car park spaces if the agreed spaces are not available;
- hours of use of the facilities;
- how the community spaces will be managed and operated (including any ancillary spaces available - such as external space and parking);
- how and when the facilities will be promoted and made available to residents (within and outside of the development), local clubs and community groups;
- arrangements for booking the facilities;
- details of how any rents, fees and charges will be calculated, including an option for discounts to local residents and/or organisations;
- timescale for first availability of use of the facility by the community;
- an annual review of the Community Building Management Plan and annual reporting of the extent of usage of the facilities to the Local Planning Authority; and
- a complaints procedure.

The latest approved Community Building Management Plan shall be implemented and adhered to at all times.

Reason: To facilitate and encourage community use of the facility to enhance community well-being and access to the playing pitch, in accordance with Policies CS10 and CS13 of the Gravesham Local Plan Core Strategy.

Prior to Hard Surface Works in Riverside Promenade

(Riverside Promenade – delivery required prior to occupation of the 100th residential unit within Phase 3A)

Riparian Lifesaving Equipment

24. No hard surfacing works shall commence on the Riverside Promenade park, as set out at part 5.1 in the Design and Access Statement Addendum (ref. EHV-BPTW-XX-XX-DO-A-0626-C02-A3 dated June 2024) until details of the lifesaving equipment to be located within the open space, including location, signage and management and maintenance, has been submitted to and approved in writing by the Local Planning Authority. The riparian lifesaving equipment shall be installed in accordance with the approved details prior to first use of the Riverside Promenade by members of the public and shall thereafter be maintained and retained in working order at all times.

Reason: To ensure that the development creates a high-quality and safe public realm environment in accordance with the principles of Kent Design and adopted Policy CS19 of the Gravesham Local Plan Core Strategy.

Heritage Boards

25. No hard surfacing works shall commence on the Riverside Promenade park, as set out at part 5.1 in the Design and Access Statement Addendum (ref. EHV-BPTW-XX-XX-DO-A-0626-C02-A3 dated June 2024) until details of the proposed heritage interpretation measures, including location of interpretation boards, design of boards structures, content of boards information and display and deployment of artefacts has been submitted to and approved in writing by the Local Planning Authority. The heritage interpretation boards shall be installed in accordance with the approved details prior to first use of the Riverside Promenade by members of the public and retained at all times.

Reason: To ensure that the development creates a high-quality environment through design and layout of open spaces and public realm in accordance with the principles of Kent Design and Policy CS20 of the Gravesham Local Plan Core Strategy.

Ecology Information Boards

26. No hard surfacing works shall commence on the Riverside Promenade park set out at part 5.1 in part the Design and Access Statement Addendum (ref. EHV-BPTW-XX-XX-DO-A-0626-C02-A3 dated June 2024) until details of the proposed ecology information board(s) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location of interpretation board(s), design of boards structures, and content information. The approved ecology information board(s) shall be installed in accordance with the approved details prior to first use of the Riverside Promenade by members of the public and retained at all times.

Reason: To ensure delivery of ecological and biodiversity mitigation and enhancement in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy and paragraph 180 of the National Planning Policy Framework 2023.

Plant Noise Attenuation

27. No fixed plant in any block shall be installed until full details of that plant, including any noise attenuation measures, shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the rating level of the operational noise emitted from the cumulative plant shall be 5 dB below the existing background

noise level at any time. The noise levels shall be determined at the façade of any noise sensitive property and the measurements and assessments shall be made according to BS4142:2014+A1:2019. The approved scheme shall be implemented prior to the first occupation of any residential units or community facility within that block and thereafter maintained for the lifetime of the development.

Reason: To ensure that the cumulative noise from 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 Conditions

Surcharge Loadings on the Flood Defences

28. The access routes shown in Drawing No. 1803/05/SK71 & 1803/05/SK73 (Vehicle Tracking) shall be constructed to accommodate surcharge loadings on the existing and proposed flood defences of no less than 30 kN/m².

Reason: To ensure that adequate operational access routes are provided and to reduce the risk of flooding. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework (NPPF) and Policy CS18 of the Gravesham Local Plan Core Strategy.

Reason: For the avoidance of doubt, to facilitate any future flood defence intervention and to prevent an increased risk of flooding and to be shared with the Environment Agency. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework (NPPF) and Policy CS18 of the Gravesham Local Plan Core Strategy.

Informative: The Environment Agency have requested the submission of 'as built' drawings including the allowable surcharge limits within 4 months of completion of the development.

Operational Access to Flood Defences

29. The access routes shown in Drawing No. 1803/05/SK71 & 1803/05/SK73 (Vehicle Tracking) shall be available for use at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to that Order revoking and re-enacting that Order, no means of enclosure shall be installed across the access routes to prevent operational access for management and maintenance of the Thames Tidal Flood Defences and the Robin's Creek retaining wall.

Reason: To facilitate operational access to the Thames Tidal Flood Defences and the Robin's Creek retaining wall and to prevent an increased risk of flooding. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework (NPPF) and Policy CS18 of the Gravesham Local Plan Core Strategy.

Gym and Business Lounge

30. The gym and business lounge shown in drawing numbers LD-PLN-313 rev P08 and LD-PLN-314 rev P08 (General Arrangement Plans) shall be used as ancillary spaces to the residential development hereby approved and shall only be used by the occupiers of the residential development.

Reason: To ensure these spaces do not operate as their own planning unit(s) contrary to the planning permission for this site and for residential amenity and highway safety as insufficient parking has been provided to allow use of these areas by the general public, in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy.

Residential Parking

31. The vehicle parking and turning areas shown on the approved plans shall be formed, surfaced, drained and marked out prior to the building to which they relate first being occupied. Visitor, loading, community facility and car club spaces shall be clearly demarcated as such and shall remain unallocated at all times. Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the approved vehicle parking and turning areas.

Reason: To ensure sufficient off-street car parking provision to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy and saved Local Plan First Review Policy P3

Cycle Parking

32. A minimum of two of the six visitor cycle stands shown on drawing EHV-BPTW-ZZ-00-ST-A-6201 rev C05 stands should be sized and marked out for adapted bikes, which require 1.5m between stands to allow for dismounting.

Reason: In accordance with the best practice in Local Transport Note (LTN) 1/20 and as part of the sustainability strategy for the development, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS19.

Sustainable Development

33. The development hereby approved shall incorporate carbon reduction measures specified within Section 3 of the Energy and Sustainability Statement (ref. 332410098 V2, July 2024). These measures shall be implemented in full prior to first occupation of the residential dwelling to which they relate or the first use of the relevant community space and shall thereafter be retained and maintained in good working order throughout the lifetime of the development.

Reason: To ensure that the development meets the requirement for carbon reduction and renewable technology in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy.

Water Efficiency

34. All dwellings hereby approved shall meet Building Regulations Part G optional requirement for water efficiency of 110 litres per person per day. The water efficiency measures to achieve this, including provision for flow restrictors and use of water-efficient appliances, as set out in Section 4 of the Energy and Sustainability Statement (ref. 332410098 V2, July 2024) shall be implemented in full prior to first occupation of the building to which they relate.

Reason: To accord with the terms of the application and support the sustainable surface water drainage system, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS18.

Finished Floor Level

35. Notwithstanding condition 46 of outline planning permission ref. EDC/16/0004, no buildings hereby approved shall be constructed with any threshold or floor level below 8.0m above Ordnance Datum (AOD).

Reason: To minimise the risk of flooding. In line with paragraphs 158, 165 and 173 of the National Planning Policy Framework (NPPF) and Policy CS18 of the Gravesham Local Plan Core Strategy.

Ecology Enhancement

36. The ecological enhancement measures shown on Figure 1 - Annotated Site Plan within the Phase 3A Ecological Mitigation and Enhancement Strategy Revision A (ref. 193252 dated April 2024) shall be installed within the building or open area in which they are located, prior to the first use of that building or space, in accordance with approved details and thereafter maintained and retained at all times.

Reason: To ensure delivery of ecological and biodiversity mitigation and enhancement in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy and paragraph 180 of the National Planning Policy Framework (NPPF)

Community Use

37. The community centres shown in drawing numbers EHV-BPTW-B06-00-DR-A-1051 rev C05 (Block F & G Ground Floor Plan) and EHV-BPTW-B08-00-DR-A-1071 rev C05 (Block H Ground Floor Plan) shall only be used for the community use hereby approved and shall not be occupied other than for the specified use falling within Class F2(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that the development contributes towards on-site community development and integration, in accordance with Policies CS03 and CS10 of the Gravesham Local Plan Core Strategy.

M4(2) and M4(3) Compliant Dwellings

38. The dwellings identified as M4(2) accessible and adaptable dwellings and M4(3) wheelchair user dwellings in the Accessibility Strategy in part 6.2 of the Design and Access Statement Addendum (ref. EHV-BPTW-XX-XX-DO-A-0626-C02-A3 dated June 2024) hereby approved shall be designed and constructed in accordance with Building Regulations Part M.

Reason: To ensure the provision of accessible and adaptable dwellings, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS19

INFORMATIVES

1. ADDITIONAL DOCUMENTS

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

Application form

Technical Note (Stantec, 332410098/300.106, Note TN002, date 4 July 2024)

Technical Note (Stantec, 332410098/300.106, Note TN001, date 31 May 2024)

Technical Note (Stantec, 332410098/300.100, TN002 rev 1, 10 April 2024)

Technical Note (Stantec, 332410098/400.100, TN001 Rev A, 14 August 2024 'Framework Site Wide Parking Strategy')

Technical Note (Stantec, 332410098/300.106, TN003, 14 August 2024 drawings – 332410098_300.100_008 rev P02 (2m x 2m Pedestrian Inter-Visibility), 332410098_300.100_009 rev P02 (Inter-Visibility for Cycles – In), 332410098_300.100_010 rev P02 (Inter-Visibility for Cycles – Out)

RSC/KS/EB/23123 (Stantec, Stage 1 Road Safety Audit, 10 April 2024) (drawings superseded by later versions)

Riparian Lifesaving Equipment Information Note (LUC)

Noise Impact Statement (Stantec, Condition 9b Acoustic Report, ref 332410098, Rev 1, April 2024)

Response to EDC Noise Consultant Advisor comments (Stantec ref 332410098 – TN05, 24 May 2024)

Response to PLA/AA/Brett comments, (Stantec 332410098-TN06, 31 July 2024)

Energy and Sustainability Statement (Stantec, 332410098 V2, July 2024)

Planning Statement (Savills, May 2023)

Design and Access Statement (BPTW, May 2023)

Design and Access Addendum (BPTW, June 2024)

Design Log Response (Bellway, June 2024)

Affordable Housing Statement (updated)(Savills, April 2024)

Daylight and Sunlight Report (EB7, ref 6024, 12 April 2024)

Phase 3A Ecological Mitigation and Enhancement Strategy Revision A (AAe Environmental Consultants, ref 193252, April 2024) inc. Figure 1 - Annotated Site Plan (showing biodiversity enhancements)

Proposed Street Lighting Strategy (Stantec, 332410098/300.600/001 P04)

Proposed Street Lighting 332410098/300.600/001 P04 (based on previous revision riverside park layout)

Utilities Assessment (332410098/300.401 Rev A, March 2024)

Infrastructure Assessment (Stantec, 332410098/300.50, 19 May 2023)

Flood Risk Assessment (RTL, ref 180305H, 19 May 2023)

Section 104 Drainage Layout (RLT, 1803/05/3002 Rev R)

Fire Statement (Robson Frankham, 25 May 2023)

Outline Fire Strategy (Robson Frankham, rev 10, 30/05/2023)

Air Quality Assessment (Stantec, 332410098 Note AQ03_Rev1, May 2023)

Statement of Community Involvement (The Terrapin Group, May 2023)

'Archaeology and Historic Building Recording' letter (RPS, ref RvKM JAC25622, May 2023) together with 'Recording Works' plan (TL/19/05/23) and pages 1 to 6 Geomatics Survey plans, dated 18/05/2023

Ecological Mitigation and Enhancement Strategy (19322 rev A, April 2024)

CGIs – Update views 3 and 4

EHV-BPTW-XX-XX-SA-A-0104 rev P05 - Accommodation Schedule

EHV-BPTW-XX-XX-SA-A-0105 rev P05 – Plot Schedule

1803/05/SK/P/01 - Additional Supporting Wall to Relief Wall of Robins Creek

2. OUTLINE PLANNING PERMISSION

The applicant is reminded that this decision is an approval of reserved matters pursuant to an outline planning permission and that the conditions attached to the outline planning permission also have to be complied with.

For avoidance of doubt this reserved matters approval provides information required under conditions 2, 9, 11 and 15 of the outline planning permission subject to any relevant conditions set out in this decision notice. This approval does not however have the effect of discharging any other conditions imposed on the outline planning permission.

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 Act 1996 etc.

5. KCC ECOLOGY

Street lighting – it is recommended that the lighting follows the KCC highways dimming regime (regardless of whether it is adopted or not). Residential roads typically are on a minus 40/60% dimming regime so dim by 40% between the hours of 20:00 – 22:00 and then dim by minus 60% between the hours of 22:00 to 05:00.

6. KCC HIGHWAYS

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits

of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

7. NAMING AND NUMBERING (GBC)

As a result of the development, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses. The Naming and Numbering service is provided by the Borough Council. Further information is available from the following page of the council's website:

<https://www.gravesham.gov.uk/home/planning-and-building/street-naming-and-numbering-register/overview>. The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses. The Naming and Numbering service is provided by the Borough Council. Further information is available from the following page of the council's website: <https://www.gravesham.gov.uk/home/planning-and-building/street-naming-and-numbering-register/overview>.

It should be noted that the approved Heritage Management Plan includes a commitment by the developer to engagement with local residents/groups to inform a strategy for street naming at the application site.

8. KENT FIRE AND RESCUE SERVICE

Applicants should be aware that in the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established. Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

9. ENVIRONMENT AGENCY

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence

- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

The need for above ground features to be demountable is wider than the 10-metre zone indicated on the LUC Landscape General Arrangement drawings as per condition 7.

10. POSITIVE AND CREATIVE APPROACH TO DECISION MAKING

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/agent was provided with pre-application advice and 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 agreed through an extension of time.

11. REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the Local Planning Authority is satisfied that the requirements of planning conditions 2 and 3 (including the timing of compliance) is so fundamental to the development permitted that such details must be submitted prior to works commencing on site. In accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the imposition of these pre-commencement conditions has been agreed in writing with the applicant.

