



Delegated Report

Condition Discharge Application

Planning Application No:	20251283
Location:	Milton Place Car Park Gravesend Kent DA12 2BT
Description:	Application for the approval of condition 4 (Construction Environmental Management Plan (CEMP)), condition 7 (Habitat Management and Monitoring Plan (HMMP)) and condition 8 (Arboricultural Impact Assessment and Method Statement) attached to planning reference number 20250167.
Applicant:	Miss Esme Foley
Site Visit Date:	Desktop Assessment

Submitted Documents/Plans

Application form
Arboricultural Impact Assessment and Method Statement (February 2025)
Habitat Management and Monitoring Plan (Issue 1.0 dated 12 February 2026)
Construction Environmental Management Plan (April 2026)
Drawing no. MPG-IDP-ZZ-XX-D-L-00100 Rev. P01 (Overall Landscape General Arrangement)
Drawing no. MPG-ISS-XX-00-D-C-32000 Rev. P1 (External Works Plan)
Agent response to GBC Horticulture comments (Email sent 06.02.2026)
Agent confirmation on management measures (Email sent 02.04.2026)

Superseded:

~~Habitat Management and Monitoring Plan (Issue 0.1 dated 14 October 2025)~~
~~Construction Environmental Management Plan (November 2025)~~
~~Construction Environmental Management Plan (March 2026)~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20250167	Construction of 76 dwellings and associated infrastructure.	Permitted	15.12.2025

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS11 – Transport
- CS12 – Green Infrastructure
- CS19 – Development and Design Principles

Consultations, Publicity and Representations

External Consultees

KCC Biodiversity (2 February 2026)

Application 20250167 was required to achieve a 10% Biodiversity Net Gain. As such prior to any works commencing, the biodiversity gain plan required as part of the deemed condition discharge must be submitted to the LPA. We advise this condition is not included on the decision notice but it is still required to be discharged as it is a deemed condition required as part of BNG.

Condition 7 states: *The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved biodiversity gain plan and including:*

- (a) a non-technical summary;*
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.*

We advise that the submitted HMMP does not correspond with the landscaping plan submitted as part of the original application.

The Landscape general arrangement plan details that amenity grassland, trees, hedgerow, a suds basin and shrubs will be planted within the site. The HMMP provides details of management of a wildflower meadow (other neutral grassland) scrub, hedgerows and trees. We advise that the HMMP must be updated to reflect the habitats detailed in the landscaping plan and (once submitted) the Biodiversity Gain Plan.

Condition 4 states: *No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall cover all environmental impacts from the clearance and construction phases of this development including details of the following, as well as any other measures deemed reasonably necessary.*

Point (i) of the condition wording requires ecological mitigation measures and these have not been included within the CEMP. However as part of the application we provided the following comments:

The submitted Ecological Impact Assessment (James Blake Associates, February 2025) concludes that the application site is broadly unsuitable for most protected/priority species given its urban setting and largely uniform habitat composition. The only ecological constraint identified is nesting birds. As such, integration of measures to avoid impacts to nesting birds into any Construction Management Plan (CMP) is strongly recommended. This would include avoiding vegetation clearance during the core nesting period which is March through August.

As a Breeding bird informative has been included within the decision notice and google earth does not indicate that the site has change significantly since the surveys were carried out we are satisfied that the CEMP does not need to be updated. We have no further comments to make on this condition.

KCC Biodiversity (17 March 2026)

Application 20250167 was required to achieve a 10% Biodiversity Net Gain. As such prior to any works commencing the biodiversity gain plan required as part of the deemed condition discharge must be submitted to the LPA. We advise this condition is not included on the decision notice but it is still required to be discharged as it is a deemed condition required as part of BNG

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- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,*

has been submitted to, and approved in writing by, the local planning authority. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

We have reviewed the updated landscaping plan and HMMP and we advise that we are satisfied with the proposed management.

We highlight that the management plan has detailed that the wildflower meadow areas will only be cut once a year when established and the scrub will be cut on a 3 year rotation.

We advise that if the applicant does not agree with these management measures the HMMP will have to be updated.

We recommend that the management confirms that the management is suitable to the LPA prior to the discharge of the condition.

Subject to GBC receiving confirmation we are satisfied the condition can be discharged.

We advise that the management must be implemented as detailed within the HMMP.

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As a Breeding bird informative has been included within the decision notice and google earth does not indicate that the site has change significantly since the surveys were carried out we are satisfied that the CEMP does not need to be updated. We have no further comments to make on this condition.

KCC Highways

Having reviewed the CEMP Document raise no objection on behalf of the local highway authority for the discharge of Condition 4.

