



# Delegated Report

## Planning Application

**Planning Application No:** 20221033

**Location:** Former Northfleet Cement Works The Shore Northfleet Gravesend

**Description:** EDC Consultation 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).

**Applicant:** Ebbsfleet Development Corporation

### Introduction

This is an application submitted to the Ebbsfleet Development Corporation (EDC) as the determining authority (EDC ref EDC/22/01332) and is a consultation in respect of the 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).

### Submitted Documents/Plans

The applicant has submitted the following in support of the application:

Consultation letter dated 22 September 2022.

### Relevant Planning History

| Reference | Description                                                                                                                                                                                                                                                                                                                         | Decision              | Decision Date |
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| 20221032  | EDC Consultation EDC/22/0132 - Partial discharge of condition 8 attached to planning permission reference number EDC/16/0004, relating to a detailed masterplan for the fastrack route and adjacent land within the non-residential land.                                                                                           | Pending Consideration |               |
| 20220857  | EDC Re-Consultation 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 to create a Sustainable Urban Drainage System (SuDS) details relating to site levels, ecological mitigation and enhancement strategy, details of design | Observations Sent     | 19.08.2022    |

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|          | 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)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                       |            |
| 20220844 | Highways improvement works including road widening at The Shore/Granby Road to accommodate two-way running of the eastern extent of the Fastrack route.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Pending Consideration |            |
| 20220529 | EDC Consultation 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 133no. 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). | Observations Sent     | 08.06.2022 |
| 20220226 | Temporary Access and associated landscaping and parking for the sales suite at Northfleet Embankment West site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Permission            | 05.10.22   |
| 20220078 | Erection of 3 dwellings together with associated infrastructure including details relating to parking and landscaping and the reconfiguration of parking to a consented dwelling approved under permission Ref: EDC/21/0081. Former Northfleet Cement Works, The Shore, Northfleet, Gravesend, Kent, DA11 9AN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Pending Consideration |            |
| 20220015 | Reserved matters pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north east of College Road to create a Sustainable Urban Drainage System (SuDS) 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).                                                                                                                                                                                                                                                                      | No objections         | 31.01.2022 |
| 20211271 | <b>**14 DAY CONSULTATION**</b><br>EDC Consultation EDC/21/0081 -Reserved matters application (access, layout, scale, appearance and landscaping) Pursuant of condition 2 of outline planning permission reference no. EDC/16/0004 for Land North of Hive Lane (Phase 1B). Comprising the erection of 120 no. dwellings together with associated infrastructure including details relating to finish 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                                                                                                                             | Observations Sent     | 02.11.2021 |

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|          | realm and other areas with public amenity function, provision of, and timetable for installation of public art and heritage interpretation (Condition 15).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |            |
| 20211227 | EDC Consultation EDC/21/0173 - Continued use of land for external storage, vehicle parking and stationing of a welfare cabin in connection with the approved Mixed Aggregates Plant Facility for a temporary period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Observations Sent | 20.10.2021 |
| 20211018 | <b>** RECONSULTATION DOCUMENT**</b><br>EDC Consultation 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 122no. 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). | Observations Sent | 21.10.2021 |
| 20210654 | EDC Consultation - EDC/21/0078 - Partial discharge of condition 16 (Construction Environmental Management Plan) relating to development on the residential element of the site pursuant to outline planning permission EDC/16/0004.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Observations Sent | 09.06.2021 |
| 20210598 | EDC Consultation -EDC/21/0086 - Partial discharge of condition 27 (Local Employment and Training Plan) relating to development on the residential element of the site pursuant to outline planning permission EDC/16/0004.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Observations Sent | 25.05.2021 |
| 20210445 | EDC/21/0068 EDC consultation - Partial discharge of condition 45 (Method and measures to minimise vibration), relating to land at Factory Road (Phase 1a) only, pursuant to outline planning permission EDC/16/0004.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Observations Sent | 26.04.2021 |
| 20210434 | EDC Consultation - EDC/21/0067 - Partial discharge of condition 26 (Community Development Strategy) relating to development on the residential land pursuant to outline planning permission EDC/16/0004.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Observations Sent | 27.04.2021 |
| 20210281 | EDC Consultation - EDC/21/0019 - Application for the partial discharge of condition 16 attached to outline permission reference no. EDC/16/0004 relating to a Construction Environmental Management Plan for development on land at Factory Road (Phase 1a) only.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Observations Sent | 30.03.2021 |
| 20210262 | EDC Consultation EDC/21/0031 - Application for the discharge of condition 22 and condition 40 (i) attached to outline permission reference no EDC/16/0004 relating to a programme of building recording for the site and historic building record of the College Road flint boundary wall.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Observations Sent | 09.04.2021 |
| 20201223 | EDC Consultation EDC/20/0083 - *Duplicate* Application for the discharge of condition 7 attached to planning permission reference no. EDC/16/0004 relating                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Observations Sent | 10.12.2020 |