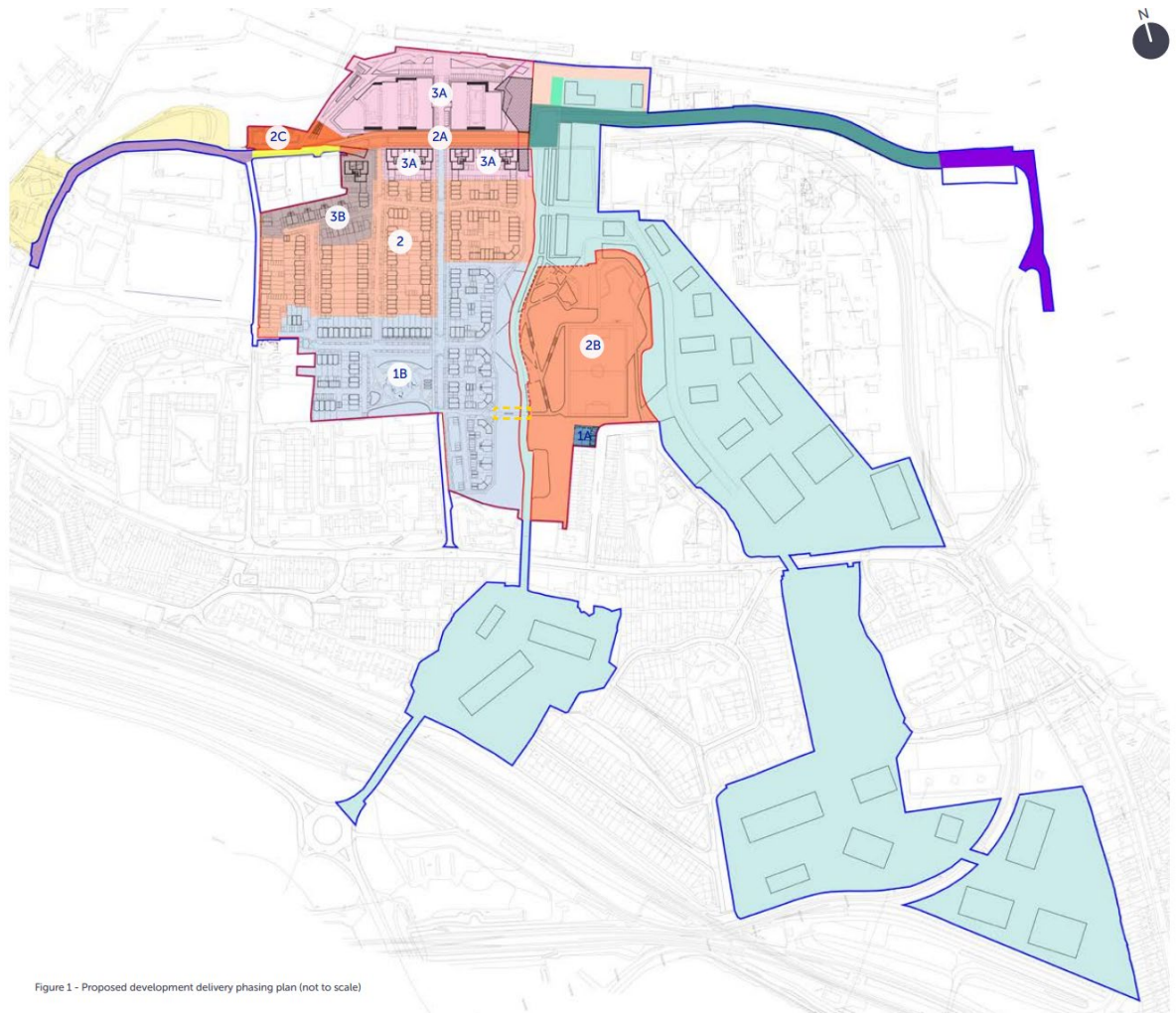
1.0 SITE CONTEXT AND PROPOSAL

1.1 Site Context

Northfleet Embankment West Strategic Site

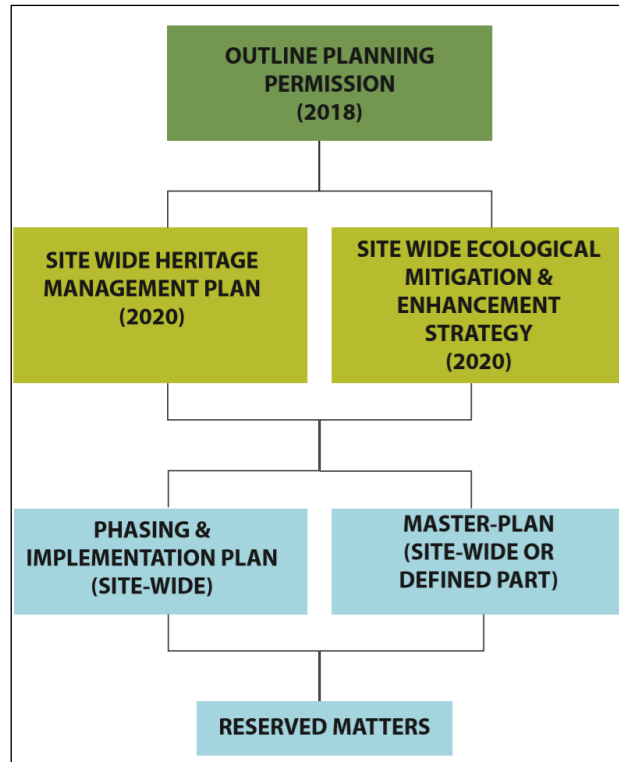
- 1.2 This application relates to the part of the Northfleet Riverside strategic development area, as identified in the EDC Implementation Framework, known as Northfleet Embankment West. Northfleet Embankment West comprises the former Northfleet Cement Works which ceased operation in December 2008. Demolition of the majority of the buildings and structures was completed in 2010. The whole site covers approximately 31 hectares in area and includes Church Path Pit and Vineyard Pit located to the south and connected to the main site by road tunnels. Northfleet Embankment West includes 12 hectares of residential land to the west of the site and 19 hectares of employment land to the east and south.

- 1.3 The wide scale excavation of cement and lime works between the River Thames and Northfleet High Street has led to significant topographical changes in the area. The upper levels of land are 20m to 30m above the lower land levels, demarcated by cliffs and slopes.
- 1.4 Within the wider Northfleet Riverside area heavy industry and employment operations take place including manufacturing, a tissue paper mill, aggregates import, a builder's yard, together with some vacant plots. There are two wharves within the wider Northfleet Riverside area safeguarded by the Kent Minerals and Waste Local Plan for their minerals function and the waterfront is formed of man-made flood protection walls. Commercial operations take place at 42 Wharf located at the eastern end, which is operated by Tarmac to serve their existing Bulk Powders Import Terminal and will also serve their approved Bulk Aggregates Import Terminal. Robins Wharf lies at the western end adjacent to where the River Ebbsfleet enters the River Thames via Robin's Creek. The redundant Bevans Wharf, adjacent to the phase of development being considered in the application, is no longer operational and is not safeguarded.
- 1.5 The Northfleet Riverside area contains one listed building, which is the Grade II Listed Bevans War Memorial located adjacent to the remaining office building. The Grade II Listed Northfleet Lower Lighthouse is located on 42 Wharf that fronts the application site.
- 1.6 The wider settlement of Northfleet is located to the southeast of the site, where the land use is predominantly residential but also with some commercial uses, including shops and services and other local facilities, including a primary school. The North Kent Line passes close to the site and Northfleet Station is located south of Northfleet High Street. Ebbsfleet International and Domestic Stations are also nearby, approximately 0.5km to the south of the North Kent Line.
- 1.7 The Northfleet Riverside area also comprises part of the North Kent Innovation Zone which is designated as an Enterprise Zone.
- 1.8 There are a number of Public Rights of Way traversing the Northfleet Riverside area. Public footpaths NU3, NU6, NU42 and NU7 run through the Northfleet Embankment West development site with NU6 forming part of the King Charles III England Coast Path running adjacent to the River Thames.
- 1.9 The image below shows the Northfleet Embankment West site in its wider context:



Planning Background

- 1.10 Outline planning permission (reference EDC/16/0004) with all matters reserved was granted in June 2018 for a mixed-use development comprising up to 532 residential dwellings, 46,000sqm of employment floorspace, a neighbourhood centre with retail units, a community centre and riverside pubs and restaurants. The permission was accompanied by a s.106 Agreement. The land was subsequently sold and is now in dual ownership. The land approved for residential development was purchased by Bellway Homes in early 2020 and the remaining employment land is owned by Northfleet Property LLP which was acquired by NWM Investments.
- 1.11 The outline planning permission is tiered and requires approval of particular documents prior to being able to move onto the next stage. The structure of the outline permission is shown below.



Structure of the Outline Planning Permission

- 1.12 A Heritage Management Plan and an Ecological Mitigation and Enhancement Strategy were approved in April 2020 and May 2020 respectively.
- 1.13 A detailed residential masterplan was approved in December 2020 and provides a comprehensive set of design parameters for the residential land. The parameters include different character areas to ensure a locally distinctive development, reinforcing local character and heritage, and a high-quality framework against which future reserved matters applications are to be assessed. It also carried forward from the outline planning permission commitments in respect of sustainable building design including incorporation of green/brown roofs on some buildings, electric vehicle charging (active and passive) across the whole scheme, sustainable drainage, water reduction and small-scale renewable energy generation.
- 1.14 A non-material amendment was approved to amend the wording of condition 7 of the outline planning permission to allow for reserved matters approval to be granted on parts of the site in advance of approval of a site-wide detailed Phasing and Implementation Plan. The proposed change has the effect of allowing reserved matters approval to be granted for 124 of the 532 dwellings approved by the outline planning permission on the wider site and has approval/delivery of standalone infrastructure including Bevans Park, the SUDs park and the Fastrack bus corridor.
- 1.15 Following the non-material amendment to condition 7, Reserved Matters applications were approved for Phase 1A for 3 dwellings in December 2020, Phase 1B for 121 dwellings in November 2021, Phase 2C for SUDs and public realm in December 2022, Bevans Park Bridge in March 2023, Phase 2 for 130 dwellings in 31 July 2023 and Bevans Park in 19 September 2023. In addition, a standalone full planning permission was granted in February 2023 for an additional 3 dwellings adjacent to Phase 1B.

- 1.16 A non-material amendment was also approved in May 2023 to amend the wording of condition 5a to increase the maximum number of residential units from 532 to 567 and increase the size of the community use floorspace to a minimum of 250sqm.
- 1.17 The site-wide Phasing and Implementation Plan was approved in June 2023. This sets out a programme for delivery of residential, employment and other floorspace, open space and the provision of infrastructure required to support the development to ensure that the development proceeds in an orderly and balanced manner in respect of both the location of and mix of development.
- 1.18 In respect to the Phase 3A site the Phasing and Implementation Plan requires the delivery of the Riverside Promenade prior to the first occupation of the 100th residential unit within Phase 3A and the provision and adoption of the western section of the Public Right of Way NU6 following the promenade's completion. (The S106 requires the incorporation also of a permissive cycle way through the promenade.) The section of the Bus Road West that falls within the application boundary must also be completed and available for use prior to the occupation of the 100th residential unit within Phase 3A (with a later trigger for the delivery of Bus Road East). The community facility within Phase 3A must be available for handover prior to 50% occupation of the building within which it is situated. In the current application, the community facility is split into two, serviced parts within separate buildings.
- 1.19 Alongside the Phase 3A application a Reserved Matters application was also submitted for Phase 3B of the residential development, as well as for the employment land at the Triangle site, Vineyard Pit and Church Path Pit and the Bus Road West and Granby Road sections of the Fastrack route. Planning permission has recently been granted for the employment land and Bus Road West.
- 1.20 The deadline for submission of Reserved Matters applications against this outline planning permission has now passed. No Reserved Matters application has been received for the riverside part of the Northfleet Embankment West site, to the east of Phase 3A, identified to provide mixed-use retail/office/food space around a plaza and as such the planning permission for that area has now expired.
- 1.21 Alongside the Reserved Matters applications, full planning permission was also granted in July 2021 for the formation of a development platform across the Northfleet Embankment West site, comprising the land benefitting from outline planning permission for residential and employment development, and earthworks for the future residential development have been completed under this stand-alone permission.

Application Site – Residential Phase 3A

- 1.22 The application site comprises an area of approximately 2.1 hectares with a development platform in place following the previous agreement under application EDC/20/0147. Phase 3A is located within the northern area of the approved residential development with the development name of 'Harbour Village'. The site abuts the River Thames to the north, the Phase 2 site to the south and the site of the undetermined Phase 3B application (EDC/23/0073) to the southwest. To the east of the site is the vacant land identified for mixed-use (office, retail, food) around a riverside plaza within the outline planning permission, for which planning permission has now expired. The Fastrack route runs through the Phase from east to west with proposed development to both the north and the south of the Fastrack road. The northern part of this Phase's development would be adjacent to and continuing on the riverside public realm approved within the approved SUDS park, which is to its western side.

- 1.23 The main access to Phase 3A is proposed through Phase 1B and Phase 2 via an extension of Hive Lane, which itself is accessed from Northfleet High Street. Access to the western car park on the northern side of the Fastrack route would also be gained via a crossover access from the Fastrack road itself.



- 1.24 Located somewhat further to the eastern and western sides of the site lie operating commercial sites and safeguarded wharfs. To the southeast, connected by a pedestrian/cycle bridge (planning permission approved) from Phase 1B, lies a prominent escarpment which is the location for a heritage park (Bevan’s Park) public open space to serve both existing and future residents. The local primary school in Factory Road/Lawn Road would be accessed through the heritage park.
- 1.25 The site lies within Flood Zone 3 and Groundwater Source Protection Zone 2 (Outer Protection Zone). Some land raising has already taken place on the site as part of the creation of the development platform under planning permission EDC/20/0147.

Proposal

- 1.26 This application seeks approval of reserved matters including details of access, layout, scale, appearance, and landscaping for 273no. dwellings, of which 83no. would be delivered as affordable housing, together with a community centre, the creation of a riverside park, associated highway infrastructure, parking, and servicing.
- 1.27 This Reserved Matters application is submitted pursuant to the parameter plans approved in the outline planning permission and the approved detailed residential masterplan. The proposal has a mix of 1, 2 and 3 bed apartments.
- 1.28 The proposals would provide the following accommodation:

Dwelling Type	1 bed	2 bed	3 bed	Total
Private Apartment	58	129	4	191

Shared Ownership Apartment	26	20	6	52
Affordable Rented Apartment	18	12	0	30

- 1.29 The current proposal includes the provision of approximately 350sqm of community floorspace, including ancillary floor area such as bins stores, split between two buildings, Blocks H and G. Each of the separate spaces would have a kitchenette and w.c. facilities with other ancillary space provided in Block H.
- 1.30 This application includes an area of public open space that will create a Riverside Promenade. This open space will also include informal play equipment and an outdoor gym. The diverted route of King Charles III England Coast Path (KCIIECP) and the PROW NU6 would run through Phase 3A and along the riverside.
- 1.31 The outline planning permission has conditions imposed that require submission of additional details alongside reserved matters application. This application seeks to discharge conditions 9 (a – d) for finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy, and schedule of public open spaces, condition 11 for an updated sustainability statement, condition 14 for the community facility and condition 15 for details of public realm, public art, heritage interpretation and riparian lifesaving equipment.

2.0 RELEVANT PLANNING HISTORY

Wider Northfleet Embankment West Site – Outline Planning Permission

- **EDC/16/0004** - Outline application with all matters reserved for a mixed development including up to 532 dwellings and up to 46,000 sq. m employment floorspace. Approved by EDC on 8th June 2018.

Phasing and Implementation Plan

- **EDC/20/0079** - Application for the discharge of **condition 7** attached to outline planning permission reference no. EDC/16/0004 relating to a detailed Phasing and Implementation Plan. Approved by EDC on 29th June 2023.

Residential Masterplan

- **EDC/20/0080** - Application for the partial **discharge of condition 8** attached to outline planning permission reference no. EDC/16/0004 relating to a detailed Masterplan for the residential land. Approved by EDC on 17th December 2020.

Reserved Matters – Residential land

- **EDC/20/0076** - Application for approval of reserved matters (relating to access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land at Factory Road (**Phase 1A**) comprising the erection of 3no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, and ecological mitigation and enhancement strategy (Condition 9), renewable

energy, water conservation and carbon reduction technologies (Condition 11), soft landscaping, boundary treatments, and the treatment of public highways and vehicle parking (Condition 15), land re-profiling (Condition 17), measures to protect existing infrastructure (Condition 19), and surface materials (Condition 30).

