



**Northfleet
Harbourside**

Planning Statement

NORTHFLEET HARBOURSIDE

PLANNING STATEMENT



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01

INTRODUCTION

Gravesham Borough Council

1.0 INTRODUCTION

1.1 This Planning Statement (“the Statement”) has been prepared by Montagu Evans LLP in support of an application for outline planning permission (“the Application” or “the Application Proposals”) submitted to Gravesham Borough Council (“GBC” or “the Council”) on behalf of Northfleet Central 1 Limited (“the Applicant”), for the redevelopment of the site at Stonebridge Road referred to as “Northfleet Harbourside” (“the Site” or “the Application Site”).

1.2 The description of development for the Application is as follows:

“Outline planning application with all matters reserved, except for the primary means of access, for a mixed-use redevelopment involving the demolition of existing buildings and structures including site preparation / remediation works, and the development of residential units (Use Class C3), Use Class E floorspace including floorspace for retail, food and beverage, office floorspace and flexible Class E floorspace, floorspace for a new multi-use stadium with associated business and leisure facilities, floorspace for a hotel (Use Class C1), floorspace for community uses (Use Class F2) and other sui generis uses, delivery of open space and the realignment of the A226 Galley Hill Road / Stonebridge Road with hard / soft landscaping, car and cycle parking, highways works, infrastructure works, ancillary and associated works.”

1.3 The Outline Application reserves all matters for later approval, with the exception of means of access into and out of the Site from the highway network. This is fixed and fully detailed as part of the submission with regard to the diversion of the A226 through the site, the primary means of access into and out of the Site via the A226 (to the south), B2175, Grove Road, Galley Hill Road (A226), Northfleet Industrial Estate, Lower Road and Seacon Terminals (as illustrated in the Highways Access Parameter Plan and shown in Es Volume 1, Chapter 4: The Proposed Development). All remaining matters relating to scale, layout, appearance and landscaping will be reserved and subject to reserved matters applications at a later date.

1.4 Further information regarding the proposed development is contained within Chapter 4 of this Statement, however in summary the Proposed Development seeks to deliver:

- Site clearance, including demolition and removal of the existing industrial uses/buildings on-site and remediation of brownfield land;
- Realignment of the A226 Galley Hill Road / Stonebridge Road;
- Provision of hard and soft landscaping delivering new areas of public realm;
- Car and cycle parking provision;
- Highway works;
- Construction of a new multi-use stadium (with associated facilities) (Sui Generis Use) with up to 8,000 seats and comprising up to 18,000 sqm (GEA);
- New buildings ranging between 2 and 20 storeys to deliver the following:

1. Up to 3,500 residential units (Use Class C3);

2. Up to 22,500 sqm of retail and food and beverage uses (Use Class E);
3. Up to 9,500 sqm (GEA) food and beverage / drinking establishment uses (Use Class E(b) / Sui Generis);
4. Up to 1,100 sqm (GEA) local services uses (Use Class E(c) / Sui Generis);
5. Up to 1,200 sqm (GEA) indoor sport, recreation and fitness uses (Use Class E(d));
6. Up to 1,500 sqm (GEA) healthcare space (Use Class E(e));
7. Up to 1,500 sqm (GEA) creche or nursery uses (Use Class E(f));
8. Up to 18,000 sqm (GEA) office use (Use Class E(g));
9. Up to 4,000 sqm (GEA) local community use (Use Class F2)); and
10. Up to 20,000 sqm (GEA) hotel use (Use Class C1).

FIGURE 1.1 NORTHFLEET SITE LOCATION PLAN (NOT TO SCALE)



THE APPLICANT

- 1.5 The Applicant is Northfleet Central 1 Limited, which is working in partnership with Ebbsfleet United Football Club to deliver the scheme. This partnership approach will ensure that the football club remains at the heart of the Northfleet community and will have a viable future through the provision of new sporting facilities that support growth and promotion.

CONSULTATION

- 1.6 The Applicant has undertaken extensive pre-application consultation which has informed the proposals for which outline planning permission is now sought. Formal pre-application engagement has been undertaken with Planning and Design Officers at GBC, Kent County Council Highways and National Grid. Further details are set out later within this Statement and within the accompanying Design and Access Statement, which also sets out how the application proposals have evolved in response to comments received.
- 1.7 The Applicant has also worked closely with public stakeholders, including those linked to the football club, with local Councillors, and residents and businesses. The consultation process is described in detail within the Statement of Community Engagement ("SCE"), prepared by Cascade Communications, which is submitted in support of this Application.
- 1.8 The consultation included two phases of pre-application engagement in July and then September 2022. These included Councillor and supporter briefings, in person consultation events, and online webinars. This engagement was supported through the creation of a dedicated project website which provided regular updates, recordings of the webinars, and allowed for submission of online feedback outside of the consultation events and in conjunction with free-post feedback forms. Newsletters were issued to 20,000 households and businesses to inform of the proposals and provide them with the opportunity to view plans and provide feedback at public exhibition events and online webinars.

FORMAT AND SCOPE OF THE PLANNING STATEMENT

- 1.9 This Planning Statement appraises the existing site and describes the proposed development. It examines the planning policy context for the Proposed Development, and assesses the proposal against that policy. It also summarises the other principal considerations to be taken into account in determining this application and concludes with the overall planning balance.
- 1.10 The Application is accompanied by a suite of technical documents and an [Environmental Statement](#), as outlined in [Table 1.1](#) below.

TABLE 1.1 – COMPONENTS OF THE APPLICATION

Ref.	Document Title	Author
1.	Application Form	Montagu Evans
2.	Ownership Notice List	Montagu Evans
3.	Covering Letter	Montagu Evans
4.	Site Location Plan	UNS Studios
5.	Parameter Plans	UNS Studios
6.	Block Plan	UNS Studios

Ref.	Document Title	Author
7.	Existing Buildings	C+W O'Brien
8.	Demolition Plan	UNS Studios
9.	Site Sections	UNS Studios
10.	Drawing Schedule	Montagu Evans
11.	Planning Statement including Parameters Report and Affordable Housing Statement (i.e. this document)	Montagu Evans
12.	Design and Access Statement including Illustrative Masterplan and Landscape and Public Realm Strategy	UNS Studios, C+W O'Brien and HLM
13.	Design Code	UNS Studios, C+W O'Brien and HLM
14.	Environmental Statement Volume 1 (inc. Technical Appendices and Reports)	Trium
15.	Environmental Statement Volume 2 (Town and Visual Impact Assessment)	Trium
16.	Environmental Statement 3 (Technical Appendices)	Trium
17.	Environmental Statement (Non-Technical Summary)	Trium
18.	Minerals Infrastructure Assessment	Wardell Armstrong
19.	Retail Impact Assessment	Montagu Evans
20.	Statement of Community Engagement	Cascade Communications
21.	Financial Viability Assessment (Redacted)	Montagu Evans
22.	Arboricultural Impact Assessment	Schofield Lothian
23.	Energy and Sustainability Statement	Scotch Partners

ENVIRONMENTAL IMPACT ASSESSMENT

- 1.11 As a result of both the site area and number of units the Proposed Development constitutes EIA development as an Urban Development Project under Schedule 2, Part 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. GBC provided a Scoping Opinion (ref: 20220852) on the 16th September 2022 which confirmed the information required to ensure a full and robust consideration of the proposed development.
- 1.12 In accordance with the Scoping Opinion, the EIA submitted for determination comprises a series of chapters shown in [Table 1.2](#) below.

TABLE 1.2 – CONTENTS OF THE ENVIRONMENTAL IMPACT ASSESSMENT

ES Chapters	Author
Chapter 1 – Introduction	Trium
Chapter 2 – Environmental Impact Assessment Methodology	Trium
Chapter 3 – Alternatives and Design Evolution	Trium
Chapter 4 – The Proposed Development	Trium
Chapter 5 – Demolition and Construction	Blue Sky Building

ES Chapters	Author
Chapter 6 – Socio Economics	Montagu Evans
Chapter 7 – Traffic and Transport	Vectos
Chapter 8 – Air Quality	AQC
Chapter 9 – Noise and Vibration	Sandy Brown
Chapter 10 – Daylight, Sunlight, Overshadowing, Solar Glare and Light Pollution	GIA
Chapter 11 – Wind Microclimate	GIA
Chapter 12 – Climate Change and Greenhouse Gas Assessment	AQC
Chapter 13 – Archaeology (including Archaeological Desk Based Assessment	Wessex Archaeology
Chapter 14 – Ecology and Biodiversity (including Biodiversity Net gain Assessment)	Schofield Lothian
Chapter 15 – Ground Conditions and Land Contamination (including Phase 1 land contamination assessment)	RMA
Chapter 16 – Effect Interactions	Trium
Chapter 17 – Likely Significant Effects and Conclusions	Trium
Chapter 18 – Environmental Management, Mitigation and Monitoring Schedule	Trium

PLANNING STATEMENT STRUCTURE

- 1.13 Section 2 of this Statement provides a description of the Site and its surroundings. Section 3 provides an overview of the proposed development, while Section 4 sets out the planning policy framework relevant to the Site. The proposals are assessed against the policies therein in Section 5 with the scheme benefits and Section 106 Heads of Terms are included in Section 6. The concluding comments and planning balance are set out in Section 8.
- 1.14 This Statement provides a policy-based assessment of the scheme, informed by the wider submission documents. Accordingly, this should be read in conjunction with the remainder of the submission.

02

SITE & SURROUNDINGS

Gravesham Borough Council

2.0 SITE AND SURROUNDINGS

- 2.1 This section of the Planning Statement provides a brief description of Site and its immediate surroundings. The Application Site is shown outlined in red on the accompanying plan (reference. NFH-UNS-MAST-DR-1003). An extract of which is shown below for reference.

FIGURE 2.1: EXTRACT FROM APPLICATION SITE PLAN (NOT TO SCALE)



- 2.2 The Site covers a total area of 19 hectares and falls wholly within the administrative boundary of Gravesham Borough Council. Land to the west of the site is within the administrative area of Dartford Borough Council, and to the east is an area under the administrative control of Ebbsfleet Development Corporation.
- 2.3 The Site is predominantly in non-residential use and comprises:
- Ebbsfleet Football Stadium;
 - Industrial units covering a range of manufacturing and semi-retail uses;
 - An aggregates/concrete handling and processing wharf operated by Aggregate Industries and Brett Aggregates;
 - petrol station;

- car showrooms;
- A terrace of four residential dwellings; and
- town centre uses including a gym and coffee shop.

- 2.4 The A226 (Stonebridge Road) runs through the site and is heavily used by HGVs accessing the industrial uses. Open spaces on-site are largely covered by concrete surfacing and areas of hardstanding. There is no amenity landscaping on site.
- 2.5 Adjacent to the northern extent of the site is Seacon Terminals, W.E Roberts and Britannia Refined Metals as well as other operators. Further to the north, lies Swanscombe Peninsula, which is designated as a Site of Special Scientific Interest (SSSI). The River Thames borders the site to the north-east. Along the eastern boundary of the site lies Robins Creek.
- 2.6 Northfleet Train Station and Ebbsfleet International Train station, along with railway infrastructure, are located to the south-east of the site. Adjacent to the western of land boundary along Taunton Road, Robinson Way and Black Eagle Drive lies residential dwellings. Beyond these residential properties and the railway infrastructure, to the west of the site, lies green space and the village of Swanscombe.
- 2.7 The site is well connected, forming part of the wider urban area of Gravesham, Kent. It is located 2.5 km from Gravesend and only 15 minutes from Central London by train from Ebbsfleet International Station (a 10 minute walk from the site). Access is also available by public transport, car and bicycle.
- 2.8 As per the Council's proposals map, the site is located within the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, within the GBC urban boundary/village confines and the Sub - Alluvial River Terrace Deposits Mineral safeguarding area designation.
- 2.9 There are no designated or non-designated heritage assets located on site, nor is it within or in the proximity of a conservation area. The nearest heritage asset is the Scheduled Monument 'Aspdin's Kiln' which is located approximately 80 metres to the east of the site.

PLANNING HISTORY

- 2.10 Given the extent of the site and varied uses there is an extensive planning history for the site. The following applications are of note:
- **Northfleet Harbourside.** Reference. 20220852 - Land Surrounding Ebbsfleet United Football Club, Bounded By Lower Road, Railway Line, Grove Road And The River Thames, Northfleet, Gravesend - Request for Scoping Opinion pursuant to Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in respect of a proposed outline planning application with all matters reserved, except for means of access, for a mixed-use redevelopment involving the demolition of existing buildings and structures including site preparation/remediation works, and the development of up to 3,500 residential units (Use Class C3), up to 55,000 sq.m (GEA) of Use Class E including up to 32,000 sq.m (GEA) floorspace for retail, food, and beverages and up to 18,000 sqm (GEA) office floorspace, up to 15,000 sq.m (GEA) floorspace for a new 8,000-seater football stadium with associated business and leisure facilities, up to 20,000 sq.m (GEA) floorspace for a hotel (Use Class C1), up to 4,000 sq.m (GEA) floorspace for community uses (Use Class F), delivery of circa 3.8 hectares of open space and the realignment of the A226 Galley Hill Road / Stonebridge

Road. Redevelopment of the site will also include some sui generis uses, with hard/soft landscaping, car and cycle parking, highways works, infrastructure provisions with ancillary works. **Scoping opinion provided 16th September 2022.**

- **Unit K6 Northfleet Industrial Estate** Reference. 20220681 - Unit K6 Northfleet Industrial Estate Lower Road Northfleet Gravesend Kent DA11 9B - Change of use of building to a mixed warehouse and office use together with erection of first and second floor extension and construction of a multi level car park, together with associated earthworks and drainage. **Pending decision.**
- **Telecommunications Mast** Reference. 20220475 - Telecommunications Mast Stonebridge Road Northfleet Gravesend Kent DA11 9BJ - Application for determination pursuant to Part 16 Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended, as to whether prior approval is required for proposed telecommunications installation for a 20m high slim line phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works. **Determined that prior approval is not required 22nd June 2022.** At the time of submission this permission has commenced but has yet to be completed.
- **Unit K7 Northfleet Industrial Estate.** Reference. 20220349 - Unit K7 Northfleet Industrial Estate Lower Road Northfleet Gravesend Kent DA11 9BL - Change of use from an empty unused warehouse unit into a food manufacturing unit with Internal configurations within the Class E use to the existing premises. **Pending decision.**
- **Unit K7 Northfleet Industrial Estate** Reference. 20200625 - Unit K7 Northfleet Industrial Estate Lower Road Northfleet Gravesend Kent DA11 9BL - Application for Lawful Development Certificate in respect of a proposed division of the unit into two units. **Determined and certificate granted 22nd October 2020.**
- **Unit 5 Robins Wharf** Reference. 20201198 - Unit 5 Robins Wharf Grove Road Northfleet, Gravesend Kent DA11 9AX - Application for a Lawful Development Certificate in respect of the continued use as B2 motor vehicle repairs workshop. **Determined and certificate granted 14th January 2021.**
- **Keyline Builders Merchants** Reference. 20181265 - Keyline Builders Merchants Ltd Robins Wharf Grove Road Northfleet Gravesend Kent DA11 9AX - Reorganisation of site to include open storage, racking systems, designated parking and loading areas. **Determined and permitted 6th March 2019.** This permission has been implemented.
- **Ebbsfleet United Football Club** Reference. 20200853 - Ebbsfleet United Football Club Kuflink Stadium Stonebridge Road Northfleet Gravesend Kent DA11 9GN - Application for Additional Environmental Approval for planning permission reference number 20170221 for the demolition of the Plough End Stand and ancillary buildings and erection of a replacement Stand (Phase 1B), integrated 55-bedroom hotel together with new access, parking and ancillary facilities. **Determined and permitted 17th September 2020.** This permission has been part-implemented through the erection of the new replacement Stand. The remainder of the development, including hotel, remains extant but unimplemented.
- **Adjacent To 67 Stonebridge** Reference. 20180154 - Sian Formwork Adjacent To 67 Stonebridge Road Northfleet Gravesend Kent DA11 9BA - Retention of 3000mm high perimeter security fencing. **Determined and permitted 15th November 2018.**

- **Eagle Way** Reference. 20180528 - Swale Motors Ltd, Eagle Way, Stonebridge Road Northfleet Gravesend Kent DA11 9BJ - Re-provision of parking with associated infrastructure improvements. **Determined and permitted 5th July 2018.**

SURROUNDING DEVELOPMENT

2.11 The following applications are also considered relevant to this proposal due to the scale and proximity to the application site these include:

- **The London Resort** Reference. BC080001 This scheme was categorised as a Nationally Significant Infrastructure Project and subject to the inquiry proceedings associated with a development consent order. However, following designation of the peninsular as a SSSI the application was **withdrawn in March 2022 and a new application has not been resubmitted.**
- **Land North Of Hive Lane Northfleet Embankment** Reference. EDC/21/0081 - Land North Of Hive Lane Northfleet Embankment West The Shore Northfleet Gravesend Kent DA11 9AN - 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 121no. 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). **Determined and permission granted January 2022.**
- **Albion Waterside** Reference. 20210270 - Albion Waterside Canal Basin, Gravesend, Kent, DA12 2RN - Hybrid planning application comprising:
 - Part A - Full planning application for demolition of existing buildings and structures, construction of a mixed use development comprising C3 and C2 Residential Uses and commercial floorspace (Use Class E), a new river wall, works to Swing Bridge, highway junction improvements at Milton Road and Ordnance Road, associated new public open spaces and public realm improvements, car and cycle parking, landscaping, infrastructure and earthworks and ancillary works; and
 - Part B - Outline planning application with all matters reserved (apart from access) for demolition of all existing buildings and structures and the construction of a mixed use development comprising C3 Uses and commercial floorspace (Use Class E) with associated vehicular access, car parking, landscaping, associated infrastructure and earthworks and ancillary works. **Decision pending completion of the s106 Agreement.** (Committee resolution for the application to be delegated to the Service Manager (Planning) in consultation with the Chair and Vice-Chair (Planning Committee) to grant conditional permission subject to finalisation of planning conditions and of a Legal Agreement under S106 dated 21st July 2021).
- **Former Northfleet West Sub Station Southfleet Road.** Former Northfleet West Sub Station Southfleet Road Swanscombe Kent - **Outline permission and reserved matters for the redevelopment of the site:**
 - Reference. EDC/16/0045 - Application for variation of condition 3 attached to outline planning permission reference no. DA/05/00308/OUT relating to parameter plans. This was approved 4th August 2017 and superseded Outline Planning Permission DA/05/00308/OUT and has been implemented.

- Reference. EDC/18/0170 - Submission of Reserved Matters of siting, design, external appearance and landscaping pursuant to Conditions 2, 19, 20, 26, 36 and 43 of the outline planning permission EDC/16/0045 for Phase 2C development of 126 residential units (C3) and including details of streets, buildings, structures, materials, open space, landscaping, car parking, noise and drainage. **Approved August 2021.** This Reserved Matters Application supersedes that of March 2020 and has been implemented and development commenced.
- Reference. EDC/19/0125 - Submission of Reserved Matters of siting, design, external appearance and landscaping, pursuant to Conditions 2, 19, 26, 36 and 43 of outline planning permission EDC/16/0045 for Phase 4 development of 133 residential units including details of streets, buildings and structures, materials, open space, car parking, noise and drainage. **Approved March 2020.** This phase been implemented and development commenced.
- **Northfleet Embankment** Reference. EDC/17/0038 - Northfleet Embankment East Crete Hall Road Northfleet Gravesend Kent - Hybrid planning application (part full and part outline) comprising: (1) full planning application for the erection of 598 residential dwellings including affordable housing; retail floorspace (Use Classes A1, A2 and/or A3); amendments to existing highway accesses and realignment of Crete Hall Road; demolition of rear of WT Henley Building; provision of open spaces, equipped areas of play and landscaping; and associated internal accesses/roads, parking, infrastructure, attenuation features and earthworks; and (2) outline planning application (with all matters except access reserved) for a two form entry primary school and for the refurbishment, change of use (for Use Classes A1/A2/A3/B1(a)/C3/D1) and demolition of the boundary wall and rear portion of the WT Henley Building. **Approved March 2019.**
- **Land at Ebbsfleet West of Springhead Road** Reference. 20150155 - Land At Ebbsfleet Bounded By A2, Southfleet Rd, Springhead Rd, North Kent Rail Line Excluding Blue Lake, Springhead Enterprise Park And CTRL Alignment, Swanscombe/Northfleet - EDC - The development of land at Ebbsfleet for mixed use up to 789,550m2 gross floorspace comprising employment, residential, hotel and leisure uses, supporting retail and community facilities and provision of car parking, open space, roads and infrastructure and being for the variation/deletion of the following planning conditions of outline planning permission 20120186 (which itself was a variation of the original outline planning permission reference 19960035): D9 (affordable housing quantum), D10 (lifetime homes quantum), D15 (employment timing), F6 (Springhead highway improvement), G1 (pre-school nursery timing), G2 (primary school timing), G3 (health care provisions), G4 (family centre timing), G7 (local park timing), G8 (allotments), G9 (playing fields quantum), G10 (sports centre requirement), G11 (affordable housing timing), G12 (Lifetime Homes timing), G15 (adult education provisions) and G16 (recycling facility provisions). **Application was approved by Ebbsfleet Development Corporation 16th September 2016.** This application has been implemented with a number of reserved matters and conditions applications submitted and approved.
- **Land at Ebbsfleet West of Springhead Road** Reference. EDC/18/0009 - Land West Of Springhead Road (Springhead Park Phase 3) Springhead Road Northfleet Gravesend Kent – Application for the approval of Reserved Matters pursuant to outline planning permission reference number 20150155 relating to the erection of 172 residential dwellings in Phase 3 of Springhead Quarter including access, appearance, landscaping, layout and scale, along with associated changes to existing ground levels, the provision of car parking, servicing, utilities, and open space (including allotments, play space and extension of Linear Park). **Approved June 2018.** This application has been implemented.
- **Land At Former Northfleet Cement Works** Reference. EDC/16/0004 - Land At Former Northfleet Cement Works The Shore Northfleet Gravesend Kent DA11 9AN - Outline application for a mixed

development and comprising: up to 532 Homes, related car parking and landscaping (C3); up to 46,000m2 Employment Floorspace, related car parking, servicing and landscaping (B1/B2/B8); Mixed Use Neighbourhood Centre comprising mix of: up to 850m2 retail/cafe/takeaway floor space (A1/A2/A3/A5); residential uses (C3); community centre (D1) and related car parking and landscaping; Riverside Food and Drink Uses comprising up to 500m2 of pub or food and drink uses (A3/A4); 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; Fastrack Link to provide a segregated link across the site along with Fastrack stops; 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; Access Improvement to Grove Road/The Creek and The Shore/Crete Hall Road and associated highway improvements; Supporting Services and Infrastructure including new utilities, enhanced flood defences and providing for access to cliffs and tunnels; Ground re-grading to create efficient development and open space platforms and to raise land to address flood risk ; and 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. **Approved June 2018.** Planning permission has been implemented and development has commenced.

