



Delegated Report

Planning Application

Planning Application No: 20231078

Location: Unit C Imperial Retail Park Thames Way Gravesend

Description: Change of use of ground floor from non-food retail to retail sale of food and ancillary non-food goods and installation of plant.

Applicant: Box+III Gravesend Limited

Site Visit Date: 16 November 2023

Submitted Documents/Plans

Application for Planning Permission form;
Drawing no. IRP-UC-SLP-001 Site location plan;
Drawing no. IRP-UC-BP-001 Block plan;
Drawing no. URB UC [08] 00 04 Rev. D00 Ground floor layout as existing and proposed;
Drawing no. URB UC [08] 70 01 Rev. D00 Elevations as existing and proposed;
Heat pump specifications;
Noise Assessment 30 October 2023;
Travel Plan August 2023;
Flood Risk Assessment October 2023;
Transport Statement October 2023;
Planning and Retail Statement 17 October 2023;
Letter from the agent dated 17 October 2023; and
Email from the agent received 19 December 2023.

Procedural Issues

It should be noted that the existing mezzanine floor at the application site can only be used as a part non-food retail sales area and a part non-food retail stock area in line with the approved layout under planning permission reference 19930224. As the applicant has confirmed that the mezzanine floor area would be removed as part of the proposed development, it is not necessary for this application to be amended to include reference to any change of use of the first floor of the application building. As such, for clarification and completeness, any planning permission granted would be conditioned to preclude the use of the mezzanine floor area for any food retail sales.

Relevant Planning History

Reference	Description	Decision	Decision Date
20231246	Application for a Lawful Development Certificate for the proposed removal and reconfiguration of the mezzanine floor.	Pending	
20230864	Application for the variation of conditions 4 and 14 attached to planning reference GR/92/124 to allow for the retail sale of food and ancillary non-food goods from	Withdrawn	09.10.2023

	the ground floor of Unit C.		
20200452	Part change of use of Unit C from fully Class A1 (Retail Use) of the Town and Country Planning (Use Classes) Order 1987, as amended, to Class A1 (Retail Use) and Class D2 (Gymnasium) following the subdivision of the Unit; reconfiguration of mezzanine floorspace within the subdivided unit.	Permitted	21.07.2020
20200450	External alterations to Unit C to facilitate the subdivision of the retail unit into two units including removal of existing entrance canopy and installation of new shop fronts	Permitted	21.07.2020
19930224	Installation of mezzanine floor for part sales area and part store area.	Permitted	19.05.1993
19920124	Erection of seven Class B1 light industrial units with ancillary offices, one unit with Class B1 light industrial use or Class A1 non food retail use, and ancillary offices, one Class D2 ten pin bowling unit, and three Class A1 non food retail units, and provision of associated lorry and car parking spaces, landscaping, public riverside walkway, and public recreational amenity area.	Permitted	31.03.1992
19900359	Erection of 3 Class 1 non-food retail units, 1 Class D2 leisure unit, 1 Class A3 fast-food drive-through restaurant, associated car parking and service areas.	Permitted	26.02.1991

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS07 – Economy, Employment and Skills
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- P5 – Exceptions to the Vehicle Parking Standards – Change of Use of Buildings
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 6 – Building a Strong, Competitive Economy
- Section 7 – Ensuring the Vitality of Town Centres
- Section 9 – Promoting Sustainable Transport
- Section 12 – Achieving Well-designed and Beautiful Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 – Conserving and Enhancing the Natural Environment
- Section 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

GBC Highways Officer

It is noted that the Transport Statement concentrates on discount supermarkets, and a comparison with the larger supermarket companies at their smaller stores has not been made. It is therefore suggested that if granted, permission should be restricted to discount operators to provide the Council the opportunity to consider the traffic impacts afresh if one of the larger supermarkets should wish to occupy the unit at some future date.

In terms of car parking accumulation, whilst the increases may be small, it is disappointing that the applicant has not completed a parking survey to determine the existing surplus car parking, which would need to provide for the full anticipated need as the unit is currently vacant. It is however accepted with informal and occasional observation that there should be adequate parking to serve the change in use.