Approved by EDC on 18th December 2021

- **EDC/21/0081** - Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north of Hive Lane (**Phase 1B**) comprising the erection of 121no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy and schedule of public open spaces (condition 9), renewable energy, water conservation and carbon reduction technologies (condition 11), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15). EDC Planning Committee resolution to approve on 17th November 2021.
- **EDC/21/0206** - Reserved matters pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north and east of College Road (**Phase 2C**) to create a Sustainable Urban Drainage System and associated public realm, including details relating to site levels, ecological mitigation and enhancement strategy, details of design and maintenance of public realm (Condition 9), surface materials palette, furniture, lighting strategy, soft landscaping and boundary treatments, public art and heritage interpretation including timescales for provision (Condition 15). Approved by EDC on 21st December 2022. **EDC/21/0222** - Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north and west of Factory Road (Phase 2B) to create a heritage park and playing pitch including a pedestrian/cycle bridge and public realm together with details relating to site levels, ecological mitigation and enhancement strategy, noise attenuation, details of design and maintenance of public realm (Condition 9), soft landscaping, boundary treatments, furniture and play equipment, lighting strategy, public art and heritage interpretation including timescale's for commissioning and installing public art, provision for heritage interpretation and deployment of artefacts (condition 15). Approved on 21st December 2022.
- **EDC/22/0058** - Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land east of College Road (**Phase 2**) comprising the erection of 130no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy and schedule of public open spaces (condition 9), renewable energy, water conservation and carbon reduction technologies (condition 11), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15) and scheme for the re-interpretation of the College Road flint wall (condition 40(ii)). Approved on 31st July 2023.
- **EDC/22/0120** – Construction of a Pedestrian/Cycle Bridge over the highway (Bevans Park Bridge). Approved by EDC on 23rd March 2023

- **EDC/23/0078** - Reserved Matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land south of the River Thames (**Phase 3B**) comprising the erection of 40 no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy, and schedule of public open spaces (condition 9), renewable energy, water conservation and carbon reduction technologies (Condition 11), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15). Pending decision.

Reserved Matters – Employment Land

- **EDC/23/0096** - Reserved Matters Application (matters relating to access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for the employment land at the Triangle Site and Vineyard Pit comprising the erection of industrial and logistics units (Use Classes E(g)(iii) and/or B2 and/or B8) with ancillary office accommodation, external yard areas, staff and operational vehicle parking, servicing and associated works. Approved on 31st July 2024.

EDC/23/0097 - Reserved Matters Application (matters relating to access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for the employment land at Church Path Pit comprising the erection of industrial and logistics units (Use Classes E(g)(iii) and/or B2 and/or B8) with ancillary office accommodation, external yard areas, staff and operational vehicle parking, servicing and associated works. Approved on 31st July 2024.

Fastrack route

- **EDC/22/0133** - Reserved Matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land east of Grove Road and west of Granby Road comprising the Fastrack route together with associated infrastructure including details relating to site levels, ecological mitigation and enhancement strategy, and public open space (condition 9), design and maintenance of the public realm (condition 15). Pending decision.
- **EDC/22/0142** - Highways improvement including road widening at The Shore/Granby Road to accommodate two-way running of the eastern extent of the Fastrack route. Pending decision.
- **EDC/23/0100** - Reserved Matters Application pursuant to Condition 2 of Outline Planning Permission (OPP) reference EDC/16/0004 for the creation of Fastrack Bus Road West Route (**Phase 2A**). Approved on 27th September 2024.
- **EDC/23/0101** - Reserved Matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 at Granby Road comprising the Fastrack Granby Road route together with associated infrastructure including details relating to site levels (condition 9). Pending decision

- **EDC/24/0023** - Highways improvement works comprising road widening and road realignment of Grove Road including demolition of redundant building to accommodate the Fastrack route. Pending decision.

Wider Northfleet Embankment West Site – Development Platform

- **EDC/20/0147** - Formation of a development platform (residential and employment) comprising excavation and infilling of the site, including access roads. Approved by EDC on 7th July 2021

3.0 PUBLICITY AND REPRESENTATIONS

- 3.1 The application was publicised in the Ebbsfleet Development Corporation (EDC) weekly list of planning applications
- 3.2 Neighbour notification letters were sent to local addresses as well as adjoining major landowners Aggregate Industries and Brett Industries, NWM Properties and Tarmac.
- 3.3 The proposals were also advertised on site via 4no. notices and publication in a local newspaper for the following reason: Major Development.
- 3.4 In addition Northfleet and Springhead Ward Councillors Jo Hart, Peter Scollard and Alison Williams and Northfleet Harbour Restoration Trust were notified.
- 3.5 Public consultation for the development was undertaken by the applicant with on-line and an in-person consultation. The website went live on 21st February 2023 and the public exhibition took place on 7th March 2023. These preceded the revised version of the development now proposed.
- 3.6 At the time of publishing this report 1no. written representation had been received for this application. A summary of the comments is as follows:

First Plan on behalf of Aggregate Industries UK Ltd and Brett Aggregates Ltd (10/09/2024) – object for the following reasons:

- Without mitigation the external amenity areas could be too noisy for future occupiers leading to complaints and the industrial activities as neighbouring wharves may be constrained as a result. Further information about mitigation is required
- Internal noise levels with windows open would be unacceptable for future residents leading to complaints and the industrial activities as neighbouring wharves may be constrained as a result. Objection is maintained until details of alternative means of ventilation for affected facades are received
- There is the potential risk for significant adverse noise impact for some balconies in a worst-case scenario on Sundays, as both Brett and AI are permitted to operate on Sundays, potentially resulting in residents' complaints and nuisance action re wharf noise and adverse effect on the safeguarded wharf operators if, as a result, their activities were constrained

EDC Officer Comment: These matters are considered by the LPA's Noise Consultant and reported in the relevant section of this report.

4.0 CONSULTATION RESPONSES

4.1 The following organisations were consulted on both the original and revised application and the most recent responses are summarised below:-

LPA Noise Consultant advises that in relation to Cond 9b of EDC/16/0004 the proposals satisfy the requirements of Planning Condition 9b subject to planning conditions and they recommend that it can be discharged.

Southern Water – the water supply and sewerage services are the responsibility of IWNL (Independent Water Networks) with an inset agreement/NAV agreement in place between Southern Water and the IWNL for the supply of water and sewerage services. The connection/discharge points to the public network and agreed discharge rates must comply with inset/NAV agreements terms. More generic advice is also supplied in relation to responsibilities for determining asset location and easements around infrastructure in relation to tree planting and SUDs features.

EDC Officer Comment: This advice has been shared with the applicant.

National Trail Officer (England Coast Path) – The application affects the Grain to Woolwich section of the King Charles III England Coast Path (KCIIIIECP). In previous discussions with the applicant, it was agreed that the KCIIIIECP would realign through the new riverside park. The proposed diversion shown in the revised submission is supported. (Various advisory comments for the applicant's attention are also supplied.)

EDC Officer Comment: This advice has been shared with the applicant.

Health and Safety Executive (Gateway One) – HSE is content with the fire safety design as set out in the project description and following the proposed amendments, to the extent it affects land use planning considerations.

EDC Officer Comment: This advice has been shared with the applicant.

Natural England – advise they have no comments to make.

KCC Minerals and Waste – advise they have no comments or objections.

Port of London Authority - objects to the proposal for the following reasons:

- The acoustic report states that BS4142 approach to assess the impact of industrial activities on new residential developments is not appropriate. This is incorrect
- Noise impacts, particularly to balconies facing safeguarded wharves is of concern in the light of the Agents of change principle
- Further noise mitigation of balconies is required
- Without further mitigation the proposal is contrary to Policy DM8 of the Kent Minerals and Waste Local Plan (safeguarded wharves)
- Where alternative ventilation to prevent overheating is to be installed, in those units which may experience noise disturbance from industrial activities, opening windows will still be possible and future occupiers must be made fully aware of the noise environment and mitigation measures
- Appropriate riparian life-saving equipment should be installed along the river edge as part of the public realm proposals

EDC Officer Comment: This is considered in detail in the noise section of the report. Subject to appropriate mitigation measures the proposed development should not impact on the existing industrial uses in the vicinity of the application site.

KCC Highways – In respect to the Framework Site Wide Car Parking Management Plan KCC comment:

- it is essential that residents are informed of the parking management strategy at time of purchase
- it is essential that regular parking enforcement on the site is undertaken (in perpetuity) to ensure that the strategy is adhered to and issues resolved quickly
- the parking strategy and management must not result in negative impact on the adopted highway
- the proportion of visitor spaces does not accord with EDC standards and there is already a low provision on the site
- what happens if the Management Company ceases to trade and there is no company to distribute the permits? Who would control the bollards?
- the three car club spaces on the site must include the vehicles as well as the spaces
- the applicant must pay for a TRO consultation for parking controls to be implemented in the surrounding streets (likely to include Wallis Park, College Road, Washmill Gardens, Warwick Place, Warden Court, Kingston Court, Fisherman's Hill, Ford Road, Hive Lane, Factory Road) as well as the cost of implementing the TROs should they be deemed to be required by KCC following the consultation.

In relation to layout of Fastrack (for adoption) a few minor details need updating at detailed design stage (for adoption) to accord with the details in the approved Fastrack reserved matters application EDC/23/0100).

In relation to the private highway areas there are a number of aspects that do not meet requirements:

- The refuse vehicle tracking appears to overlap a pre-cast concrete wall of unknown height
- Pedestrian visibility splays are insufficient and the podium car park vehicle gates are shown opening outwards blocking the footway
- Cyclist visibility splays do not meet with standards in all places
- The visibility splays for the podium parking are insufficient and vision is blocked by parked cars

EDC Officer Comment: This is considered in detail in the highways section of the report.

Kent Fire and Rescue – supply observation comments related to building regulations requirements for emergency access and facilities provision.

EDC Officer Comment: This advice has been shared with the applicant.

Active Travel England – No objection.

UK Power Networks – advise in relation to party wall act responsibilities in relation to any existing substations and generic advise in relation to development in the proximity of their existing infrastructure.

EDC Officer Comment: This advice has been shared with the applicant.

Marine Management Organisation (MMO) – advise that Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in

accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. Marine plans are a statutory consideration for public authorities with decision making functions.

EDC Officer Comment: This is considered in detail in the appraisal section of the report.

Gravesham Borough Council Housing Strategy Officer advises:

- 82 affordable housing units of 273 units are provided in this phase which equates to 30% and is correct
- In accordance with the S106 the tenure of the affordable housing meets to the 60/40 split in favour of shared ownership
- In terms of the size of the rented homes more houses in place of flats would be desirable
- It would be desirable that some of the 18 x 2 bed-4 person homes be provided as 2 bed-3 person homes
- A cap is suggested in relation to the shared-ownership homes that only 12 x 1 bed-2 person be provided with the remainder as 2 bed-3 persons due to the RP market for shared ownership
- The 4 x 1 bed-2 person wheelchair accessible homes should be for rent rather than shared-ownership as there is more demand of this type of accommodation for rent
- A discussion with the applicant and their RP provider around the above matters would be welcomed

EDC Officer Comment: Comments forwarded to the applicant for consideration. It is noted that there is no objection to the housing mix or affordable housing provision.

Gravesham Borough Council Environmental Health Officer (noise): If external amenity space in the form of private balconies is to be provided as part of the scheme, then noise levels on these must not be excessively loud. The importance of suitable external spaces is well documented in terms of the impact on health.

EDC Officer Comment: This is considered in detail in the appraisal section of the report.

Environment Agency – No objection subject to planning conditions to overcome their previous holding objection. Conditions related to: operational access kept clear; agreement of flood barrier operational access during construction; demountable street furniture; no services to the rear of the flood barrier; finished floor level of minimum 8.0AOD; new retaining wall; surcharge loadings on flood defences; validation/completion drawings provided to record relationship to flood defence; Ecological and Lighting Management Plan; undeveloped 16m buffer for the watercourse.

EDC Officer Comment: Landscape and Ecological Management Plan (LEMP) and external lighting, other than street lighting, are secured by conditions in the outline planning permission and suggested condition 7 relates to street lighting, based on the latest site layout. The EA have agreed to amendments to their suggested conditions as set out above.

LPA Air Quality consultant – The conclusions of the submitted Technical Note that updates the 2009 ES, prepared as part of the original outline application, is agreed. Regarding operational impacts the TN considers the original ES assessment remains

valid and operational impacts were not considered significant. Overall, with the CEMP in place it is unlikely that there will be residual dust impacts during the construction phase.

EDC Officer Comment: A CEMP was approved under reference EDC/21/0078 for the residential parts of the site.

Kent Police Designing Out Crime Officer (DOCO) - recommends the provision of informal association areas, that are subject to natural surveillance and well-lit, for members of the community, particularly young people; perimeter/boundary treatment must be a minimum of 1.8m; SBD guidance highlighted in respect to pavements and shared vehicle/pedestrian routes; security should be provided for motorbike/electric bikes; the use of parking courts should be avoided where possible due to increased opportunities for crime, when unavoidable the parking courts should be subject to natural surveillance; signage should mark visitor parking spaces for clarity; planting/trees should not reduce opportunities for surveillance; lighting plans should be reviewed by an ILP lighting professional; advise re door/window/cycle store security; the use of trade buttons to prevent access for non-residents; defensive treatment for ground floor windows; best practise for the design of communal entrances, including the use of CCTV.

EDC Officer Comment: This advice has been shared with the applicant

KCC Heritage - The archaeological works plan accurately records the archaeological remains of the former dock within Phase 3A which will be preserved in situ. No further archaeological fieldwork is required. The installation of public art and heritage interpretation (condition 15) remains outstanding but should be as part of a site wide design informed by the results of the heritage investigations.

EDC Officer Comment: This would be secured by condition.

KCC Lead Local Flood Authority (LLFA) – No objections to the proposals.

KCC Ecology - KCC advise the mix of native and non-native plants within the indicative planting plan will benefit biodiversity, although increased number of native species would be preferable. The submitted lighting plan demonstrates that the light levels do drop to less than 1lux relatively quickly and will not result in light spill on the adjacent Thames River. They recommend adopting the KCC highways dimming regime (regardless of whether it is adopted or not) to further reduce light spill which will benefit both nocturnal animals and residents. The enhancements within the submitted Ecological Mitigation and Enhancement Plan must be fulfilled.

EDC Officer Comment: This would be secured by condition.