03

THE PROPOSED DEVELOPMENT

Gravesend Borough Council

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The Application proposes the transformative redevelopment and regeneration of the Site to create a vibrant mixed use development delivering new sporting facilities for Ebbsfleet United FC, new homes, retail, community and office uses, as well as extensive areas of public realm and improved pedestrian and cycle connections.
- 3.2 The Proposed Development will comprise:
- Site clearance, including demolition and removal of the existing industrial uses/buildings on-site and remediation of brownfield land;
 - Realignment of the A226 Galley Hill Road / Stonebridge Road;
 - Provision of hard and soft landscaping delivering new areas of public realm;
 - Car and cycle parking provision;
 - Highway works;
 - Construction of a new multi-use stadium (with associated facilities) (Sui Generis Use) with up to 8,000 seats and comprising up to 18,000 sqm (GEA);
 - New buildings ranging between 2 and 20 storeys to deliver the following:
 - Up to 3,500 residential units (Use Class C3);
 - Up to 22,500 sqm (GEA) retail floorspace (Use Class E(a));
 - Up to 9,500 sqm (GEA) food and beverage / drinking establishment uses (Use Class E(b) / Sui Generis);
 - Up to 1,100 sqm (GEA) local services uses (Use Class E(c) / Sui Generis);
 - Up to 1,200 sqm (GEA) indoor sport, recreation and fitness uses (Use Class E(d));
 - Up to 1,500 sqm (GEA) healthcare space (Use Class E(e));
 - Up to 1,500 sqm (GEA) creche or nursery uses (Use Class E(f));
 - Up to 18,000 sqm (GEA) office use (Use Class E(g));
 - Up to 4,000 sqm (GEA) local community use (Use Class F2)); and
 - Up to 20,000 sqm (GEA) hotel use (Use Class C1).
 - The above areas will be delivered across 5 new neighbourhoods which are fully detailed within the accompanying design code:
 - Riverside – residential-led mixed-use neighbourhood fronting the River Thames;
 - Parkland - residential-led mixed-use neighbourhood fronting the new parkland is that to be created underneath the powerlines;
 - Marketplace – retail focussed neighbourhood arranged around the western half of the stadium;
 - Boulevard – commercial and residential neighbourhood to the east of the new stadium; and
 - Stadium – the new home for Ebbsfleet United FC, including ancillary uses.

3.3 The description of development is as follows:

“Outline planning application with all matters reserved, except for the primary means of access, for a mixed-use redevelopment involving the demolition of existing buildings and structures including site preparation / remediation works, and the development of residential units (Use Class C3), Use Class E floorspace including floorspace for retail, food and beverage, office floorspace and flexible Class E floorspace, floorspace for a new multi-use stadium with associated business and leisure facilities, floorspace for a hotel (Use Class C1), floorspace for community uses (Use Class F2) and other sui generis uses, delivery of open space and the realignment of the A226 Galley Hill Road / Stonebridge Road with hard / soft landscaping, car and cycle parking, highways works, infrastructure works, ancillary and associated works.”

FORMAT OF THE APPLICATION

- 3.4 The Application is submitted in Outline, with all matters reserved other than the principal means of vehicular access into and out of the Site for which details are submitted as part of the Application. Otherwise, means of access is a reserved matter and circulation within the Site is not fixed (other than by reference to parameters). Whilst shown within the illustrative masterplan for the scheme, the layout, scale, appearance and landscaping elements of the proposed development are to be treated as reserved matters.
- 3.5 This Application seeks to establish the principles for the redevelopment of the Site including the amount, scale, massing and mix of uses, and the means of vehicular access. All matters (other than the principal means of vehicular access) will be subject to reserved matters applications at a later date.
- 3.6 Whilst shown within the illustrative masterplan for the scheme, the layout, scale, appearance and landscaping elements of the proposed development are reserved matters. For layout and scale, maximum parameters (as shown on the parameter plans) are set within which the reserved matters will be brought forward. With regard to appearance and landscaping, the illustrative masterplan contained within the accompanying Design and Access Statement and the accompanying Design Code submitted in support of the Application shows one way in which the development could be brought forward within the parameters set. This approach, whilst allowing control over subsequent reserved matters, also allows for a degree of flexibility in the final design so that the scheme can evolve over time to take account of relevant factors including possible changes to the surrounding built environment and market conditions. It provides enough information at the outline stage, however, to allow the Environmental Statement to make a robust assessment of the environmental effects of the proposal.

THE PARAMETERS

- 3.7 The parameters for the proposed development are defined by a cap on the maximum floorspace to be delivered by use class, and by submitted parameter plans. These are considered in turn:

i. Floorspace

- 3.8 The mix of uses and maximum quantum of development is set out in Table 3.1, below. This table sets the controls on the quantum of floorspace by use class as well as the number of residential units. The table and the submitted parameter plans, as detailed below, together define the scope and extent of the proposed development.

TABLE 3.1 – MAXIMUM QUANTUM OF FLOORSPACE BY USE (GEA)

USE	USE CLASS(ES)	NEIGHBOURHOOD AREA (MAX GEA SQ M)					TOTAL MAXIMUM GEA (SQ M)
		RIVERSIDE	PARKLAND	MARKETPLACE	BOULEVARD	STADIUM	
Retail	E(a)			18,000		4,500	22,500
Food and Beverage / Drinking Establishments (not including ancillary outlets within the stadium)	E(b) / Sui Generis	2,000		1,000	4,000	2,500	9,500
Local Services	E(c) / Sui Generis		200		900		1,100
Indoor Sport, Recreation and Fitness	E(d)	300	300		600		1,200
Medical or Health Services	E(e)	500	500				1,500
Creche or Nursery	E(f)	300	300				1,200
Office	E(g)			1,000	17,000		18,000
Local Community Use	F2	700	700	1,800	800		4,000
Stadium and Associated Facilities	Sui Generis					15,000	15,000
Hotel	C1				20,000		20,000
Residential	C3	1,600	1,600		950		3,500
Total Maximum non-residential Floorspace		3,800	2,000	21,800	44,400	22,000	94,000

- 3.9 It should be noted that for the purposes of a number of assessments, including the Transport Assessment, land uses E(c) – (f) as set out above have been grouped. This allows for a “worst case” assessment based on projected impact.

ii. Parameter Plans

- 3.10 Parameter Plans are submitted for approval as part of this Application for outline planning permission. These plans should be read together with the following explanatory text. It is envisaged that conditions will be imposed on the planning permission requiring the reserved matters applications to be in accordance with the Parameter Plans and associated floorspace and unit numbers. Relevant paragraphs and appendices of the Parameters Report can either be used directly to frame conditions, or the principles set down can be distilled as necessary.

- 3.11 Details of the principal points of access into and out of the Site via the A226 to the south, the B2175 Grove Road, the A226 Galley Hill Road, Northfleet Industrial Estate, Lower Road and Seacon Terminals are submitted as part of this Application, while the remainder of the access arrangements will be subject to reserved matters approvals. The access arrangements for which detailed approval is sought as part of this Application are described in detail within Chapter 4 of the accompanying ES.
- 3.12 The Parameter Plans submitted for approval are listed below. In addition, the following section sets out a summary of the content and purpose of each parameter plan:

Development Plots

Parameter Plan Reference:

- NFH-UNS-MAST-DR-1004 Rev R00 Plots Plan;

Description: This plan delineates the maximum boundaries of the built development plots (of which there are 19) across the Site, within which new buildings and structures will be developed. These in turn define the pedestrian routes and public open spaces within the Site. The total development floorspace and number of residential units as set out in Table 3.1 will be delivered within the plots shown on this plan.

Land Use Zones

Parameter Plan References:

- NFH-UNS-MAST-DR-1005 Rev R00 Land Uses Zones LV00;
- Ref. NFH-UNS-MASTAr-DR-1006 Rev R00 Land Uses Zones LV01;
- Ref. NFH-UNS-MAST-DR-1007 Rev R00 Land Uses Zones LV02;
- Ref. NFH-UNS-MAST-DR-1008 Rev R00 Land Uses Zones LV03;
- Ref. NFH-UNS-MAST-DR-1009 Rev R00 Land Uses Zones Top Floor Level;

Description: The above plans set out how the proposed land uses, controlled by Table 3.1 above, will be delivered across the Site. Most of the plots are mixed use and their use varies between each level. Due to the outline nature of the Proposed Development, mixed uses are proposed within plots to maintain a degree of flexibility for the future detailed design of the development within the site wide maximum quantum.

Ground floor uses will vary from plot to plot, with the majority comprising parking, or a mix of parking and non-residential uses. At level 01, mixed residential / parking use is introduced across much of the site. At levels 02 and above, the use is predominantly residential to the north-west, north-east and east of the site, and mixed Sui Generis and commercial uses within the central area of the Site.

Built Edge Deviation

Parameter Plan References:

- Ref. NFH-UNS-MAST-DR-1010 Rev R00 Built Edge Deviation Plan: Ground Floor – Podium Levels;

- Ref. NFH-UNS-MAST-DR-1011 Rev R00 Built Edge Deviation Plan: Upper Floors – Tower Levels.

Description: By defining the location and maximum extents of each plot footprint through the above plans, the overall urban composition is defined. The minimum extent of open space is also defined through control over the space between buildings. The process of setting maximum plot footprints fixes the location of the larger open spaces of the public realm.

Public Realm

Parameter Plan Reference:

- Ref. NFH-UNS-MAST-DR-1012 Rev R00 Public Realm.

Description: The minimum area and distribution of public realm to be delivered across the Site is defined by the above parameter plan.

Building Heights

Parameter Plan Reference:

- Ref. NFH-UNS-MAST-DR-1013 Rev R00 Maximum Building Heights; and
- Ref. NFH-UNS-MAST-DR-1019 Rev R00 Maximum Building Levels.

Description: This plan sets out the maximum building height within each plot, including plant zone. The heights given are the maximum of the built form, which has been examined in the Environmental Impact Assessment.

The maximum parameters contained within the building edge deviation plans and the maximum building heights plan establish the maximum developable envelope within which the detailed design of the buildings will be developed through subsequent reserved matters applications. The maximum building envelope is the shape that would emerge by applying the outer most maximum dimensions for the plots.

Highway Access

Parameter Plan Reference:

- Ref. NFH-UNS-MAST-DR-1014 Rev R00 Highway Access.

Parameter Plan Description: This plan shows the proposed vehicular and cycle access and circulation routes into and within the Site. The points of vehicular access into and out of the Site are shown in detail and are not reserved for future approval. These include the re-aligned A226 and associated junctions on the western perimeter of the site, and new road access from Grove Road to the East.

Indicative Phasing

Parameter Plan Reference:

- Ref. NFH-UNS-MAST-DR-1016 Rev R00 Indicative Phasing

Parameter Plan Description: The plan details the manner in which the Proposed Development will come forward in two main phases, as follows:

- Phase 1: Plots 1 – 8 and 15 – 19; and
- Phase 2: Plots 9 – 14.

As per the accompanying ES, the construction of Phase 1 of the Proposed Development will require the temporary relocation of Ebbsfleet United Football Club. The existing industrial uses located within the Phase 2 area will remain operational whilst Phase 1 is built out, and the road realignment works will be carried out within Phase 1 prior to the closure of the current A226. The existing wharf areas within Phase 1 will be utilised as construction compounds during construction works associated with that phase. Further information with regard to the phasing of the Proposed Development is set out within ES Volume 1, Chapter 5: Demolition and Construction.

Neighbourhoods

Parameter Plan Reference:

- NFH-UNS-MAST-DR-1018 Rev R00 Neighbourhoods Plan.

Parameter Plan Description: This plan shows the location and distribution of the proposed neighbourhoods across the Site, such that it is possible to determine how various land uses are delivered across distinct parts of the Site.

DEVELOPMENT PLOTS AND NEIGHBOURHOODS

- 3.13 The Proposed Development extends across nineteen development plots, each of which comprises a defined area of developable land. These plots are interspersed with areas of public realm and landscaping, as shown on the 'Development Plots' Parameter Plan, ref. NFH-UNS-MAST-DR-1004 Rev R00. The Proposed Development is to be delivered across a series of five interconnected neighbourhoods as follows:

THE STADIUM

- 3.14 A new stadium to house Ebbsfleet United Football Club is proposed to lie at the heart of the Proposed Development, with the capability of hosting additional cultural, music and community events.
- 3.15 As per the accompanying Design and Access Statement, the stadium is envisaged as a 'pivot point' within Proposed Development, and a stimulus for regeneration, providing the community heart of the scheme within a multi-functional space across four levels, including retail floorspace, conference facilities, and health and fitness uses as well as the stadium and football pitch itself. It also provides car parking and servicing at ground floor and below podium level (Level 00 & 01).
- 3.16 The Stadium is one of the key buildings within the Proposed Development, and by virtue of its placement at the centre of the Site, acts as one of the points from which routes across the entire masterplan are derived.

THE MARKETPLACE

- 3.17 The Marketplace will provide a high-quality retail experience that works closely with the leisure activities of the new stadium and will act as a destination for both visitors and residents, with activity all year round. As per the accompanying Design and Access Statement, the Marketplace marks the arrival point of the masterplan from Ebbsfleet Station to the south. It comprises a podium route along which two levels of retail floorspace are located, as well as food and beverage uses, office floorspace and local community uses.

- 3.18 Located towards the south of the Site and extending round the perimeter of the stadium, the marketplace creates a key arrival gateway for many different uses and experiences, as well as forming the main community edge addressing both new and existing Northfleet residents.
- 3.19 At ground level (level 00) runs the re-aligned A226 which has been diverted to the perimeter of the site beneath the podium. This alternative routing for the A226 allows for the delivery of the re-positioned stadium and ancillary areas. Fundamentally it provides an opportunity to separate pedestrians and cyclists from the road, which is dominated by heavy goods vehicles. This separation allows for pedestrians and cycles to experience a safer and healthier environment.

BOULEVARD NEIGHBOURHOOD

- 3.20 The Boulevard neighbourhood lies next to the stadium and is developed around a mixed-use active street. Food and beverage uses, local services, recreation and fitness uses, medical and health uses, creche and nursery uses, a hotel use and commercial office floorspace are anticipated as being delivered within this area, along with up to 950 residential units.
- 3.21 The neighbourhood is defined by a boulevard which forms the primary access from Stonebridge Road to the heart of Northfleet Harbourside, and along which traffic is limited to buses and active travel modes only.

RIVERSIDE NEIGHBOURHOOD

- 3.22 The Riverside neighbourhood lies adjacent to the River Thames and provides food and beverage uses and event spaces in a vibrant and attractive waterfront destination, linking the Proposed Development Site to the river.
- 3.23 The neighbourhood is also anticipated to deliver fitness, medical, creche and nursery uses, local community uses, and up to 1,600 residential units. A multi-functional amphitheatre space is proposed within the Thames View area of the Riverside neighbourhood, providing opportunities for events, concerts/plays, outdoor cinema events and inclusive community interactions.
- 3.24 As per the accompanying Design and Access Statement, the Riverside neighbourhood consists of six mixed-use urban blocks located along the Riverside Gardens, an area of public open space providing a combination of lawns, wildflower meadows, seating, ornamental planting, doorstep / incidental play features for younger children, waterpark and central communal events space.

PARKLAND NEIGHBOURHOOD

- 3.25 The Parkland neighbourhood, located adjacent to the Swanscombe Peninsula SSSI, provides a quiet yet diverse residential quarter, comprising up to 950 units, with direct access to green spaces and local amenities. The neighbourhood is also anticipated to provide local services, recreation and fitness uses, health and medical uses, creche and nursery uses and local community uses. This neighbourhood is located alongside the new public open space of Power Park, with the proposed residential blocks designed to complement this large area of public realm.
- 3.26 Power Park starts to the north of the stadium and falls from the raised podium level down to the primary activity area which includes play space along with seating, paths, trees and canopies for shade.

LANDSCAPING AND PUBLIC REALM

- 3.27 Interspersed between these neighbourhoods, a central 'spine' of public realm connects not only the internal neighbourhoods, but also links the Proposed Development to the existing High Street, ensuring the new uses and spaces remain routed in and linked to the existing context, communities and transport links. In addition, a connected green network responds to the Site's location adjacent to two existing large green spaces. The areas of public realm proposed throughout the Site deliver high quality spaces for play, social

interaction, creativity, economic activities and entertainment, tying together the neighbourhoods into a single cohesive development. As per the accompanying Design and Access Statement, a series of smaller scale square and pocket parks work alongside and complement the larger public realm spaces.

- 3.28 The Design and Access Statement includes the Illustrative Landscape Masterplan, which sets out the key features as follows:
- The provision of more than 3 hectares of parkland including riverside gardens, pocket parks, green streets, allotments, productive rooftop gardens and water features;
 - A multifunctional amphitheatre space located in the Riverside Neighbourhood;
 - Residential courtyards including intensive and extensive green and brown roofs; and
 - Buffering and screening spaces forming glades between building services yards, meadows and sustainable drainage features.
- 3.29 It is noted within the DAS that the public realm has been designed to create legible spaces throughout the Proposed Development that are easy to navigate, with shared services dominating to allow pedestrian priority. For the purposes of the Application, the Green Infrastructure has been divided into the following two networks:
- Primary Green Infrastructure Network – this includes larger scale landscape spaces providing extensive and diverse recreational and ecological benefits. This includes ‘Power Park’ and ‘Riverwalk Gardens’; and
 - Secondary Green Infrastructure Network – this includes medium sized landscape spaces such as pocket parks, buffers and edges, street trees and residential courtyards.

THE PODIUM, HIGHWAYS AND CAR PARKING

- 3.30 The Proposed Development incorporates a podium structure across the central area of the Site (beneath the stadium and retail village), allowing the realignment of the A226 within a tunnel, enabling continued vehicular connection to the Northfleet Industrial Estate. Bus routes are to be re-routed around the Site to connect the existing route with each neighbourhood. The location of vehicular access routes below podium level means that routes within the public realm (at podium level 02) are devoted to cyclists and pedestrians. Cycle routes are designed to ensure accessibility throughout the entire Site, and to also connect to existing cycle routes in the adjacent context.
- 3.31 A podium is also proposed at all other development plots and the Proposed Development includes the delivery of up to 2,600 car parking spaces to be delivered across the entire masterplan at ground and first floor level within the majority of building blocks.

PROPOSED USES

RETAIL

- 3.32 The inclusion of a maximum quantum of 22,500 sqm (GEA) of retail floorspace (Use Class E(a)) within Table 3.1 above allows for flexibility for differing unit sizes to provide accommodation for varying types of retailer.
- 3.33 As per the accompanying Retail Statement, a key element of the masterplan is the provision of a diverse and wide-ranging programme of retail accommodation. The Marketplace in particular focuses on a ‘village

like' retail experience with an open-air retail environment. The units will range in size from around 100 sqm up to circa 500 sqm. It is anticipated that the retail will be comparison-led, although there will be elements of small-scale convenience retail to support residents.

LOCAL COMMUNITY USE

3.34 With regard to the proposed delivery of community uses, it is anticipated that some of this floorspace would be provided at public realm level to provide active and vibrant frontages.

3.35 It is clear from this exercise that there are a wide variety of views about the potential use or uses and that a conclusion is unlikely to be reached immediately. Therefore, the type of user has not be specified in order to provide sufficient future flexibility to accommodate the outcome of further consultation and discussion with the Council.

OFFICE USE

3.36 The application seeks permission for up to 18,000 sqm of office floorspace to be delivered within the Boulevard area of the scheme, complementing the stadium, hotel and other commercial uses.