In terms of the Travel Plan, the size of the unit is on the threshold of requiring one and with a restricted number of employees its benefits will also be limited. The potential to alter customer behaviour is small given the applicant states that shops are tending to get larger and level access between store and car is required. It may be better that the possibility of a home delivery service is established, which is already offered by Iceland and has the potential to reduce vehicle movements and on-site car parking demand. However, it is accepted that setting up a web site and delivery system can be costly, the use of a third-party delivery agent may simplify the process. It is understood that Deliveroo and Amazon possibly amongst others offer home delivery for some supermarkets albeit for a restricted range of products. I would therefore prefer a home delivery service to be offered within one year of opening and operated for two years, at which time a commercial decision could be taken on whether to continue or not with home delivery. This would have the potential benefit of reducing vehicle trips related to the shop, with one delivery vehicle serving multiple destinations, with the possibility that if successful sustainable fuelled vehicles could be used early with the associated environmental benefits.

GBC Environmental Protection Team (Regulatory Services)

Noise:

The noise assessment undertaken by Sharps Acoustics dated 30th October 2023 has been reviewed. Generally, the methodology and findings of the report are accepted. Noise measurements have been undertaken at the boundary of the application site, next to the service yard of the adjacent retail unit. There may be some influence on background noise levels from plant and equipment associated with these units at this location and it would have been preferable to have undertaken the measurements at the boundary with the residential flats (Baltic Wharf).

However, in terms of noise control from the proposed plant and equipment associated with this application site, it is recommended that conditions to cover the following are attached to any planning permission. This is to ensure that the operation of the business does not cause problems to the occupiers of the nearby flats.

- 1) Prior to installation, full details of all fixed building services/mechanical plant/equipment to include technical specifications and location plans shall be submitted for approval.
- 2) The rating noise level from fixed building services/mechanical plant/equipment (operating cumulatively) associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014.
- 3) Servicing and deliveries/collections from the rear service yard shall only take place between 07:30 and 20:00 hours Monday to Saturday. There shall be no servicing or deliveries/collections at any time on Sundays or Banks Holidays.
- 4) All refrigerated vehicles shall switch off their refrigeration units whilst in the yard.

Lighting:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the unit in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

GBC – Commercial Team (Regulatory Services)

Initial response:

No objection in principle. The following comments are made for the information of the applicant.

Health and Safety:

In these premises Gravesham Borough Council (GBC) Environmental Health will be the enforcing authority. The applicant must ensure that these premises comply fully with the Health and Safety at Work (etc) Act 1974 and all relevant regulations made there under. For information and advice on health and safety matters check out the HSE website www.hse.gov.uk or contact the Environmental Health team on commercialhealth.admin@gravesham.gov.uk or 01474 337 000.

This workplace will be immediately subject to the requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. Particular attention should be made to the following requirements.

- Regulation 6 requires that effective and suitable provision shall be made to ensure that every enclosed workplace is ventilated by a sufficient quantity of fresh or purified air.
- Regulation 14 requires that every window or other transparent or translucent surface in a door or gate shall where necessary for reasons of safety be constructed of a safety material or be protected against breakage and also be appropriately marked.
- Regulation 20 requires that suitable and sufficient sanitary conveniences shall be provided at readily accessible places. Where between 6 and 25 persons are employed a minimum of 2 water closets must be provided.

Food Safety Comments:

It is a requirement under Article 6(2) of Regulation 852/2004 that food business operators must register their establishments with the appropriate competent authority (in this case GBC Environmental Health) at least 28 days before food operations commence. Registration is via the Gravesham Borough Council website www.gravesham.gov.uk/food-safety

The applicant must ensure that the food store fully complies with current food safety legislation to the satisfaction of the Regulatory Services Manager. Structural and operational requirements are covered by the legislation notably EC Regulation 852/2004.

Lavatories must not lead directly into rooms in which food is handled, stored or prepared. There should be an intervening ventilated space between toilets and food rooms. Food should not be stored in that space.