- 4.2 The following organisations were consulted on the application but provided no comments:

Kent Wildlife Trust
National Grid Plant Protection
Royal Society for Protection of Birds

5.0 PLANNING POLICY

National Policy and Guidance

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

Development Plan

- 5.2 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.
- 5.3 Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework.
- 5.4 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.
- 5.5 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
- CS10 - Physical and Social Infrastructure
- CS11 - Transport
- CS12 - Green Infrastructure
- CS13 - Green Space, Sport and Recreation
- CS14 - Housing Type and Size
- CS15 - Housing Density
- CS16 - Affordable Housing
- CS18 - Climate Change
- CS19 - Development and Design Principles
- CS20 - Heritage and the Built Environment

Gravesham Borough Local Plan First Review 1994 - Saved Policies

- T1 - Impact of Development on Highway Network
- T5 - New Accesses onto Highway Network
- P3 - Policy for Vehicle Parking Standards
- LT6 - Additional Open Space in New Housing Development

Supplementary Planning Guidance

- SPG 2: Residential Layout Guidelines (Adopted Feb 1996 - Amended June 2020)
- SPG 4: Kent Vehicle Parking Standards (July 2006)

Kent Minerals and Waste Local Plan (September 2020)

DM8 – Safeguarding Minerals Management, Transportation Production & Waste Management Facilities

Other Guidance

Ebbsfleet Implementation Framework 2017
Design for Ebbsfleet Guide
Ebbsfleet Public Realm Strategy
Ebbsfleet Sustainable Travel Strategy
Design for Gravesham 2024
South East Inshore Marine Plan 2021

6.0 PLANNING APPRAISAL

6.1 Principle of Development

- 6.1.1 The application site lies within the urban area of Northfleet on the bank of the River Thames. The site lies also within sub area 1.4 of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, which is a key site identified in the Gravesham Local Plan Core Strategy (LPCS Policy CS03) for residential extension between the existing established community of Northfleet and the River Thames. LPCS Policy CS10 relates, in part, to social infrastructure and that support will be given to proposals that lead to the provision of additional infrastructure that improves community well-being and that such infrastructure will be put in place in a timely manner to support new development.
- 6.1.2 As well as demonstrating compliance with adopted Gravesham LPCS policies, it is also necessary for reserved matters submissions to comply with the comprehensive set of design parameters and high-quality design framework set by the site-specific detailed residential masterplan, approved in part under reference EDC/20/0080. In addition to incorporating commitments of approved outline site-wide strategies, the masterplan embedded principles contained within EDC design guidance including Design for Ebbsfleet, Ebbsfleet Sustainable Travel Strategy and Ebbsfleet Public Realm Strategy and aligned with the Ebbsfleet Implementation Framework.
- 6.1.3 The proposals comprise part of the third residential phase of the Northfleet Embankment West mixed-use development, with the principle of residential use of the application site established through the outline planning permission and approved residential masterplan. LPCS Policy CS02 prioritises residential-led development taking place in the urban area, and the location is sustainable being close to existing bus stops, local shops and primary school. The new east-west Fastrack corridor is proposed to run through the site, further supporting the location as being sustainable for residential development.
- 6.1.4 The outline planning permission included a community facility to serve the new residential development that was shown in the parameter plans to be located at The Hive (east of Hive Lane). A non-material amendment application (EDC/20/0077) was approved allowing the relocation of the community building to Phase 3A. The relocation was allowed primarily as it would reinforce and support activity and vibrancy of the new riverside park, as well as offer a small increase in floorspace. A further non-material amendment was granted (EDC/23/0034) which, in part, increased the minimum floorspace of the community facility from a minimum of 200msq to a minimum of 250sqm.

- 6.1.5 The current proposal includes the provision of approximately 350sqm of community floorspace, including ancillary floor area such as bins stores, split between two buildings, Blocks H and G. Each of the separate spaces would have a kitchenette and w.c. facilities with other ancillary space provided in Block H. This is considered to meet with the principle of the requirements for the community facilities. The approved Phasing and Implementation Plan details that the community facility would be made available for handover prior to 50% occupation of the residential building within which it is located.
- 6.1.6 The outline planning permission also included areas of formal public open space with the Riverside Promenade within this current phase set out in the approved parameter plans. With respect to the delivery of the open space within Harbour Village, the Phasing and Implementation Plan sets out that the Riverside Promenade open space, must be delivered prior to occupation of the 100th residential unit within Phase 3A
- 6.1.7 Having established the principle of development as being acceptable, it is considered that the main issues to consider are as follows:
- Matters of Layout, Scale and Appearance
 - Matter of Landscaping
 - Matter of Access
 - Highway Impact and Parking
 - Community Facility
 - Affordable Housing
 - Residential and Neighbouring Amenity
 - Heritage
 - Public Art
 - Sustainability
 - Flood Risk
 - Biodiversity and Ecology
 - Other considerations
 - Planning Obligations

6.2 Reserved Matters - Layout, Scale and Appearance

- 6.2.1 Gravesham LPCS 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. Delivery Theme 1 of the Ebbsfleet Implementation Framework seeks to ensure that the designs of new neighbourhoods follow good urban design principles to deliver attractive, safe, and efficient layouts that contribute positively toward an appropriate character for the Garden City.
- 6.2.2 Gravesham LPCS Policy CS15 requires all new housing to be developed at a density consistent with achieving good design that does not compromise the distinctive character of the area it is situated. As a development within the urban area a minimum density of 40 dwellings per hectare (dph) is expected to be achieved. The Phase 3A parcel has an area of about 2.1hectares (ha) and the proposed density in this phase equates to approximately 130dph, in accordance with this policy.
- 6.2.3 NPPF paragraphs 131 and 135 require developments to be visually attractive as a result of good architecture, layout, and appropriate and effective landscaping, sympathetic to local character and history. New development should establish or

maintain a strong sense of place, and create attractive, welcoming, and distinctive places to live, work and visit.

- 6.2.4 The approved masterplan established a strong movement structure based on a gridded street network that connects the existing settlement of Northfleet, to the south of the site, with the River Thames to the north. The site layout and street typologies are identified within the masterplan and the Phase 3A proposals substantially accord with them and the scheme uses perimeter blocks to create a very strong level of enclosure to all streets and public spaces across the site.
- 6.2.5 The detailed residential masterplan identifies seven character areas for the residential land. Phase 3A has adopted a design narrative informed by analysis of historic building types and specific buildings found along the Gravesham riverside, and within Gravesham town centre. The Fastrack road splits the site in two, creating two separate character areas; an 'industrial riverside' character area to the north that is inspired by riverside warehousing, and a more 'Georgian town' character area to the south that is informed by Georgian and Victorian residential building typologies found in Gravesend. The building heights proposed in this phase are in accordance with the parameters set out in the outline planning permission and residential masterplan.
- 6.2.6 Blocks A-C to the south of Fastrack are described as referencing a contemporary Georgian design narrative. These four storey buildings meet the approved increased number of storeys following a non-material amendment to the building heights parameter plan. They are expressed with a white plinth and contrasting redbrick to upper levels. The introduction of arched windows and feature brickwork window surrounds, as well as feature stone banding, establishes a clear character to these blocks, and while there is similar materiality as blocks to the north, they are sufficiently differentiated to have their own character. The balconies have been expressed in a light neutral colour that does resonate with the design narrative, and is unusual, although the design of the structure and balustrading does generally comply with design guidance it fails to develop this any further than the most basic of detailing. Providing differentiated balustrading design between apartment blocks would be preferable, other than in colour.
- 6.2.7 Blocks D-G sit in the 'industrial riverside' zone and at 5 storeys high they accord with building heights within the masterplan. These blocks have been robustly massed as linear forms directly perpendicular to the river frontage, topped with gabled roofs that do manage to invoke historic riverside warehousing. Windows are laid out on a strict grid, with feature bays expressed through the addition of balconies and arched windows on the top storey, providing additional visual interest. The ground floor elevations are more richly articulated, with alternate pulled brick courses creating a good level of texture and visual interest to the facades. The architectural composition seen in the end elevations (facing onto Fastrack and the riverside) introduce an additional layer of articulation through four vertical bays inset into the brickwork, within which sit the windows. The end elevations also include feature chimney like formal elements. A range of detailing is utilised around ground floor openings to differentiate individual blocks within the street and provide a good level of visual interest. While many of the design details in themselves are relatively common in contemporary schemes, the specific combination employed in this scheme recognisably speaks to the intended design narrative.
- 6.2.8 The height and form of Block H demarks it as a landmark building, in accordance with the masterplan and Building Heights Parameter Plan, with a recognisably differentiated massing and materiality to other blocks in the scheme. At nine storeys in height it is taller than the other buildings and has a triangular footprint that contrasts with the

linearity of the other apartment blocks. Large distinctive signage has also been incorporated into two of the facades to reference a common trope of industrial riverside warehousing. While the approach to the articulation of the facades and the detailing is generally similar to other blocks in the scheme, the triangular form and height ensure it is distinctive enough to form a landmark building not only within the site, but more generally within the area.

- 6.2.9 Active uses have been incorporated around the perimeters of the blocks within the northern, riverside part of the development, including generous communal entrance lobbies, community facilities, residents facilities and a small number of apartments. Overall this strategy has prioritised the activation of key corners and has successfully managed to activate large sections of the surrounding streets and public spaces. However it is disappointing that the scheme has not managed to activate the south-eastern corner of block D adequately. This has been mitigated to some extent through additional articulation of the façade design to provide more visual interest, and given the passive surveillance from the southern blocks, this is deemed acceptable. Blocks A, B and C (southern side of Fastrack) and Block H (landmark building) propose biodiverse/brown roofs (0.168 ha to accord with masterplan requirement) whilst blocks D, E, F and G would have pitched, tiled roofs. The revised Energy and Sustainability Statement has now confirmed PV panels will be located on the roofs of all blocks, with final details to be agreed by use of planning condition. In accordance with the S106 and the masterplan the formal open space of the riverside park/promenade is located to the north of Blocks D to G.
- 6.2.10 Overall, subject to appropriately worded planning conditions, the layout, scale and appearance of the proposed development is considered acceptable.

6.3 Reserved Matter -Landscaping

- 6.3.1 Gravesham LPCS 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. This is supported by policy CS12 which seeks a multifunctional linked network of green spaces, footpaths, cycle routes and wildlife stepping stones and corridors. Delivery Theme 4 of the Ebbsfleet Implementation Framework emphasises bringing in the 'green' landscaping to promote healthy landscapes and encourage active lifestyles.
- 6.3.2 The applicant seeks to discharge conditions 9 and 15 of the outline planning permission in relation to this phase. Condition 9 in part requires 'a schedule of the public open spaces...including details of location, layout and typology.' Condition 15 requires, in part, a range of information to be provided including design and maintenance of the public realm and other areas with a public amenity function. Other aspects of these conditions are discussed also within this report.
- 6.3.3 The outline masterplan establishes a riverside linear park that extends the harbour to west to form a riverside park along the north and western boundary of the site. These softer parkland spaces are complimented by a landscape of courtyards and streets referencing the wharf side heritage of the area, with a generous network of street trees and planting area incorporated into these harder spaces and streets to provide a network of green infrastructure across the site. The current proposal has developed these principles.
- 6.3.4 The proposed riverside park provides good levels of soft planting, informal play and seating while balancing the needs for access for maintenance and servicing of the river wall flood defence. Ramps and stairs are carefully incorporated into a strong angular

geometry, which mitigates between the geometries of the buildings and the riverside wall. This geometry also helps to make sense of the complexities of the changes in level, which have raised the finished floor levels of buildings to 8.0m AOD to provide the flood defence to the site and creates a legible spatial framework for the amenities and facilities within the parkland.

- 6.3.5 The linear park wraps around the corner of landmark building, Block H, to form the eastern flank of Northfleet Harbour, and to ramp down to street level. The changes in level between the current harbour wall and flood defence level has necessitated the introduction of significant retaining walls on this eastern side of the harbour, but these lack any articulation or greening to soften their visual impact. This is a missed opportunity to incorporate green infrastructure into the wall to add sensory interest to the space.
- 6.3.6 Additionally, the proposal has included further green infrastructure through the provision of podium gardens between blocks D and E, and F and G, brown roofs to blocks A, B and C and wildflower planting along the retaining wall adjacent to Bevan's Jetty. The scheme generally employs good levels of tree planting and low level planting aligned with the street hierarchy and the public realm strategy, with the larger trees situated along Hive Lane and smaller trees, planting and podium gardens situated on other routes. The podium gardens provide generous gardens to adjacent first floor apartments and communal space for residents and are a successful addition. Good levels of planting and trees, informal play and seating help to provide a programme for the space and encourage its use.
- 6.3.7 The only areas of concern are the car parks to the east of block D, and within the car parks of Blocks A, B, and C, which have failed to provide one tree per 4 parking spaces as required by the design guidance. Whilst the indicative surface water drainage scheme directs its outfall to the SUDs park at Robins Creek some surface level SUDS features could be included and some further green infrastructure introduced into the retaining wall along the Robin's Creek harbourside to provide relief to the hard surfacing. These comments have been provided to the applicant for further consideration and the use of planning conditions are required to achieve additional areas of soft landscaping within the central and western car parks, to enhance the quality and appearance of these areas of public realm year round; details of tree planting in relation to underground services and lighting, and details of the tree planting particulars. The Environment Agency biodiversity officer has also highlighted the proposed use of a non-native invasive species that he considers is not appropriate for this riverside location. Final planting details would need to be the subject of a planning condition and can account for this.
- 6.3.8 Overall, subject to appropriately worded planning conditions, the landscaping of the proposed development is considered acceptable.

6.4 Access (Reserved Matter), Highway Impact and Parking

- 6.4.1 Gravesham Core Strategy Policy CS11 seeks new developments to mitigate their impact on the highway and public transport networks. Local Plan saved policy T1 supports this through requiring the impact on the transport system be considered and that all proposed developments are adequately served by the highway network. Policy T5 requires the formation of new accesses, or the intensification of existing accesses to only be permitted where no danger would arise and where a properly formed access can be created in a location and standard acceptable to the Local Planning and Highway Authorities.

- 6.4.2 Paragraph 115 of NPPF 2023 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 114 advocates that appropriate opportunities to promote sustainable transport modes should be taken up, and that safe and suitable access to the site can be achieved for all users, and that significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.
- 6.4.3 As a point of note, matters of road adoption and parking management within the Harbour Village development have evolved since the grant of outline planning permission, the agreement of the masterplan and early RM phases. At the time of determination of Phases 1B Reserved Matters the applicant's proposal was based on the roads within the site being adopted as public highway and the use of permit parking spaces within the streets, to be managed by Gravesham Borough Council. At the time that Phase 2 was presented to planning committee the applicant had advised that all roads within the Harbour Village development were to be retained in private ownership, other than the section of Fastrack that falls within the Phase 3A site boundary. They propose that a management company will be set up by Bellway to manage ongoing street maintenance (including verges and lighting) through a service charge to residents.
- 6.4.4 The applicant has explained this decision is due in part due to the low-numbers of on-street parking spaces created in earlier phases and the Residential Travel Plan and more recently Building Regulations requirements that every house in the development must have at least one Electric Vehicle (EV) charging point, but the Local Highway Authority does not permit Electric Vehicle charging units to be located within an adopted highway verge. Early phases of the Harbour Village development has approved houses relying only on on-street parking and as such it is necessary for EV charging units to be located on-street to service these parking bays, which the applicant now also proposes will have to be allocated, rather than unallocated spaces as they were when Phases 1B and 2 were considered. Therefore, the decision was made to retain the roads within private ownership to facilitate the provision of on-street EV charging facilities.
- 6.4.5 Furthermore, it is now intended that a single site wide parking management strategy will be employed for the whole of Harbour Village, as an outcome of the decision to retain the roads within the site in private ownership and the allocation of all parking spaces within earlier phases, and within parking zones within Phase 3A.

Reserved Matter -Access

- 6.4.6 The primary motorised vehicle access route through the site is a continuation of the north-south Hive Lane road extension which runs through Phases 1B and 2. This road extends into Phase 3A with the road layout is generally in accordance with the residential masterplan, to ensure a cohesive and legible scheme. Hive Lane is classified as a Level 2 residential distributor street which is 6 metres in width, in line with KCC standards for a local distributor road. Other roads around the phase accord with the masterplan.
- 6.4.7 The submitted Vehicle Strategy shows the road to be used by Fastrack buses running east-west through the phase, with the primary crossing point raised table falling within the red line of the application site for Phase 3A. The road would be for the use of Fastrack buses and private vehicles with access points to allow traffic to cross to the northern part of the Phase 3A development. A second access off the road is also

proposed to serve the phase and has been agreed with the Local Highway Authority, consisting of a crossover access to and from the surface car park between Blocks H and G at the western side of the site.