RESIDENTIAL

3.37 The scheme will provide up to a maximum of 3,500 residential units. The indicative mix of units proposed based upon the illustrative masterplan is set out below. The final mix will be confirmed by way of reserved matters applications.

TABLE 3.2: INDICATIVE UNIT MIX BY TENURE

	MARKET UNITS	INTERMEDIATE	TOTAL
Number of Bedrooms			
Studio	157	0	157
One Bed	1575	179	1754
Two Bed	1259	123	1382
Three Bed	158	49	207
Total	3149	351	3500

TABLE 3.3: INDICATIVE UNIT MIX BY PLOT:

	PLOT 5	PLOT 6	PLOT 7	PLOT 8	PLOT 9	PLOT 10	PLOT 11	PLOT 12	PLOT 13	PLOT 14	PLOT 15	PLOT 16	PLOT 17	PLOT 18	PLOT 19
Studio	9	2	4	6	8	11	10	33	10	11	3	8	14	11	17
One Bed	105	23	45	64	91	127	109	371	113	123	30	84	155	126	188
Two Bed	84	17	36	49	73	100	86	292	90	97	23	65	122	100	148
Three Bed	12	3	5	8	11	15	13	44	13	14	4	10	18	15	22
Total	210	45	90	127	183	253	218	740	226	245	60	167	309	252	375

3.38 The accompanying Financial Viability Appraisal ("FVA") prepared by Montagu Evans has shown that the scheme's position is that it is unable to support the provision of affordable housing. It is however the Applicant's view that for Northfleet Harbourside to be a successful part of the community there needs to a mix of tenures provided to deliver a mixed and balanced community for all residents.

- 3.39 Accordingly, it is proposed that through the s106 Agreement a site-wide provision of 10% intermediate affordable is provided (equating to up to 350 intermediate homes) with review mechanisms in place to capture any future uplift.
- 3.40 Final layouts and residential unit sizes will be determined at reserved matters stage. However, the illustrative scheme discussed within the accompanying Design and Access Statement presents arrange of unit sizes that could come forward within the parameters proposed for approval.

THE ILLUSTRATIVE MASTERPLAN

- 3.41 The Design and Access Statement (“DAS”), prepared by UNS, sets out the urban design and contextual analysis and the illustrative masterplan for the Site which has informed the Parameter Plans. It contains information on how a detailed scheme might be brought forward through the reserved matters within the parameters as set down in the Parameter Report and Parameter Plans, in the form of the Illustrative Masterplan.

FIGURE 3.4: THE ILLUSTRATIVE MASTERPLAN



THE DESIGN CODE

- 3.42 The Design Code sets out the design principles and distils the analysis, principles and vision set out in the DAS. The DC provides guidance on the future form, use and appearance of the public realm and the new buildings and structures and can provide the basis for conditions to be applied to control subsequent reserved matters applications.
- 3.43 The Design Code comprises a control document as per the ES. It is not intended to be prescriptive, but to provide the Council with certainty of the commitment to high quality design to be realised through reserved matters applications, in relation to matters including but not limited to:
- Access and movement;
 - Green infrastructure;
 - Built form principles;
 - Key building components; and
 - Key material zoning.

04

PLANNING POLICY FRAMEWORK

Gravesham Borough Council

4.0 PLANNING POLICY FRAMEWORK

- 4.1 This Application has evolved in accordance with adopted development plan policies, and other relevant guidance and material considerations. This section of the Planning Statement provides a summary of the planning context, and Section 5 provides an assessment of the Application Proposals against the policies and guidance contained within these documents.

STATUTORY FRAMEWORK

- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the policies of the statutory development plan unless material considerations indicate otherwise.

THE DEVELOPMENT PLAN

- 4.3 The statutory Development Plan for the Site comprises the:

- Gravesham Local Plan First Review Saved Policies (1994);
- Gravesham Local Plan Core Strategy (2014); and
- Kent Minerals and Waste Local Plan 2013 – 2030 (2016, revised 2020).

- 4.4 The Gravesham Local Plan First Review was adopted in November 1994 and a number of the policies therein were saved in September 2007 upon receipt of a Direction letter from the Secretary of State. Upon adoption of the Gravesham Local Plan Core Strategy in 2014, a number of the saved policies were either deleted or replaced by Core Strategy policies. All remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document (see paragraph 4.9 below).

- 4.5 The Core Strategy set out the Council's spatial vision and strategic objectives for the Borough to 2028, along with the policies that will deliver these. The Core Strategy identifies the main areas for change across the Borough, allocating sites for development.

- 4.6 The Kent Minerals and Waste Local Plan is the main Local Plan document fulfilling Kent County Council's statutory responsibility to plan for future minerals supply and waste management in Kent. The document sets out:

- The overarching strategy and planning policies for mineral extraction, importation and recycling, and the waste management of all waste streams that are generated or managed in Kent; and
- The spatial implications of economic, social and environmental change in relation to strategic minerals and waste planning.

SITE SPECIFIC DESIGNATIONS

- 4.7 Under the statutory development plan, the following site-specific designations are relevant to the Application Site:

- Within the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area;

- Partially within Crossrail and High Speed 1 Safeguarding Areas;
- Partially within Highways Safeguarding area;
- Part of the site is identified as Robins Wharf, an area to be safeguarded (Safeguarded Wharves and Rail Depots);
- Within a Mineral Safeguarding Area (Sub-Alluvial River Terrace Deposits);
- Gravesham Borough Council Urban Boundary / Village Confines (as per the Kent Minerals and Waste Local Plan 2013 – 2030 (adopted 2020)); and
- Gravesham Borough Council Land Allocations (as per the Kent Minerals and Waste Local Plan 2013 – 2030 (adopted 2020)).

EMERGING POLICY

- 4.8 In line with paragraph 33 of the NPPF, GBC undertook a review of the Core Strategy in 2019. This review found a requirement for a partial review of the Core Strategy in respect of Policy CS02 (Scale and Distribution of Development), noting that the policy *“requires modification in respect of the Borough’s objectively assessed development needs”*. It was further noted that such modification *“may also necessitate a modification to the development strategy, Green Belt boundaries and the duration of the plan period”*.
- 4.9 Following initial consultation in 2018, GBC undertook Regulation 18 (Stage 2) consultation on the Partial Review of the Local Plan Core Strategy, Site Allocations and Development Management Policies Document between October and December 2020. Views were sought on the following documents:
- Part 1: Local Plan Core Strategy Partial Review and Site Allocations Document;
 - Part 2: Development Management Policies Document; and
 - Supporting Documents.
- 4.10 Part 1 sets out the housing, employment and retail issues and needs of the Borough to 2036 and seeks comments on the proposed options for addressing them, as well as on proposed site allocations. Part 2 provides detailed policies which apply to the whole Borough and will be taken into account when considering planning applications. The review of the Local Plan has not progressed beyond the Regulation 18 stage of preparation and given the lack of progress since December 2020, no weight is afforded to the draft policies.
- 4.11 In the line with the NPPF requirement to review the Local Plan every five years, an assessment of the KMWLP was published in September 2021, noting that updates are required to several adopted policies. Following this assessment, KCC undertook a refresh of the KMWLP, with a public consultation taking place between December 2021 and February 2022.
- 4.12 Paragraph 48 of the NPPF states that in determining applications, local planning authorities may give weight to relevant policies in emerging plans according to:
- a. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- b. 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
- c. The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

4.13 On the basis that the KMWLP Updated Local Plan has yet to be submitted for Examination, the draft policies therein carry limited weight in the consideration of the Proposed Development.

NATIONAL GUIDANCE

4.14 The National Planning Policy Framework (“NPPF”) was published in March 2012 and revised in July 2018, February 2019 and July 2021. The NPPF sets out the Government’s approach to planning matters, and is a material consideration in the determination of planning applications.

4.15 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as the ‘golden thread’ running through decision taking. As per paragraph 11 of the NPPF, this means:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

4.16 Footnote 8 to paragraph 11(d) clarifies that for applications involving the provision of housing, development plan policies will be considered to be out-of-date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous three years.

4.17 The presumption in favour of sustainable development is engaged in the case of the Proposed Development because of Gravesham’s inability to demonstrate a five-year housing land supply and failure of the HDT, as per footnote 8 to paragraph 11(d) and the aged status of the Local Plan documentation.

4.18 Footnote 7 to paragraph 11(d)(i) clarifies that policies that protect areas or assets of particular importance providing a clear reason for refusing the development proposed are those within the NPPF (rather than those within development plans) relating to habitats sites (and those listed in paragraph 181) and / or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, An Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

4.19 As per the above, the Planning Practice Guidance (“NPPG”) sets out that “*Areas at risk of flooding are those at risk of flooding from any source, now or in the future...For areas at risk of river and sea flooding, this is principally land within Flood Zones 2 or 3 or where a Strategic Flood Risk Assessment shows it will be at risk of flooding in the future*”.

- 4.20 As set out in detail within the accompanying ES and later within this Statement, the majority of the Site falls within Flood Zone 3, although the Site in its entirety benefits from flood defences which protect the Site against river flooding. Notwithstanding, the location of the site primarily within Flood Zone 3 means that one of the policies as per footnote 7 to paragraph 11(d)(i) is applicable to the Proposed Development.
- 4.21 It is necessary to consider, however, whether the policy in question provides “a clear reason for refusal”, per footnote 7. The courts have considered the meaning of this phrase. Importantly, at paragraph 31 of the judgment in *Monkhill Ltd v Secretary of State for Housing, Communities and Local Government* [2019] EWHC 1993 (Admin) (24 July 2019), the judge recorded that *“in a case where a proposal engages only one “Footnote 6” policy, then it is necessarily implicit that paragraph 11(d)(i) cannot be used to overcome the presumption in favour of sustainable development unless that policy is capable of sustaining a reason for refusal¹”*.
- 4.22 In other words, the presumption in favour of sustainable development is only disapplied through the application of paragraph 11(d)(i) if the relevant NPPF policy in question is applied and its application provides a clear reason for refusal.
- 4.23 It is demonstrated by way of the accompanying documentation that the Proposed Development is acceptable when considered against NPPF policy relating to areas at risk of flooding, and specifically that it would not be at risk of flooding and would not increase the risk of flooding elsewhere (paragraph 159). On this basis, the presumption in favour of sustainable development is not disapplied through part (i) of paragraph 11(d) of the NPPF.
- 4.24 Paragraph 39 Part 14 of *Monkhill Ltd v Secretary of State for Housing, Communities and Local Government* [2019] EWHC 1993 (Admin) (24 July 2019) sets out that *“There remains the situation where the application of limb (i) to a policy of the kind referred to in (13) does not provide a clear reason for refusal. The presumption in favour of sustainable development will not so far have been disapplied under limb (1) and it remains necessary to strike an overall planning balance (applying also s.38(6)). Because the presumption in favour of granting planning permission still remains in play, it is relevant, indeed necessary, to apply the alternative means of overcoming that presumption, namely limb (ii). This is one situation where the applicant for permission is entitled to rely upon the “tilted balance””*.
- 4.25 Applying paragraph 11 of the NPPF, in order for the presumption in favour of sustainable development to be displaced and the application refused, it would be necessary to find that the harms arising from the development would significantly and demonstrably outweigh the benefits. This is reflective of paragraph 6.41 of the Council’s Committee Report associated with the Albion Waterside application (ref: 20210270) which is also within Flood Zone 3, benefitting from flood defences, where officers concluded that *“In determining applications for planning permission involving housing, the Council will ... apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land..., the relevant contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development. Effectively the Government expects development to make optimal use of the potential of each site where there is an existing shortage of land for meeting identified housing needs”*.
- 4.26 The Government published the Planning Practice Guidance in 2012 to support and clarify elements of the NPPF. To this end, the NPPG contains guidance on, inter alia, the effective use of land; housing supply

¹ The judgement was passed in the context of the revised NPPF (published July 2018). Footnote 6 of the revised NPPF reflects Footnote 7 of the 2021 revision to the NPPF – i.e. the currently applicable version referenced within this Planning Statement.

and delivery; minerals; noise; open space, sports and recreation facilities, public rights of way and local green space and town centres and retail.

4.27 In addition to the NPPF, the following design documents are of relevance:

- Technical Housing Standards: Nationally Described Space Standards, March 2015; and
- National Design Guide, Ministry of Housing, Communities and Local Government, October 2019, updated January 2021.

OTHER MATERIAL CONSIDERATIONS

4.28 The Council has adopted a number of Supplementary Planning Guidance (“SPGs”) documents and Supplementary Planning Documents (“SPDs”), which comprise material considerations and provide guidance on policies within the Local Plan. In addition, the Council has adopted a number of documents that have been produced by Kent County Council as Supplementary Guidance.

4.29 The following documents are considered relevant to the evaluation and assessment of the Proposed Development:

- Kent Design Guide (SPG 5, published December 2005, adopted July 2006 – except Supplementary Planning Guidance on residential parking);
- KCC Guide to Development Contributions and the Provision of Community Infrastructure (2007);
- Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006);
- Vehicle Accesses on Classified Highways (SPG 6 November 1992); and
- GBC Residential Layout Guidelines, SPG2, including Housing Standards Policy Statement October 2015, adopted February 1996 – amended June 2020 to combine the 2015 Statement.

05

PLANNING POLICY ASSESSMENT

Gravesend Borough Council

5.0 PLANNING POLICY ASSESSMENT

- 5.1 Within this section of the Planning Statement, we assess the component parts of the Application Proposals against the statutory development plan and other material considerations as outlined in Section 4.

THE PRINCIPLE OF DEVELOPMENT

- 5.2 Paragraph 7 of the NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, while paragraph 8 expands that in line with this purpose, the planning system has an objective to ensure that development delivers economic, social and environmental benefits.
- 5.3 Paragraph 9 explains that these objectives should be delivered through the preparation and implementation of plans and the application of policies within the NPPF, and that planning policies and decisions should play an active role in guiding development towards sustainable solutions whilst taking local circumstances into account and reflecting the character, needs and opportunities of each area.
- 5.4 Furthermore, the principle of comprehensive mixed-use redevelopment for the Site is clearly established through planning policy guidance at all levels. At the national level, paragraph 119 of the NPPF, sets out that *“planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”*.
- 5.5 Paragraph 120 goes on to state that *“planning policies and decisions should...c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land”* and *“d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”*.
- 5.6 Paragraph 121 sets out that *“Local planning authorities, and other plan making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and / or secure better development outcomes”*.
- 5.7 Core Strategy Policy CS01 refers to Sustainable Development and states that *“Planning applications that accord with the policies in the development plan for Gravesham will be approved without delay, unless material considerations indicate otherwise”*. Paragraph 4.1.8 goes on to state that *“Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:*
- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

- Specific policies in that Framework indicate that development should be restricted”.

- 5.8 Paragraph 4.2.1 of the Core Strategy states that *“In order to meet both current and future economic, social and environmental needs to achieve sustainable development in Gravesham, further development is required within the Borough. Such development will meet the changing housing needs of the population, support and improve the local economy and develop services and facilities to support and benefit the existing local communities”*. Paragraph 4.2.2 goes on to state that *“Regeneration, including new development, can address the needs of communities experiencing deprivation. New development can help provide a range of new homes for local people, improve the environment and provide additional or improved facilities, and introduce new and potentially more affluent households into a deprived area”*.
- 5.9 Table 2 of the Core Strategy identifies the settlement hierarchy, placing the urban area of Gravesend / Northfleet / Ebbsfleet as first tier settlements, and the most sustainable parts of the borough where development should be provided.
- 5.10 This is confirmed in paragraph 2.3.2 of the Core Strategy which states that *“The Gravesend and Northfleet urban area is the main location for housing and employment in the Borough...The employment on offer has traditionally been based on heavy manufacturing industry set alongside the River Thames where there are a number of commercial and other supporting river related activities. Many of these industries have contracted over the past few decades leaving behind large tracts of under-used land set at a lower level than the surrounding urban area due to a history of chalk quarrying”*.
- 5.11 This is taken through to Core Strategy Policy CS02, which outlines the development strategy for Gravesham. This policy specifically prioritises development in the urban area as a sustainable location for development, achieved by, inter alia, *“promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. This will be principally through redevelopment of former industrial sites in the Opportunity Areas of Northfleet Embankment and Swanscombe Peninsula East, and Gravesend Riverside East and North East Gravesend to create new residential neighbourhoods and employment areas”*.

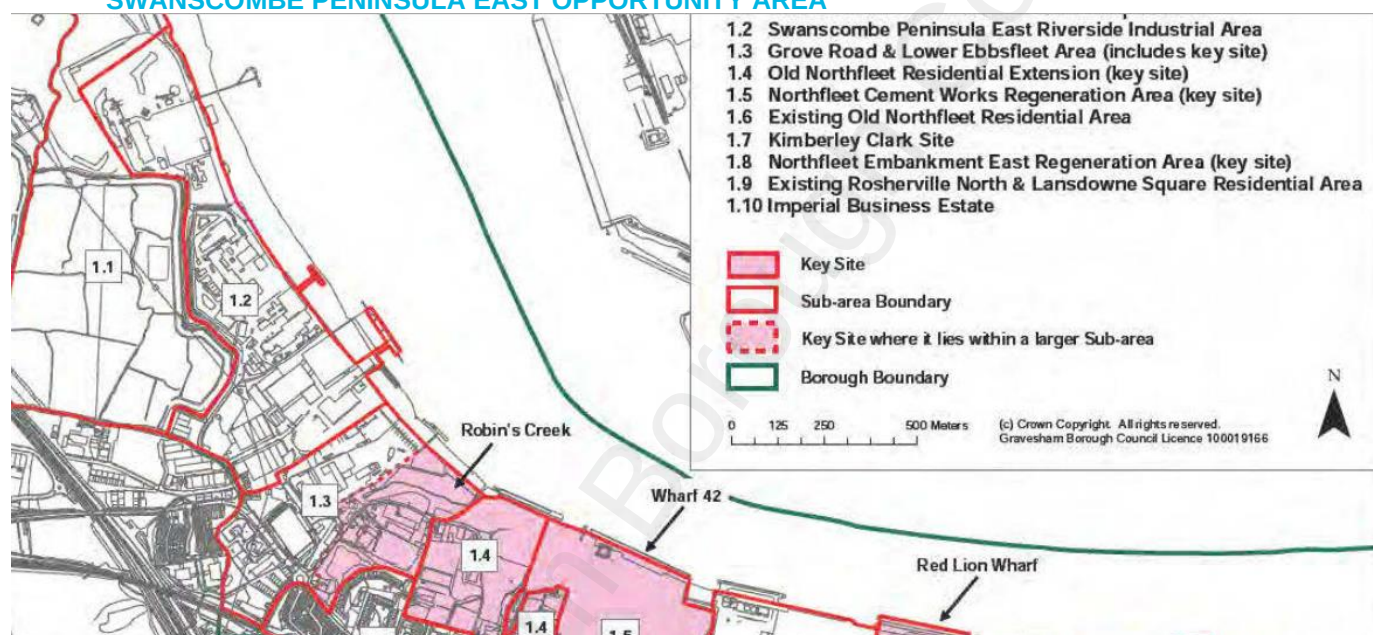
DIRECTION OF GROWTH

- 5.12 At the local level, through its adopted policies Gravesham have identified Opportunity Areas which are in place to help focus development and change within the Urban Area. Core Strategy paragraph 4.3. 2 states that *“The concept of Opportunity Areas has been developed by the Council to establish a broad framework within which development can take place and an overall vision can be realised. The Opportunity Areas together form a significant regeneration area in the Thames Gateway, extending along the whole of the urban riverside and its hinterland and occupying almost a third of the built-up area of Gravesham”*.
- 5.13 The Council's vision for the opportunity areas are clear, with paragraph 4.3.3 of the Core Strategy setting out that the document aims to ***“transform and revitalise previously developed land, strengthen the vitality and vibrancy of Gravesend as the Borough’s principal town centre and create modern, integrated, accessible and sustainable communities which meet the full range of people’s needs and aspirations”***. (own emphasis).
- 5.14 Of the four Opportunity Areas designated by the Council, the Site falls wholly within the “Northfleet Embankment and Swanscombe Peninsula East Opportunity Area”, which paragraph 4.4.1 of the Core Strategy identifies as presenting clear opportunities to make more efficient use of land, facilitate river related activity, accommodate new development and secure environmental improvement as part of the wider regeneration of the area. Policy CS03 of the Core Strategy refers specifically to the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, stating that the area comprises a “substantial

opportunity for major riverside regeneration in Gravesham. Development will bring significant benefits to existing adjoining residential communities and the Borough as a whole through the delivery of new housing and jobs whilst achieving environmental improvement, especially in air quality, and a high standard of design”.

- 5.15 Policy CS03 goes on to set out sub-areas within the Opportunity Area. As per the policy and accompany Core Strategy Figure 4 (an extract of which is included below), the Site falls predominantly within sub-area 1.3 – Grove Road and Lower Ebbsfleet Area (this area also includes the protected Robins Wharf, as discussed in more detail later within this Statement), and partially within 1.2 Swanscombe Peninsula East Riverside Industrial Area.