Internal Consultees

GBC Environmental Protection (29 December 2025)

Condition 4 requires details relating to minimisation of noise and vibration in part (a) and a Dust Management Plan in part (b). No details regarding these have been provided and the submitted CEMP is primarily written to address traffic impacts. Little information regarding the minimisation of impact on residents/businesses as required by the condition has been included.

Further information is needed and it is advised that the condition is not discharged at this time.

GBC Environmental Protection (17 February 2026)

The information submitted regarding dust and noise/vibration is still insufficient (it amounts to 3-4 lines of text for each) for this scale/size of development. Based on this, I am unable to recommend that the condition be discharged.

The applicant/agent is advised to consult the following guidance/standard:

'Guidance on the assessment of dust from demolition and construction' January 2024 (v 2.2) IAQM BS5228-1: Noise control of construction and open sites.

GBC Environmental Protection (27 March 2026)

With regards to condition 4, I'm afraid that the submitted information is still not sufficient. No reference has been made to the guidance recommended previously and for this size of development and with existing residential premises and public open space nearby, more specific measures are needed.

The condition requires the following to be addressed:

(a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery. **Insufficient detail and information has been given to address these matters.**

(b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery. **What's been submitted does not amount to a Dust Management Plan.**

Again, I can only stress that the following guidance is referred to and followed in addressing parts (a) and (b).

'Guidance on the assessment of dust from demolition and construction' January 2024 (v 2.2) IAQM BS5228-1: Noise control of construction and open sites.

GBC Environmental Protection (30 April 2026)

I can confirm that that version 7 of the CEMP dated 28.04.26 is satisfactory and I have no objection to condition 4 being fully discharged.

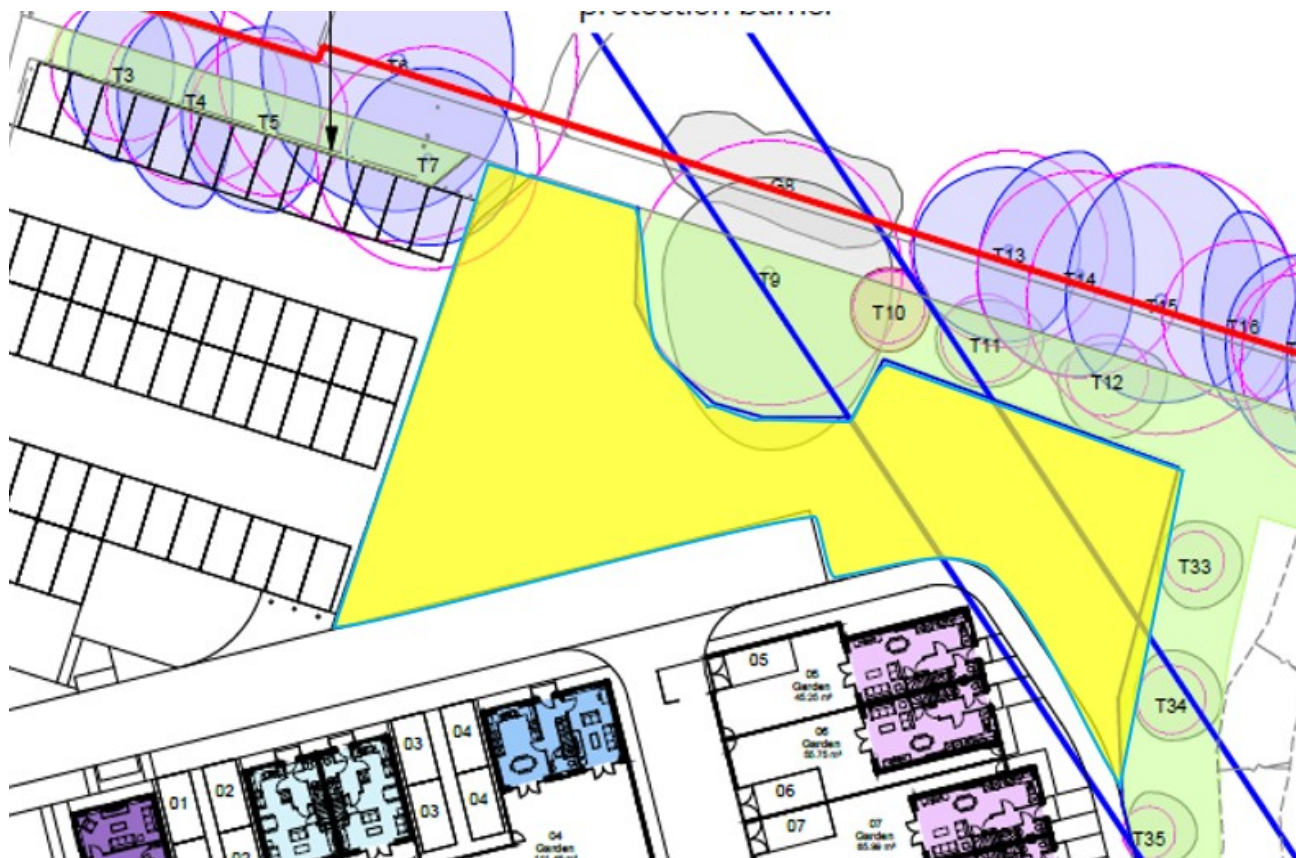
GBC Horticulture (4 February 2026)