6.4.8 Within the northern part of the site the main crossing over the Fastrack route provides vehicle access to the majority of the visitor parking spaces and the loading bay. From this route also there is access for authorised residents to the restricted podium parking areas, under Blocks D/E to the east and F/G to the west, and through the podium parking areas to the surface level car parks beyond on each side. In addition, there is alternate direct access off Fastrack to the surface level parking area between block G and H, as that car park would also provide spaces to serve the community facilities who are not able to route through the secure podium parking areas. For refuse vehicles and emergency vehicles the route around the site would be across Fastrack from Hive Lane and then utilising of the bollarded (locked), pedestrian/cycle shared-surface route that splits to the east and the west on the northern side of Blocks D/E (running east) and Block F/G (running west), as these large vehicles can't access around the site through the podium parking areas.

6.4.9 It has been raised by the Local Highway Authority that not all of the vehicle pedestrian and cycle vision splays conform with the Kent Design Guide. The vehicular vision splays for the podium parking areas are shorter than required for a 20 mph road speed and they are also interrupted by parked cars and an occasional tree. The applicant has advised that the vehicle speeds at this part of the development will be very low due to vehicles having to negotiate tight corners along short access roads.



Extract from submitted tracking drawing showing ingress/egress from podium parking access points entrances from of central access road

6.4.10 It is noted that Manual for Streets does highlight that *'parking within visibility splays in built-up areas is common, yet it does not appear to create significant problems in practise. Ideally, defined parking bays should be provided outside the visibility splay. However...where speeds are low some encroachment may be acceptable.'* (point 7.8.5) In this case the vehicle vision splays are considered to be acceptable notwithstanding the issues identified by the KCC officer.

6.4.11 In relation to the pedestrian visibility splays whilst many meet the 2m x 2m requirement in Manual for Streets some, such as the podium parking entrance/exits, are undersized and additionally are shown utilising outward opening gates blocking footways – as in the below extract of the same podium entrance/exit as the extract above. This shows only a 1m x 1m visibility splay and would rely on exiting cars driving centrally out of the opening. The applicant has confirmed that security gates are incorrectly drawn and should be shown as sliding gates.



Extract from pedestrian visibility splay drawing showing 1m x 1m vision splays at podium access point off central access road.

6.4.12 Therefore, notwithstanding the submitted details the pedestrian vision splays and gates will need to be revised and improved and can be controlled by planning condition. This review needs also to include the inter-visibility for cycles, which in places does not currently meeting the adopted guidance. Overall, subject to appropriately worded planning conditions, the access of the proposed development is considered acceptable.

Highway Impact

6.4.13 The highway impact of the mixed-use development as a whole has been accepted under the outline planning permission, including the provision of a series of financial commitments within the s.106 Agreement including a study to assess the operation of the Northfleet High Street/ Hive Lane Junction and highway improvement scheme (if necessary based on criteria set out in the s.106 Agreement); a financial contribution towards the cost of a Traffic Regulation Order (TRO) at Northfleet High Street/ Hive Lane; a financial contribution towards the provision of Fastrack bus services; and delivery of the Fastrack route and bus stops.

6.4.14 The application site lies within a 'highly accessible' area, as identified by EDC's Sustainable Transport Strategy (STS), due to its location near to existing bus routes along Northfleet High Street and Northfleet Railway Station, as well as local shops and a primary school. The future east-west Fastrack route would run through the Phase 3A area with Blocks A, B and C to the south of the Fastrack and blocks D, E, F, G and H to the north of the Fastrack. Within the agreed Phasing and Implementation Plan the timescale for provision of the 'Bus Road West', running through Phase 3A, would be prior to the occupation of the 100th residential unit within Phase 3A. Bus Road East is required to be delivered prior to the occupation of the 500th unit within the Harbour Village site as a whole. The whole site also incorporates the diverted route of King

Charles III England Coast Path alongside other pedestrian and cycle routes, cycle storage, and car club spaces. The Phasing and Implementation plan includes items for the diversion/extension of Public Rights of Way NU3, NU6, NU42 and NU7A. The England Coast Path and PROW NU6 will be diverted to run along the Riverside promenade within Phase 3A and will link to PROW NU3 at the east boundary of the site.

6.4.15 The outline planning permission required the agreement of a Residential Travel Plan (RTP) as well as providing a range of sustainable transport initiatives. The RTP (condition 33 of EDC/16/0004) for Harbour Village was approved under reference EDC/22/0096 and included:

- the provision of one 7kW electric vehicle charging point per house and 10% active and 90% passive (including ducting installed) for each parking court;
- unallocated on-street parking subject to a parking permit and managed by Gravesham Borough Council;
- secure cycle storage for all units at a rate of 1 per bedroom;
- visitor cycle stands at Chimney View Park;
- appointment of a Travel Plan Co-ordinator;
- provision of a car club on site with a minimum of 3 spaces provided;
- one year's free membership per household to the on-site car club (on demand).

6.4.16 Notwithstanding the 'highly accessible' location of the site the masterplan parking principles take account of the context of the local area, as the committee report for EDC/20/0080 states in paragraph 7.73:

“However it is necessary to consider site-specific issues and in this case, as the site lies directly adjacent to an existing residential area, the developer has raised concerns that reduced parking in the development would result in parking overspill to the surrounding streets. This concern has been raised by the local ward councillors. The developer does though accept that a bespoke parking standard is appropriate for this site to balance parking requirements and market demand whilst also promoting sustainable travel options.”

As a result, a bespoke residential parking ratio was agreed within the residential masterplan that exceeded the EDC Sustainable Travel Strategy guidance levels. That parking ratio is:

- 1 bedroom apartment – 1 space
- 2 bedroom house/apartment – 1 space
- 3 bedroom house – 1.5 spaces
- 4 bedroom house – 2 spaces
- visitor parking in addition to residential parking numbers
- one active electric vehicle (EV) charging point per house with a garage or driveway
- 10% active and 90% passive provision for shared parking courts cycle stores.

6.4.17 For this site the impact of the parking levels, and their accordance or otherwise with the agreed masterplan principle, will directly impact the operation of the highway. As the committee extract states above, there has been ongoing concern that inadequate residential parking levels within the Harbour Village site could result in parking overspill into the surrounding streets, which are already heavily parked, to the detriment of existing residents in those areas. Inadequate parking provision and management would also encourage unsafe and sporadic parking behaviour within both the

surrounding publicly maintained streets and the retained private streets on the site, such as parking on roundabouts or blocking vision splays.

- 6.4.18 In the surrounding area, the neighbouring residential streets are mostly adopted as public highway and they do not currently operate with any permit parking management but there are some restrictive road markings (e.g. double yellow lines). As such residents of Harbour Village, particularly of 'car free' units, as well as their visitors could opt to park a car in the surrounding streets.
- 6.4.19 It is also relevant when considering parking matters that Fastrack buses would only start running through the site in the very late stage/complete occupation of the Harbour Village development. The lack of the Fastrack bus service when first moving into the site might also increase the likelihood of car ownership for those without an on-site permit parking, such as residents of 'car free' units or with more than one car or a work van and increase the likelihood of overspill parking into unrestricted surrounding streets.
- 6.4.20 As such, in addition to being related to the matter of 'neighbouring amenities', the proposed parking levels/arrangements form part of the consideration of the 'highway impact' and are discussed in more detail below.

Parking

- 6.4.21 In addition to the bespoke parking ratio the masterplan also includes various other principles related to parking:
- indicative service bays located Fastrack, which have been removed within the current proposal for Fastrack (EDC/23/0101)
 - residential parking spaces along the riverfront (max. 16) to the north of Blocks D, E, F, G, which have been removed within the current proposal;
 - podium parking between blocks G and H, which has been replaced with surface level parking/landscaping within the current proposal.
- 6.4.22 None of these above parking principles have been taken forward in the Phase 3A RM application or the 'Fastrack' reserved matters application EDC/23/0100 following pre-application design and highway discussions and all of the above actions are accepted and would provide a betterment of the quality of the open space and flow of Fastrack.
- 6.4.23 During pre-application discussions some reduction of parking numbers below the agreed ratio in the masterplan were discussed in tandem with an un-allocated parking regime (other than on-plot for houses) and an enhanced package of sustainable travel measures. No layouts or final parking numbers were available at that time. The parking strategy seen within the current Phase 3A submission has evolved further since the pre-application discussions and have been further refined/explained during the progress of the Phase 3A RM application.
- 6.4.24 As a consequence of this evolution of the parking principles a 'Framework Site Wide Car Parking Management Strategy' (FSWPMP) has been submitted, at the request of EDC, in support of the Phase 3A Reserved Matter application. It is also intended by the applicant that the FSWPMP inform the 'parking management plan' conditions for the Phase 1B and 2 phases of residential development, which were granted Reserved Matters decision in the scenario of roads within the site being adopted.
- 6.4.25 As explained previously, at outline stage and in earlier RM phases the roads within the scheme were to be offered for adoption to KCC as the local highway authority and an

on-street, permit parking regime would have been managed by the Gravesham Borough Council parking enforcement team. However, the applicant now advises that all roads within Harbour Village are to be retained as private and not offered for adoption. All on-street, parking-court, podium and surface-level carpark parking will be managed by a private management company.

- 6.4.26 The 'Framework Site Wide Parking Management Plan' outlines that within the Phase 3A site there would be 204 car parking spaces and 1 loading bay provided, for the use of the proposed 273 dwellinghouses and the community facility. Of the 204 car parking spaces 183 are to be provided for residents, 17 are to be allocated for visitors (1 of which could provide an additional car club space in the future if required), 1 is to be installed for use by a car club and 3 are for the community centre, to accord with STS guidance for community spaces and based on the minimum floor space size required for the facility required within the s.106. The proposal equates to a parking ratio of 0.74 spaces per unit, including visitor and car club parking and excluding community facility and loading bay parking. Cycle parking is provided with 1 space per bedroom and 6 visitor spaces, is shown in accordance with policy.
- 6.4.27 The FSWPMP advises that for the residential parking a permit system will operate across Phase 3A, with permit access to park in one of four parking zones. Indicative zones have been appended to the FSWPMP. The number of permits issued will be equal to the number of parking spaces provided. The applicant advises that no unit will be allowed more than one parking permit and the first purchasers of the 2 and 3 bedroom units will be offered permits at time of purchase. Only after all of the 2 and 3 bedroom unit purchasers have either accepted or declined to purchase a parking permit will any remaining permits be offered to purchasers of the 1 bedroom units. At a change of ownership it would also be possible for the new owners of apartments to give up a parking permit should they not want it, and in this scenario that permit can then be re-offered to others who do not have a permit. Therefore, within Phase 3A there will be 86 apartments that are without a parking permit at all times, although which apartments those are may change slightly over the years. Effectively the RM proposal includes 86 'car free' residential units.
- 6.4.28 Furthermore, in addition to Phase 3A the applicant has also submitted the Reserved Matters application for Phase 3B (EDC/23/0078), although this is being held in abeyance by mutual agreement at this time. Currently in the Phase 3B application for 40 units (houses and apartments) a further 10 'car free' units would be created and no further visitor parking spaces would be provided.
- 6.4.29 Notwithstanding that the proposal does not accord with some of the parking principles within the masterplan, there is the flexibility to consider if an acceptable parking situation can be achieved in accordance with sustainability principles without compromising the ambitions of the masterplan. Sustainability principles do not want to see an overprovision of parking and at the consideration of the masterplan there were discussions related to a scenario where, if the take up of parking permits falls over time, it may be possible to revert some of the parking spaces to create additional public realm. This discussion was ongoing alongside the setting of a parking ratio higher than the EDC STS guidance, but the ambition remains. In a highly sustainable location it is especially desirable for residents to opt to use alternative forms of transport and not rely on individually owned cars for travel, particularly for this site as Fastrack will run through the site.
- 6.4.30 Furthermore, the masterplan principles pre-date the pandemic, which saw a change in working practises and lifestyles. Post pandemic many people work a significant amount of their working hours from home and there is now a significant reliance on

home delivery for goods and food, for example. In part to address these lifestyle changes, as well as being part of a package of measures alongside the lower parking ratio, the applicant has included a number of additional facilities/measures in support of sustainable principles and in addition to the approved Residential Travel Plan.

- A concierge on site to centrally receive home delivery packages for residents
- Provision of a business lounge (with w.c.) for residents of the riverside apartments so residents working from home have the option to work remotely from that space (funded by service charges to the market apartments)
- Provide a further visitor space to the original number proposed so that a 4th car club space can be provided in the future if desirable and viable
- Provision of an on-site resident's gym for riverside apartment residents in the first instance (funded by service charges to the market apartments)
- £100 cycle voucher for each unit
- two separate, serviced, community spaces which may allow for greater flexibility of use. These will be managed by the on-site management company.

6.4.31 Furthermore, with respect to the potential for overspill parking from Harbour Village into the surrounding streets, there was significant concern raised at the consideration of the masterplan by EDC planning committee and also by Gravesham Borough Council and KCC Highways officers in consideration of this RM application. Gravesham Borough Council have therefore put forward an obligation request for:

- £3000 toward Gravesham Borough Council design, consultation and advertising exercise for modifying the existing Traffic Regulation Order (TRO) in neighbouring public highway, to be paid prior to first occupation
- £10,000 towards Gravesham Borough Council modifying / introducing a Permit Parking Area (PPA), including costs associated with lining and signage, to be paid following TRO public consultation and decision to proceed with the modified/new PPA
- £51,000 towards Gravesham Borough Council's operational enforcement of the modified/ new PPA and towards any necessary amendments to controlled parking on streets in the vicinity of the development to address parking issues arising which Gravesham Borough Council considers are directly attributable to the development, to be paid following TRO public consultation and decision to proceed with the modified/new PPA.

6.4.32 A Unilateral Undertaking was considered to be the most efficient way to secure the requested funding for parking over spill mitigation measures. This was considered to be acceptable in principle to all parties, however GBC, who will have responsibility for the design, consultation, implementation and enforcement of any parking zones, have asked for greater flexibility in how they spend the £51,000 parking enforcement payment. They acknowledge and agree that the money cannot be used to address existing parking issues, but they are concerned that other enforcement scenarios as a result of overspill parking may occur and to which they may need to react. For example they may find overspill parking from the development spreads further if a new CPZ in the immediate streets to the site occurs, which may mean that the new CPZ or a neighbouring CPZ needs to change – maybe by changing the hours of enforcement, adding a further street, undertaking an additional enforcement officer visit each day etc. It is considered to be reasonable that reliance on expert knowledge and experience of the local authority is accepted and such flexibility of the spend be allowed, however this must be within the vicinity of the development.

- 6.4.33 The KCC Highways officers also urge that future residents be made aware at the time of purchase of the private nature of the streets and arrangements for the management and maintenance of the streets. In addition, it is considered to be critical that purchasers (particularly of the 1 bedrooomed apartments) are made aware that they do not have a right to park on the site without securing a permit and a developer is funding the installation of a Controlled Parking Zone in surrounding streets to prevent residents from Harbour Village parking within the local streets. A planning condition can be used to require details to confirm how future purchasers will be made aware of parking management regimes and allocation of spaces as part of purchase of this development, including how this will be communicated through the marketing process.
- 6.34 With respect to EV parking, the proposal will meet the requirements of the masterplan, Residential Travel Plan and current Building Regulations but some of the EV chargers will be within the private highway street verges and surface level car parks. As such details are required of their exact location and the design of the supporting apparatus, together with details of the ongoing maintenance responsibilities for the charging points should they need replacement or repair, in the interests of good design and sustainable travel.