FIGURE 5.1 – EXTRACT FROM CORE STRATEGY FIGURE 4: NORTHFLEET EMBANKMENT AND SWANSCOMBE PENINSULA EAST OPPORTUNITY AREA



Source: Gravesham Local Plan Core Strategy, 2014

- 5.16 These two sub-areas are described within the plan as follows:

Sub-area 1.2: Paragraph 4.4.5 of the Core Strategy describes this area as “*mainly industrial and port related uses that sit behind the existing tidal flood defences. Access to this area is from the junction with the A226 at Galley Hill Road and a narrow privately maintained road. It is anticipated that this area will remain in active employment uses over the plan period. The retention and expansion of industrial and port related employment in this area will be supported*”.

Sub-area 1.3: Paragraph 4.4.6 of the Core Strategy states that the sub area “*consists of a number of different sites that have regeneration potential. These may be realised during or beyond the plan period depending on the aspirations of the landowners and the viability of development. Viability is likely to be influenced by the relative success of the Ebbsfleet development to the south. The development potential of this area is likely to be further constrained by:*

- *Ground conditions: the area has been actively used for industrial purposes for over 200 years and is likely to be subject to contamination;*

- *Heritage and archaeology: the area around Robin's Creek (outflow of the Ebbsfleet into the Thames) was the site of a medieval watermill later converted to grind cement in the 1790s, Portland cement was later invented here and Aspdin's Kiln (Scheduled Monument) and other features of heritage interest are likely to remain; and*
- *Existing uses: development of sites on a piecemeal basis is likely to be constrained by the proximity of existing poor neighbours (including the importation and processing of minerals at Robin's Wharf) or the need to retain / decant existing uses (including the local football ground)".*

- 5.17 Sub area 1.3 of this Opportunity Area has been divided in to two, with land to the south of the wharf identified as a "key site" for development, and the remainder of the area included for redevelopment and growth. It is clear that the Council has regeneration ambitions for the Application Site by virtue of its inclusion within the wider Opportunity Area. Policy CS03 identifies the OA as a "substantial opportunity for major riverside regeneration in Gravesham. Development will bring significant benefits to existing adjoining residential communities and the Borough as a whole through the delivery of new housing and jobs whilst achieving environmental improvement, especially in air quality, and a high standard of design".
- 5.18 The policy goes on to set out that the Council will support the regeneration for residential and employment uses of the Grove Road and Lower Ebbsfleet Area (sub-area 1.3 which includes Robins Wharf, and the Key Site on Grove Road) taking into account the ground conditions and existing uses.
- 5.19 As noted by the Council, piecemeal redevelopment of the Site insofar as it falls within sub-area 1.3 is unlikely to be successful which indicates that a masterplan approach is required to deliver a single comprehensive redevelopment of the site. The Proposed Development adheres to the overarching goals of the sub area, delivering new residential and commercial uses in a comprehensive manner. It will deliver significant improvements to public realm and remove the impact of heavy commercial traffic through the diversion of the A226 and existing uses which have the ability to impact upon adjacent sites through noise and air quality issues. The Proposed Development therefore fully accords with the objectives and requirements of Policy CS03 in this regard.
- 5.20 It is acknowledged that the site also encompasses part of the southern end of sub area 1.2 where Policy CS03 paragraph 4.4.30 seeks to retain an undefined "employment use" in this location. The proposal does seek the removal of these uses, to be replaced with a new park and residential uses on this part of the site. Whilst this does not comply strictly with the policy for sub area 1.2, the Proposed Development will provide a significant uplift in employment opportunities for the area, delivering a minimum uplift of 1500 jobs across the scheme compared to the existing position².
- 5.21 The Scheme has also been designed to ensure that the main river-side employment facilities in this area are able to continue to operate.

CONCLUSIONS

- 5.22 It is clear from policy at the national and local level that the priority is to bring forward residential-led development in sustainable locations on brownfield land. At the local level there is specific emphasis on delivering development of scale within the Northfleet area and moving away from the space-inefficient industrial uses of the past.

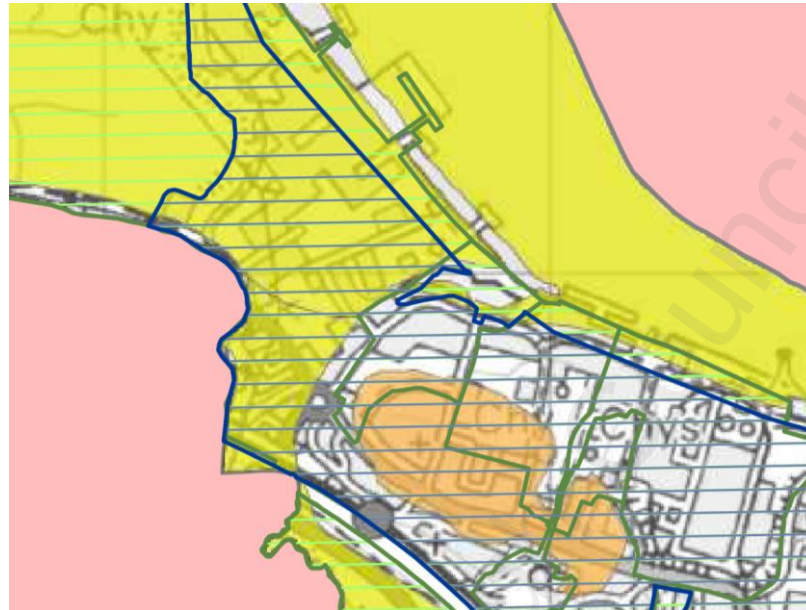
² Environmental Impact Assessment Chapter 6 – Socio Economics

- 5.23 The Proposed Development adheres to these planning policy priorities. It involves the reuse and redevelopment of a large tract of previously developed brownfield land within a highly accessible location, benefiting from excellent local, regional, and international transport links.
- 5.24 Indicative of this, the entirety of the Site is allocated within an Opportunity Area for growth and regeneration, and the majority of the application boundary is within a sub-area where residential led development has also been identified on one of the key sites. In line with policy priorities, and in order to deliver growth and sustainable development, it is imperative that opportunities for development are capitalised upon on sites such as this, particularly where such Sites are free from significant constraints such as Green Belt designation or nutrient neutrality considerations.

MINERALS SAFEGUARDING AREA

- 5.25 Section 17 of the NPPF is entitled *“Facilitating the sustainable use of minerals”*, with paragraph 201(c) setting out that planning policies should *“safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked)”*.
- 5.26 Policy CSM5 of the KMWLP refers to Land-won Mineral Safeguarding and states that:
- “Economic mineral resources are safeguarded from being unnecessarily sterilised by other development by the identification of:*
- Mineral Safeguarding Areas for the areas of brickearth, sharp sand and gravel, soft sand (including silica sand), ragstone and building stone as defined on the Mineral Safeguarding Area Policies Maps in Chapter 9;
 - Mineral Consultation Areas which cover the same area as the Minerals Safeguarding Areas and a separate area adjacent to the Strategic Site for Minerals at Medway Works, Holborough as shown in Figure 17;
 - Sites for mineral working within the plan period identified in Appendix C and in the Mineral Sites Plan”.
- 5.27 The Kent Minerals and Waste Local Plan – Gravesham Borough Council – Mineral Safeguarding Areas plan is attached, and an extract included below. Accordingly, the Site is subject to the following designations:
- Mineral Extraction Safeguarding Area - Sub-Alluvial River Terrace Deposits (yellow) – wholly covered with the exception of a small section of the site to the east of the football club and the west of Grove Road;
 - Extent of the Gravesham Borough Council Urban Boundary / Village Confines (blue hatching and outline) – partially covered, excludes part of site closest to River Thames; and
 - Site-specific redevelopment opportunities secured through the Gravesham Borough Council Land Allocations (green hatching and outline).

FIGURE 5.1 – KMWLP MINERAL SAFEGUARDING AREAS



Source: Kent Minerals and Waste Local Plan 2013 – 2030 (adopted 2020) – Gravesham Mineral Safeguarding Areas.

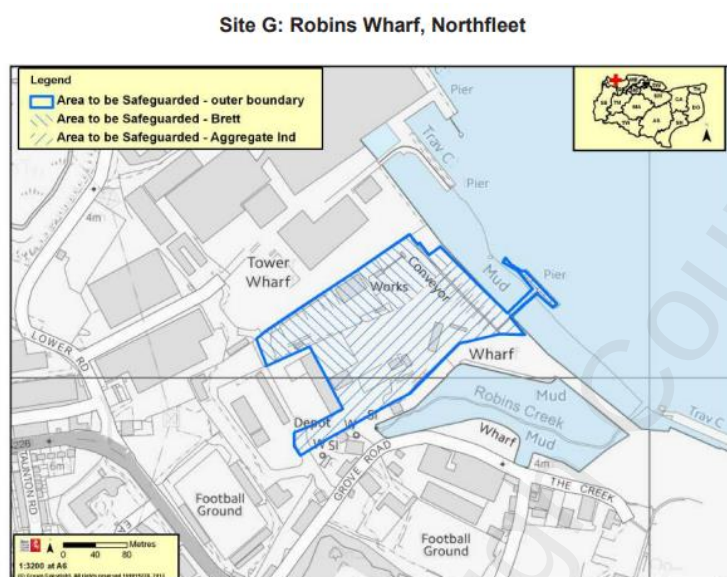
- 5.28 Paragraph 5.5.9 of the Local Plan states that *“The mineral resources within the Plan area are extensive and whilst they continue beneath urban areas they are already sterilised by non-mineral development with very little prospect of future working. Therefore, in order for the safeguarding to be practical such areas have been excluded from the MSAs”*.
- 5.29 The above statement is reflected in the Inspector’s Report on the Examination of the KMWLP Early Partial Review and Kent Mineral Sites Plan, issued in April 2020, which notes at paragraph 40 that *“Urban areas are excluded from the MSAs as the mineral resource is already sterilised by non-mineral development with very little prospect of future working”*.
- 5.30 Paragraph 3.5 of KCC’s March 2021 Safeguarding SPD states that:
- “For practical reasons, urban settlement areas and land allocated for built development in adopted Local Plans, where these local plan allocations had considered mineral and waste management facility safeguarding at the time of their adoption, are excluded from the Kent Mineral Safeguarding Areas. However, in principle, the County Council would be supportive of any viable opportunities for extraction of minerals being pursued prior to development in these areas”*.
- 5.31 Paragraph 3.6 states that:
- “The coverage of the Mineral Safeguarding Area designations will be reviewed by the County Council on an annual basis. The reviews will be to ensure that the urban and settlement boundaries are correct (given that they have an exemption effect on land-won safeguarded minerals within them)...A review will not necessarily lead to an update of the Mineral Safeguarding Area – this will occur when the review identifies that substantive changes to the Mineral Safeguarding Area are required and will invoke a formal policy update process as set out in plan making legislation and guidance which will involve public consultation”*.

- 5.32 In considering the above position, there is a tension between the policy, supporting documentation and the proposals map, namely through the designation of land within the urban area for minerals safeguarding. The SPD notes that reviews of the area will not always lead to an update of the map, therefore whilst the urban area may no longer be included this has not been overtly recognised by KCC in published material. However, based upon the policy commentary it can be concluded that the mineral safeguarding designation and associated policies do not apply to the Urban Settlement area. On this basis, the proposed development can be considered acceptable within the context of mineral safeguarding policies.

SAFEGUARDED WHARF

- 5.33 Paragraph 210(e) of the NPPF sets out that planning policies should *“safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material”*.
- 5.34 Both Kent County Council and Gravesham Borough Council have adopted policies relating to safeguarding sites for this purpose. Policy CS07 Paragraph 5.1.36 of the adopted Core Strategy sets out that the *“loss of existing commercial wharves shown on the Policies Map and other land-side supporting infrastructure will not be supported unless a study and supporting evidence shows that they are no longer viable for marine related employment purposes or are incapable of being made so at reasonable cost, and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance (Appendix 5), or appropriate alternative provision is available or will be provided as part of the rationalisation of facilities that, as a minimum, maintains capacity and provides equivalent or better facilities”*.
- 5.35 Paragraph 5.5.21 of the Core Strategy notes that *“The emerging Kent Minerals and Waste Local Plan proposes that a number of these [commercial wharves] are safeguarded, protecting them from development which could prejudice their future use for minerals importation. Subject to planning controls being applicable, the safeguarding of wharves is supported by the Council in general terms to enable river freight handling to reduce dependence on road freight transport. However, the Council considers that a more flexible approach is appropriate where wider regeneration initiatives are being sought and it is possible to rationalise assets in ways that, as a minimum, maintain necessary capacity for freight handling and provide equivalent or better facilities”*.
- 5.36 Reflective of the above, Policy CSM6 of KCC’s Minerals and Waste Local Plan Policy seeks to safeguard wharves and Rail Depots, stating that *“Planning permission will not be granted for non-minerals development that may unacceptably affect the operation of existing, planned or potential sites, such that their capacity or viability for minerals transportation purposes may be compromised.”* The policy goes on to list safeguarded sites and includes on this list Robins Wharf, which is located within the eastern part of the Application Site, adjacent to the River Thames, as per Figure 5.2 below. As per Part 9 of the KMWLP, Robins Wharf is known as ‘Site G’, having two component parts with operators identified as Aggregate Industries & Brett.

FIGURE 5.2 – KMWLP SAFEGUARDED WHARVES AND RAIL TRANSPORTATION DEPOTS – ROBINS WHARF



Source: Kent Minerals and Waste Local Plan 2013 – 2030 (adopted 2020)

- 5.37 As per the above, Brett occupy the northern third of the safeguarded wharf land, with no direct access to the pier. Aggregate Industries occupy the southern two-thirds of the Site, with direct access to a pier. This pier is outside of the redline of this application and remains in situ.
- 5.38 KMWLP Policy DM8 refers to Safeguarding Minerals Management, Transportation Production and Waste Management Facilities as been adopted to control development at, or in proximity to, safeguarded infrastructure including wharves and rail depots. The Policy presents a series of situations where development may be permitted either because an exemption applies (criteria 1 and 2) or could be considered acceptable in planning terms (criteria 3 – 7). The policy sets out that *“Planning permission will only be granted for development that is incompatible with safeguarded minerals management, transportation or waste management facilities, where it is demonstrated that either:*
- 1. It constitutes development of the following nature: advertisement applications; reserved matters applications; minor extensions and changes of use and buildings; minor works; and non-material amendments to current planning permissions; or*
 - 2. It constitutes development on the site that has been allocated in the adopted development plan where consideration of the other criteria (1, 3 – 7) can be demonstrated to have taken place in formulation of the plan and allocation of the site which conclude that the safeguarding of minerals management, transportation production and waste management facilities has been fully considered and it was concluded that certain types non-mineral and waste development in those locations would be acceptable; or*
 - 3. Replacement capacity, of the similar type, is available at a suitable alternative site, which is at least equivalent or better than to that offered by the facility that it is replacing; or*
 - 4. It is for a temporary period and will not compromise its potential in the future for minerals transportation; or*
 - 5. The facility is not viable or capable of being made viable; or*
 - 6. Material considerations indicate that the need for development overrides the presumption for safeguarding; or*
 - 7. It has been demonstrated that the capacity of the facility to be lost is not required.”. (Own emphasis)*

Consideration of the Safeguarding Policy Criteria

- 5.39 KCC adopted their Updated Minerals and Waste Local Plan Safeguarding Supplementary Planning Document in 2021 following Early Partial Review of the Kent Minerals and Waste Local Plan to provide further guidance in respect of the Policies DM7 and DM8 (as above). Paragraph 6.10 of this SPD is of note as it serves to clarify how Policy DM8 is to be applied, stating that:

“the “or” after each criterion in Policy DM8 indicates that only one criterion needs to be satisfied. It should be noted that when applying these exemption criteria, the main consideration is that the justification to invoke an exemption is based on whether the potentially non-compatible development will not result in the loss or impairment of the operation of the safeguarded facility or, alternatively loss of the safeguarded facility is justified according to the relevant criteria test”.

- 5.40 In considering the 7 criteria, the Proposed Development complies with Criteria 6 where material considerations indicate that the need for development overrides the presumption for safeguarding.
- 5.41 Paragraph 6.17 of the SPD sets out in respect of criterion 6 that *“This criterion allows for development where it can be shown that the development is of such importance that the need for it to take place outweighs any impact that might result on the operation of the adjacent minerals and waste facility. In the determination of such proposals, the need for the development will need to be weighed against the need to retain the safeguarded facility, the scale of potential impact and the objectives and policies of the development plan as a whole”.*
- 5.42 Whilst the SPD makes reference to “adjacent” development, Policy DM8 does not distinguish between a facility being on site or nearby.
- 5.43 In respect of criterion 6 of Policy DM8, the need for development is cemented in Gravesham’s allocation of the site as part of an Opportunity Area, being a sustainable location for growth. Sub area 1.3 of this Opportunity Area has been divided in to two, with land to the south of the wharf identified as a “key site” for development, and the remainder of the area included for redevelopment and growth.
- 5.44 The Opportunity Area seeks to achieve growth in sustainable manner, making the best use of accessible brownfield land. The 3 key aims of sustainable development underpin the need for development in this location:

i. Economic Need

- 5.45 Notwithstanding the fact that there are existing employment uses on the site, including the wharf, there is an overriding need for development in this location that is capable of delivering economic growth and prosperity not only for Northfleet but Gravesham as a whole. The socio-economic analysis of the site has identified that as of June 2022, 2,695 people claiming out-of-work benefits, from a working age population of c.52,613. This is a claimant rate of approximately 5.12% - higher than the Kent average of 3.96% and National average of 4.61%.
- 5.46 This is underpinned by commentary within the Core Strategy which sets out that *“Gravesham has the smallest economy in Kent. It has undergone significant restructuring in recent years with a slight fall in employment...Unemployment above county and regional rates has prevailed in Gravesham over the past decade. This could be linked to the fact that, on average, Gravesham residents of working age have lower attainment and skills levels than other parts of the South East and nationally”.* Whilst the Core Strategy is dated, the statistical evidence confirms that this observation is still relevant.

- 5.47 It is also noted that in terms of retail expenditure, the Retail Impact Assessment accompanying this application has identified that almost 35% of the spend originating within the Borough is spent in other locations representing significant leakage of revenue that would be spent within Gravesham and deliver associated economic benefits.
- 5.48 Paragraph 2.7.5 of the Core Strategy notes that there is a need to improve the local economy by improving the skills of the local workforce, providing a greater number, variety and quality of jobs, and maximising the economic regeneration potential offered by high-speed rail services from Ebbsfleet and Gravesend town centre by ensuring a ready supply of good quality sites for economic development.

ii. Social Need

- 5.49 The Department for Levelling Up, Housing and Communities records and published deprivation data of the communities across the country. As identified within the accompanying Socio-Economic chapter of the Environmental Statement, the site is located within Lower Social Output Area ("LSOA") 'Gravesham 001C', which is among the 10% most deprived LSOAs nationally for Multiple Deprivation. It is also among the 10% most deprived LSOAs nationally under several of the domains which comprise the overall Multiple Deprivation index, including Crime, Income, and Education, Skills and Training, and among the 20% most deprived under both the Barriers to Housing and Services and Health Deprivation and Disability domains.
- 5.50 As per paragraph 2.81 of the adopted Core Strategy, *"Parts of Gravesend and Northfleet are amongst the most deprived in England...To help overcome the deprivation issues experienced in Gravesham, there is a need to improve the local economy as well as to ensure that existing communities gain benefits as a result of the new developments in their area such as improved access to better facilities and improvements to the built environment"*.
- 5.51 Gravesham are also under significant pressure to deliver new homes for existing and future residents and have only been able to achieve 57% of the housing target in 2021, a target which itself was discounted to take into account the impacts of Covid. The Council only achieved the 75% target in 2019, achieving 64% the year before and dropping down to 70% in 2020. It is clear that there is no stable delivery of housing within the borough which exacerbates the need to ensure that suitable levels of housing are delivered.
- 5.52 It is also noted at paragraph 2.8.2 of the adopted Core Strategy that "Residents of Gravesham Borough experience some significant health issues...To enable residents to lead healthier lifestyles, there is a need to ensure that there are sufficient green spaces and sports facilities to meet the needs of the existing and future population but also to ensure that shops, workplaces and other facilities can be accessed on foot and by bicycle".

iii. Environmental Need

- 5.53 At present, the site serves no purpose in delivering areas of open space and very limited areas of habitat. As part of delivering sustainable growth and respond to the climate emergency there is also the need to improve biodiversity. This need has been recognised by central government through the Environment Act 2021 which will introduce minimum levels of biodiversity net gain.

Responding to the Identified Need

- 5.54 It is clear that the need for development in this area spans the social, economic and environmental strands of sustainable development. The socio-economic factors are compelling and underpin the need for change as envisaged by the Council's Opportunity Area designation.
- 5.55 The Proposed Development responds to all of the identified needs, delivering a significant number of residential units (including affordable housing), a new football stadium with associated business and leisure facilities, a range of commercial, business and service uses, including retail, hotel, and food and beverage uses, and community uses.
- 5.56 The scheme will also deliver significant improvements to the quality of the public realm, with new public open spaces, along with ecological habitats and enhanced cycling and pedestrian infrastructure.
- 5.57 These detail of the scheme benefits are set out throughout the application material, this Planning Statement and summarised within the concluding chapter. By way of a brief summary:

Economic Benefits

- 5.58 The socio-economic assessment of the scheme presented in the Environmental Statement shows that on completion of the scheme, it is expected that the development will generate a minimum of:
- 2,250 direct jobs across a wide range of sectors – a net increase of around 1,750 on the estimated number of jobs currently based on site;
 - 925 net additional jobs for local (Gravesham) residents, taking into account leakage, displacement and multiplier effects;
 - £69m per annum in additional local (Gravesham) GVA;
 - £20m per annum in resident retail and leisure expenditure;
 - £5.6m per annum in additional council tax receipts, plus an uplift of c. £1.1m per annum in business rates compared with existing uses; and
 - Retention of retail expenditure within Gravesham.
- 5.59 In addition to the above, during construction the scheme is set to deliver 846 FTE jobs for the duration of the building works, along with an additional 820 FTE indirect and induced jobs created/supported within the construction supply chain and wider economy.
- 5.60 The construction project will deliver £429m gross added value for the regional economy and provide in the region of 120 apprenticeships and other on-the-job training opportunities.