For further advice on starting a food business please visit the FSA website <https://www.food.gov.uk/business-guidance>

Response to neighbour comments:

All food businesses are required to ensure that their premises and refuse areas are in a good state of repair, pest proof and are kept clean to prevent access to rodents or other pests. This is something that is checked during their food hygiene inspections. We always recommend that food business have proactive pest control contracts, but this is not a legal requirement.

Clearly in this location (next to the river!) there are going to be rodents, and this could, if not managed properly be an issue for any business in that area not just food businesses.

GBC - Licensing Team (Regulatory Services)

The following to be considered:

If the premises owners decide to sell alcohol or hot food and drink between 23:00 and 05:00, they will need to apply for a Premises Licence. Otherwise we have no other comments to make.

KCC - Highways & Transportation

This application is supported by a Transport Statement dated October 2023 which has been assessed and considered to be robust. The application is for the change of retail type for an existing unit which, although is likely to result in a small increase of traffic generation and parking demand, it is considered that this can be accommodated and will not have any significant impact on the local highway network - provided the new use is restricted to discount food store and not a general food store consent.

I therefore raise no objection on highway grounds to this proposal provided the following condition is applied to any consent granted:

1 Provision and permanent retention of secure, covered cycle parking facilities for a minimum of 10 cycles prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Informative: 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.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. 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.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that 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:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

KCC - Flood & Water Management

As Lead Local Flood Authority, Kent County Council are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangement put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving any one or more of the following:

- a) The winning and working of minerals or the use of land for mineral-working deposits;
- b) Waste development;
- c) The provision of dwelling houses where:
 - i. The number of dwelling houses to be provided is ten or more; or
 - ii. The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph(c) (i);
- d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) Development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

Notwithstanding the above, please feel free to contact us again if you consider there to be local flood risk issues on this site that may require further consideration.

Environment Agency

Thank you for consulting us on the above application.

We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.

Please refer to the attached 'When to consult the Environment Agency' document for guidance on when to consult us.

Non planning consents

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

If you feel we should assess this planning application in more detail due to local issues/opportunities please email KSLPLANNING@environment-agency.gov.uk

GBC - Planning Policy

No response received.

GBC - Economic Development Manager

No response received.

GBC Waste and Recycling Manager

No response received.

Neighbouring properties

The application was publicised by a site notice (posted in two locations) and to 73 neighbouring properties by letter. Two representations have been received (one objecting and one neither objecting or supporting) and are summarised as follows;

- There is no need for a second Farmfoods in Gravesend.
- The public want either Home Bargains or TKMaxx in this location (according to a Facebook page).
- A food store would exacerbate an existing vermin problem in the area.
- Any planning permission should be subject to vermin control measures.

Officer's Analysis

Proposal

The proposed development comprises of a change of use of the ground floor (an area of 928 square metres) of the application building from non-food retail, to the retail sale of food and ancillary non-food goods. The existing mezzanine first floor (an area of 449 square metres) would be removed.

The proposal includes the installation of plant, including one indoor and one outdoor heat pump and a condensing unit. It is noted that the exact location of the proposed plant is not specified but for the purposes of the noise assessment, the applicant has assumed that they would be mounted on the rear of the unit.

The existing service yard, rear access and customer parking provision (409 car parking spaces including 17 disabled spaces) would be retained.

The ground floor of the unit would be occupied by Farmfoods, a specialist convenience goods retailer selling primarily frozen foods with some non-frozen products. The proposal would create approximately 25 jobs.

The application is accompanied by a noise assessment, travel plan, flood risk assessment, transport statement and a planning and retail statement.

Principle of the development

The application site is located in a retail park, to the west of Gravesend Town Centre. The retail park provides predominantly non-food retail warehouse type facilities with two food retail units (Lidl and Asda) and one restaurant (Tim Hortons) in sub-area 3.2 of the Gravesend Town Centre Opportunity Area. The application site has been vacant since 2021 but used to be occupied by Bensons For Beds.