Car club

- 6.4.35 The approved Framework Travel Plan (Condition 33 of the outline permission) agreed a minimum of 3 car club spaces be provided on the site. The details of two spaces have been approved within Phase 1B and one space is proposed within Phase 3A. The applicant requests that the final location of the Phase 3A space be agreed by planning condition. They also propose that a second space could also be provided within Phase 3A in the future with an additional visitor space being provided to allow for this.
- 6.4.36 Whilst the approved documents require car club spaces they do not specifically require the timely location of the cars within the spaces and that they be operational. The applicant advises that discussion is ongoing with 'Enterprise' to dispatch a car to the site with subsequent cars to follow but the applicant has also advised that the decision by the car club operator when to locate a car on the site is dependent on aspects such as the quantum of residents and demand to make the car club viable. There are no car club cars yet in place within the two Phase 1B approved spaces.
- 6.4.37 However, for Phase 3A there are proposed to be 86 'car free' units, with a further 10 'car free' units currently shown within the live (abeyance) Phase 3B proposal. Given the high number of 'car free' units within Phase 3A, which will likely be most of the one-bedroom units across the whole Phase 3A development, it is considered critical that the required car club space within the Phase has a car club car in-situ and operational before any of the units are occupied within Phase 3A. This then also makes the agreed Residential Travel Plan action of the provision of one year's free membership per household to the on-site car club (on demand) meaningful, as well as the £100 cycle voucher for each unit. The requirement for the installation and operation of the car club car can be controlled by a further planning condition, as per the recommendation.

Visitor parking

- 6.4.38 The masterplan does not specify a number or ratio for visitor parking but states it should be in addition to the residential parking for which it does secure a ratio. In the Ebbsfleet Residential Parking Standards (ERPS) 'approach to parking' the guidance says that a minimum of '20% of the total no. of parking spaces as unallocated within the public realm to provide visitor parking'. In the current proposal, a total of 17 visitor

parking spaces are proposed out of a total of 200 spaces for residents and visitor combined. However, within the EDC STS Residential Parking Standard itself there is a 'range' of parking space requirement for a 'highly accessible area' that ranges from 0 – 0.8 spaces per unit and is for the combination of visitor and residential spaces together. So notwithstanding the ERPS '20% visitor parking provision within the public realm' - the STS range could, theoretically, result in zero visitor parking spaces.

- 6.4.39 Looking at earlier phases the Phase 1B officer report does not refer to a number or percentage of visitor parking spaces, whilst the Phase 2 committee report advises 7 spaces (of the 53 on-street parking spaces) are designated for visitors, in a phase of 130 houses. That report states that 13% of the on-street parking spaces (public realm) is visitor parking. If the same criteria for measurement is applied then the 17 spaces represent 23.6% of the 72 parking spaces within the public realm (residential on-street and surface level car parking).
- 6.4.40 The KCC Highway officer is concerned in respect to the low level of visitor parking, but within this highly accessible location and with the package of mitigation measures secured and private management of the internal roads the visitor parking level is accepted.

Summary

- 6.4.41 The NPPF in paragraph 115 of NPPF (2023) 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. Subject to the implementation of a Parking Permit Area in adjacent streets and conditions to require updated Parking Management Plans for the phase, a car club car in situ and operational at first occupation, EV charging in accordance with the masterplan, an additional package of benefits to residents and vision splay amendments the highway impact of the proposals, proposed means of access and parking arrangements are therefore considered acceptable.

6.5 Community Facility

- 6.5.1 Earlier amendment application reports for changes to the location and scale of the community facility explain that the purpose of the community facility provision is to provide a useful local venue for community activities such as a playgroup, pensioner clubs and children's activities and the community building would be within a five minute walk for residents of the existing and future community.
- 6.5.2 Following amendment under application EDC/20/0077, the community facility was relocated from The Hive to the riverside. The relocation was agreed primarily as it would reinforce and support activity and vibrancy of the new riverside park in Phase 3A, as well as offer the small increase in floorspace from 180sqm to 200sqm. A further non-material amendment was then approved (EDC/23/0034) which in part increased the minimum floorspace of the community facility from a minimum of 200msq to a minimum of 250sqm.

Under NMA EDC/23/0034 condition 14 of the outline permission was amended to read:

'Applications for approval of Reserved Matters...in respect to the phase of development comprising the community facility...applications shall be supported by evidence of how proactive engagement with the local community has informed the detailed design, function, layout and specification of the community facility, including arrangements for the future management of the facility... The community facility shall

be constructed and available for use in accordance with a timetable set out in the Phasing and Implementation Strategy to be approved pursuant to condition 7'.

- 6.5.3 The approved Phasing and Implementation (EDC/20/0079) requires that the community facility would be made 'available for handover prior to 50% occupation of the residential building within which it is located.'
- 6.5.4 The current proposal is somewhat unexpected in that during the revision of the submitted applicant the community facility has been split into two separate, serviced spaces. The larger of which would be at the ground floor of Block H facing towards Robins Creek and has the possibility of ancillary external space. The second space, would be at the ground floor of Block G, facing the river to the north, and would have its own kitchenette and w.c. facilities. The combined floor area, including the ancillary/servicing floorspace, is 350.3sqm, which is more than the minimum of 250sqm required by condition 14.
- 6.5.5 In support of this application has been submitted a 'Statement of Community Involvement' that details public consultation, including with community interest groups, with some questions related to the community space. It is noted that this consultation pre-dated the division of the community space into two sections, located within 2 different buildings. The submission does not address the whole of condition 14 currently. As such condition 14 is not considered to be fulfilled in this application.
- 6.5.6 In relation to the details required under the condition the applicant advises that they have reached out to a number of potential operators, and there has been interest from the local community and community groups, however it will be some time (years) until either of the spaces become available and as such what community groups will be interested or what funding will be available at that time is unknown. The applicant therefore intends that the two community spaces will be retained by the future Management Company at the site and each of the spaces will meet the Phasing and Implementation Plan delivery requirement within the context of the delivery of the building in which each is located. This is an acceptable interpretation of the requirement but should the space within Building G come forward first there will need to be a condition to agree ancillary needs such as temporary bin storage and parking that would in the longer term be provided within/around Building H. Also, there needs to be the agreement of the management details for the spaces to ensure that these community facilities are open for the use of existing residents within the area also and do not become spaces only for the Harbour Village residents.
- 6.5.7 As such, notwithstanding the condition 14 of the outline permission, a further condition is required to agree the various management and operational details of the community facilities by the agreement of a Community Building Management Plan prior to occupation of the earliest of the community floorspaces. The Plan will need to refer to details of any necessary temporary parking spaces (which will need to be publicly accessible) and bin storage and the PMP will also need to detail how the final parking spaces for the community facilities will be controlled in the long term.

6.6 Affordable Housing

- 6.6.1 Gravesham LPCS Policy CS16 requires the provision of 30% affordable housing on all new housing developments of 15 dwellings or more or on sites of 0.5 hectares or more in the urban area. This was assessed at outline application stage and the S106 agreement consequently was agreed with 4 options for the delivery of Affordable housing on the whole application site. The 4 options are effectively a sliding scale of

the amount of on-site affordable housing provision versus a monetary contribution for off-site delivery.

- 6.6.2 The applicant's approach confirmed through the masterplan is to provide the full provision on-site, dispersed throughout the site and tenure-blind, which is an approach welcomed by EDC and the Borough Council. The Affordable Housing provision for Phases 1B and 2 were delivered in accordance with this approach and as such this is also proposed within Phase 3A. This option requires 30% of homes within the development to be affordable with a tenure split of 60% intermediate and 40% affordable rented housing. The S106 also requires that no more than 70% of the market units within a phase will be occupied unless and until all the Affordable Housing Dwellings in that Development Phase have been completed and transferred to the Registered Provider.
- 6.6.3 The Affordable Housing Scheme submitted with this application confirms provision of 82no. affordable dwellings equating to 30% of Phase 3A. Of these 30no. would be as Affordable Rent (18 x 1-bedroomed, 12 x 2 bedroomed) and 52no. would be as Shared Ownership (26no. x 1 bed, 20no. x 2 bed, 6no.x 3 bed).
- 6.6.4 The GBC Housing officer would have liked an adjustment of the unit mix, but they accept that with stacking in the apartment scenario and without having fed in comments on mix at a very early stage of design then changes to the mix is more difficult in the later stages. They have not made a holding objection to the proposal so these details are considered to be acceptable.

6.5 Residential Amenity

- 6.5.1 Gravesham LPCS Policy CS19 requires new development to be designed in an inclusive way to be accessible to all members of the community, and to have an appropriate level and quality of private and public amenity space.
- 6.5.2 Condition 9 of the outline planning permission requires finished floor levels and finished site levels to be in generally in accordance with the indicative ground levels submitted with the outline submission, to safeguard the amenities of residents within this flood risk area. Condition 9 also requires Reserved Matters applications to mitigate the effects of surrounding industrial and traffic sources of noise, informed by noise surveys to provide a suitably quiet living condition for future occupiers of the development.

Housing Standards & Mix

- 6.5.3 The proposed dwellings all comply with the Nationally Described Space Standard (NDSS). This would ensure acceptable and adaptable internal spaces, including prescribed levels of storage and minimum ceiling heights.
- 6.5.4 Regarding housing mix the Phase 3A area is identified for high density development with mostly a mix of one and 2 bedrooms and a low number of three-bedroom apartments. Within the whole of Harbour Village, a 50/50 mix of houses and apartments is directed within the masterplan. However, since the agreement of the original outline permission EDC/16/004 the maximum number of units within the wider site has increased from the original up to 532 dwellings to up to 567 dwellings. An increase of 35 units. To date Phases 1A, 1B, 2, 3A and 3B (as currently proposed) would provide 567 dwellings. Of these there would be 238 houses and 312 apartments. This mix is skewed to provide more apartments than the masterplan directed but Phase

3A is identified as a high-density residential location within the masterplan and is unsuitable for houses.

- 6.5.5 The proposed mix of unit sizes in Phase 3A is 102no. 1-bedroom apartments, 161no. 2-bedroomed apartments and 10no. 3-bedroomed apartments, so broadly in accordance with the masterplan.
- 6.5.6 The S106 requires that, in addition to the Wheelchair Ready Units, at least 50% of the Affordable Housing dwellings and 25% of the open market dwellings are to be built in accordance with Building Regulations Part M4(2) Category 2: Accessible and Adaptable Dwellings, to ensure that they are capable for adaption to meet the housing needs of those identified with mobility needs. The applicant confirms in the planning statement that *'in total 50% of the affordable units and of the private residential units will comply with the accessibility, layout and circulation space requirements required to meet M4(2) compliance. All rooms within each unit type are designed using appropriate furniture sizes, and provision along with associated activity and circulation zones.'* The Design and Access Statement Addendum confirms that the development will provide 259no. M4(2) units and 8no. M4(3) units. This would be secured by condition.
- 6.5.7 The S106 also requires that six of the affordable housing dwellings across the whole Harbour Village site are to be provided as wheelchair ready units. No wheelchair accessible houses were secured within Phases 1B or 2 but within Phase 3A there are eight units offered at Building Regulations Part M4[3] - Accessible and Adaptable Dwellings within Block A. These would all be as Affordable Rent.
- 6.5.8 In terms of outside space the NDSS does not provide a standard for external amenity space and the Gravesham Residential Layout SPG requires self-contained apartments which have two or more bedrooms are required to have either 10sqm of amenity space per unit, either private or as part of a communal space.
- 6.5.9 All the upper floor apartments would benefit from private balconies or private terrace areas around the edge of the podium roof gardens. Occupiers of Blocks D/E and F/G would also have access to the communal podium roof gardens. At this time the residents of Block H would not have access to the communal podium gardens, but the applicant advises that are looking at security measures to see if this can be achieved. Ground floor units would have enclosed small private areas to the front of the units, and ground floor units within Blocks E, F and G would also have use of the podium communal gardens.
- 6.5.10 In addition, all residents within Phase 3A will also have access to the Riverside Park open space, to be provided as part of this development (timing controlled by the Phasing and Implementation Plan), in addition to the Chimney Park play space, which is already delivered in Phase 1B, and the Bevans/Heritage Park that is approved and is due to be delivered prior to the occupation of the 150th residential unit within Harbour Village. This may occur before any of the residential units within Phase 3A are occupied.
- 6.5.11 As previously advised, in addition to the various outside spaces the Phase 3A development would also provide a residents' gym at the ground floor level of Block E for the residents of the riverside apartments, a 'business lounge' for the use of residents of the riverside apartments and a concierge service that will be able to accept home deliveries as well as manage the parking permits and the bollarded access for refuse/emergency vehicles as necessary.

Noise and Overheating

- 6.5.12 Gravesham LPCS 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 2023 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.
- 6.5.13 Whilst noise impacts were assessed at high level at the outline stage, the outline permission requires each reserved matters submission to be informed by an updated noise assessment.
- 6.5.14 This application is therefore supported by an acoustic report, together with additional notes to provide clarification and in response to both officer queries and representations from the Port of London Authority (PLA) and the consultant appointed to represent the interests of Aggregate Industries Ltd (AI) and Brett Aggregates Ltd (Brett). The PLA, AI and Brett are concerned with respect to the Agents of Change principle, particularly regarding balconies facing safeguarded wharves on Sundays in a worst-case scenario and internal noise with windows open. They are concerned regarding a potential for noise complaints from residents and nuisance action which would have a negative effect on the safeguarded wharf operators and as a result restrain their activities. The following noise sources have been identified as affecting the application site being from the following:
- Road traffic noise from Northfleet High Street and College Road;
 - Industrial operations from 42 Wharf to the north-east of the site;
 - Robins Wharf operations to the north-west of the site;
 - Bulk Aggregates Import Terminal (BAIT) and Bulk Powders Import Terminal (BPIT) industrial operations to the east of the site
 - Aggregate Industries/Brett Aggregates to the north-west of the site
 - Traffic noise from Fastrack operation through the site.
- 6.5.15 Regarding industrial operations these take place in connection with safeguarded wharves and minerals infrastructure, with the application site lying within 250m of these. The proposal is therefore required under Kent Minerals and Waste Local Plan Policy DM8 to demonstrate that introducing new dwellings into this area would not adversely affect, nor force unreasonable restrictions on, the adjacent industrial uses or safeguarded minerals infrastructure. KCC Minerals and Waste Planning Team advise that the acoustic report addresses the requirement of Policy DM8 confirming no objection.
- 6.5.16 The applicant's acoustic report and technical notes conclude that noise from the nearby existing and committed industrial operations is unlikely to have an adverse impact on the proposed residential receptors subject to mitigation in the form of an alternative ventilation system (MVHR) so that windows can remain closed in the non-overheating condition. MVHR is recommended to be secured by a planning condition.
- 6.5.17 During a daytime overheating condition, all parties agree that the MVHR system will not provide sufficient cooling ventilation and occupiers will be inclined to open a window for additional ventilation.