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|          | to the Phasing and Implementation Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |            |
| 20201070 | EDC Consultation EDC/20/0080 - Application for the partial discharge of condition 8 attached to planning permission reference no. EDC/16/0004 relating to a detailed Masterplan for the residential land.                                                                                                                                                                                                                                                                              | Observations Sent | 06.11.2020 |
| 20201069 | EDC Consultation 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.                                                                                                                                                                                                                                                                                  | Observations Sent | 06.11.2020 |
| 20200926 | EDC Consultation EDC/20/0080 - Application for the partial discharge of condition 8 attached to planning permission reference no. EDC/16/0004 relating to a detailed Masterplan for the residential land.                                                                                                                                                                                                                                                                              | Observations Sent | 09.10.2020 |
| 20200925 | EDC Consultation EDC/20/0075 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to alter the wording of condition 40 in respect of the College Road flint wall.                                                                                                                                                                                                                                                                         | Observations Sent | 09.10.2020 |
| 20200924 | EDC Consultation - EDC/20/0077 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to allow for the relocation of the community facility involving (i) change to description of development, (ii) changes to the wording of condition 4 to replace the Land Use and Development Framework Parameter Plans and (iii) changes to wording of condition 14.                                                                                  | Observations Sent | 09.10.2020 |
| 20200923 | EDC Consultation - 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.                                                                                                                                                                                                                                                                                | Observations Sent | 09.10.2020 |
| 20200557 | EDC Consultation - EDC/20/0080- Application for the partial discharge of condition 8 attached to planning permission reference no. EDC/16/0004 relating to a detailed Masterplan for the residential land                                                                                                                                                                                                                                                                              | Observations Sent | 07.08.2020 |
| 20200556 | EDC Consultation - EDC/20/0076 - Application for approval of reserved matters (relating to access, layout, scale, appearance and landscaping) pursuant to outline planning permission reference no. EDC/16/0004 for Phase 1a comprising the erection of 3no. dwellings together with associated infrastructure including details relating to parking, energy and sustainability, finished site and floor levels, noise attenuation and mitigation measures and ecological enhancement. | Observations Sent | 31.07.2020 |
| 20200531 | EDC Consultation 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.                                                                                                                                                                                                                                                                                   | Observations Sent | 31.07.2020 |
| 20200534 | EDC consultation EDC/20/0078 - Application for a non-material amendment to condition 4 of outline planning permission reference no. EDC/16/0004 to replace the Building Heights Parameter Plan to allow for an increase in the maximum height of buildings in one location within the residential part of the site from 3 storeys to 4 storeys.                                                                                                                                        | Observations Sent | 31.07.2020 |
| 20200533 | EDC consultation EDC/20/0077 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to allow for the relocation of                                                                                                                                                                                                                                                                                                                          | Observations Sent | 31.08.2020 |