I have reviewed the submitted report and associated information against the requirements. In principle, I am satisfied that the document addresses the intent of the condition; however, I have a small number of comments/clarifications which it would be good to get clarification on before formally discharged.

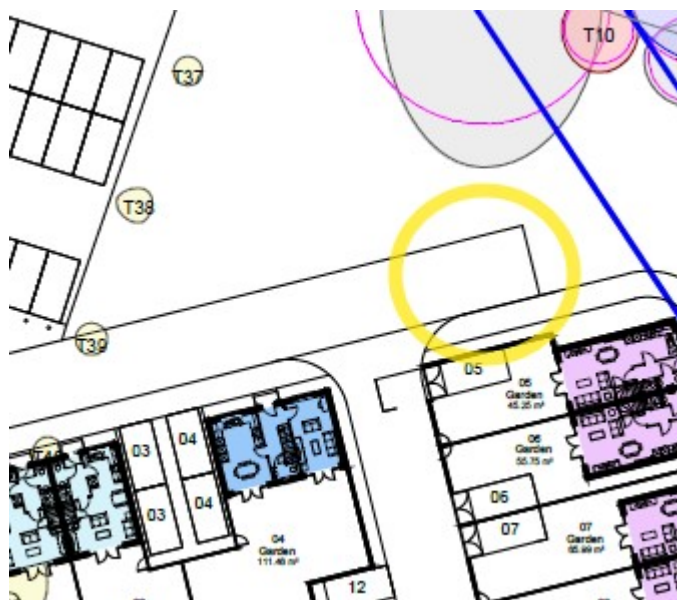
- Highlighted for removal are T53, G51 and T50, but these don't seem to be an obstruction to the planned development and sit on void land to the edge of the boundary.



- T7 has been suggested for a crown lift but I not sure why access would be required from this edge of the car park.



- What is the proposed plans for this area of open space to the rear of the development, as it seems rather landlocked.
- Can I flag this oddity within the plans, that seems to suggest the road leads up to the cul-de-sac for residents parking but provides a dead end of parking, dumping or ongoing issues.



- Final point to mention is about the 97 individual trees that are being suggested as mitigation for the loss but it is unclear as to the location of the hedges, and where the individual trees will be planted... and their aftercare provision.

GBC Horticulture (6 February 2026)

I am happy with the response and don't see any objections to the Arboricultural work that is required around the new development.

Neighbour Representations

As this is an application for the discharge of conditions there is no requirement to consult neighbouring properties.

Officer's Analysis

Condition 4 (CEMP)

Condition 4 states as follows:

4. *No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall cover all environmental impacts from the clearance and construction phases of this development including details of the following, as well as any other measures deemed reasonably necessary:*

- (a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery.*
- (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery.*
- (c) A Construction Traffic Management Plan covering:*
 - Means of direct access to the site from the adjoining maintainable public highway*
 - Surface treatment of the access to avoid spill of migratory material on to the maintainable public highway.*
 - Details of numbers and routeing of construction and delivery vehicles to / from site*
 - Timing of deliveries and waste movement.*
 - Loading and unloading of plant and materials away from the maintainable public highway.*
 - Parking and turning areas for construction and delivery vehicles and site personnel.*
 - Type and location of wheel washing and chassis cleaning facilities.*
 - Temporary traffic management / signage.*
- (d) Details of the location of the proposed construction compound.*
- (e) Details of security fencing and other site security measures.*
- (f) Details of stockpile areas for building materials or for fill or removed topsoil.*
- (g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage.*
- (h) Ecological mitigation measures.*
- (i) Measures to be undertaken to protect any public sewers and water apparatus.*
- (j) Details of vibration monitoring and mitigation during any necessary piling works.*
- (k) Details of temporary construction or security lighting; and*
- (l) Monitoring and review provisions with the Local Planning Authority.*
- (m) A Community Engagement Strategy covering how local residents, community groups and businesses will be kept informed about the development and construction timetable and works taking place, until completion of the development.*

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason To ensure that a suitable programme of all works is set out from the commencement of development, to demonstrate that the free flow of traffic on the highway and to minimise the impact on local residents and businesses, in accordance with policies CS11, CS12 and CS19 of the Gravesham's Local Plan: Core Strategy (September 2014).