- 6.5.18 The consultant representing Aggregate Industries and Brett Industries however considers that additional mechanical cooling should be provided for all properties where the predicted industrial noise exceeds 45 dB LAeq,1hr at the external façade during the daytime, and where the industrial noise contribution is within 3 dB of the total value. Whilst the BS8233 internal noise guidance levels are not directly appropriate where the dominant noise is not anonymous (e.g. such as road traffic noise), the commercial operators' consultant suggests that it is appropriate to use in this case and with 9dB reduction being applied to the level for a window opened for cooling purposes this would establish an internal noise limit of 36dB during the daytime, when an overheating condition would occur.
- 6.5.19 The LPA's noise consultant advises that whilst they recognise that the discussed industrial noise is not anonymous noise, they consider that this criterion is overly stringent in the overheating case, falling below the equivalent Approved Document O threshold of 40 dB LAeq,8hr in bedrooms at night.
- 6.5.20 The LPA's noise consultant advises that they concur with applicant's noise consultant's position that 40 dB LAeq,16hr is also an appropriate internal noise limit for daytime resting conditions in the overheating condition. The subsequent external criterion, assuming an open window for cooling, would therefore be 49 dB LAeq,1hr, which is not predicted to be exceeded in this case at any proposed façade, under worst case operating and meteorological conditions. As such it is accepted that no additional mitigation measures to the MHVR are required to achieve an acceptable internal living condition in respect to noise, despite as sustained objection on behalf of the adjacent wharf operators and the Port of London Authority.
- 6.5.21 Regarding external amenity noise levels on proposed balconies, EDC's noise consultant does not consider that industrial noise levels would not be 'unacceptable', for the reasons stated below:
- The predicted industrial noise levels assume 100% on-time for all plant, which will be an overestimate over a 1-hour period;
 - The predicted levels are based on meteorological conditions that are ideal for sound propagation (light winds, dry). On occasions when the receptors are upwind (persistent) of the wharf facilities, actual worst-case industrial noise levels may be as much as 10 dB lower;
 - Future background sound levels are likely to be higher than measured in 2021, due to road traffic on the new Fastrack route at the south of the site;
 - Similarly, ambient sound levels will also be higher due to vehicles on the Fastrack route (potential masking of industrial noise);
 - Balconies have been excluded from the north facades (worst affected) of Blocks D,E,F & G;
 - The proposed balconies are of relatively small area, and therefore their amenity use is unlikely to be for extended periods of the day;
 - There is alternative quieter external amenity locally available within walking distance of the affected residential buildings, including Bevans Park.
- 6.5.22 In conclusion, subject to mitigation by means of the installation of MHVR in all units, the proposal is considered to satisfy the requirements of condition 9b. The matter of noise from new fixed plant, including the MHVR, can be controlled by planning condition which would include any necessary mitigation, to ensure a suitable quiet residential amenity for future and neighbouring occupiers. With the use of suitably worded planning conditions the and the development will provide an acceptable living

condition for future occupiers in relation to noise and overheating, and without detriment to the operation and interests of close-by industrial operators.

Air Quality

- 6.5.23 Policy CS03 of the Gravesham LPCS requires 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.
- 6.5.24 However, recently the Northfleet Industrial Area Air Quality Management Area (AQMA) was revoked after 5 years of compliance with national objectives. This is the result of a significant improvement in levels of PM10 in the area. The application site was located within this area before its revocation. The revocation does not however 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.
- 6.5.25 The residential masterplan responded to air quality concerns by locating residential development adjacent to existing residential areas and over 200m from potential dust sources. The RM application accords with the masterplan in this respect. In addition, the air quality impact from the proposed development to the surrounding area also needs to be appropriately mitigated. This includes dust generated during construction and traffic generation from new residents. Dust control measures are required to be detailed and agreed within the Construction Environmental Management Plan required for each phase of the development under outline planning condition 16.
- 6.5.26 Regarding vehicle emissions the proposed EV charging provision within this phase also contributes to reducing traffic emissions.

Neighbouring Residential Amenity

- 6.5.27 Paragraph 185 of the NPPF 2023 states that decisions should ensure that new development is appropriate for its location, taking into account the likely impacts on health and quality of life. This is interpreted locally through Gravesham LPCS Policy CS19 which states that new development will be located, designed, and constructed to safeguard the amenity of neighbouring properties including privacy, daylight, and sunlight.
- 6.5.28 Adjacent to proposed residential properties would be dwellings within Phase 2 of this residential development (currently under construction) and employment uses within the Abacus Corner employment site to the west, which currently has only a single manufacturing operator in situ on a short lease until November 2025. Finished land levels through the Harbour Village site would fall gradually as travelling north and as such the residential dwellings would within Phase 2, to the south, would be at a slightly higher ground level than Phase within Phase 3A.
- 6.5.29 The orientation and relative location of the proposed apartment blocks to the dwellings within Phase 2 are such that no detrimental impacts upon the amenity of the Phase 2 properties would occur with respect of loss of privacy, daylight, outlook or overshadowing from the proposed development, and vice versa. The proposals are therefore not considered to detrimentally impact neighbouring residential amenity.

6.5.30 In relation to neighbouring commercial operations the impact of the details of this RM development upon their operation is most critically considered to be noise under the agents of change principle. This is discussed within the 'Noise' section of this report.

6.6 Heritage

6.6.1 At the outline application stage, it was identified that a site-wide Heritage Management Plan (HMP) should be at the heart of the development as a tool to inform the detailed masterplan and individual reserved matters applications. Condition 6(a) of the outline planning permission related to the agreement of a site-wide Heritage Management Plan and the approved document identifies the guiding principles for the conservation of heritage assets within the site and incorporation of heritage into the development, including commitments to safeguarding assets, on-site display of artefacts, interpretation, local distribution of information and arrangements for recording/storage of artefacts.

6.6.2 A programme of archaeological work has been approved for the whole of the mixed-use application site under condition 20 of the outline planning permission, and a programme of historic building recording has been approved for the residential area under condition 22. The approved details therefore cover the requirements within Phase 3A for archaeological watching brief and reporting during construction and recording of historic features.

6.6.3 Following discovery of cement industry remains within earlier phases of the Harbour Village development the KCC Heritage officers provided a brief for archaeological mitigation work, for which a methodology document (Written Scheme of Investigation: WSI) was subsequently submitted and approved by KCC Archaeology. These works were subsequently implemented and are currently ongoing (with many areas complete).

6.6.4 A letter has been submitted in support of this RM application detailing the investigation works carried out on site in 2020 and the implementation of the watching brief that took place during the construction of the development platform works. The letter details that to date the following works within the Phase 3A site have been progressed:

1. Historic Building Record (Historic England Levels 1-3) – Archaeology South East (ASE) 2023;
2. Archaeological watching brief – Wessex Archaeology (largely complete, with one area to come)

6.5.5 All of the archaeological and historic building recording works have been undertaken with full liaison with the KCC Archaeological Advisor who has monitored the fieldwork as works have progressed. The supporting letter advises that the identified former dock structure (Bevan's jetty) has been retained in situ, other remains have been recorded and removed and southeastern area of Phase 3A an area of archaeological monitoring is still to be undertaken '*as soon as the area becomes available, and works will be progressed in line with the agreed WSI and in full liaison with KCC Archaeology*'. The letter continues '*Once all fieldwork has been completed, and confirmation of this has been received from KCC Archaeology, Wessex Archaeology will progress with the relevant programmes of subsequent post excavation assessment works, which will cover the whole of the Northfleet Embankment West development site as a single exercise.*'

- 6.6.6 The KCC Heritage officer agrees with the applicant's position above. The officer also highlights that the requirements for details of public art and heritage interpretation with Reserved Matters applications as part of condition 15 of the outline planning permission, which the applicant has applied to discharge as part of this RM application.
- 6.6.7 The HMP details that heritage interpretation panels will be included at relevant, visible sites or viewpoints close to the identified significant heritage sites within the Northfleet Embankment West site. The HMP details 'northern boundaries of the site, to reflect the waterside heritage'. The Design and Access Statement (DAS) identifies the location of two heritage boards within the proposed riverside park which appear logically located. However, until the archaeological post-excavation assessment and analysis has been completed the final location and content to the series of interpretation boards cannot be agreed. The KCC Heritage officer advises that the interpretation board details, and the artwork details need to cover the whole of the Northfleet Embankment West development site as a single exercise and not on Phase-by-Phase basis.
- 6.6.8 The DAS also provides a high-level Public Art Strategy at this time. It refers to historic referencing, consultation with the EDC with respect to the EDC Public Art Strategy, the potential for collaborative working with the community and local artists and the exploration of a connective heritage route through Harbour Village utilising embedded art within the landscape, street furniture and buildings.

Public Art and Heritage Interpretation

- 6.6.9 Regarding public art the committee report for the masterplan application (EDC/20/080) reads:
- "The approach to embedding heritage into the public realm and the three main parks is welcome, and potentially more sustainable and engaging than a piece of art work such as a sculpture. This also presents an opportunity for co-design with the local community, as advocated by the local ward councillors. That said, redevelopment of the wider site does present opportunities for sensitive relocation of the listed Bevans war memorial and Sphinx statue."*
- 6.6.9 Furthermore, the applicant is seeking to discharge condition 15 of the outline planning permission, as relevant to this phase of development, which relates in part to the design and maintenance of the public realm and the provision of and timetable for installation of public art and heritage interpretation (condition 15).
- 6.6.10 No specific details have been included within the submission in relation to public art and heritage interpretation. The Design and Access Statement identifies potential opportunities around an embedded art focus along the riverside promenade. It advises that an artist will be appointed to work collaboratively with the site architects and will be encouraged to explore a range of community engagement approaches when developing their concept work. This later timescale and the strategy proposed is understood and accepted but therefore, notwithstanding condition 15, this matter needs to be controlled by a further planning condition.
- 6.6.11 Likewise, the Design and Access Statement identifies that two interpretation boards are to be located within the Riverside Park and the location of these are shown on the submitted General Arrangement plans. No further details have been supplied other than the location of the two boards as discussed in the Heritage section above. Therefore, notwithstanding the latter parts of condition 15 of EDC/16/0004, the matter of the provision for heritage interpretation, including deployment of artefacts, can be

the subject of further control by planning condition together with the art strategy, features and timescale.

6.7 Sustainability

6.7.1 Gravesham LPCS Policy CS18 seeks for new development to reduce water and energy usage, requiring development proposals to consider the potential for and include options for low carbon and renewable energy generation. NPPF paragraph 162 advocates that new development should be expected to minimise energy consumption.

6.7.2 In this Reserved Matters application, the applicant seeks to discharge condition 11 of the outline planning permission, which requires reserved matters applications to generally accord with principles included within the approved masterplan and the Sustainability Statement (Peter Brett Associates, 2009; David Lock Associates 2016) submitted for the outline planning permission.

6.7.3 The Sustainability Statement identifies that the site is not well suited to large scale installations (community wide installations) for energy supply. The masterplan for the outline permission refers to '*potential enhanced building regulations*' for the site in relation to building and renewable energy technologies with a commitment to incorporate PV panels across the site and green/brown roofs. The masterplan and the Residential Travel Plan require the provision of 1no. 7kW active EV charging point for each house on plots and for shared parking courts and podium parking areas EV charging would be provided at 10% active and 90% passive (wiring and conduit in place).

6.7.4 An updated Energy and Sustainability Statement has been submitted for Phase 3A that demonstrates the sustainable characteristics of the proposed development have been improved from its original submission (2016) with more ambitious energy targets in part reflecting updated to Building Regulation requirements. The indicative SAP assessment shows an estimated improvement of 60% compared to the Part L 2021 TER, based on the proposed specification. The proposal will require an estimated 404 kWhp solar panels, to achieve the Target Primary Energy Rate (TPER).

6.7.5 The ambition for the units is that they would achieve an Energy Performance Certificate (EPC) within the 'A' band rating where possible through a combination of measures. The development follows the energy hierarchy utilising a fabric first approach with:

- efficient building fabric, including insulation
- highly efficient glazing with low emissivity coatings to limit overheating
- low energy lighting
- individual Air Source Heat Pumps (ASHP) within each apartment comprising a hot water heat pump cylinder
- roof mounted solar photovoltaic (PV)
- electric panel heaters
- mechanical ventilation with heat recovery in all units

In addition to the above the proposal would include brown roofs on Blocks A, B and C to the south of Fastrack and Block H.

6.7.6 The Energy and Sustainability Statement advises that the final PV details will need to be secured by planning condition to ensure the location, appearance and specification is suitable for this development as further specialist contractor advice is required. A condition requiring this is recommended.

- 6.7.7 A number of water efficiency measures are identified for the development with an example specification equating to 109.7 litres per person per day. This would enable the development to meet Building Regulations Part G optional requirement for water efficiency of 110 litres per person per day, consistent with commitments in the approved residential masterplan, as would be secured through a recommended planning condition.
- 6.7.8 As additional sustainability credentials the proposal also includes providing a target use of 100% sustainably sourced and/or certified timber and target diversion of at least 90% of construction waste (excluding hazardous waste) from landfill.
- 6.7.9 Subject to suitably worded further planning conditions the proposal complies with local and national policy and guidance with respect to low carbon and energy efficiency and condition 11 of the outline planning permission is discharged.

6.8 Flood Risk

- 6.8.1 NPPF 2023 paragraph 165 states that decisions should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk, and where development is appropriately flood resilient and resistant. The Environment Agency's Flood Map for planning shows the site to lie within Flood Zone 3, having a high probability of flooding, but the site is protected by an existing flood defence in the form of the river wall to the adjacent River Thames. A Flood Risk Assessment (FRA) has been submitted with the application. Paragraph 173 of the NPPF requires, in part, planning applications to be appropriately flood resilient and with safe access and escape routes.
- 6.8.2 Condition 46 of the outline planning permission requires development to be built in accordance with the mitigation measures set out in the Flood Risk Assessment submitted as part of that outline application, in particular that finished floor levels for the development must be no lower than 7.2m AOD and 15m from the landward toe of the flood defence.
- 6.8.3 Under the full planning permission EDC/20/0147 for '*Formation of a development platform (residential and employment land) comprising excavation and infilling of the site, including access roads*', the Environment Agency required that the development platform development should allow for the future creation of a continuous retreated flood defence with a crest level at 8.0m AOD, to meet the Thames Estuary 2100 Plan (TE2100) year 2070 defence level. The development platform was also set back a sufficient distance from the flood defences so as not to add load to the Thames river wall and Robins Creek harbour wall.
- 6.8.4 The 8.0m AOD level is greater than the '*not lower than 7.2m AOD*' within the wording of the outline condition and the Reserved Matters application reflects the higher of these two levels with Finished Floor Levels (FFL) proposed at 8.0m AOD. This FFL would provide an escape route at or above the 1 in 200 year level of 8.00m AOD to allow safe egress and access from the buildings within the development and along Hive Lane to the High Street.
- 6.8.5 Although this FFL is shown on the relevant drawings for clarity, as the outline permission specifies a much lower FFL, the 8.0m FFL is the subject of a compliance planning condition.