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|                                                                                               | the community facility involving (i) change to description of development, (ii) changes to the wording of condition 4 to replace the Land Use and Development Framework Parameter Plans and (iii) changes to wording of condition 14.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                                        |
| 20200532                                                                                      | EDC consultation EDC/20/0077 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to allow for the relocation of the community facility involving (i) change to description of development, (ii) changes to the wording of condition 4 to replace the Land Use and Development Framework Parameter Plans and (iii) changes to wording of condition 14.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Observations Sent | 17.07.2020                             |
| 20200180                                                                                      | EDC Re-consultation EDC/19/0201 - Application for the discharge of condition 6(a) attached to outline permission reference no. EDC/16/0004 relating to a site-wide Heritage Management Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Observations Sent | 11.03.2020                             |
| 20191324                                                                                      | EDC Consultation EDC/19/0201 - Application for the discharge of condition 6(a) attached to outline permission reference no. EDC/16/0004 relating to a site-wide Heritage Management Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Observations Sent | 24.01.2020                             |
| 20191170                                                                                      | EDC Consultation EDC/19/0177 - Request under Section 106A of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation in respect of use of the access tunnels to serve the residential and mixed use areas of the development approved by Outline planning permission reference EDC/16/0004.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Observations Sent | 22.11.2019                             |
| EDC/16/0004<br>(GBC ref. 20160962; previously when originally submitted to GBC, ref 20090238) | <p>Outline application for mixed development and comprising:</p> <ul style="list-style-type: none"> <li>• Up to 532 Homes, related car parking and landscaping (C3);</li> <li>• Up to 46,000 sq. m Employment Floorspace, related car parking, servicing and landscaping (B1/B2/B8);</li> <li>• Mixed Use Neighbourhood Centre comprising mix of: up to 850 sq. m retail/cafe/takeaway floor space (A1/A2/A3/A5); residential uses (C3); community centre (D1) and related car parking and landscaping;</li> <li>• Riverside Food and Drink Uses comprising up to 500 sq. m of pub or food and drink uses (A3/A4);</li> <li>• Public Open Space including riverside promenade, public park with equipped play areas and playing field with shared public/school use, multi-use games area and wildlife corridors;</li> <li>• Fastrack Link to provide a segregated link across the site along with Fastrack stops</li> <li>• Street and Footpath Network to provide access to development and maintain and enhance existing public rights of way, including a bridge link between Hive Lane and Factory Road;</li> <li>• Access Improvement to Grove Road/The Creek and The Shore/Crete Hall Road and associated highway improvements;</li> <li>• Supporting Services and Infrastructure including new utilities, enhanced flood defences and providing for</li> </ul> | Permission        | 08.06.2018<br>s106 signed concurrently |

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|  | access to cliffs and tunnels;<br>• Ground re-grading to create efficient development and open space platforms and to raise land to address flood risk; and<br>• Other Minor Works and development ancillary to the main proposals including the demolition of existing buildings and the retention of tunnels and facing walls adjacent to Lawn Road. |  |  |
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## Internal Consultations

### GBC – Environmental Protection

After reviewing conditions 2, 9 and 15 on EDC's planning portal we can see no aspects that would relate to Environmental Protection matters, therefore we have no comments to provide.

### GBC – Highways Officer

This submission seems to broadly reflect the initial proposals for the Fastrack corridor, it was always known to be a constrained route and compromises would have to be made. The matter is primarily for Kent County Council to comment on, as the Fastrack Corridor should be adopted by them.

It is recommended that the entire Fastrack Route should be adopted highway to secure it in perpetuity and ensure it is maintained to an appropriate standard. Its use can then be controlled by appropriate Traffic Regulation Orders. It would not be necessary for the land to be transferred to Kent County Council and if the road were ever stopped up, its use would revert to the landowners.

The applicant should ensure that the street trees do not compromise the street lighting installation.

## Planning Assessment/Comments

This application comprises an Ebbsfleet Development Corporation (EDC) as the determining authority (EDC ref EDC/22/0133) and is a consultation in respect of the 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).

### Introduction

Condition 9 attached to planning permission reference no. EDC/16/0004 states:

Applications for approval of Reserved Matters to be submitted pursuant to condition 2 shall include the following:

- (a) finished floor levels and finished site levels in relation to existing site levels generally in accordance with the proposed indicative ground levels as indicated in the following plans:
  - Drawing No LAF001/080.01 Rev K: Proposed Ground Levels
  - Drawing No LAF001/080.02 Rev G: Existing and Proposed Ground Sections
- (b) details of noise attenuation measures required to mitigate the effects of surrounding industrial and traffic sources of noise on the proposed development, including all commercial activities associated with Robins Wharf. The details shall be informed by updated noise surveys and shall include the noise mitigation provided by the design and layout of the development and noise attenuation provided by the construction, including design and installation of windows and ventilation. Reference shall be made to British Standard

8233:2014 and BS4142:2014, or the equivalent standard(s).

(c) a detailed Ecological Mitigation and Enhancement Strategy to be informed by the Outline Ecological Mitigation and Enhancement Strategy to be approved pursuant to condition 6. The Strategy shall be informed by up to date ecological surveys and shall include a timetable for implementing the proposed measures and the development shall be carried out strictly in accordance with the approved details.

(d) a schedule of the public open spaces within that phase of development, including details of location, layout and typology.