Social Benefits

- 5.61 The scheme will deliver up to 3,500 new homes, including up to 350 affordable homes which will be brought forward on a shared-ownership basis. This total provision is the equivalent of 4.5 years' housing supply, making a very significant contribution to housing delivery within Gravesham on accessible brownfield land.
- 5.62 The scheme will also create new opportunities for employment (18,000 sq m office and 22,500 sq m retail), health (1,500 sq m), indoor sport and fitness (1,200 sq m), and community uses (4,000 sq m), as well as improving the public realm, opportunities for walking and cycling, and reducing opportunities for crime. A

comprehensive development that reduces the need for private vehicles not only benefits future residents but the improved connectivity and environment for pedestrians and cyclists promotes active travel will ensure that these are also of benefit to the existing community.

- 5.63 Ebbsfleet United Football Club is retained within the scheme and forms a core component of the proposals. These new facilities not only present an enhanced offer for the club, but also the community. The scheme will provide a stable financial future for the club, which itself forms a key component of the local community and identity.

Environmental Benefits

- 5.64 The scheme will deliver a significant number of environmental benefits. By diverting and building over the main road the pedestrian environment will be improved in terms of air quality, noise and vibration. The scheme will also be delivering circa 10ha of new publicly accessible open space and a 400% increase in biodiversity habitats.
- 5.65 As per the above, it is clear that the scheme is able to deliver significant social, economic and environmental benefits that respond to the identified needs of the area and outweigh the loss of the safeguarded wharf. The proposal therefore complies with Policy DM8.

Wharf Capacity

- 5.66 Notwithstanding the acceptability of the Proposed Development in line with Criteria 6 of Policy DM8, consideration has also been given to Criteria 7 in terms of whether the capacity of the facility to be lost is not required. To this end this Application is accompanied by a Minerals Infrastructure Assessment ("MIA") produced by Wardell Armstrong.
- 5.67 As per the MIA, KCC's Local Aggregate Assessment 2021 confirms that the County has 9 active/semi active and 11 safeguarded wharves under Policy CSM 6. Data obtained from the Port of London Authority Terminal Maps (see Table 1.) indicates that all wharves in proximity to Robins Wharf (see drawing ST19719 – 002) have similar characteristics in terms of the number of available berths, length and access to the surrounding highway and motorway network. The report goes on to set out that *"The total capacity for aggregate importation per annum according to figures reported in the Kent Local Aggregate Assessment 2021 was 5.6 million tonnes, albeit the theoretical capacity is recorded at 7.3 million tonnes. At present, Kent's Local Aggregates Assessment reports wharves to be operating at 54% capacity"*.
- 5.68 On this basis, it is expected that the loss of the site capacity at Robins Wharf could be safely accommodated by the other safeguarded facilities within the area. Consequently, the loss of Robins Wharf can be considered acceptable under Criteria 7.

Conclusions

- 5.69 It is acknowledged that Robins Wharf has a policy safeguarding against its loss. It is also to be recognised that the Application Site – including the safeguarded wharf – falls within an Opportunity Area which envisages residential-led mixed use development as per Core Strategy Policy CS03.
- 5.70 Consideration was given as to whether it would be possible to remove the safeguarded wharf from the application site. This has not been possible, partly due to the financial viability of the Proposed Development, but also because (as is recognised by the Council's Opportunity Area policy) a piecemeal approach would not deliver the significant change envisioned for the area, nor the significant benefits attributable to the development as is proposed.

- 5.71 At the local level, Policy CS07 resists the loss of wharves unless it can be demonstrated that they are no longer viable and through active marketing it can be demonstrated that there is no demand. This policy cannot be complied with by virtue of the fact that the site is currently operational as a wharf and marketing would not fulfil the requirements of Appendix 5 of the Core Strategy or show that the site is not in demand. The proposals are therefore non-compliant in this regard. However, the submitted Mineral Infrastructure Assessment does conclude that as a result of underutilisation alternative provision is available in the form of the other safeguarded wharves in the area that are able to maintain the aggregate capacity.
- 5.72 Whilst Robins Wharf is safeguarded by policy within KCC's WMLP, the wording of Policy DM8 confirms that the loss of wharves will be acceptable where material considerations indicate that the need for development overrides the need for safeguarding. In this instance the social, environmental and economic needs of the local area – including its classification within the most deprived areas of the UK – presents a need for development that carries significant weight.
- 5.73 The Proposed Development is able to respond fully and positively to these needs, delivering a step-change in the quality and scale of the natural environment, the delivery of housing, and the employment and economic benefits that can be derived from this scheme. Furthermore, the Minerals Infrastructure Assessment shows that the wharves in the area are operating significantly below capacity, and that therefore there would be no overall impact upon wharf use in the area.
- 5.74 In considering the above, it is clear that there is a material need for development that can be addressed by the redevelopment of Robins Wharf as part of a wider comprehensive redevelopment. The proposals therefore accord with Policy DM8 of the Kent WMLP.

LOSS OF EMPLOYMENT USES

- 5.75 Core Strategy Policy CS07 relates to the economy, employment and skills provision within the Borough. Under this policy the Council resist the loss of Class E (formerly B) floorspace unless the proposals can be justified through the application of three criteria, including the provision of at least an equivalent number of new jobs on-site or elsewhere within the Borough.
- 5.76 The policy also sets out that the loss of existing commercial wharves will not be supported unless a study and supporting evidence shows that they are no longer viable for marine related employment purposes or are incapable of being made so at reasonable cost, and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance, or appropriate alternative provision is available or will be provided as part of the rationalisation of facilities that, as a minimum, maintains capacity and provides equivalent or better facilities.
- 5.77 As noted in the preceding section of this Statement, there is identified capacity within other wharfs in the local area to the extent that the loss of facilities and employment at Robins Wharf could feasibly be accommodated elsewhere.
- 5.78 As per the accompanying Socio-Economic chapter of the ES, the Proposed Development will lead to the loss or displacement of activities currently taking place within existing industrial accommodation on Site, which is understood to comprise approximately 47,389 sqm plus associated yards and ancillary space.
- 5.79 The HCA Employment Densities Guide 3rd Edition (2015) ("EDG") has been used as a starting point to estimate the number of direct jobs likely to be lost or displaced as a result of the Proposed Development. This gives rise to an estimate of 518 FTE direct jobs currently being sustained on the Site, although it is noted that a significant number of uses on the Site do not closely align with the uses analysed by the HCA

as much of the Site is occupied by land-intensive uses including yard areas and storage warehouses which typically have a low employment yield.

- 5.80 Accordingly, professional judgment has been used, along with Companies House data where appropriate, to estimate the number of jobs sustained by uses which do not closely align with the EDG. It is estimated that the existing uses employ approximately 456 people from Gravesham directly, indirectly and through spending.
- 5.81 It should be noted that no permanent loss of employment is anticipated in relation to Ebbsfleet United Football Club. Whilst it is accepted that the club will need to relocate temporarily during the construction period, the new facilities are likely to result in higher levels of employment being sustained.
- 5.82 It is also possible that existing employment uses will be retained in relation to the existing Grove House Orthodontics, with the Applicant engaging in discussions with this occupier as to their take up of some of the proposed Class E(e) floorspace to be delivered as part of the Proposed Development. However, as this is yet to be confirmed, this quantum of employment has not been included as retained for the purposes of the accompanying socio-economic assessment.
- 5.83 Notwithstanding the above, it is acknowledged that the Proposed Development will result in the loss of around 90% of the existing employment uses and jobs (direct, indirect and induced). However, it is also the case that the delivery of the proposed uses on the Site will generate significant employment opportunities, and the socio-economic assessment has identified that these include:
- Indirect and induced employment during the construction phase – it is estimated that the Proposed Development will take approximately 6,755 person years of construction labour to complete, equating to an average of 846 direct FTE construction workers being employed for the duration of the construction programme. This is in addition to 683 Indirect Construction FTEs and 137 FTEs supported through induced spending;
 - Apprenticeships during the construction phase – it is estimated that the proposed development could create approximately 122 apprenticeship opportunities over the course of the project;
 - Employment associated with the proposed floorspace – based on the anticipated delivery of up to 94,000 sqm (GEA) of non-residential floorspace, along with a new football stadium, the Proposed Development represents a net increase in non-residential floorspace of approximately 56,000 sqm (GEA). On this basis, it is estimated that the Proposed Development could result in approximately 2,261 FTE jobs directly, including 1,508 FTEs for Gravesham residents through direct, indirect and induced employment.
- 5.84 The above is brought about as a result of the net increase in commercial floorspace on-site, but also the transition to more productive commercial uses from the land-intensive operations that are currently located on site.
- 5.85 There is a significant increase in employment opportunities as a result of the proposals, which will deliver approximately 2,261 FTE jobs directly across the scheme. Whilst there is a loss of existing employment activities on site, these are, on balance, considered acceptable in planning terms as the scheme complies with the first bullet point of 5.1.34 of Policy CS07 of the Local Plan by providing an overall increase in employment opportunities arising from the development.

TOWN CENTRE USES

- 5.86 Chapter 7 of the NPPF is entitled 'Ensuring the vitality of town centres' with paragraph 86 setting out that planning policies and decisions should support the role of town centres by taking a positive approach in relation to growth, management and adaptation. Part a) refers to a hierarchy of town centres and the need to promote long term vitality and viability by allowing growth and diversity that responds to the rapid changes in the retail and leisure industries.
- 5.87 Paragraph 87 requires that local planning authorities apply a sequential test to planning applications for main town centres which are neither in an existing centre nor in accordance with an up-to-date plan. It is noted that "main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered". In the context of the Proposed Development, the proposed retail, food and beverage, office, hotel and stadium uses would comprises 'main town centre uses'.
- 5.88 Paragraph 88 of the NPPF goes on to state that "When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored". Paragraph 90 goes on to require an impact assessment to be undertaken where retail and leisure development sits outside town centres and exceeds and locally set threshold. In the absence of a locally prescribed threshold and in line with national policy, a default 2,500 sqm gross external floorspace threshold is applied.
- 5.89 Paragraph 5.2.5 of the Core Strategy states that priority will be given to Gravesend Town Centre as the preferred location for new retail, leisure and entertainment facilities, and the more intensive sport and recreation uses. Paragraph 5.1.30 of Policy CS07 also seeks a sequential approach to new office development unless it is within 500m walking distance of Ebbsfleet Station.
- 5.90 Policy CS08 of the Core Strategy sets out the Council's strategic approach in respect of retail and commercial leisure uses and the application of national policy with regard to the sequential and impact tests. The policy seeks to maintain the sub-regional role of Gravesend Town Centre. Gravesham Borough Council supports a town centre hierarchy major, district and local centres and its neighbourhood parades.
- 5.91 In line with this, the Council applies a sequential approach to the location of main town centre uses and requires an impact assessment of larger retail and leisure development. The Policy also sets out that Gravesend Town Centre will be maintained as the highest order centre within the Borough. The policy also seeks to safeguard the retail character and function of existing and new centres by resisting development that would adversely affect their vitality and viability.
- 5.92 The proposals will provide a range of town centre uses including retail, employment and community facilities which complement the retention of Ebbsfleet United in this location and are essential to the future viability of the location and the creation of a vibrant mixed use community.
- 5.93 A full impact assessment in line with the requirements of the NPPF and Policies CS07 and CS08, complete with a sequential assessment, is contained within the accompanying Retail and Leisure Impact Assessment and ensures that the impact of the proposal on the existing town centre and surrounding centres has been robustly assessed.
- 5.94 The acceptability of each town centre use is considered in more detail below.

RETAIL

- 5.95 The main focus of the accompanying Retail and Leisure Assessment which accompanies this Application is on the retail floorspace to be delivered within the Stadium and Marketplace neighbourhoods. The Statement also considers the proposed food and beverage floorspace, as well as the retail floorspace which could form part of future local services.
- 5.96 The retail proposed in the Stadium and Marketplace is predominantly comparison based, with the intention of offering non-food based shopping with some supporting food and beverage units as part of the experience. Small-scale convenience retailing would be delivered across the residential neighbourhoods to allow residents to top-up their food shopping as part of linked trips to the other uses within the scheme.
- 5.97 The Statement includes a sequential test focused on Gravesend Town Centre, Dartford Town Centre and Bluewater Regional Shopping Centre. It is noted that the main town centre Class E uses included within the proposed development are intended to complement the wider development which is itself centred on the retained and improved football stadium. Ebbsfleet United has a long-standing history of being located on Stonebridge Road and there is no prospect of relocating the club away from Northfleet. Consequently, there is no sequentially preferable site that includes the ability to introduce this comparison retailing as part of a leisure offer centred on the football club.
- 5.98 In addition to visitors of the retained and improved football stadium the retail proposed is set to serve the existing and proposed residential population of Northfleet, as well as promoting linked trips to the stadium for events. There are no alternative sites available that could accommodate the stadium, and the other town centre uses are clustered with the stadium as part of a vibrant mixed-use community. It would not be possible to disaggregate the other uses from the stadium as they, along with the residential component, are required to deliver a viable scheme. The proposed residential also supports the retail function through linked trips and reducing the need to travel.
- 5.99 In light of the comprehensive nature of the proposed development, the application should be read as a single proposal. With no other sites available of sufficient scale to meet the needs of the development this is the most sequentially preferable site in accordance with Core Strategy Policy CS08 and Paragraph 87 of the NPPF.
- 5.100 Further detail regarding the sequential and impact assessments are contained within the accompanying Retail and Leisure Statement.

LEISURE / COMMUNITY USES

- 5.101 Core Strategy Policy CS08 refers to retail, leisure and the hierarchy of Centres. Proposals for leisure, entertainment facilities and the more intensive sport and recreation uses outside the Town Centre, exceeding 2,500 sq m floorspace, will be subject to an impact assessment in accordance with national policy. A Retail and Leisure Impact Assessment has been submitted in support of the application which fully considers the potential impact arising from the scheme and concludes that the uses are appropriate for this location.
- 5.102 Core Strategy Policy CS09 seeks to maximise opportunities for culture and tourism, whilst Core Strategy Policy CS10 seeks to deliver improvements to the physical and social infrastructure required to support community well being.

- 5.103 The proposed development includes a significant level of community provision, not only through new grounds for Ebbsfleet United, but also space that is available to hire by the community and space that will be provided for convenient access to healthcare professionals (e.g. GPs, dentists, physiotherapists, etc). These facilities promote and support community wellbeing as part of a mixed community. This approach is wholly compliant with the policies of the development plan.

OFFICES

- 5.104 Core Strategy Policy CS07 refers to Economy, Employment and Skills and sets out the Council's ambition to deliver around 186,490 sqm gross new employment floorspace over the plan period.. Paragraph 5.1.30 states that *"Proposed office development, in addition to that allocated elsewhere within this plan, will be directed in the first instance to Gravesend Town Centre, and then to edge of centre locations, including sites within 500 metres walking distance of Gravesend Railway Station and Ebbsfleet Station, in accordance with the NPPF sequential test. Only if suitable sites are unavailable in these locations will consideration be given to out of centre locations"*. Paragraph 5.1.31 furthers that *"Proposals for office development exceeding 2,500 sqm which lie outside Gravesend Town Centre and are not identified elsewhere in this Core Strategy, will be subject to an impact assessment in line with the NPPF"*.
- 5.105 Paragraph 5.1.38 further notes that *"The Council will work with its regeneration partners to enhance opportunities for all local people to access the greater range of higher skilled jobs that will arise as a result of the policies above. Support will be given to upgrading educational and training facilities and major development projects will be expected to contribute (either directly or through other agencies) towards the delivery of skills training, the promotion of apprenticeships and work placements"*.
- 5.106 Paragraph 2.7.5 notes that "there is a need to improve the local economy by:
- Improving the skills of the local workforce;
 - Providing a greater number, variety and quality of jobs; and
 - Maximising the economic regeneration potential offered by high speed rail services which now link Ebbsfleet and Gravesend town centre with London and Europe, by ensuring a ready supply of good quality sites for economic development".
- 5.107 Paragraph 81 of the NPPF states that planning policies and decisions should "help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future".
- 5.108 The Proposed Development includes the delivery of up to 18,000 sqm (GEA) office floorspace (Use Class E(g)). It is estimated that 953 FTE jobs will be generated by the proposed office floorspace.
- 5.109 Whilst the proposed office element of the scheme does fall outside of the 500 metre walking distance from Ebbsfleet Station, the site is still easily walkable and is within 350m of Northfleet Station. The only alternative site for office development within the 500 metre walking distance between the proposed development and Ebbsfleet Station is the northern car park. This site is used in conjunction with the station and is due to form part of the Ebbsfleet Central mixed-use development which includes office floorspace as part of the wider proposals. Accordingly, it is not available for the development proposed at Northfleet Harbourside.
- 5.110 The proposed office floorspace at Northfleet Harbourside is designed to support the hotel, retail, sporting and residential functions of the proposed development with a view of reducing commuting out of the area. The

proposed location is still highly accessible by public transport and delivers employment opportunities in line with local plan policy CS03 relating to the aims of the opportunity area.

HOTEL

- 5.111 Paragraph 5.3.8 of the Core Strategy sets out that the Council will seek to increase the contribution of tourism to the local economy, recognising the regeneration benefits that culture and tourism can bring. It is further noted that the Tourism Strategy for Gravesham seeks to maximise opportunities for *“expanding the visitor economy as a result of regeneration and growth in the area”*. In particular, there is encouragement for new hotel development with proximity to the town centre and riverside, or close to the A2.
- 5.112 Paragraph 5.3.12 sets out that *“Hotels are also a difficult issue in that whilst they are classified as a main town centre use, their location is often dictated by their function and the market they are designed to serve...the Council would still wish to see the town centre as a focus for new visitor accommodation in line with national policy and to support its role as an expanded business centre and tourist destination”*.
- 5.113 Core Strategy Policy CS09 refers to Culture and Tourism and states that the Council will seek to maximise opportunities for expansion in culture and tourism activity. The policy sets a number of objectives, including that the Council will seek to protect and support improvements to existing cultural and tourist facilities.
- 5.114 The site already benefits from an extant planning permission (ref. 20170221) which includes a 51-bedroom hotel alongside the partial demolition and rebuild of the stadium. The proposed hotel increases the number of beds in this location to 300, commensurate with the size and function of the new stadium and other retail and leisure functions being part of the scheme.
- 5.115 The extant hotel permission is a material consideration that can be afforded significant weight. Consideration of introducing a hotel in this location has already been had in principle through the implemented scheme (ref: 20170221). The Council's committee report has considered the sequential test for introducing a hotel use in this location, with reference to local plan Policy CS09 on Culture and Tourism which notes that the location can be dictated by their function and the market they are to serve.
- 5.116 Paragraph 5.3.16 of Policy CS09 seeks to apply the sequential approach to hotel uses unless there is a justification to support the location on the basis of its function and connection to surrounding uses. It was the officer's conclusion of the extant permission that the hotel's location was acceptable given the functional relationship with the stadium and associated conference facilities. These in their own right were capable of demonstrating compliance with Policy CS09 and omitting the need for a sequential test.
- 5.117 The position has not been changed by the proposed development. Whilst the size of the hotel has increase, so too has the scale of the associated functions that it is being designed to support. Not only has the size of the stadium increased, but so too has its function as it is now capable of providing other sporting and entertainment events alongside matches and conferencing. These require hotel accommodation for both event staff and visitors, helping with crowd management by reducing the number of people who need to leave the area at the end of the event.
- 5.118 The proposed hotel provision continues to improve cultural and tourist facilities within the Borough, and complies with the policies of the development plan by the fact that it has a functional and locational requirement as part of the comprehensive redevelopment of the stadium site to improve its facilities and offering.

