



Delegated Report

Approval of Conditions Application

Planning Application No: 20260212

Location: Squadron Manor 101 New House Lane Northfleet Gravesend

Description: Application for the approval of condition 7 D and E (Desk Study Report), condition 11 (SUDS Verification Report), condition 16 (Workplace Travel Plan), condition 22 (Refuse Storage Details), condition 23 (Remediation and Closure Report) and condition 27 (Tree Protection Supervision Records) attached to planning reference number 20231182.

Applicant: Simply Develop (UK) Ltd c/o Ms Gillian Shields

Submitted Documents/Plans

Application Form
2271_90_513 Rev C – Refuse Store Details
Gravesend Employee Travel Pack
Remediation Strategy
Arboricultural Site Visit Record 18th February 2026
Workplace Travel Plan
Surface Water Drainage Verification Report
B24030-TLP-01 - Arboricultural Site Visit Record 26th April 2024
B24030-TLP-02 - Arboricultural Site Visit Record 30th August 2024
B24030-TLP-03 - Arboricultural Site Visit Record 18th February 2026
B24030-TLP-04 - Arboricultural Site Visit Record 18th February 2026

Relevant Planning History

Reference	Description	Decision	Decision Date
20231182	Application for the variation of condition 2 attached to planning reference 20221251 for the construction of a care home (within Class C2) associated parking, access, drainage, boundary treatments, landscape and other associated works; to allow the increase of 65 bedrooms to 75 bedrooms and the provision of a basement.	Permitted	12.03.2024
20221251	Construction of a care home (within Class C2) associated parking, access, drainage, boundary treatments, landscape and other associated works.	Permitted	20.06.2023

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- 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

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Guidance Note 12 – Arboricultural Association
- Kent Design Guide (2006)
- Design for Gravesham – Design Code (2024)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that

are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

Comments dated 20th April 2026:

The requested Remediation Strategy has now been submitted and reviewed. This should really have been submitted for approval prior to any remediation works commencing onsite. Looking at the remediation strategy, the following is proposed:

- 1) Installation of a cover system of a minimum of 300mm clean imported soil to the soft landscaped areas.
- 2) Installation of barrier pipework

The Verification Report demonstrates that this work has been satisfactorily carried out. The required validation tests have been undertaken and the relevant testing results and paperwork has been provided.

Based on these submitted reports, parts d) and e) of condition 7 can be discharged. This will fully discharge the condition.

Under the Watching Brief (Unexpected Contamination) condition (condition 23), the verification report also reports on some asbestos that was found during the groundworks, and this has been removed by specialist asbestos contractors. Again, relevant paperwork is provided in the report.

An area of made ground was also removed from site evidence by reduced site levels.

There is no objection to condition 23 also being fully discharged.

Comments dated 12th March 2026:

Only conditions 7 and 23 are relevant to Environmental Protection.

The submitted Remediation Verification Report by Applied Geology dated February 2026 (Report Ref: AG3571A-25-AU84) has been reviewed. In section 1.0 reference is made to a Remediation Strategy dated December 2025 by Applied Geology (Report Ref: AG3571A-25-AU83) having been submitted to the Local Authority for approval. I can't find any record of this, and it doesn't appear to have been submitted with this application.

This document is needed in order to address part d) of Condition 7 and ensure that appropriate remediation works have been carried out. Can this report be requested from the applicant please.

GBC Waste and Refuse

Under the Controlled Waste (England and Wales) Regulations 2012, care home waste is classified as commercial waste, we would not automatically collect from a property such as this. It is for the care home to manage the waste on the site and arrange the most appropriate collection regime through a commercial waste company. The council can provide this service if it helps.

In terms of the actual bin enclosure, all the different waste is in the same location which is good and will meet the Simpler Recycling Regulations.

KCC Highways

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

I refer to the above planning application and having reviewed the additional Employee Welcome Pack as part of the Travel Plan Document raise no objection on behalf of the local highway authority for the Discharge of Condition 16 Travel Plan.