- 6.8.6 Whilst the buildings remain with a minimum set back of 15m from the landward side of the existing flood defences, during the progress of this application the strength and integrity of the historic Robin's Creek harbour wall has come into question due to the loading of the proposed landscape works. Based on trial pit investigation, to address EA objection the applicant has now proposed that they construct an additional concrete sheet-pile retaining wall behind the existing Robins Creek harbour wall to minimise the load on the existing harbour wall due to the development. The EA accept this approach but require a scheme for the new retaining wall, supported by further investigation works, to be secured by planning condition. The retaining wall should be of such a construction that it sufficient to operate as the sole wall at Robin's Creek should, at any point in the future, the in place if in the future the existing, historic Robins Creek wall should fail.
- 6.8.7 Various other conditions are required in relation to the operational access to facilitate future maintenance to the flood defences, service routing so as not to undermine future maintenance works and with regard to ecology values of the riverside edge habitat. It is appropriate to tie these conditions to the part of the development that is north of the Fastrack only and as such the conditions have been redrafted in this form and have been agreed with the EA.
- 6.8.8 Condition 35 of the outline planning permission remains outstanding and requires that new development in phases at flood risk are subject to a Flood Warning and Evacuation Plan. This will apply to Phase 3A notwithstanding the mitigation measures secured within the development.
- 6.8.9 Subject to suitably worded planning conditions the proposed development is considered acceptable in terms of flood risk.
- 6.9 Biodiversity and Ecology
- 6.9.1 Paragraph 180 of the NPPF 2023 in part states that the planning system should contribute to and enhance the natural and local environment by recognising the wider benefits from ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity. Gravesham LPCS Policy CS12 requires no net loss of biodiversity in the Borough, seeking opportunities to restore, re-create and maintain habitats.
- 6.9.2 Condition 8 (Detailed Masterplan) of the outline planning permission included the agreement of biodiversity measures in accordance with the approved Outline Ecological Mitigation and Enhancement Strategy (condition 6(b) of the outline permission). These committed to:
- the inclusion of 1.5 hectares of green/brown roofs across the wider site (including in the residential area)
 - Identifying areas where lighting should be minimal, to avoid adverse impacts on foreshore ecology and habitats
 - Incorporation of bat and bird boxes into the design of the buildings
 - The installation of 3no. ecology information boards (Robins Creek, the River Thames foreshore and the central park)
 - Approval of a Landscape and Ecological Management Plan prior to occupation of a particular phase is a requirement of a separate planning condition (condition 32).
- 6.9.3 As such one ecology information board is required within Phase 3A but details of that board have not been provided with the RM application.

- 6.9.4 A reptile translocation exercise was completed in 2020 in accordance with the requirements of the outline planning permission and the development platform works have been completed in accordance with the standalone planning permission (EDC/20/0147), which included requirements for ecological mitigation and an Ecological Watching Brief while the works being undertaken.
- 6.9.5 An Ecological Mitigation and Enhancement Strategy (EMES) has been submitted for the phase with the application seeking to discharge condition 9(c) of the outline planning permission, which requires the EMES to be informed by the Outline Ecological Mitigation and Enhancement Strategy. Landscaping plans and indicative planting plans are also provided.
- 6.9.6 The submitted EMES advises that the site was cleared in 2020 as part of the development platform works and no significant natural regeneration of the site has occurred since that time. As such the report proposes that in the unlikely event that further vegetation clearance is required it would be carried out to avoid bird nesting season or checks to ensure no nesting birds if during nesting season. The strategy details the installation of: 2 bird bricks, suitable for black redstarts; 8 bird boxes; 4 bat boxes; 2 insect hotels; 4 log piles, brown roofs on Blocks A, B and C; and areas of new native tree and shrub planting and wildflower planting on the outside of Thames flood defence parallel to Bevans Wharf, which is in response to a request by the Environment Agency biodiversity officer.
- 6.9.7 The KCC Ecologist advises the mix of native and non-native plants within the indicative planting plan will benefit biodiversity, although increased number of native species would be preferable.
- 6.9.8 Condition 8(t) of the outline planning permission requires the submission of external lighting in the public realm whilst condition 47 requires that no lighting shall be installed, excluding street lighting or temporary construction lighting, until it has been agreed with the Local Planning Authority. As such a 'Proposed Street Lighting Strategy' and 'Proposed Street Lighting' drawing has been included within the submission pack.
- 6.9.9 The KCC Ecologist has reviewed the submitted documents and advise that the light levels do drop to less than 1lux relatively quickly and will not result in light spill on the adjacent River Thames and as such will protect nature interests of the river. However, they do also recommend that the lighting follows the KCC highways dimming regime (regardless of whether it is adopted or not), where residential roads typically are on a minus 40/60% dimming regime so dim by 40% between the hours of 20:00 – 22:00 and then dim by minus 60% between the hours of 22:00 to 05:00. The dimming of the lighting will further reduce light spill which will benefit both nocturnal animals and residents. These comments have been provided to the applicant for information. However, the street lighting is not based on the latest layout drawings and the Environment Agency require demountable structures in some areas to allow for operational access for maintenance of the flood defences. As such a condition is required for final agreement of street lighting details.
- 6.9.9 Condition 16 of the outline planning permission requires the pre-commencement agreement of a Construction Environmental Management Plan (CEMP) for the residential area, including Phase 3A, and was approved under condition application EDC/21/0078. This includes ecological protection measures to be undertaken during construction.
- 6.9.10 Also, having regard to its duty under s.28G of the Wildlife and Countryside Act 1981 (as amended) it is not considered that the determination by Ebbsfleet Development

Corporation of this application would or is likely to affect the flora, fauna or geological or physiographical features by reason of which a site of special scientific interest is of special interest.

- 6.9.11 The ecological impact of the proposed development is therefore considered acceptable and safeguarded through conditions for ecological enhancements, as agreed by KCC in their role as the LPA's ecological advisor.

Other Considerations

6.10 *Environmental Impact Assessment (EIA)*

- 6.10.1 The outline permission was identified as being EIA development and the likely significant effects of the development on the environment were identified and assessed at the time of the outline application. If effects arising from the proposals set out in an application for approval of reserved matters were not identified or identifiable at the time of a decision to grant outline planning permission and were therefore not assessed at the time of that decision, then an assessment must be undertaken at the reserved matter stage.

- 6.10.2 However, it is EDC officers' opinion that all likely significant environmental effects were identified and assessed as part of the outline permission application process and that the information before the planning authority is adequate to assess the significant effects of the development on the environment, and therefore it is not necessary to serve a notice seeking further environmental information.

6.11 *HRA Screening*

- 6.11.1 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.

- 6.11.2 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. It is considered likely that the development will impact upon the protected sites and therefore it is necessary to undertake an appropriate assessment of the implications of the proposed development, including cumulative effects of other committed developments, on the European sites in view of their conservation objectives.

- 6.11.3 An assessment of the likely impacts from the development was undertaken at the time of the outline permission in connection with the proposed mitigation measures. The s106 agreement sets out mitigation measures in the form of an obligation to pay, prior to commencement of a development phase, a tariff based financial contribution to the Strategic Access Management and Monitoring Strategy (SAMMS) of £223.58 per dwelling (index linked – currently increased to £314.05) which pools money from local authorities to spend on measures to mitigate recreational disturbance as a result of new development.

- 6.11.4 Following subsequent judicial clarification of the legal position, it is now established that the requirement for an Appropriate Assessment cannot be screened out on the basis of the mitigation measures proposed. In this circumstance, to ensure legal

compliance, an Appropriate Assessment is required to be undertaken at the reserved matters stage. In the context of this application for approval of reserved matters EDC officers have carried out an Appropriate Assessment in order to assess whether any adverse impact on the integrity of the Thames Estuary and Marshes SPA can be ruled out. The Appropriate Assessment concludes that, taking into account the mitigation measures proposed in the s106 agreement, the proposal will not adversely affect the integrity of the Thames Estuary and Marshes SPA and Ramsar site.

6.11.5 The s106 has been completed and is enforceable against the land. A separate unilateral undertaking from the applicant for the payment of the contribution is therefore unnecessary.

6.12 Contamination

6.12.1 Paragraphs 189 and 191 of the NPPF 2023 state that planning decisions should ensure that the proposed site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. The site lies within Groundwater Source Protection Zone 2 (Outer Protection Zone).

6.12.2 Condition 18 of the outline planning permission requires a contaminated land assessment to be submitted *prior to the commencement of development on any phase of development*, including a desk study of previous uses, a site investigation strategy, and if required a remediation strategy. The requirements of the outline planning condition are considered sufficient to ensure the site would be suitable for the proposed use.

6.13 Surface Water Drainage

6.13.1 Surface flooding can result from periods of intensive rainfall, so it is important to ensure that any development incorporates appropriate drainage measures. NPPF (Dec 2023) Paragraphs 173 and 175 seek provision of sustainable drainage systems unless there is clear evidence that this would be inappropriate.

6.13.2 The masterplan referenced an outline drainage strategy that directs surface water into Robins Creek, first passing through a forebay that is proposed to combine as a sustainable drainage feature within a publicly accessible open space. Infiltration of surface water into the ground is not an option due to contamination arising from the former industrial uses of the site, and no existing surface water sewers are in the area as the former cement works discharged water direct to the River Thames.

6.13.3 Condition 23 of the outline planning permission requires approval of a surface water drainage scheme prior to commencement of development within a phase. The current application does not seek to discharge this condition but a drainage layout of surface water, and foul water pipe layout, have been submitted within this application which direct surface water via Robin's Creek to the approved SUDS basin and forebay. Without a formal application this drawing is for information only at this time in relation to layout and is not listed as an approved drawing.

6.13.4 However, the drainage layout for inform the whole development layout and therefore it is helpful to have sight of the intended general drainage layout at this time. KCC LLFA confirm no objection to the illustrative surface water drainage scheme since their assessment at reserved matters stage is whether the surface water provision is compliant with the outline planning permission. The Environment Agency have not

objected to the illustrative scheme. However, Phase 3A cannot commence until the surface drainage schemes are formally approved.

6.14 *Foul Drainage*

6.14.1 Pre-commencement condition 24 of the outline planning permission requires approval of a foul water disposal to ensure adequate capacity within the network for the additional flows and protection of the existing drainage infrastructure. No formal application has yet been submitted for consideration of condition 24 however, with the Reserved Matter application has been submitted a drainage layout of surface water and foul water pipe layout for information. This is illustrative at this time and useful to understand in relation to the reserved matter of 'Layout'.

6.14.2 Southern Water advise that they have an agreement with the Independent Water Networks (IWNL) who are responsible for water supply and sewers at this location and without giving specific comment on the illustrated scheme they provide advice with respect to the requirements to meet agreement terms in place between Southern Water and the IWNL, and generic layout and construction advice. They also provide a plan of the existing infrastructure in the area.

6.14.3 In the absence of objection and subject to assessment of the proposals through the outstanding outline condition, the principle of the foul drainage proposal is considered acceptable and is therefore unnecessary to assess in detail as part the reserved matters.

6.15 *Life Saving Equipment*

6.15.1 Condition 8 (Detailed Masterplan) of the outline planning permission included the provision of a riverside promenade, together with public realm features which included 'riparian life-saving equipment' (part 8(t)). The approved masterplan simply indicated that 'riparian life saving equipment' would be located along the whole river edge in Phase 3A but with no further details.

6.15.2 The applicant has submitted a document titled 'Phase 3A Reserved matters – Riparian lifesaving equipment', which it states is based on guidance prepared by the Port of London Authority 'A Safer Riverside – Guidance for Development alongside and on the Tidal River Thames' and responding to the masterplan.

6.15.3 Mitigation measures to prevent accidents occurring include the installation of a pedestrian railing on top of the concrete wall with locked gates to existing access ladders and the disused Bevan's Wharf. Indicative safety measures are proposed, which will need to undergo risk assessment before final agreement. These include:

- Warning signage
- Lifesaving equipment including lifebuoys
- Lighting of the primary footway and parking courts

6.15.4 Therefore, notwithstanding condition 8(t) of the outline planning permission a specific planning condition is required to subject to a planning condition to secure the final agreement of the lifesaving equipment, including location, signage and management and maintenance, before public access commences to any part of the riverside park or the diverted PROWs hereby approved.

6.16 *Marine Plans*

- 6.16.1 Paragraph 176 of the NPPF 2023 requires that *“In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes.”* Whilst not part of the Development Plan, Marine Management Policies are material planning considerations.
- 6.16.2 The site is located adjacent to the River Thames and subject to the South-East Inshore Marine Plan which is regulated by the Marine Management Organisation (MMO), and the policies therein.
- 6.16.3 It is not considered that the proposal will result in any unacceptable impact on the coast, most particularly Policy SE-PS-1 related to impact upon current activity of port and harbour activities, Policy SE-HER-1 related to the conservation and enhancement of coastal heritage assets, through archaeological investigation and the installation of heritage interpretation, SE-ACC-1 and SE-TR-1 which relate to inclusive public access to and future tourism and recreational activities within the marine area, as seen in this proposal by the creation of the riverside park, the PROW diversions to run through it and the layout allowing future access to Bevan’s Jetty to be possible, SE-CC-2 that proposals demonstrate they are resilient to the effects of climate change, in this case through incorporation of flood resilience and sustainability measures and SE-DIST-1 which relates to mitigation of recreational activities on highly mobile (migratory) species through the SAMM payment secures in the original S106.
- 6.16.4 As such the proposal is considered to comply with the relevant Marine Plan policies and paragraph 176 of the NPPF 2023.

6.17 *Planning Obligations*

- 6.17.1 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.
- 6.17.2 This report has identified the requirement to secure financial contributions with respect to consultation, design, implementation and enforcement of a Parking Permit Area within the neighbouring residential streets which are public highway. The obligation request is:
- £3000 toward Gravesham Borough Council design, consultation and advertising exercise for modifying the existing Traffic Regulation Order (TRO) in neighbouring public highway, to be paid prior to first occupation
 - £10,000 towards Gravesham Borough Council modifying / introducing a Permit Parking Area (PPA), including costs associated with lining and signage, to be paid following TRO public consultation on and decision to proceed with the modified/new PPA
 - £51,000 towards Gravesham Borough Council’s operational enforcement of the modified/ new PPA and towards any necessary amendments to controlled parking on streets in the vicinity of the development to address parking issues arising which Gravesham Borough Council considers are directly attributable

to the development, to be paid following TRO public consultation and decision to proceed with the modified/new PPA.

6.17.3 The applicant has agreed the initial Heads of Terms and that these payments be secured by Unilateral Undertaking. At the time of writing this report Gravesham Borough Council requested additional flexibility to use the parking enforcement money toward any wider changes to the controlled parking of local streets. The applicant has subsequently agreed the payments as per the drafted Heads of Terms.

6.17.4 In requesting and negotiating the obligations as detailed above as part of this application, EDC is satisfied that they are fair and reasonable and meet the statutory tests in the CIL Regulations and as described in paragraph 57 of the NPPF.

6.18 *Building for a Healthy Life Assessment*

6.18.1 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).

6.18.2 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 well against the 12 BFHL questions, achieving 10 greens and 2 ambers, summarised below.

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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6.18.3 The amber given for Category 10: Car and cycle parking: relates to the scheme failing to provide 20% of the spaces as visitor parking, and for Category 11 as the development fails to provide one tree for every 4 parking spaces, and thus does not comply with the Sustainable Travel Strategy.

7.0 FINANCIAL CONSIDERATIONS

7.1 Regard should be had to any local finance considerations in so far as material to an application for planning permission and, while this is not material to this application for the approval of reserved matters, financial benefits will accrue to the area if permission 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, although not material to the application, the following benefits to the public purse accrue from development - New Homes Bonus (which is a local finance consideration) and Council Tax for new dwellings.

8.0 HUMAN RIGHTS

8.1 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.

9.0 PUBLIC SECTOR EQUALITY DUTY

9.1 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

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

10.0 CONCLUSION

10.1 Subject to the completion of the deed of planning obligation and conditions as proposed the proposals are considered to broadly accord with the principles and parameters established by the outline planning permission, detailed residential masterplan and local and national planning policies, and to be aligned with the Ebbsfleet Implementation Framework. They would form part of the third phase of residential development to meet EDC's aspirations for Northfleet Riverside with a high quality residential development and a new community facility.

10.2 The proposed development performs well against the Building for a Healthy Life topics (achieving 10 greens, 2 ambers and no reds) which reinforces the conclusion that the proposals are acceptable.

10.3 The application is therefore recommended for approval subject to imposition of the planning conditions listed and completion of the deed of planning obligation detailed in the officer recommendation.