As the site is located in the Gravesend Town Centre Opportunity Area, Policy CS05 of the Gravesham Local Plan Core Strategy (2014) is relevant. This policy states that the Gravesend Town Centre Opportunity Area will be the principal focus for town centre related economic and social activity in the Borough and that this will be achieved by (amongst other things) consolidating the existing retail area. It also states that, in the opportunity area, the Council will support and enhance retail, leisure, entertainment, cultural and tourism provision in accordance with the sequential approach and support the redevelopment of under-used sites where this makes more efficient use of the sites and improves townscape character (amongst other things).

As a retail proposal, Policy CS08 of the Gravesham Local Plan Core Strategy (2014) is also relevant. This policy sets out (amongst other things) that a sequential approach will be applied to the location of town centre uses; an impact assessment will be required for larger retail and leisure development (for retail proposals outside of the Primary Shopping Area exceeding 2500 square metres); and the retail character and function of existing and new centres will be safeguarded by resisting development that would adversely affect their vitality and viability. It specifies that, where a case has been made for large format retail/commercial leisure development and no suitable sites can be identified following the application of the sequential approach, the Council will support development in sub-area (3.2) of the Gravesend Town Centre Opportunity Area as its preferred out of centre location for such development.

Therefore, there is no specific local policy objection to the change of use away from the existing bulky goods format at the application site. Rather the Core Strategy highlights a 'town centre first' approach to retail proposals with an expectation that the area within which the application site is located would be appropriate for large format/warehouse type retail or commercial leisure uses as opposed to general retail uses per se.

The scale of the proposal (less than 2500 square metres floor area) is such that Policy CS08 of the Gravesham Local Plan Core Strategy (2014) does not require the application of the retail impact test. However, the applicants have undertaken a sequential test, which is required by Policy CS08. The document concludes that there are no sequentially preferable alternatives for the proposed development. It indicates that vacant retail units in the town centre/edge of centre are either too large (former Debenhams site) or too small and could not be either amalgamated or sub-divided to provide sufficient floor space for the proposed development. In addition, the document indicates that no vacant units offer adequate vehicular access/car parking and no future development proposals within the town centre/edge of centre include the provision of a single food store.

It is noted that an existing Farmfoods unit is located within Gravesend Town Centre. However, the applicants have set out that the lease on this unit is soon to expire and that the location does not meet their business/operational requirements.

The application site is a well-located, out of centre commercial unit, with good vehicle and pedestrian access. It provides existing retail floorspace, albeit in a different use class, which would be brought back into use if this proposal was to be permitted. Therefore, there would be no increase in the floorspace overall at Imperial Retail Park. Furthermore, the Imperial Retail Park is identified in Policy CS08 of the Gravesham Local Plan Core Strategy (2014) as a suitable location for large format retail uses.

A local resident has suggested that there is no need for a second Farmfoods unit to be located in Gravesend. However, it is not for the Borough Council to interfere with operational decisions for commercial retailers and in any event, the applicant has set out that Farmfoods has outgrown its existing location in the town centre.

A local resident has expressed a preference for other retail operators to be located at the application property rather than Farm Foods. However, as there are no proposals for these alternative occupiers, then this is not a matter that can be taken into consideration in the determination of this application and the current proposal must be determined on its own merits.

On balance and taking all these factors into account, it is considered that the proposed development would be in line with Policies CS05 and CS08 of the Gravesham Local Plan Core Strategy (2014) and be acceptable in principle.

In order to ensure that the future operation of the unit does not detract from highway safety or undermine the vitality and viability of Gravesend Town Centre or the Imperial Retail Park, it would be reasonable and necessary to preclude (by conditions attached to any planning permission granted) various alterations to the unit that would be permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and Sections 55(2)(a) and (f) of the Town and Country Planning Act

1990, as amended. Under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), these include changes of use (Part 3, Class G (from a use within class E to a mixed class E use and up to 2 flats) and Part 3, Class MA (from a use within Class E to a dwellinghouse)) and extensions/alterations (Part 7, Classes A to C - extensions/alterations, trolley stores, click and collect facilities). Under Sections 55(2)(a) and (f) of the Town and Country Planning Act 1990, as amended these include internal alterations to provide a mezzanine floor or to sub-divide the unit into smaller retail units.