KCC Flood and Water Management

Kent County Council as Lead Local Flood Authority has reviewed the Surface Water Drainage Verification Report (9360, February 2026) and understands that the evidence supplied by the contractors on site indicates that the drainage has been constructed in accordance with the approved design. The LLFA acknowledges that the supporting photographs, testing reports and product specification sheets demonstrate the drainage components that have been installed.

Prior to discharging Condition 11 however, we would seek photographs of the completed permeable paving within the car parking areas. The purpose of providing photographs and product specifications is to verify the block type/finish.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Environment Agency

Thank you for consulting us on the above application which we received on 23 February 2026. As part of this consultation, we have reviewed the following documents:

- Surface Water Drainage Verification Report (ref. 9360, dated 19 February 2026, by Charles Scott & Partners)
- Remediation Verification Report (ref. AG3571A-25-AU84, dated 17 February 2026, by Applied Geology)

Environment Agency position

We have no objection to the discharge of conditions 11 and 23.

Please note that we have no comments on the other conditions included in this application as they fall outside our remit.

Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the application, please reconsult us.

Southern Water

Thank you for your correspondence. Please see our comments below regarding the above planning consultation application.

Following a review of the documents submitted Southern Water is happy to discharge Condition 11 (SuDS Verification Report).

We do not have any comments on condition 7 D&E (Desk Study Report), condition 16 (Workplace Travel Plan), condition 22 (Refuse Storage Details), condition 23 (Remediation & Closure Report) and condition 27 (Tree Protection Supervision Records).

Officer's Analysis

This application seeks approval of details submitted to discharge condition 7D and E, 11, 16, 22, 23 and 27 of planning reference 20231182.

Condition 7 D and E - Contaminated Land - Desk Study Report

Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:

- ~~a) A desk study detailing the history of the site uses and proposed site investigation strategy.~~*
- ~~b) Details of Quality Assured Sampling and analysis methodology, with all site investigation including relevant soil, soil gas, surface and groundwater sampling conducted by a suitably qualified and accredited consultant/Contractor.~~*
- ~~c) A site investigation report detailing all investigative works and sampling on site, together with results of analysis and risk assessment to any receptors.~~*
- d) A remediation strategy to be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.*
- e) Prior to occupation, a closure report shall be submitted and approved by the Local Planning Authority, including details of the proposed remediation works and the quality assurance certificates, details of any post remediation sampling and analysis and details of waste materials removed from site.*

The development shall thereafter be carried out in full accordance with the approved details and thereafter maintained.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework (2023) and to accord with Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

Part A,B and C of this condition have been previously discharged leaving only parts D and E remaining. The ground investigation report recommended that to prevent impact on end users from these chemical compounds within the soil, consideration could be given to removing shallow made ground, including asphalt from areas currently beneath the asphalt hardstanding during the groundworks, removing the source of potential elevated contaminants. Alternatively, it would be necessary to place a suitable inert cover layer in proposed garden spaces and within other areas of soft landscaping where hardstanding is currently present. In areas not currently underlain by asphalt or hardstanding, no evidence of elevated concentrations of contaminants has been identified in these areas, no specific cover layers are considered necessary to mitigate risk to Human Health.

The submitted Remediation Strategy includes the following measures:

- 1) Installation of a cover system of a minimum of 300mm clean imported soil to the soft landscaped areas.
- 2) Installation of barrier pipework

The Verification Report demonstrates that this work has been satisfactorily carried out. The required validation tests have been undertaken and the relevant testing results and paperwork has been provided.

Environmental Protection have confirmed that they have no objection to the discharge of condition 7. Part D and E can now be discharged, the information submitted is considered to achieve the purposes of this

condition which is to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution.

Condition 11 - Sustainable Surface Water Drainage Scheme and Infiltration

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, shall be submitted to, and approved in writing by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed. The development shall thereafter be carried out in full accordance with the approved details and thereafter maintained.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 175 of the National Planning Policy Framework (NPPF) 2023.

To comply with this condition, a Surface Water Drainage Verification Report has been provided. It provides testing detailing that all detain has been installed and will function as intended. It details specifically that surface water runoff from the roof is collected via rainwater pipes to a below ground drainage network whilst other surface water runoff is collected by gullies, porous paving or drainage channels. The surface water drainage is discharges using infiltration to the underlying Thanet sand deposits using cellular storage crates which provide attenuation. The installation would accommodate all storm events up to and including the 1 in 100-year storm event plus 45% allowance for climate change. Parking areas have also been constructed using permeable paving with a granular subbase and drain via perforated pipes. In addition, there are two infiltration/attenuation tanks installed on site.