EBBSFLEET UNITED FOOTBALL STADIUM

- 5.119 Ebbsfleet United was formed in 1946 through the merger of Gravesend United and Northfleet United and has had its ground at Stonebridge Road since the club's inception. The club is an intrinsic and important part of both the community and identity of the local area. In addition to the men's game, the club has launched women's and girls' football and outreach / academy programmes to the local community.
- 5.120 The club has ambitions to be promoted to higher leagues and has seen some investment into the ground over the past 10 years through the development of a new southern stand on the Stonebridge Road elevation in 2012. This provided new facilities for the club as well as partially covered seating, bringing the capacity of the stadium to 4,769 (of which 2,179 are seated).
- 5.121 The club is currently supported by private finance from its owners which helps to maintain the current position, however this model has risks around sustainability and long term financial security common among football clubs in the UK pyramid. The size of the stadium also limits other sporting and non-sporting events that can take place as a result of the stadium's capacity. The lack of facilities on site and within the vicinity also limit the activities which currently occur on site as there are no supporting food and beverage or hotel functions around the stadium. Consequently, for the club to be viable in the long-term there is the need to improve the available facilities to enable growth by providing a 365 day per year community event site, and providing important diversified revenue to the community football club.
- 5.122 The proposals include a new stadium with a capacity of up to 8,000 supporters (to include both seated and standing options), with associated ancillary retailing outlets, function space, and training / changing facilities. This size of stadium will allow for the growth needed to become financially stable through an increased supporter base and lettings of the stadium for other uses such as concerts and tournaments. The proposed stadium will also ensure governing body ground grading compliance for promotion to EFL Champion level as a minimum, supporting the club's aspirations for promotion.
- 5.123 This investment will provide the club with a sustainable and self-sufficient future whilst also allowing for a reinvestment of funds and much needed facilities and space into the wider community of Northfleet.
- 5.124 This level of investment to deliver a step-change in the quality of the stadium can only be achieved through the introduction of supporting town centre uses (e.g. hotel, retail and food & beverage) alongside residential development of scale commensurate with that proposed. Not only does this level of development allow for the funding of the new stadium (delivered by adjusting its location and moving the A226), but it also introduces a critical mass of visitors that will support the non-football functions of the stadium which provide other sources of income for the football club.

Conclusions

- 5.125 It is acknowledged that the application site falls outside of any designated town or local centre within Gravesham. However, there are no sequentially preferable sites, and this scheme is in a unique position as a result of the inclusion of Ebbsfleet United FC stadium within the scheme. Given the community connections to the site and land required to deliver a new stadium, it is not possible to move this core part of the scheme, or the associated supporting uses such as the hotel, to an alternative location.
- 5.126 The impact of introducing comparison retail and leisure uses has been assessed in accordance with the requirements of the NPPF and local policy, concluding that the scheme will have a positive impact upon the economic profile of Gravesham by assisting with the retention of retail expenditure that is currently going to centres outside of the Borough.

- 5.127 The introduction of other town centre uses will support the vitality and viability of the stadium and wider development, providing employment and hotel opportunities for those living and visiting Northfleet.
- 5.128 The proposals comply with policy at a national and local level, complementing the sporting functions of the locality and introducing town centre uses in a highly accessible location with minimal impact upon other centres in the locality.

RESIDENTIAL USE

- 5.129 The delivery of new homes as part of a mixed-use development accords with the overarching objectives of planning policy at all tiers. At the national level, the NPPF sets out at paragraph 73 that *“The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes)”*. The NPPF also sets out at paragraph 60 that *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”*.
- 5.130 Paragraph 4.2.9 of the Core Strategy sets out that the *“Core Strategy identifies how the Borough will meet its own objectively assessed needs during the plan period 2011 – 2028 for at least 6,170 new dwellings which will be delivered at three different development rates over the plan period...The greatest capacity for new housing is identified in the Opportunity Areas and Key Sites”*.
- 5.131 Core Strategy Policy CS02 refers to the Scale and Distribution of Development and states that *“The development strategy for the Borough is to retain and improve the existing stock of housing and suitable employment land and to make provision for the Borough’s objectively assessed need for at least 6,170 new dwellings delivered at a variable rate as follows; at least 325 dwellings per year for 2011/2012 – 2018/2019, at least 363 dwellings per year for 2019/2020 – 2023/2024, at least 438 dwellings per year 2024/2025 – 2027/2028”*.
- 5.132 Paragraph 4.2.14 of the Core Strategy sets out that as per the housing trajectory contained within Appendix 4 to the Core Strategy, there are sufficient sites to meet the Borough’s housing requirements in the first five years of the plan period post adoption (2014 – 2019). It is however acknowledged that there is insufficient land supply identified in the current SLAA to meet the level of housing need over the whole plan period. It is noted that that to address this, *“the Council will carry out a revised SLAA to identify additional land to meet the Borough’s housing needs and maintain a five-year rolling supply of deliverable sites over the plan period. This will be informed by a review of development opportunities in the existing urban area and rural settlements inset from the Green Belt and by a Green Belt boundary review”*. An updated SLAA was published in 2020 – this includes identification of housing delivery on land at Swanscombe Peninsula, now designated as a SSSI.
- 5.133 GBC published a Five-Year Housing Land Supply Statement covering the period 2020 – 2025 in January 2021. This notes that on the basis of the Council’s 2020 Housing Delivery Test (“HDT”) result of 70%, a 20% buffer is to be applied in accordance with paragraph 74 of the NPPF. This results in a five-year supply local housing need figure need of 3,980 dwellings. The Statement confirmed a deliverable housing supply of 2,574 units, giving rise to a shortfall of 1,356 units and a 3.27 years’ supply. As per paragraph 5.3 of the Council’s Housing Land Supply Statement, this indicates that GBC is unable to demonstrate a deliverable supply of sites for housing against its housing requirement over the next five years from 2020 to 2025.

- 5.134 Since the Statement was published, GBC recorded a HDT result of 57% for the 2021 measurement, in a period of discounted supply to reflect the implications of the Covid-19 pandemic thus further exacerbating the housing supply position. In light of this evidence and the Council's inability to demonstrate a five year housing land supply, the presumption in favour of sustainable development is engaged. There is therefore a requirement for planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 5.135 The provision of 3,500 new homes across the Site would equate to 5.3 years' worth of the borough's unconstrained housing need. This provision, on a sustainable brownfield Site, makes a very significant contribution to meeting housing need within Gravesham and across Kent. This is especially critical within the context of the need for the exploration of Green Belt release and the stalled delivery of housing across Kent due to nutrient neutrality issues.
- 5.136 As per paragraph 6.44 of the Albion Waterside Committee Report, on assessing the Local Plan in 2014, the Inspector only found it to be 'sound' on the basis of a commitment to undertake a Green Belt review to address unmet housing need through to 2028.. It is noted that work is on-going to determine the most appropriate strategy to meet housing need, including discussions with neighbouring authorities under the duty to co-operate, but that Green Belt release is likely to be required.
- 5.137 It is therefore important to ensure that development is delivered at optimal density on brownfield land in sustainable locations such as Northfleet Harbourside, as opportunities to deliver housing on this scale are limited outside of exploring greenfield opportunities: most of which will be designated as Green Belt.
- 5.138 The proposed delivery of up to 3,500 new homes as additional units over and above the allocated provision would make a very significant contribution to meeting this local need, and accordingly, weighs heavily in support of the development as proposed. The principle of housing therefore approach accords with planning policy at the national and local level and is to be supported in accordance with the presumption in favour of sustainable development.

HOUSING DENSITY

- 5.139 As per the NPPF, the Government expects developments to make optimal use of the potential of each site where there is an existing shortfall of land for meeting housing needs. Paragraph 124 of the NPPF sets out that *"Planning policies and decisions should support development that makes efficient use of land, taking into account:*
- a. The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b. Local market conditions and viability;
 - c. The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d. The desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e. The importance of securing well-designed, attractive and healthy places".

- 5.140 Paragraph 125 of the NPPF goes on to set out that *“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”*. It is further noted that *“local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework”*.
- 5.141 Policy CS15 of the Core Strategy refers to Housing Density and sets minimum density standards for the urban area of 40 dwellings per hectare, with higher densities sought near Gravesend Town Centre and Ebbsfleet. The policy does not set a maximum density figure.
- 5.142 The redevelopment of sites within the urban area to higher densities appropriate to context can help to reduce the pressure for the release of undeveloped land, including Green Belt land. Chapter 11 of the NPPF promotes making most effective use of land, including delivering higher density development.
- 5.143 On the basis of the delivery of up to 3,500 new homes across the 19 hectare site, the Proposed Development will result in a residential density of 184 units per hectare. It is noted that the Albion Waterside scheme resulted in a density of c. 275 units per hectare, with paragraph 6.49 of the associated Committee Report noting that *“This might suggest perhaps overdevelopment at variance with the overall character of the area. However, the Local Plan acknowledges that densities will be design led and will have regard to the accessibility of each site and that higher densities will [be] expected in town centre sites or transport hubs. The policy also stresses the need for development proposals to make efficient use of land for housing”*.
- 5.144 The proposed approach to the residential element of the scheme has been based upon a landscape-led masterplan, ensuring that the proposed development remains viable whilst delivering open space and new sporting facilities. The site is highly accessible by public transport and the proposed approach makes the best use of land.
- 5.145 Whilst there is a step-change in the form of development compared to its current form, the proposed density is appropriate taking account of Gravesham’s Borough wide need for Housing with significant areas restricted by Green Belt Designations, this brownfield site offers an opportunity to contribute significantly to Gravesham’s housing need in a very sustainable and accessible location. Due the substantive size of the site it offers an opportunity to plan for positive growth at a scale that optimises the use of land whilst being able to accommodate its own character and identity. This approach is enshrined across all tiers of planning policy, whilst also reducing building costs of the development to enhance viability.

AFFORDABLE HOUSING

- 5.146 Policy CS16 of Gravesham’s Core Strategy concerns Affordable Housing and seeks that residential developments of 15 dwellings and/or 0.5 hectares or more in the urban area should deliver 30% of dwellings as affordable housing. As part of this provision, the Council will seek an affordable housing tenure mix of 70% affordable/social rented accommodation and 30% intermediate housing. The policy aspirations are subject to viability testing on a site-by-site basis.
- 5.147 A Financial Viability Assessment (FVA) of the scheme has been prepared and submitted in support of the application to assess the levels of affordable housing and other planning benefits that the scheme is able to support. The FVA is in accordance with both the RICS’ 2021 Guidance on assessing viability and with the required approach set out in the National Planning Policy Guidance.

- 5.148 As a large scale urban regeneration project, the scheme is burdened by significant up front infrastructure costs, including the need to divert part of the highway, the remediation of the site, and, crucially, the funding of the new stadium and associated community facilities.
- 5.149 The FVA identifies that the scheme including 100% private housing generates profits that are below the generally accepted level for a scheme of this nature. This shows that, in strict viability terms, the scheme ought not to be required to deliver any affordable housing.
- 5.150 Notwithstanding the viability conclusion, the applicant is cognisant of the need to deliver mixed and balanced communities and has included a 10% intermediate affordable housing provision within the scheme on a without prejudice basis. The FVA confirms that the proposals would be profitable and deliverable including this 10% provision of affordable housing, albeit at depressed profit margins.
- 5.151 It is acknowledged that this is a multi-phased project and the intention is to deliver the affordable housing as part of an earlier phase of the development, as well as to include an appropriate viability review mechanism within the s106 agreement to deliver additional affordable housing should the financial position improve over the life of the project.
- 5.152 Whilst the affordable housing provision is below the 30% sought by policy, the 10% affordable housing offer has been robustly demonstrated by the FVA to be above the maximum reasonable amount that can be supported by the scheme. The 10% offer also aligns with paragraph 65 of the NPPF which requires that major developments deliver at least 10% affordable. When considered as part of the overall package of planning benefits that are to be delivered this position is, on balance, appropriate and accords with policy at the local and national levels.

HOUSING UNIT MIX

- 5.153 Core Strategy Policy CS14 refers to Housing Type and Size and sets out that *“The Council will expect new housing development to provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities”*.
- 5.154 The Local Plan Core Strategy Partial Review states at paragraph 1.6.14 of Policy CS14 that *“Based on current evidence and consultations undertaken so far, what we do know is that more one, two and three-bedroom affordable and market homes are needed in the Borough over the plan period to provide a suitable mix of housing types and sizes that help meet the needs of newly forming households, existing families and older households wishing to downsize”*.
- 5.155 The proposed unit mix is not sought for approval, and it is expected that a reserved matters application submitted for consideration will confirm the housing mix at that time. For the purposes of the Application and the ability to produce a robust assessment of the scheme, a unit mix has been prepared based upon the Illustrative Masterplan which represents one possible way the scheme could be realised. This is as follows:

NUMBER OF BEDROOMS	MARKET UNITS	INTERMEDIATE	TOTAL
STUDIO	157	0	157
One Bed	1575	179	1754
Two Bed	1259	123	1382
Three Bed	158	49	207
Total	3149	351	3500

- 5.156 The illustrative approach shown above, based upon the Illustrative Masterplan, shows that a range of unit types and tenures can be delivered through the scheme to meet varied housing needs. The focus on the delivery of 1 and 2 bed homes meets the commentary within the Local Plan Review on needing smaller units for those wishing to downsize as well as newly forming households.
- 5.157 The proposed unit mix is supported by the most recent Strategic Housing Market Assessment (2016) which identifies the most sought after properties in the Borough as those with 1, 2 and 3 bedroom properties. The outline nature of the application allows for this to be refined at Reserved Matters Stage in discussion with Officers at the Council
- 5.158 This approach allows for the reserved matters stage to respond to up-to-date evidence in accordance with Policy CS14.

DESIGN

- 5.159 Core Strategy Policy CS19 refers to Development and Design Principles and requires that the design and layout of new residential development accords with the adopted Residential Layout Guidelines. This is in reference to the adopted SPG Note 2 Residential Layout Guidelines, which set out the Council's standards in relation to private garden areas and internal space standards, amongst other things.
- 5.160 National and local design guidance has been taken into consideration when approaching scheme design and preparing the design code for future development. The Design Code will be used to set the requirements for future design work that will be assessed against policy at the reserved matters stage.
- 5.161 The accompanying Design Code sets a clear design intent and key requirements for the development, ensuring that whilst internal design is to be assessed at a later stage, there is a commitment to quality and excellence. This approach accords with the principles of Policy CS19 and provides comfort that future reserved matters are capable of meeting the policy criteria.
- 5.162 Chapter 12 of the NPPF refers to 'Achieving well-designed places', setting out at paragraph 126 that *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. Paragraph 130 further sets out that *"Planning policies and decisions should ensure that developments:*
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b. Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c. Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation of change (such as increased densities);
- d. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f. Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear or crime, do not undermine the quality of life or community cohesion and resilience”.

5.163 Core Strategy Policy CS19 sets out Development and Design Principles, requiring new development to be “*visually attractive, fit for purpose and locally distinctive*”. A number of design related criteria are set out within the policy, including:

- A requirement that the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area;
- A requirement to take account of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings, as well as the wider site context, including strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place;
- Encouragement for sustainable living and choice through a mix of compatible uses which are well connected to places that people want to use, including the public transport network, local services and community facilities;
- The location, design and construction of new development to safeguard the amenity of occupants and those of neighbouring properties and land; to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination; and to not pose an unacceptable risk or harm to the water environment;
- The design of new development in an inclusive way to be accessible to all members of the community;
- The provision of appropriate levels of private and public amenity space;
- The inclusion of well planned, appropriately detailed public realm and open spaces;
- The provision of well related car parking;
- The protection and enhancement of biodiversity;

- The building in of resilience to the effects of climate change, including protection against flood risk, the delivery of carbon reduction, provision for low carbon and renewable energy, and minimisation of energy consumption and water use;
- The incorporation of appropriate facilities for the storage and recycling of waste; and
- The creation of a safe and secure environment and provision of surveillance to minimise opportunities for crime and vandalism.

5.164 The accompanying Design and Access Statement and Design Code set out the design intent for key elements of the Proposed Development, In respect of the stadium, it is noted that the design intent comprises four key elements, as follows:

- Roof – the stadium roof is designed to be visible to users and iconic in such a way that gives it focus and identify;
- Primary Structure and Façade – required to be functional, tactile and human in design;
- Moments of Difference – for example with regard to public realm, way finding or programme being intentionally contrasting in its material expression compared to the relative uniformity of the rest of the stadium design; and
- Façade – creating a clear distinction between the stadium and Marketplace neighbourhood facades, ensuring that the marketplace experience retains its individual customer experience journey.

5.165 In terms of the Marketplace neighbourhood, the DAS notes that the *“design responds to its varied setting, providing different characters relating to the retail and community-led edges. The retail edge provides a highly contemporary design which takes inspiration primarily from the industrial heritage and character of the area whilst the community edge implements a more natural design which is nevertheless reminiscent of this historical inspiration”*. It is further noted that *“The architectural response is considered across multiple levels ensuring that the design is responsive to both the inward and outward-facing environments and that the integration of the podium is seamless and inclusive”*.

5.166 The Boulevard neighbourhood connects the Marketplace with the Riverside neighbourhood. As per the accompanying DAS, the Boulevard neighbourhood comprises a residential neighbourhood characterised by crafted brickwork elements and detailed with rich architectural features giving rise to a more intimate and unique scale and vernacular. The Riverside neighbourhood is characterised by industrial style elements and features that form part of the architectural vernacular. The Parkland neighbourhood is characterised by living, green elements and features that form part of the architectural vernacular.

5.167 The detailed appearance of the built form will be subject to future reserved matters applications, based on the details and controls contained within the accompanying Design Code. The appearance of buildings will respond to each relevant Neighbourhood Character Area, whereby the Design Code suggests appropriate colour palettes drawing upon historical contexts and artistic influences across the Site.

5.168 The design work that has been undertaken at this point sets a clear design intent for the scheme and shows that a high-quality development can be delivered within the parameters proposed for approval. This gives appropriate control over the future form of development to give the Council comfort that the scheme is able to comply with the design policies of the plan when reserved matters applications are submitted for approval following further design work and consultation.

TALL BUILDINGS

- 5.169 In lieu of adopted policy for tall buildings, it is noted that the Council has begun to consider the position within the local plan review. Whilst afforded little weight, emerging Policy DES3 refers to Tall and Bulky Buildings, stating at paragraph 11.3.13 that *“Proposals for tall and bulky buildings will be permitted where they are considered to be appropriate to their context; adverse impacts resulting from their development are not unacceptable; they are in sustainable locations capable of accommodating such a form of development; and they either optimise the opportunities available for improving the character and quality of an area and the way it functions or, in the case of major regeneration sites, assist in creating a sense of place”*. The draft policy also requires that the design of tall buildings considers how they relate to the public realm at ground level in order to contribute positively to the creation of a sense of place and urban vitality.
- 5.170 Proposed supporting text to the draft policy at paragraph 11.3.4 notes that *“Whilst high density does not imply tall and bulky buildings in all cases; such buildings can form part of a strategic approach to meeting the Local Plan’s regeneration and economic development goals. This is particularly the case where they would make optimal use of site capacity in suitable locations close to the transport hubs of Gravesend town centre and Ebbsfleet”*. Draft paragraph 11.3.5 goes on to state that *“Tall and bulky buildings can make a positive contribution to meeting the needs of the local area, and if well design can be excellent examples of architecture which enhance a local area...if designed correctly, they can assist in regeneration and stimulate further growth and investment”*.
- 5.171 The accompanying Design and Access Statement (DAS) submitted with this application demonstrates the scale of the development has been carefully considered to ensure that the potential of the masterplan is optimised. Each proposed neighbourhood contains a diverse mix of scales within the built form, ranging from 2 to 20 storeys in height. It is noted within the DAS that the entrance to the proposed development located off the A226 retains a lower scale in order to give an appropriate height for Northfleet ‘village’ and appropriately respond to the residential neighbourhood directly adjacent. Linked to this, the massing is generally lower towards the edges of the Site, particularly within the Marketplace, Boulevard and Parkland neighbourhoods. To the north-east, taller buildings are located towards the river Thames, setback from the waterfront behind a public square and promenade. The transition in scale seeks to ensure that the impact to townscape function and visual amenity on the periphery of the site responds appropriately to the existing residential neighbourhoods.
- 5.172 The Application is also supported by a Townscape and Visual Impact Assessment, prepared by Montagu Evans. The TVIA forms Volume 2 of the Environmental Statement (ES) which is submitted with the application. The assessment is undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (‘the EIA Regulations’).
- 5.173 The townscape assessment considers the Proposed Development within its urban context, including the buildings, the relationships between them, the different types of urban spaces, green spaces and the relationship between buildings and open spaces. The visual assessment has considered the impact of the Proposed Development upon visual receptors. The assessment relates to how people will be affected by changes in views and visual amenity at different places.
- 5.174 The assessment and design development has been informed by accurate visual representations (aka verified views) prepared by visualisation consultants, Eb7. The location of the viewpoints has been agreed with officers at Gravesham Borough Council during the pre-application process. The wider study area beyond the 1km radius and assessment in general has been informed by the preparation of a zone of

theoretical visibility (ZTV) extending c.3km east towards Gravesend town centre. The ZTV is a tool for a high-level understanding of the extent of visibility, which was further interrogated through review of individual viewpoints using field surveys and digital software. A further nine non-verified views, prepared by Eb7, were prepared to contextualise the ZTV and further inform the assessment of the impact of the Proposed Development on heritage assets.

- 5.175 The TVIA finds that the urban design qualities of the Proposed Development would demonstrably improve the appearance, character and function of the townscape. It would also deliver improvements to visual amenity in an area that is currently fragmented and lacking a sense of place. It would not give rise to any significant adverse effects to sensitive receptors. In longer views, it is considered that the Proposed Development would form an attractive element to the skyline, visually associated with Ebbsfleet International station. The TVIA demonstrates that the proposed composition has been well-considered with an overall height commensurate with the aspirations of the Site as a catalyst for regeneration.
- 5.176 A Heritage Statement is appended to the TVIA and considers the impact of the Proposed Development on all above ground built heritage assets within a 1km radius of the site boundary, plus selected heritage assets at a greater distance that are highly sensitive due to their grading or location.
- 5.177 The assessment finds that the Proposed Development preserves the significance of all heritage assets in the surrounding area. It would therefore satisfy chapter 16 of the NPPF and Policy CS20 of the Gravesham Local Plan Core Strategy (2014).