**Reason -** To ensure that the land forming and earthmoving works permitted under this consent have environmental impacts no worse than those assessed in the Environmental Impact Assessment and to ensure that mitigation measures identified and assessed in the Environmental Impact Assessment are implemented and is compliant with the adopted Gravesham Local Core Strategy, September 2014 and notably Policy CS19: Development and Design Principles. To safeguard the amenities of the occupants of the proposed development, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS19. In order to deliver ecological and biodiversity mitigation and enhancement in accordance with adopted Gravesham Local Plan Core Strategy Policy CS12, the National Planning Policy Framework and the duty placed on public authorities by the Natural Environment and Rural Communities Act 2006.

Condition 15 attached to planning permission reference no. EDC/16/0004 states:

Applications for approval of Reserved Matters to be submitted pursuant to condition 2 shall, where landscaping is submitted for approval, accord substantially with the approved Masterplan and include the following information:

- (i) Details of the design and maintenance of the public realm and other areas with a public amenity function within that phase, including layout and the address of public spaces, open spaces and soft landscaping; boundary treatments; the treatment of public highways and vehicle parking; the surface materials palette; street furniture and play equipment; a lighting strategy for the public realm, open spaces and facades of key buildings; public art and heritage interpretation; and disabled access.
- (ii) Details of the public art, the timescale for commissioning and installing the public art and provision for heritage interpretation including deployment of artefacts.

**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 adopted Gravesham Local Plan Core Strategy Policy CS19.

The application site lies within the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area where policy CS03 of the Gravesham Local Plan Core Strategy is relevant and seeks to secure major regeneration proposals that will bring forward benefits for the Borough through the provision of new housing and jobs while securing environmental improvements especially in air quality and a high standard of design.

The Borough Council has been previously consulted three times in respect of the above Reserved Matters in June and September 2021 (GBC ref 20211018) and comments were sent to the EDC on 21 October 2021, in October 2021 (GBC ref 20211271) and comments were sent on 02 November 2021, in January 2022 (GBC ref 20220015) and comments were sent on 31 January 2022, in May 2022 (GBC re 20220529) and comments were sent on 08 June 2022 and 04 October 2022, and in August 2022 (GBC re 20220857) and comments were sent on 19 August 2022.

The previous comments were quite lengthy and it is not intended to repeat those here in this report. The previous comments sent would still apply.

Internal Consultations have been carried out and comments have been received as a result of consultations

with GBC Environmental Protection and GBC Highways. It is recommended that the EDC be advised of the latest consultation comments.

## Recommendation

The Ebbsfleet Development Corporation (EDC) is advised that the Borough Council has been previously consulted three times in respect of the above Reserved Matters in June and September 2021 (GBC ref 20211018) and comments were sent to the EDC on 21 October 2021, in October 2021 (GBC ref 20211271) and comments were sent on 02 November 2021, in January 2022 (GBC ref 20220015) and comments were sent on 31 January 2022, in May 2022 (GBC re 20220529) and comments were sent on 08 June 2022 and 04 October 2022, and in August 2022 (GBC re 20220857) and comments were sent on 19 August 2022.

It is not intended to repeat those previous consultation comments which were quite lengthy but it is requested that the EDC fully take on board the Borough Council's previous comments and concerns in relation to the Reserved Matters Conditions 9 and 15.

In respect of the revised documents the subject of this further consultation the EDC is advised that in response to internal consultation it has received the following response:

### GBC – Environmental Protection

*After reviewing conditions 2, 9 and 15 on EDC's planning portal we can see no aspects that would relate to Environmental Protection matters, therefore we have no comments to provide.*

### GBC Highways Development Management Officer

*This submission seems to broadly reflect the initial proposals for the Fastrack corridor, it was always known to be a constrained route and compromises would have to be made. The matter is primarily for Kent County Council to comment on, as the Fastrack Corridor should be adopted by them.*

*It is recommended that the entire Fastrack Route should be adopted highway to secure it in perpetuity and ensure it is maintained to an appropriate standard. Its use can then be controlled by appropriate Traffic Regulation Orders. It would not be necessary for the land to be transferred to Kent County Council and if the road were ever stopped up, its use would revert to the landowners.*

*The applicant should ensure that the street trees do not compromise the street lighting installation.*

The EDC is asked to consider these additional comments, together with comments from KCC – Biodiversity and KCC – Highways & Transportation, in determining this planning application for the in respect of the 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).

**The EDC is thanked for consulting the Borough Council.**

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| <b>Case Officer:</b> | Mrs Amanda Grout             | <b>Team Leader:</b> | Miss Faye Hobbs                                                                       |
| <b>Signed:</b>       | A Grout                      | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 7 <sup>th</sup> October 2022 | <b>Dated:</b>       | 11 October 2022                                                                       |

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Gravesham Borough Council