A revised Construction Environmental Management Plan (April 2026) has been submitted in relation to this condition.

KCC Highways has no objections to the details.

KCC Biodiversity has commented that ecological mitigation measures have not been included in the CEMP, but that due to the unchanged urban setting of the site and the breeding bird informative on the decision notice, the CEMP does not need to be updated in this regard.

GBC Environmental Protection initially commented that the CEMP did not include any information about noise, vibration and dust but the revised CEMP is satisfactory.

It is therefore considered that sufficient detail has been provided to satisfactorily discharge condition 4. The details accord with Policies CS11, CS12 and CS19 of the Gravesham Local Plan 2014, relating to the minimisation of impacts on residents and businesses, and the reason for condition 4.

Condition 7 (HMMP)

Condition 7 states as follows:

7. *The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved biodiversity gain plan and including:*
- (a) a non-technical summary;*
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.*

Reason To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

A Habitat Management and Monitoring Plan (14 October 2025) has been submitted in relation to this condition. Due to initial points raised by KCC Biodiversity further information was provided in the form of drawing no. MPG-IDP-ZZ-XX-D-L-00100 Rev. P01 (Overall Landscape General Arrangement) and drawing no. MPG-ISS-XX-00-D-C-32000 Rev. P1 (External Works Plan).

KCC Biodiversity initially commented that the submitted HMMP did not correspond with the landscaping plan submitted as part of the original application. They have reviewed the updated landscaping plans and have advised they are satisfied with the proposed management.

They also highlighted that the management plan detailed that the wildflower meadow areas will only be cut once a year when established and the scrub will be cut on a 3-year rotation. They recommended confirmation that the management is suitable prior to the discharge of the condition.

The agent confirmed this in the following response:

The attached BNG assessment has been provided previously, which achieves the required percentage. As set out in our contract we (contractor) will be carrying out all management measures that have been specified within the HMMP, for the duration of the defects period (12 months). A management company will

be appointed to maintain all areas following the completion of the defects period.

KCC Biodiversity were satisfied that subject to GBC receiving this confirmation, the condition can be discharged.

They advised that the management must be implemented as detailed within the HMMP (this can be added via an informative).

It is therefore considered that sufficient detail has been provided to satisfactorily discharge condition 7. The details accord with the reason for condition 7.

Condition 8 (Protection of Retained Trees)

Condition 8 states as follows:

8. *Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees and hedgerows, in accordance with BS5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.*

Specific issues to be dealt with in the TPP and AMS:

- (a) Location and installation of services/ utilities/ drainage;*
- (b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees;*
- (c) Details of construction within the RPA or that may impact on the retained trees.*
- (d) A full specification for the installation of boundary treatment works.*
- (e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.*
- (f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.*
- (g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing*
- (h) A specification for scaffolding and ground protection within tree protection zones.*
- (i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.*
- (j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires*
- (k) Boundary treatments within the RPA*
- (l) Methodology and detailed assessment of root pruning*
- (m) Arboricultural supervision and inspection by a suitably qualified tree specialist*
- (n) Reporting of inspection and supervision*
- (o) Methods to improve the rooting environment for retained and proposed trees and landscaping*
- (p) Veteran and ancient tree protection and management*

The development thereafter shall be implemented in strict accordance with the approved details.

Reason Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014) and pursuant to paragraph 136 of the National Planning Policy Framework (2024).

An Arboricultural Impact Assessment and Method Statement (February 2025) has been submitted in

relation to this condition. Further details were added in the agent response to GBC Horticulture comments received on 06.02.2026.

On the basis of the clarification of the details to aid the management of the surrounding spaces and potential grounds maintenance of the site in the future, GBC Horticulture is satisfied with the details and has no objections to the arboricultural work that is required around the new development.

It is therefore considered that sufficient detail has been provided to satisfactorily discharge condition 8. The details accord with the reason for condition 8.

Conclusion

The Local Planning Authority is satisfied with the details submitted in relation to planning permission 20250167 for the construction of 76 dwellings. It is considered that conditions 4, 7 and 8 can be discharged.

Recommendation

Approval of details.

(For informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Mrs Faye Walsh
Signed:	<i>K. Parkin</i>	Signed:	<i>F Walsh</i>
Dated:	5 May 2026	Dated:	07 May 2026