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

The proposed development only involves the change of use of the building and there are no details of any external alterations to the application site (except for the installation of plant).

The location of the proposed plant has not been identified but in the context of the existing application site (a commercial property with a rear service yard), it is unlikely that the plant would look out of place. In order to ensure that there are no adverse visual impacts, any planning permission granted would be conditioned to require the submission and approval of any external plant/machinery.

Overall, the proposal would not be detrimental to visual amenity or to the character of the surrounding area and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers and to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution.

Residential properties are located immediately to the east of the application site in three, six storey buildings, known as Baltic Wharf.

The proposed development would result in the use of an existing non-food retail unit for the sale of frozen food and ancillary non-food goods and would include the installation of associated plant. As such, the proposal has the potential to cause adverse noise impacts to surrounding residential occupiers from additional vehicle movements (both customer and refrigerated and non-refrigerated deliveries), the use of the rear service yard and from the operation of mechanical plant. There is also the potential for the proposal to cause adverse light impacts to surrounding residential occupiers.

The applicants have undertaken a noise impact survey, which concludes that, with appropriate mitigation (including switching off refrigeration units in delivery vehicles prior to arrival, servicing/deliveries between 0700 and 2000 hours only and appropriately sited plant), there would be no adverse noise impacts to the occupiers of surrounding residential properties.

The proposal does not include the installation of any external lighting.

The GBC Environmental Protection Team (Regulatory Services) have raised no objection to the proposed development but require the imposition of planning conditions to protect the amenity of surrounding occupiers from adverse noise and lighting impacts. These conditions can be attached to any planning permission granted.

Local residents have raised concerns that the proposed development would exacerbate an existing vermin problem in the surrounding area and that any planning permission granted should be subject to vermin

control measures. However, it should be noted that vermin control is governed by environmental health legislation. Therefore, the applicant can be made aware of this issue via an informative attached to any planning permission granted but the imposition of a planning condition would replicate other controls and be neither necessary or reasonable.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Highways and Parking

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994 require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards. Saved Policy P5 of the of the Gravesham Local Plan First Review (1994) allows a relaxation of the vehicle parking standards for changes of use of buildings and the sub-division of existing dwellings in certain circumstances and provided that existing on-street parking problems are not unduly exacerbated.

The application site has a rear service yard accessed from Clifton Marine Parade and free parking (for a maximum of five hours) is available at the front of the unit for 409 cars (including 17 disabled spaces) accessed from Thames Way. The applicants have submitted a Transport Statement and a Travel Plan and conclude that there would be no adverse highways or parking impacts.

The GBC Highways Officer states that there should be adequate car parking to serve the proposal but notes that the Transport Statement concentrates on discount supermarkets, highlighting that a comparison with the larger supermarket companies at their smaller stores has not been made. He suggests, therefore that if granted, planning permission should be restricted to discount operators to provide the Borough Council with the opportunity to consider the traffic impacts afresh if one of the larger supermarkets should wish to occupy the unit in future.

In terms of the Travel Plan, the GBC Highways Officer raises no objection but considers, that due to there being a restricted number of employees, its benefits would be limited. He encourages consideration of a home delivery service (ideally with a sustainably fuelled vehicle) which has the potential to reduce vehicle movements to the shop and on-site car parking demand.

KCC Highways & Transportation have set out that the proposal is likely to result in a small increase of traffic generation and parking demand, but they consider that this can be accommodated and will not have any significant impact on the local highway network, provided the new use is restricted to discount food store and not a general food store. They raise no objection but require the provision of covered cycle parking facilities for a minimum of 10 cycles.

It should be noted that both KCC Highways & Transportation and the GBC Highways Officer refer specifically to discount retailers because that information is what the transport statement has been based upon.

The application site is situated in a highly accessible location for vehicles, with significant car parking and is also accessible by foot and public transport, by virtue of its proximity to the town centre and various public transport options. Therefore, there would be no significant adverse highways or parking impacts associated with the proposed development.