KCC Flood and Water Management advised that prior to discharge of the condition, photographs and details of the parking finish should be supplied. As the case officer had recently visited the site, these were independently supplied to KCC by the officer who requested that the paving was confirmed and verified. The Case officer independently verified that the approved slab was used for the parking. It is considered that sufficient information has been supplied to meet the purposed of this condition to ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems.

Condition 16 - Travel Plan

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, until a full and final workplace Travel Plan, detailing the measures designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, amongst other things, the appointment of a Travel Plan Co-ordinator, objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. The development shall be carried out in accordance with the approved details before the first occupation of the development and be maintained thereafter.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policy CS11 of the Gravesham Local Plan: Core Strategy (2014) and Section 9: Promoting Sustainable Transport of the National Planning Policy Framework (NPPF) 2023.

To discharge this condition, a Workplace Travel Plan has been submitted. In addition upon request by KCC

Highways, an Employee Travel Pack has been provided. The details submitted address the existing site-specific factors such as local transport options, nearby facilities such as shops, schools and hospitals etc and the existing local modal split in transport usage. It details methods to promote active travel such as the appointment of a travel coordinator, the provision of cycle store for up to 8 cycles and staff shower facilities, provision of an employee travel pack, travel information on the staff notice board, car share database introduction and a cycle/walking 'buddy' scheme. Clear objectives and targets are provided. The details submitted where implemented would meet the requirements of the condition and its purposes; to encourage the use of sustainable and more environmentally acceptable modes of transport.

Condition 22 - Refuse Arrangements

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The development shall be carried out in accordance with the approved details before the first occupation of the development and be maintained thereafter.

Reason In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with adopted Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

The details provided show 7 recyclable and non-recyclable 1100L waste bins. There are also 4 240L clinical waste bins and 4 240L food waste bins. The bins are suitably enclosed. The GBC waste and refuse team have comments and advised that under the Controlled Waste (England and Wales) Regulations 2012, care home waste is classified as commercial waste and the Local Authority would not automatically collect from this type of property. It is for the care home to manage the waste on the site and arrange the most appropriate collection regime through a commercial waste company. The council can provide this service if requested. In terms of the actual bin enclosure, it contains all of the differing types of waste which will meet the Simpler Recycling Regulations. The submitted details are considered sufficient to discharge condition 22.

Condition 23 - Watching Brief

If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, Local Planning Authority. The closure report shall include:

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.*
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria, together with the necessary documentation detailing what waste materials have been removed from the site.*

Any surface or fly-tipped waste materials should be removed to suitable permitted sites as part of any site clearance/preparation works.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 180 of the National Planning Policy Framework (NPPF) 2023 and to ensure suitable material is imported to site and appropriate measures for disposal of site waste are employed and pursuant to Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

During the groundworks an area of buried asbestos sheeting was discovered and removed by the

appropriate contractors along with surrounding impacted soils. In addition, the site was covered in 390m³ of 'clean' imported material with a minimum thickness of 300mm in all pit locations. Details of sampling and remediation works have been submitted. GBC Environmental Protection have raised no concerns with the submitted details for this condition.

The details submitted are considered acceptable as they would meet the purposes of the condition, which are to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

Condition 27 - Tree Protection - Supervision Records

All works proposed within the root protection areas of the trees to be retained will be supervised in full, by a suitably qualified Arboricultural consultant. Supervision records will be provided to the Local Planning Authority upon completion of works, prior to the approved care home being brought into use.