BUILT HERITAGE

- 5.178 Chapter 16 of the NPPF refers to conserving and enhancing the historic environment. Paragraph 194 sets out that *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting”*. Paragraph 199 furthers that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)”*.
- 5.179 At the local level, Core Strategy Policy CS20 states that *“the Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment”*. This is consistent with the NPPF and the great importance and weight attached to the significance of heritage assets by virtue of their statutory designation. Policy CS20 goes on to state that *“when considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset’s conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset”*.
- 5.180 A separate Heritage Statement has been prepared by Montagu Evans to support the Application, which seeks to understand potential heritage impacts, as well as to inform the TVIA. The Heritage Statement considers the impact of the Proposed Development on all above ground built heritage assets within a 1km radius of the site boundary, as well as selected heritage assets at a greater distance that are highly sensitive due to their grading or location.
- 5.181 The assessment concludes that the Proposed Development preserves the significance of all heritage assets in the surrounding area and equates to no ‘likely effects’ in ES terms. The Proposed Development is therefore considered to accord with Chapter 16 of the NPPF, Policy CS20 of the Gravesham Core Strategy and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 5.182 Further to the above, it is recognised that the NPPF sets out a requirement for LPAs to look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. It is noted that whilst the proximity of the Site from designated heritage assets and / or their nature (for example Aspdin's kiln), offers little opportunity for to enhance their setting.
- 5.183 Opportunities to promote and communicate the heritage of the Site are outlined within the accompanying Design and Access Statement, including for example heritage references within the public art adjoining Northfleet Harbour and Robins Creek, and the provision of a heritage trail throughout Riverside Gardens. Whilst the Application is submitted in Outline, the Design Code includes the principle of these details, thus providing security for their delivery within future reserved matters applications and a condition is proposed to secure the detailed strategy for this element of the scheme.

PUBLIC REALM, LANDSCAPING, OPEN SPACE, AND PLAY PROVISION

- 5.184 As per the accompanying DAS, the landscape network to be delivered as part of the Proposed Development will *"help to create a high quality, attractive and functional place, [providing] a setting for day-to-day living, enhance the character and diversity of the landscape and protect cultural heritage assets that contribute to the area's unique sense of place and identity"*.
- 5.185 In being able to deliver a scheme that provides for all aspects of the community, there is a need to ensure that alongside the stadium provision, supporting infrastructure such as indoor leisure and community spaces are included within the scheme. This approach accords with Policy CS10 which discusses Physical and Social Infrastructure and in principle supports *"proposals and activities that protect, retain or enhance existing physical and social infrastructure, or lead to the provision of additional infrastructure that improves community well-being."*
- 5.186 In relation to the emerging plan, proposed Development Management Plan Policy DM 21 on Open Space, Playing Pitches and Sports Facilities Retention seeks to protect and retain open space where possible. This is supported by emerging Policy DM 22 on Open Space, Playing Pitches and Sports Facilities Provision requires new development *"to provide adequate open space, sports and recreational facilities commensurate with the level of development proposed in order to meet the need of occupants."*
- 5.187 The proposed development presents a unique opportunity to retain and develop the grounds for Ebbsfleet United, providing them with a new fit-for-purpose stadium that enables a financially stable future and the ability to grow the supporter base and meet stadium requirements for future promotion. Furthermore, the proposals introduce significant opportunities for sport and open space across the development in an area that is currently devoid of outdoor recreation.
- 5.188 The principle of this element of the proposals therefore fully accords with the relevant planning policies on the retention, expansion, and provision of leisure and community uses.
- 5.189 Policy CS12 refers to Green Infrastructure and states that *"A multifunctional linked network of green spaces, footpaths, cycle routes and wildlife stepping stones and corridors will be created, protected, enhanced and maintained"*.

- 5.190 Policy CS13 (Green Space, Sport and Recreation) sets out that the Council will seek to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities, in accordance with an adequate, up to date and relevant evidence base, with such provision usually made on site.
- 5.191 The GBC Standards paper identifies the following levels of open space provision within urban areas (per 1,000 population, as of 2015):
- Parks and Gardens: 0.24ha;
 - Natural and Semi-Natural Green Space: 0.01ha;
 - Amenity Greenspace: 0.74ha;
 - Provision for Children and Young People (playspace): 0.03ha; and
 - Allotments: 0.07ha.
- 5.192 The Proposed Development will deliver high quality high quality Green Zones across the proposed development consisting of Natural and Semi Natural Space, Parks and Gardens, Amenity Green Space and allotments. Play space provision will include the addition of Local Areas of play, local equipped areas of play and neighbourhood equipped areas of play around the Site to ensure accessibility.
- 5.193 It is expected that once completed, the scheme will have a population of 8,050 residents, giving rise to a requirement for 1.93 ha of open space. The proposed development proposes the delivery of 3.6 ha (9 acres) of new parkland within the scheme in a location that is devoid of open space. This significantly exceeds the policy requirement, providing additional space equivalent to 0.21 ha per 1,000 population to accommodate other amenity requirements. This is in addition to amenity spaces within each of the character zones that will be design at the reserved matters stage.
- 5.194 As per the accompanying DAS, the Proposed Development will maximise play opportunities with the play network helping to connect people and linking key active spaces to leisure and work destinations along a network of safe and clearly defined routes. The play space and recreation strategy for the Proposed Development makes provision such that all homes delivered within the Site are located not more than one minutes' walking distance from a Local Area for Play, five minutes' walking distance from a Local Equipped Area for Play, and fifteen minutes' walk from a Neighbourhood Equipped Area for Play.

PRIVATE AND COMMUNAL AMENITY SPACE

- 5.195 Saved Gravesham Policy LT6 seeks Additional Open Space in New Housing Developments. Through this policy, proposals for homes will be expected to make provision for open space and play space appropriate to the scale of development and type of housing proposed, having regard to the provision of and proximity to existing open space in the locality.
- 5.196 The proposed development includes a significant amount of public open space in the form of new parkland and other central amenity areas. Beyond this the ability to deliver communal and private amenity space for residents will be detailed at the reserved matters stage and is likely to be provided through a combination of pocket-parks, podiums and private balconies/terraces as discussed within the accompanying Design Code. This approach accords with Policy LT6 which has been taken into consideration when preparing the design documentation for the scheme.

TRANSPORT AND ACCESS

- 5.197 At the national level, the NPPF sets out at paragraph 104 that transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a. The potential impacts of development on transport networks can be addressed;
- b. Opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c. Opportunities to promote walking, cycling and public transport use are identified and pursued;
- d. The environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e. Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places”.

- 5.198 Paragraph 105 goes on to state that *“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”*.
- 5.199 Paragraph 111 of the NPPF makes explicit that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
- 5.200 At the local level, Core Strategy Policy CS11 refers to Transport and states that new developments should mitigate their impact on the highway and public transport networks as required.
- 5.201 The Application is accompanied by a Transport Assessment prepared by Vectos which provides a review of the baseline transport conditions in respect of the Application Site, considers the trip generation associated with the Proposed Development and provides an assessment as to the requirement for any highways mitigation in order to accommodate the Proposed Development.
- 5.202 As per the accompanying TA, the Proposed Development includes a new access road through the Site to ensure the maintenance of access to the Seacon site to the north. This road is to be accessed from the Gally Hill Road / Lower Road junction and would have priority over Lower Road and would be designed to accommodate the movement of HGV vehicles.
- 5.203 In addition, a dedicated Fastrack route will be provided through the Site, travelling with a general north south alignment between Gally Hill Road (A226) and Grove Road. The Fastrack route will be segregated from other road users, including commercial bus services.
- 5.204 The accompanying TA concludes that, subject to the updated assessment of the Proposed Development following the issue of the Kent Transport Model outputs which will likely be complete in November (to be provided within a Supplementary Transport Assessment). This will include additional surveys and a summary of impacts with further mitigation if required. There are no reasons relating to transport and highways to not permit the Proposed Development. It is considered that the proposals will transform the public realm and highway infrastructure within Northfleet as well as encouraging more sustainable travel patterns.

WALKING, CYCLING AND PUBLIC TRANSPORT

- 5.205 Paragraph 112(a) of the NPPF sets out that applications for development should *“give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use”*.
- 5.206 Policy CS11 sets out that the Council will seek improvements to walking and cycling facilities and networks in the Borough including provision in new development as appropriate, with the objective of providing improved access to Gravesend Town Centre and Ebbsfleet, as well as to other services and facilities in the Borough, and in particular the provision of pedestrian and cycling links between Northfleet and Ebbsfleet stations and along the River Thames.
- 5.207 The above policy also notes that the Council will support proposals which improve public transport provision and facilities in the Borough.
- 5.208 It is further noted that proposals should prioritise pedestrian and cycle movements and facilitate, as far as possible, high quality public transport, and that developments likely to generate high levels of vehicular traffic (in particular commercial vehicular traffic in the form of heavy and light goods or passenger service vehicles) should be well located relative to the highway network to minimise impacts on local roads or other environmentally sensitive areas.
- 5.209 Pedestrian and cycle access to the Site will be provided at multiple points leading to a network of internal routes. These routes are indicative at this stage and will be developed and detailed as part of future reserved matters applications. As per the accompanying TA, the Proposed Development will be highly permeable to both pedestrians and cyclists, with large pedestrianised areas present throughout the Site ensuring that users can travel on foot or cycle in a traffic free environment and enjoy areas of open space without travelling into the SSSI. This will promote more trips using active travel modes, reducing the number of car trips.
- 5.210 In addition, a mobility hub is proposed within the Application Site, with the objective of integrating different modes of transport and providing multimodal supportive infrastructure. It is anticipated that this hub could deliver facilities including but not limited to bicycle parking and repair stations, EV car club spaces and charging points, real time travel information and shower facilities.

PARKING

- 5.211 Adopted Policy CS11 requires that sufficient parking in new development be provided in accordance with the Council's adopted parking standards which will reflect the availability of alternative means of transport, accessibility to services and facilities, and the objective to secure a modal shift to more sustainable modes.
- 5.212 The most recent car and cycle parking standards for Kent are presented in the Kent Design Guide, Movement & Connectivity – Parking Standards. These supersede standards presented within the Kent Vehicle Parking Standards (SPG4).
- 5.213 As per the accompanying TA, the Proposed Development will ensure that existing and emerging parking policy – including that relating to accessible parking – will be adhered to across the Site through the delivery of a maximum quantum of 2,700 car parking spaces across the Site. In addition, the Proposed Development will provide access to a range of sustainable travel modes and incorporate car club vehicles and cycles to hire.

- 5.214 With regard to residential car parking, it is proposed that spaces are provided across the Site at the podium level, ensuring that parked vehicles are not visible at ground level. A total maximum of 1,750 residential car parking spaces are proposed across the Site. Whilst it is acknowledged that this provision is lower than the 2021 Kent Design Guide parking standards, it is considered to reflect the existing behaviour of residents within the area, as well as existing levels of car ownership. Furthermore, this level of provision is considered appropriate given the accessible nature of the Site in relation to public transport, and in terms of walking and cycling accessibility, and on the basis of the Proposed Development itself seeking to favour active travel over travel by private vehicle. Finally, the provision of car club vehicles within the Site will mean that residents will be able to access a vehicle for occasional journeys without having to own one, further reducing the requirement for parking.
- 5.215 The total parking provision for non-residential components of the Proposed Development is proposed as a maximum of 950 spaces. EV parking is to be provided across the Site in line with relevant parking standards, and all 1,750 residential parking spaces will have passive charging capabilities. Accessible parking spaces will be provided in line with the standards presented within the relevant minimum standards set out within the accompanying TA.
- 5.216 A Car Parking Management Plan will be completed to present the car parking strategy for the Site, and will include detail as to how parking spaces for all uses will be allocated and managed in order prevent ad hoc on street parking in surrounding areas.
- 5.217 The Proposed Development includes a total of 709 cycle parking spaces for non-residential uses and 3,500 spaces for residential uses, equating to one space per dwelling. On this basis, the Proposed Development will provide a policy compliant level of cycle parking. All cycle parking spaces will be designed to be suitable for use by disabled cyclists and adapted bikes. Furthermore, shower, locker and changing facilities will be provided within the cycle parking areas associated with the non-residential aspects of the development as required.

IMPACT ON AMENITY

- 5.218 Core Strategy Policy CS19 includes a requirement to protect amenity and ensure acceptable future living conditions, stating that new development will be located, designed and constructed to, inter alia:
- Safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land; and
 - Avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination.
- 5.219 The above is reflected in SPG Note 2 Residential Layout Guidelines, which also sets out requirements to not only protect future residents / occupants of new development but also those existing residents that might be affected by the development.
- 5.220 It is recognised that there are existing uses in the locality which give rise to amenity impacts beyond their boundary in the form of the adjacent wharfs to the north of the site. Discussions have been held with the adjacent landowners on the form of development that is being proposed and measures that are to be included in the Design Code to ensure that there is no impact upon operations as a result of introducing residential development. These include the provision of a 4.8 – 6m carriageway and 'green curtain screening' to provide visual and acoustic separation. As per the accompanying Design Code, this will be

constructed up to a height of 6 metres with a banked planted area reducing in height to ground level, establishing a green outlook for future residents and performing a role in filtering particulates from the atmosphere and reducing the perception of noise, lighting and other operational impacts from the adjacent use.

- 5.221 The scheme also minimises the impact of road users on residential amenity, diverting the main arterial road and building over with a podium to remove traffic, and in particular heavy goods vehicles, from the public realm and residential uses. Access to the industrial wharf uses to the north is retained through the site via a network of new roads which are located at the perimeter of the site and where possible separated from the residential uses by parkland, ensuring that noise and disturbance is kept to a minimum.
- 5.222 It is expected that full details will be included at the reserved matters stage, but the Design Code and Illustrative Masterplan demonstrate how residential amenity can be protected as part of the scheme in accordance with policy.

NOISE AND VIBRATION

- 5.223 Paragraph 185 of the NPPF sets out that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. It is noted that in doing so, *“planning policies and decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”*.
- 5.224 Paragraph 187 goes on to require that planning policies and decisions ensure that new development can be integrated effectively with existing businesses and community facilities, and that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. It is noted that where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.
- 5.225 As set out previously within this Statement and within the accompanying ES, the area surrounding the Site predominantly comprises industrial and residential uses. The dominant source of noise and vibration applicable to the Site is traffic on the A226 Stonebridge Road which runs through the Site and from existing transport infrastructure surrounding the Site. The adjacent Seacon Terminals facility is also considered to be sources of noise and vibration when operational.
- 5.226 The design of the Proposed Development has been carefully considered within the context of the above. As per the accompanying Design Code, a number of controls are to be introduced to provide mitigation against potential noise impacts:
- the stadium roof design will be partially enclosed (except above the pitch);
 - appropriate façade mitigation, e.g. glazing specifications, will be implemented to meet indoor ambient noise level criteria; and
 - mitigation measures are to be incorporated within residential balconies in Plots 3, 4, 6 – 8, 12 and 15 – 19 to ensure suitable noise levels for private amenity spaces. These may comprise acoustic balconies

or provision of wintergardens. Alternatively, additional shared amenity within the development plot could be implemented where appropriate conditions are achieved.

- 5.227 Furthermore, as set out above, the Proposed Development includes the provision of a 4.8 – 6m carriageway and ‘green curtain screening’ between the residential uses and the existing Seacon facility, in order to provide acoustic separation.
- 5.228 This approach, the details for which is to be confirmed through the reserved matters stage, will ensure that the scheme can comply with the policies of the development plan relating to noise, vibration and residential amenity. The proposed mitigation measures for construction stage are explored within Chapter 9 (Noise and Vibration) of the submitted Environmental Statement.

AIR QUALITY

- 5.229 Paragraph 186 of the NPPF sets out that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. It is noted that opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and the provision of green infrastructure and enhancement.
- 5.230 In lieu of adopted policy on the matter, consideration has been had to draft Policy AM1 of the emerging Core Strategy Part 2. Whilst unadopted and carrying little weight, it does provide a direction of travel on the matter of Air Quality and states that *“Development proposals which may individually or cumulatively increase levels of air pollution in the Borough and / or are located in areas of poor air quality will be required to submit an air quality assessment. Such as assessment will be required to consider, as appropriate:*
- Impacts upon areas with existing poor air quality;
 - Impacts upon the amenity and health and wellbeing of existing and future occupiers;
 - Adverse impacts upon the implementation of local and / or national air quality strategies and action plans;
 - Impacts on designated nature conservation sites, biodiversity and wildlife, along with appropriate avoidance and mitigation measures where impacts are likely to occur; and
 - Breaches of EU and / or national legislation including that applicable to biodiversity and wildlife”.
- 5.231 GBC has declared multiple Air Quality Management Areas (AQMA), including the Northfleet Industrial Area AQMA – within which the Proposed Development Site is located - for exceedances of the 24-hour particulate matter (PM10) objective. The Site also falls partially within the Dartford AQMA No.2 which includes the A226 corridor.
- 5.232 The proposals are for a predominantly vehicle free environment as far as is practical to do so, and to provide reduced levels of residential car parking to promote sustainable development. This is to be achieved by the diversion of the A226 to the perimeter of the site and placing it beneath the scheme by using a podium. This approach will ensure that pedestrians and cyclists are separated from vehicles, particularly heavy goods vehicles, that pass through the site.

- 5.233 As per the accompanying Air Quality ES Chapter, predicted air quality conditions for future residential occupants of the Proposed Development in 2026, taking into account emissions from the adjacent road network, are considered to be not significant. In addition, it is demonstrated that the Proposed Development will not cause any new exceedances of the air quality objectives and that the overall air quality effect of the Proposed Development will be 'not significant'. As such, there is no requirement for mitigation.

CONTAMINATED LAND

- 5.234 Paragraph 183 of the NPPF sets out that planning policies and decisions should ensure that *"a site is suitable for its proposed use taking account of ground conditions and any risks from land instability and contamination. This includes risks arising from natural hazards or former activities...and any proposals for mitigation including land remediation"*.
- 5.235 The adopted core strategy does not include a policy relating to contamination, but does acknowledge through Policy CS19 that development should be designed and constructed to avoid adverse environmental impacts arising from land contamination.
- 5.236 In the absence of adopted policy, it is noted that Draft Policy AM2 of the emerging Core Strategy Part 2 sets out that *"Proposals for development on land known to be or likely to be contaminated or affected by other contaminated land will only be permitted where such proposals are accompanied by a contaminated land assessment and, if necessary, a remediation strategy, which shows how the land will be remediated to an acceptable standard suitable for the proposed use and prior to its occupation"*.
- 5.237 Chapter 15 of the accompanying ES deals with Ground Conditions and Land Contamination, noting that the existing Site comprises of a number of potentially contaminative land uses and materials which could potentially pose a risk to sensitive receptors. It is also noted that the Site in its existing condition is heavily trafficked with heavy goods vehicles given its industrial nature. The chapter considers the potential for effects with regards to ground conditions during both the demolition and construction and operational phases. In terms of the latter, it is noted that there are potential effects linked to:
- Routine site operation and / or accidental releases;
 - Existing ground conditions or any residual contaminants on building materials and infrastructure;
 - Landfill / ground gas generation;
 - Future site users and planting coming into direct contact with contaminated soils and groundwater.
- 5.238 The ES chapter goes on to set out relevant mitigation measures in respect of the above, including:
- Surface water drainage strategy controlling and treating any runoff;
 - The use of PVC or PE plastic water supply pipes;
 - Gas monitoring;
 - Remediation and / or mitigation strategy to detail areas proposed as exposed soils and / or groundwater, including where necessary planting of trees and plants in above ground planters and using clean soils; and
 - Implementation of good site working practices for maintenance workers.

- 5.239 On the basis of the above, residual effects in relation to the operational phase of the Proposed Development are assessed as being negligible (not significant).

DAYLIGHT SUNLIGHT

- 5.240 Paragraph 125(c) of the NPPF notes that *“when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”*.
- 5.241 The emerging Core Strategy recognises this at paragraph 10.4.2, setting out that ensuring that there is reasonable access to daylight and sunlight within new development, and that it does not compromise that available to neighbours is not always fully achievable on constrained urban sites where *“regeneration benefits may need to be weighed against a range of other competing policy aims”*.
- 5.242 As per the accompanying ES and Design and Access Statement, consideration of daylight sunlight issues in respect of surrounding existing residential properties is an ongoing consideration in the design evolution of the Proposed Development. The proposed massing has been arranged in order to minimise impacts of surrounding occupiers whilst allowing for good levels of amenity for future occupiers of the Proposed Development, including within proposed courtyard and park spaces. The tallest buildings are proposed to be located within the north east and north west extents of the Site, adjacent to existing industrial uses, harbour and parkland, allowing lower scale development in areas of the Site adjacent to existing residential uses.
- 5.243 It is acknowledged that the assessment undertaken at this stage identifies a permanent adverse effect to one residential receptor, however, given the scale of the development and degree of change across the site this position is considered acceptable on balance. Further assessment work will be undertaken at the reserved matters stage when detailed siting, design and materiality can fully inform an assessment in line with BRE guidance.