It should be noted that Farmfoods operates in a similar manner to Aldi and Lidl. Due to a continuing rise in their popularity, the 'discount grocery retailers', Aldi and Lidl have steadily increased their share of the grocery market in Great Britain in recent years. With Aldi now vying to be one of the big four grocery retailers (Tesco, Sainsbury, Asda and Morrisons). As such, vehicle movements for 'discount grocery retailers' are likely to be similar to vehicle movements for the traditional grocery retailers.

As it is likely that the actual number of vehicle movements for a discount food retailer would be similar to any other grocery outlet, it would be unreasonable to attach a condition to any planning permission granted to restrict the occupation of the unit to discount food retailers only, despite the comments of KCC Highways & Transportation and the GBC Highways Officer.

The applicant has highlighted that there are six existing cycle stands (providing parking for 12 cycles) located to the front of the Halfords unit at Imperial Retail Park. They suggest that these stands are available to any visitor to the Park and as such, there is already compliance with the KCC cycle parking standards. Whilst the existing spaces are acknowledged, it should be noted that the KCC standards are minimum requirements. The proposed development would be likely to increase opportunities for cycle trips (as the proposed food goods to be sold would be more portable than the previous bulky goods) and in line with sustainable transport objectives, it would be preferable to encourage less reliance on the private car. Therefore, it would be reasonable to require the provision of new cycle parking facilities as part of this proposal. This can be achieved by the attachment of a condition on any planning permission granted.

In order to ensure that the proposed development operates in a sustainable manner and generally encourages a reduction in the use of the private vehicle, it would also be appropriate to attach a condition on any planning permission granted to require the submission and approval of a travel plan within six months of the commencement of the development.

Overall, the proposed development would not generate significant increases in either customer or delivery vehicle movements and sufficient vehicle and cycle parking would be available. As such, the proposal would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policy P5 of the Gravesham Local Plan First Review (1994).

Flood Risk

Policy CS18 of the Gravesham Local Plan Core Strategy (2014) requires proposals in areas at risk from flooding to be accompanied by a flood risk assessment and for development to be directed sequentially to those areas at least risk of flooding. However, it also specifically states that previously developed sites along the Thames Riverside (including the area covered by Policy CS05) are subject to an exception from the sequential test (as they have already been evaluated).

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires the design and layout of new development to take advantage of opportunities to build in resilience to the effects of climate change, including protection against flood risk.

The applicants have submitted a flood risk assessment which concludes that the proposed use would be 'less vulnerable' and appropriate within Flood Zones 2 and 3 and that there would be no increased risk of flooding or adverse impacts to any flood defences or management facilities.

The proposed development would not result in any additional retail floorspace or change the footprint of the application building instead it would change the use of an existing retail unit. As such, there would be no increased flood risk and the proposal would be in line with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Any Other Material Planning Considerations

The application site is located within an area of multi-period archaeological potential and the buffer zone for the Asda historic landfill site and there is a gas pipeline which is located at the rear. However, as the proposed development would not involve any groundworks, then it is considered that there would be no adverse contamination, archaeological or gas infrastructure impacts. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located within the Northfleet Industrial Area Air Quality Management Area (AQMA) however, as there would be no significant increase in vehicle movements, then there would be no adverse air quality impacts and the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core

Strategy (2014).

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Submission and approval of cycle parking details within 6 months of commencement

Submission and approval of travel plan within 6 months of commencement

Use for the sale of food retail goods with a total sales area of 928 square metres and for the sale of ancillary non-food goods and for no other purpose

No food retail sales from mezzanine floor

No increase enlargement or alteration of the unit

No change of use of the unit

No subdivision of the unit

Hours of operation

Submission of details of all fixed building services/mechanical plant/equipment prior to installation

Submission of details of all external lighting prior to installation

Maximum noise level from fixed building services/mechanical plant/equipment (operating cumulatively)

Hours for servicing/deliveries/collections from rear service yard and refrigerated vehicles shall switch off their refrigeration units.

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	17 January 2024	Dated:	18 January 2024