Reason: To safeguard trees to be retained and to ensure a satisfactory setting and external appearance to the development in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

Four arboricultural supervision records are supplied by the Landscape Partnership. The first is dated 26th April 2024, notes the location of relevant trees and that protective tree barriers had been installed with the location new hard surfacing marked out. They noted at the time that it had existing hardcore within its RPA. They advised at the time that the barriers should be moved for T9 to the canopy dripline and that the tree barriers should be moved to prevent access into the RPA of T10. It also noted that the installed temporary site office was in contact with the outer twigs of T1 which is a TPO Beech tree but not damage was recorded. At the time it was indicated that the temporary site office was to be moved within two weeks. It noted that the site hoarding would need to encompass T1 into the site and then protective fencing installed alongside this. At this time, it also notes that a no dog surface had been specified within the RPAs of T1 and T2. It notes that the best methodology would be to use the existing soil as it is but if demolition of the existing surface and sub-base are required arboricultural monitoring would be required to assess potential conflict with tree roots.

The next document dated 30th August 2024. At this time, it notes that the fencing remains mostly in situ as per the pre-commencement site meeting. It notes again that T9 and T10 should use protective measures i.e. fencing of ground protection. It notes this time that existing site hoarding and the temporary site office would be moved in the coming weeks to a different part of the site away from T10. It notes that the approved details require a no-dig methodology for the hard surfacing within the RPA of T9 and T10. It notes at the time that there was an area of vegetation which was needed to be removed to allow room for a new sub-station (this later received planning permission). It is also noted at the time that excavation was needed within the RPA of T9 and T10 to achieve finished site levels. Advice was to amend this to careful excavation and root pruning operations along the edge of the new surfaced area.

Another site visit record dated the 18th February 2026 was submitted and refers to a site meeting which took place on 1st May 2025. At this time, it was noted again that the site hoarding and panel fencing was in situ as per the pre-commencement meeting. The temporary site office had now been moved to the north-eastern part of the site away from tree T01 and T02. It notes that the rooting into the site appears to be restricted by the existing made ground and hard surfacing. It noted that the scaffolding mat was installed atop compacted aggregate however this was largely outside of the RPA's. In areas where there was encroachment into RPAs temporary ground protection had not been utilised. At the time it advised that arboricultural monitoring was required during the installation of the 'no-dig' hard surface. It also advised that protective tree barriers needed to be adjusted and the use of temporary ground protection implements and installation of drainage runs and below ground services need to avoid RPA's.

Finally, another site visit record dated 18th February 2026 has been submitted. This one refers to a site walkover and meeting on 13th February 2026. At this point it is noted that construction works have been completed on site and protective barriers and hoarding removed. The former bell mouth road entrance is

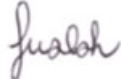
due to be altered or removed whilst realigning the curb line. Protective tree barriers should be installed during these works to prevent access to the soft landscape area within the RPA of T01. It also notes that the No dig hard surface was not complied with in relation to T01 and T02. It had been excavated and the cellular confinement system was not installed contravening the approved plans. They note however that the curb line as retained and former car park may have restricted root growth from T01 into the site, and so the impacts to the tree may be limited if only a small number of tree roots were affected. Arboricultural monitoring did not take place during the installation of the no dig hard surfacing. Tree removal in accordance with the AIA and AMS is complete.

The purpose of this condition is to ensure that the works within the RPA of trees to be retained are supervised. It does appear that some attempt was undertaken to regularly visit the site. However, it appears the construction within the RPA of the trees often commenced without the supervision of the arboricultural expert. Issues were identified and resolved during the period of supervision including material storage on the RPA, required improvement to the protective fencing and eventual relocation of the temporary site office away from the protected tree. The supervision was therefore beneficial in that regard. However, it appears that excavation was undertaken in the no-dig areas and the geocellular system in the required areas were not constructed in the relevant areas as per the approved plans. The result therefore contravenes the approved plans. However, this condition does not require compliance with the approved plans, it requires submission of full supervision records which have been supplied. The non-compliance with the approved plans and other tree conditions on this scheme are a separate enforcement matter and do not impact the assessment of this condition. With regard to this condition, its requirements are met albeit unfortunately showing that despite the arboricultural supervision, the AMS was not complied with. As such, the requirements of Condition 27 are met.

Conclusion & Recommendation

The required information has been submitted to discharge conditions 7D and E, 11, 16, 22, 23 and 27 of planning reference 20231182. The recommendation is that these conditions are formally discharged.

(see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	1 st July 2026	Dated:	02 July 2026