

SUPPLEMENTARY INFORMATION

PLANNING COMMITTEE 29th OCTOBER 2024

This report provides supplementary information following publication of the main reports, for consideration by committee members in determining the following applications:

Agenda Item 5 - EDC/24/0049 – Alkerden Hub

The following changes are proposed to conditions:

- Condition 2: Approved Plans

Update of the following drawings:

- Proposed South Elevation (HEN-EEQ-RMA4_HTA-A_DR_0220 Rev P2)
- Proposed East Elevation (HEN-EEQ-RMA4_HTA-A_DR_0221 Rev P2)
- Proposed North Elevation (HEN-EEQ-RMA4_HTA-A_DR_0222 Rev P2)
- Proposed West Elevation (HEN-EEQ-RMA4_HTA-A_DR_0223 Rev P2)
- Proposed Bay Studies (HEN-EEQ-RMA4_HTA-A_DR_0230 Rev P2)

All to be updated to version 'P3' following receipt of revised plans which propose changes to the coping detail from green pre-cast concrete to a natural pre-cast finish to match the rest of the building. The formerly proposed material has been tested and found to be impractical. The proposed changes are minor in scale and would not be discernible within the wider context of the building or within the streetscene.

- Condition 10: Sustainability

Paragraph 6.81 of the officer's report identifies '*the applicant has accepted the provision of a condition to explore additional provision*'. The applicant has identified the current wording to provide further shower facilities within the LLLC. To provide the flexibility as reflected in the report, it is proposed part e) of the report is updated as follows (additional text identified with **emphasis**):

Notwithstanding the details set out in the approved plans and documents submitted with the application, no development above ground floor slab level shall take place until details of the following sustainability measures have been submitted to and approved in writing by the Local Planning Authority:

- a. *Confirmation of the extent of PV panels and green roof with commitment to maximise opportunities to provide a bio-solar roof (i.e. PV mounted on the green roofs). The layout of the green roof should be rectilinear in form, avoiding narrow channels, and should be no less than 283sqm (21% of roof area) of the total area of the roof as a minimum;*
- b. *Full details of the specification of the green roof including details of the component layers and, in particular, the type of vegetation at planting level;*
- c. *Full details of a rain garden within the parking area to be provided, including cross sections, drainage and planting details;*
- d. *Details of the Variable Refrigerant Flow (VRF) system including information regarding operation which shall be installed so as to include controls which do not*

- allow cooling and window opening in the same room at the same time. All windows within the approved building will be openable unless otherwise agreed; and*
- e. *Provision of shower facilities within the Lifelong Learning Centre to enable use for those arriving by bicycle, **unless demonstrated to be unfeasible**.*

The approved details shall be implemented in full prior to the first use of the building and shall thereafter be retained and maintained in working order at all times.

– *Condition 15: Community Building Management Plan*

*Additional wording to enable greater flexibility should the opening of the building be phased (additional text identified with **emphasis**):*

*No part of the building hereby approved shall be brought into use until a detailed Community Building Management Plan **to which that part of the building relates** has been submitted to and approved in writing by the Local Planning Authority. The Plan shall accord with and add detail to the overarching principles established in the Management and Maintenance Framework submitted with the application (received May 2024) and shall include details of the objectives set out therein will be achieved, including the following:*

- Management aims and objectives;*
- Operators / Use of the spaces to prioritise uses as identified in the Community and Leisure Facilities Strategy (approved under the outline planning permission), or alternative uses supported by relevant justification;*
- Hours of use including opening to the public;*
- Internal access arrangements;*
- Arrangements for booking the facilities and a user charging schedule (which shall cover comparisons with other facilities in the area);*

- Means and frequency by which the facilities will be communicated / marketed to the local community;*
- A complaints procedure; and*
- Arrangements for monitoring, reporting and reviewing the Plan, to include annual reporting of the extent of usage of the facilities to be made available to the Local Planning Authority.*

The Plan shall be made available to the Local Planning Authority for review as required. Any updates or amendments that may be required as a result of the reviews shall be incorporated within an updated Community Building Management Plan and implemented accordingly.

The building shall thereafter be managed and operated in accordance with the latest approved Community Building Management Plan at all times.

With the following informative added:

Informative: In the event the Community Building Management Plan is provided in part (i.e. for a particular area of the building), it is recommended any subsequent Plans are consolidated into a single document.

Agenda Item 6 - EDC/24/0086 – Harbour Village Phase 3A

Additional supporting information - Following the publication of the committee report and conditions the applicant has circulated a further note in respect to the proposed development to the committee members. A copy of that note is appended to this supplementary report.

Additional representation - Following the publication of the committee report and conditions a further representation has been received from Firstplan on behalf of Aggregate Industries and Brett and Sons, who comment that they have reviewed the committee report and draft conditions, specifically Condition 15, and have recommended that the wharf operators maintain their objections. In particular:

- the operators remain concerned about the potential noise impact on future residents, and ongoing risk to their operations (agent of change principle of the NPPF and policies contained within KCC Minerals and Waste Plan/EDC Local Plan); and
- by granting permission, the LPA confirm that they consider (for the current magnitude of external industrial noise), internal industrial noise via open windows will be acceptable and they will not take nuisance action against Brett/AI for any future complaints regarding internal noise via open windows.

EDC Officer comment: The matter of noise assessment and the appraisal of this matter is within the report before committee.

Additional representation – Following the publication of the committee report and conditions a further representation has been received from the Port of London Authority (PLA) who comment that they have reviewed the committee report and draft conditions, specifically condition 15, and confirm that they maintain an objection to the proposal specifically on the potential noise impacts on future residents and ongoing risk to the operations of the safeguarded wharf in line with the Agent of Change principle (NPPF) and the relevant policies contained within Kent County Council Minerals and Waste Plan, as set out in the PLA's previous representations and that, by granting permission, the LPA confirm that they consider (for the current magnitude of external industrial noise) that internal industrial noise via open windows will be acceptable and they will therefore not take nuisance action against the wharf operators for any future complaints regarding internal noise via open windows.

EDC Officer comment: The matter of noise assessment and the appraisal of this matter is within the report before committee.

Agenda Item 7 - EDC/24/0014 – Major Urban Park South

Condition 3 - In respect of planning condition 3, which secures an Ecological Mitigation Plan to be submitted and approved by the local planning authority prior to the commencement of development, it is relevant to clarify that KCC Ecology officers have been consulted on the proposals and confirmed in writing (dated 07.10.2024) that the submitted Ecological Design Statement confirms the likely presence of protected species. The Statement also confirms that the applicant is aware of their requirements regarding impacts on protected species and confirms

that ecological mitigation is required, albeit no detailed plan for mitigation has been provided. KCC are however satisfied that there is sufficient habitat within the site to support these species if present on site and have recommended that a detailed Ecological Mitigation Plan can be secured by way of a pre-commencement planning condition in this instance.

Condition 16 - Since publication and review of the main report, and following further engagement with the applicant, it is proposed that a small amendment to recommended planning condition 16 for the Management and Stewardship Plan. The recommendation remains as per the original report, subject to incorporation of the change set out below (additional text identified with **emphasis**):

Prior to the first public use of any part of the development hereby approved, a detailed Management and Stewardship Plan for the Major Urban Park South shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a. Details of the management company (including contact information).*
- b. Details of the governance structures that can adopt and adapt the management and stewardship plan to ensure it continues to deliver green infrastructure outcomes for the lifetime of the development.*
- c. Details of community involvement and stewardship.*
- d. Details of funding, or a mechanism for future funding, to secure the long-term management and maintenance arrangements*
- e. Details of access and management principles, including booking methods and costs for the grass sport pitch, tennis/netball courts, and community garden spaces, including setting up associated equipment,*
- f. Details of vehicle access arrangements for events held in Whitecliffe Square to accord with the principles set out in the approved Transport Technical Note (Jan 2024)*
- g. Details for accessing the lockable water / power supplies*
- h. Details of appropriately trained and qualified personnel (or a means to access and secure such expertise) to manage and maintain the green infrastructure features.*
- i. Details of an **indicative** events programme for the first 12-months of operation, to encourage community engagement, use, ownership and stewardship.*

The development shall be implemented in accordance with the approved plan and maintained thereafter. The Plan shall be made available to the local planning authority for review as required. Any updates or amendments that may be required as a result of the review shall be embedded within an updated Management and Stewardship Plan and implemented accordingly.

With the following informative added:

Informative: The indicative events programme for the first 12-months of operation directly addresses local policy E2 (Ebbsfleet Garden City Development Principles), and the Ebbsfleet Parks & Open space Design Criteria requirement (1.2), as well as tying back to the Building with Nature assessment (Standards 6 and 7). The programme should outline 3 or 4 events which will kick start community use of the space. E.g. an opening summer fete, an arts related event, a community walking tour, a geocache scavenger hunt, or a BYO community picnic. The indicative programme could also identify partners for delivery and be more specific on the timescales which relate to the phased opening of the space.