WIND / MICROCLIMATE

- 5.244 As per the accompanying ES, an initial Computational Fluid Dynamic (“CFD”) analysis was carried out on the early design maximum massing parameters. This highlighted potential areas of comfort and safety concern, primarily between the residential towers to the north west of the Site and around the building closest to the waterfront. The building parameters were subsequently amended in response to this analysis, including through the creation of ‘U’ shaped buildings within the north western part of the Site, removing instances of wind channelling, and the re-massing of the building at the north eastern of the Site adjacent to the River Thames.
- 5.245 Additional mitigation has been included within the Application, with further details set out within the accompanying Design Code, including:
- any dwelling spaces located within regions suitable for leisure walking conditions (or windier) are designated as transitory spaces rather than dwell spaces. Should dwelling spaces be considered at detailed design stage, further wind testing will be undertaken;

- any seating areas within amenity spaces located within regions suitable for standing conditions (or windier) should not include seating without appropriate mitigation. Should seating in such areas be considered at detailed design stage, further wind testing will be undertaken;
- building entrances located in unsuitable locations (leisure walking or windier conditions) will be recessed by at least 1.5m to ensure pockets of calm conditions;
- solid perimeter screening (2 metres high) will be utilised within the detailed design at locations where significant wind effects were identified at residential terraces;
- any protruding balconies within regions noted as having sitting and standing conditions would be expected to be suitable for use with standard balustrades (e.g. 1.1m high railings, metal balustrades, solid glass balustrades or an alternative);
- any protruding balconies within regions noted as having leisure walking conditions would be expected to be suitable for use with solid glazed balustrades or raised height (1.5m) porous balustrades;
- any protruding balconies within regions noted as having business walking conditions would not be suitable for use. Alternatives (such as winter gardens) should be explored at such locations.
- In addition, any bus stops above podium level in regions suitable for leisure walking or windier would not be suitable for use. To mitigate this, bus shelters with solid side panels should be explored.

5.246 Further mitigation will be developed following wind tunnel testing of the detailed design during the Reserved Matter Application stage(s) to ensure that suitable conditions are achieved.

ENERGY AND SUSTAINABILITY

5.247 Local Plan Policy CS18 (Climate Change) The Council will seek to reduce the overall carbon footprint of the Borough. In particular, the Council will:

- In the context of national policy on the transition to zero carbon development via amendments to Part L of the Building Regulations, require proposals for development of the Key Sites throughout the Borough and other major development elsewhere in the Gravesend Town Centre Opportunity Area to consider the potential and include proposals for low carbon and renewable energy generation, including combined heat and power.
- Support stand-alone decentralised, renewable or low carbon energy development where it is compatible with national policies for protecting the Green Belt and where it accords with policies in this plan, in particular those relating to Development and Design Principles, Transport, Green Infrastructure, and Heritage and the Historic Environment;
- Support other proposals which lead to a reduction in carbon footprint including the retrofitting of existing homes and businesses, including local initiatives based on carbon off-setting via allowable solution

5.248 As per the Energy and Sustainability Statement which accompanies this Application, a number of measures have been considered through the evolution of the Proposed Development with the objective of maximising energy efficiency. Such measures include the following which will be fully explored at the reserved matters stage:

- The section of appropriate façade materials, including light grey and white blend brick to help reflect the sun's heat and improve the microclimate conditions of the courtyards;
- The provision of energy efficient light fittings;
- The inclusion of a mechanical ventilation heat recovery system;
- The provision of heat pump systems for heating, cooling and hot water; and
- Photovoltaic panels at roof level.

ECOLOGY AND BIODIVERSITY

5.249 Paragraph 174 of the NPPF sets out that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and
- Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

5.250 Paragraph 180(b) sets out that *“development on land within or outside a Site or Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest”*.

5.251 Paragraph 182 clarifies that the presumption in favour sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

5.252 Core Strategy Policy CS12 states that *“Sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, followed by nationally designated Sites of Special Scientific Interest, followed by Local Wildlife Sites and then by other areas of more local importance for biodiversity”*. It is further notes that where a negative impact on protected or priority habitats / species cannot be avoided on development sites and where the importance of the development is considered to outweigh the biodiversity impact, compensatory provision will be required either elsewhere on the site or off-site, including measures for ongoing maintenance.

5.253 Whilst no statutorily designated nature conservation sites are located within the boundaries of the Site, the Swanscombe Peninsula Site of Special Scientific Interest (“SSSI”) lies approximately 40 metres to the north west of the Site. This SSSI was designated in 2021 in recognition of its national importance for plants, geology, birds and invertebrates. There are no other statutorily designated sites within 1 km of the Proposed Development Site.

5.254 A Preliminary Ecological Appraisal undertaken in respect of the Proposed Development Site identifies both Robins Creek to the east of the Site and the mudflats of the River Thames to the north as having the

potential to support Schedule 1 bird species. Further assessment of this is set out within ES Volume 1, Appendix Ecology and Biodiversity – Annex 1.

- 5.255 There are three non-statutorily designated ecological sites adjacent to the Proposed Development Site. These comprise Botany Marshes Local Wildlife Site to the north west (comprising part of the Swanscombe Peninsula SSSI), Ebbsfleet Marshes Marshes Local Wildlife Site to the south and the River Thames Site of Importance to Nature Conservation (SINC), which borders the Site to the north east. In addition, priority habitats are located within 1km of the Proposed Development Site, including mudflats as listed in the London Biodiversity Action Plan.
- 5.256 The existing site condition includes no open space and minimal opportunities for biodiversity As per the accompanying ES Volume 3, Appendix: Ecology and Biodiversity – Annex 3, the Proposed Development has the potential to deliver close to 400% Biodiversity Net Gain with the potential to deliver through the delivery of new ecological habitats and features centrally within its design, as well as the retention and enhancement of boundary planting where possible.
- 5.257 Careful consideration has been given to the incorporation of measures to manage pedestrian access to the Swanscombe Peninsula SSSI, with further details provided in the accompanying Design Code. Furthermore, as set out previously within this Statement, the public realm to be delivered within the Proposed Development is of a sufficient quantum and quality to meet the needs of the anticipated future population, mitigating excessive footfall into the SSSI.
- 5.258 The Proposed Development incorporates the provision of brown roofs at the north eastern extent of the Site close to Robins Creek, providing valuable habitats for Schedule 1 bird species identified within the Preliminary Ecological Appraisal. In addition, it is recommended that the a number of measures be included within the detailed design for the development, including, inter alia
- Bird and bat boxes;
 - Biodiversity focused SuDS;
 - Species-rich hedgerows;
 - Green walls;
 - Native and locally characteristic tree planting.

FLOOD RISK, SURFACE WATER AND DRAINAGE

- 5.259 Paragraph 159 of the NPPF sets out that *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere”*.

Tidal and Groundwater Flooding

- 5.260 The Site lies directly to the south of the River Thames and is predominantly located within Flood Zone 3, defined as a high risk flood area, with an annual exceedance probability of 0.5% for tidal areas or greater than 1.0% for rivers. Small pockets of the Site lie within Flood Zone 2 (medium risk).

- 5.261 It is however noted that the entire Site benefits from flood defences which protect against river flooding which are due to be improved as part of the Environment Agency's "Thames Estuary 2100" project to reduce flood risk by the turn of the century.
- 5.262 The Sequential Test seeks to minimise the risk of flooding by inter alia first directing uses to those areas at low risk before development takes place in Flood Zone 3.
- 5.263 The main commercial uses within the scheme, namely the retail, food, and drink provision, and football club are classes as less vulnerable uses which are compatible with Flood Zone 3a. The proposed residential and hotel accommodation are, however, vulnerable uses that need to be carefully considered in sequential terms.
- 5.264 The proposed residential and hotel accommodation are required in this location to support the overall viability of the scheme and to deliver development in a highly sustainable location. The Environment Agency's flood risk mapping confirms that all of the land in Northfleet and extending along the northern-boundary of the borough is within Flood Zone 3a. To find a site which still benefits from the level of public transport accessibility provided by Ebbsfleet Station would be to locate development in land to the west of the station in an area designated as SSSI.
- 5.265 Having established that there are no alternative sites available with lower flood risk, it is necessary to consider the exception test, considering how flood risk can be managed and the sustainability benefits of the proposed development.
- 5.266 The main flood risk arises from a tidal flood event that over-tops the current defences. As per the accompanying FRA, whilst the tidal flood wall is not within the Application Site, the Proposed Development includes a 19 metre set back (improving upon the standard 16 metre set back) from the wall, free from any built development in the northern extent of the Site. Flood defences will be provided within this area of the Site as required to meet TE2100 standards, with specific details to be set out as required at reserved matters stage. On this basis, it is considered that the Proposed Development will benefit from flood defences for the duration of its operational lifetime, which is assumed to be 100 years, improving the tidal flood defence position and making it complaint.
- 5.267 Notwithstanding this, the FRA considers the potential for the Proposed Development to be affected by a breach in the flood defences, noting that the Site could flood to a maximum depth of
The FRA sets out proposed mitigation measures, as follows:
- All finished floor levels of 'more vulnerable' uses will be raised 600mm above the tidal breach level. In some areas, where reception areas and entrances are required to be located below the tidal breach level, these will include internal safe access and egress to an area above the flood level, while and the most vulnerable uses (for example bedrooms and habitable rooms in the case of residential uses) will be raised above the flood level;
 - Where finished floor levels cannot be raised above the flood level, flood resilience measures will be incorporated. The specific nature of these resilience measures will be designed in accordance with the DCLG's 2007 guidance "Improving the flood performance of new buildings: flood resilient construction", with measures anticipated to include the siting of electrical sockets and vulnerable infrastructure 300mm above the design flood level where possible, and the design of such areas in a manner allowing water to drain away after flooding;

- Residential occupiers and managers of other land uses will be required to register with the EA's flood warning service for the local area, ensuring as far as possible sufficient warning in the event of an extreme flood;
- 5.268 In addition to the above, at the present time, the exact alignment of the Ebbsfleet culvert is unknown, although it is noted that as per the EA main river spatial data, buildings are anticipated to overlay part of the culvert as a result of the Proposed Development. The resolution to this is to divert the culvert along the road to the west of the Site following a detailed survey of the culvert to understand its depth, width and condition.
- 5.269 This approach would provide a betterment when compared to the existing scenario, with opportunities to widen the culvert to increase its capacity and reduce flood risk. This approach would also ensure an 8 metre easement predominantly free from built development to allow for access and maintenance. The potential for de-culverting and partial deceleration would also be explored as part of the detailed design work.
- 5.270 The survey work will take place once the applicant has full control of the site and the necessary access can be gained. Given the relationship with the detailed work the position on the culverting and the updated flood risk position will be confirmed through the reserved matters stage of development.
- 5.271 This approach confirms that flood risk can be appropriately managed, complying with the first part of the exception test.
- 5.272 The second consideration relates to the sustainability benefits of the development to the community to demonstrate that these outweigh the flood risk. The key headings and appraisal questions included within Sustainability Appraisal of Gravesham's Local Plan (October 2020) has been considered as the basis of identifying the sustainability benefits arising from the scheme. The sustainability credentials of the proposed development are significant and includes:
- the re-use of brownfield land within the urban area ahead of greenfield and green belt land elsewhere in the borough;
 - the promotion of a thriving and balanced community that provides opportunities to address deprivation;
 - the ability to enhance and provide new sites for community services and facilities in the form of the new stadium and other leisure, healthcare and community spaces
 - the provision of an increase in accessible employment opportunities, both in terms of range of sectors and number of jobs available;
 - the ability to enable the growth of a sense of community identity and cohesion through high quality design and integration with existing residential areas;
 - the regeneration, enhancement and integration new and existing communities;
 - integrating public transport measures within the scheme to promote sustainable travel solutions;
 - the provision of basic services within walking distance of residences and employment;

- optimisation of the location and design to reduce the use of vehicles;
- the promotion of healthy, active lifestyles through safe and convenient walking and cycling routes to activities and facilities;
- significant enhancement of the quality and quantity of green and open spaces;
- the ability to encourage community participation in culture, sport and the arts;
- the delivery of improvements to flood defences;
- high density development in an appropriate location;
- high design quality that responds to local character and history;
- the promotion of energy efficiency and low carbon development; and
- the delivery of significant levels of biodiversity net gain.

5.273 The sustainability benefits arising from the scheme are extensive and capable of outweighing any residual flood risk that may be present once improvements to the flood defences have been delivered. The scheme is therefore considered acceptable in relation to tidal flood risk.

Surface Water Flood Risk and Drainage Assessment

5.274 Most of the Site has a very low surface water flood risk, although it is noted that areas of low, medium and high surface water flood risk are located throughout the Site, particularly towards its southern extent. The very low and low surface water flood risk is beyond the 1% AEP design event, and accordingly there is no requirement for mitigation in respect of this.

5.275 In relation to the areas of the Site which have a medium or high surface water flood risk, a drainage strategy has been prepared to ensure that the Proposed Development does not increase flood risk to the Site or elsewhere, and where practicable reduces flood risk over the lifetime of the development. The storage calculations upon which this drainage strategy is based include a 40% increase in rainfall depths in accordance with current climate change guidance. Full details of the proposed drainage strategy are contained within the accompanying FRA, however, by way of a summary, it is envisaged as incorporating:

- Harvesting and re-use of roof run-off from residential buildings to reduce discharge to sewers;
- Attenuation of run-off from podium areas;
- Capture and re-use of roof run-off from the football stadium within a low-profile tank located below the new pitch;
- Green roofs incorporating low profile attenuation tanks on other buildings;
- Profiling of park areas to provide attenuation for rainfall events in excess of the 30-year return period rainfall event;
- Permeable paving construction for parking areas, and permeable paving or drain to tree pits or swales construction for low-traffic roads; and

- Draining of other roads to tree pits or swales.

- 5.276 In the event of the proposed drainage system becoming blocked or an event above the design event occurring, it is considered likely that some additional storage would be provided in the form of shallow flooding of hard-paved areas. Any water leaving the Site would be routed along the road network towards the River Ebbsfleet, River Thames and Swanscombe Marshes. This would mimic what occurs naturally on the Site in its existing condition and would ensure that the Proposed Development is safe in an exceedance event.
- 5.277 With the adoption of the above drainage strategy (which will be secured by way of planning condition), it is considered that medium and high surface water flood risk would not adversely affect the Proposed Development.
- 5.278 In line with the above, the submitted FRA demonstrates that the Proposed Development will be safe and will not increase the risk of flooding elsewhere. The Proposed Development is therefore considered acceptable in flood risk terms, allowing the development to come forward and the tilted balance contained within Paragraph 11d of the NPPF to be engaged.

06

DELIVERING THE PLANNING BENEFIT

Gravesham Borough Council

6.0 DELIVERING THE PLANNING BENEFIT

6.1 The Northfleet Harbourside scheme will of delivering significant benefits that weigh in favour of the scheme being granted planning permission. Together, these deliver a new community that will respond to the pressing need for development. In summary, the scheme will deliver the following benefits:

- Delivery of a new community stadium for Ebbsfleet United Football Club;
- Delivery of significant levels of public open space (circa. 9.5 acres);
- Delivery of significant levels of biodiversity net gain (400% increase);
- Delivery of 3,500 new homes across both market and affordable tenures, a significant contribution in the face of no five year housing supply and under-delivery within the Borough;
- Delivery of a minimum net increase of 1500 new jobs;
- Significant support for the local economy through £69m per annum in additional local (Gravesham) GVA, £20m per annum in resident retail and leisure expenditure, £5.6m per annum in additional council tax receipts, plus an uplift of c. £1.1m per annum in business rates compared with existing uses;
- New healthcare space to serve the local community;
- Incubator space for start up businesses;
- New community spaces.
- Traineeship and apprenticeship programmes in the construction industry for local youth and young adults;
- New commercial offices providing long term local education and training opportunities in the services sector;
- Delivery of extensive public access cycle paths, pedestrian paths (including public accessible charge points for ebikes);
- New bus stops for future Fast Track services, promoting active travel within the development and wider community;
- Repurposing of current industrial lands on the Thames Riverfront, into a community led regeneration scheme that opens up new leisure and passive uses for locals and visitors onto the River Thames;
- A fossil-free energy focus in delivering a sustainable, carbon neutral built environment; and
- A deliberate policy to reduce car reliance, realise extensive e-charge points, and remove pedestrian/ vehicle movement conflicts from the public realm.

NORTHFLEET SECTION 106 AGREEMENT HEADS OF TERMS

- 6.2 A number of the planning benefits arising from the scheme are to be secured by way of a legal agreement entered in to under S106 of the Town and Country Planning Act 1990 (as amended). Under this section of the Act, Local Planning Authorities have the power to enter into planning obligations with any person interested in their land for the purpose of restricting or regulating the development or use of the land.
- 6.3 It is also noted that the Council has yet to adopt a Community Infrastructure Levy, meaning that certain financial contributions towards key infrastructure such as education need to be secured through a legal agreement.
- 6.4 Regulation 122 (Limitation on use of planning obligations) of The Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 6.5 Paragraph 55 of the NPPF states that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 6.6 Paragraph 57 states that planning obligations should only be used where they are necessary, directly related to the development and fair and reasonable in scale and kind to the development.
- 6.7 Paragraph 58 states that where up to date policies have set out the contributions, planning applications that comply with them should assume to be viable and it's up to the applicant to demonstrate whether circumstances justify the need for a viability assessment.
- 6.8 To assist with the decision making process this section of the Statement outlines the key conditions and Section 106 Heads of Terms that are expected to be sought to ensure that the Council:
- a. retains the necessary control over the remaining detail of the scheme in relation to its design and operation.
 - b. is able to secure the necessary planning obligations necessary to mitigate any adverse impact arising from the scheme so that, on balance, the scheme is considered acceptable in planning terms.
- 6.9 It is expected that the following matters are to be secured and regulated through any Section 106 agreement entered in to in connection with the project:

Affordable Housing

- Obligations securing provision of affordable housing (10% intermediate, equating to up to 350 intermediate homes);

- Detailed wording of affordable housing review mechanism(s).
- The timing of delivery and mix to be agreed during the application process for each Reserved Matter application in each phase of the development.

Education & Training

- **Education Contribution** – Contribution calculated following the approval of each Reserved Matter application in each phase of the development, to be paid to Kent County Council towards primary and secondary education provision to enhance/increase accommodation in local schools.
- **Adult Education** – Contribution toward community learning and skills service.
- **Construction Training** – Apprenticeships to be provided during the course of construction to improve local labour skills.
- **Construction Workforce** – Details of the reasonable endeavours to be taken to secure 25% of the construction workforce from the local area.
- **Leisure & Hospitality Training** – to develop leisure / hospitality training programme based at Ebbsfleet United Football Club.
- **Sports Science Training** – Development of a training, education and internship program based at Ebbsfleet United Football Club.
- **Media and Digital Training** - Development of a training, education and internship program based at Ebbsfleet United Football Club.
- **End-use Workforce** – Details of the reasonable endeavours to be taken to secure 25-50% of employees in retail, commercial and leisure end-use jobs to be a local resident.

Employment

- **Low-cost Employment Space** – Details of the marketing and letting strategy for low-cost employment/retail provision within the scheme.
- **Business relocation and support strategy** - Strategy that supports the existing companies that will be relocated as part of the scheme.

Community Spaces

- **Community Use Agreement** – Detailing how the proposed community spaces within the scheme are to be used and managed.
- **Health Use** – Detailing how the proposed healthcare space will be let to recognised health practitioners(s) (including, but not limited to, GPs, physiotherapists, dentists, orthodontists, osteopaths, etc) in consultation with the Council and local NHS Integrated Care Board.

Green Transport & Highways

- **FastTrack Bus Links** – Contributions towards extending the Fast Track Bus service through the site, to encompass the provision of signage, stops and updated service information.
- **Car Club Membership** – Details of car club provision within each phase of the development to reduce the overall need for car ownership.
- **Green Travel Plan** – Details of how upon first occupation of the new homes residents will be encouraged to utilise public transport.
- **Cycle and Pedestrian Wayfinding** – contribution towards wayfinding signage in the local area to promote cycle and walking routes to the local area.
- **Cycle Routes** – Contribution towards the upgrade of local cycle routes.
- **Controlled Parking Zone** – Financial contribution toward establishing a CPZ to control street parking.
- **Highways** – Securing the need to enter into a Section 278 agreement with the Highway Authority to carry out mitigation works.

Sustainability

- **Carbon Reduction Tracker** – To measure and reduce carbon footprint and hit reduction targets to achieve net zero.

Scheme Delivery & Management

- **Phasing Plan** – Detailed information for the phased development of the development against which reserved matters are to be brought forward (unless secured via condition).
- **Stewardship Company** – Details of the stewardship company to be established to maintain all areas of public open space within the development, the Sustainable urban Drainage System, play area facilities, footpaths, public lighting, communal parking areas and all roads within the development not adopted by the Council or highway authority.

Monitoring

- **Community and Authority Stakeholder Liaison Group** – Scope, constitution, governance, remit and funding to ensure construction and operational impacts are appropriately dealt with, planned, monitored and managed.
- **Legal Agreement Monitoring** – payment of the Council's reasonable costs to monitor compliance with the legal agreement.
- **Travel Plan Monitoring** – payment of the Council's reasonable costs to monitor compliance with the travel plan.

PLANNING CONDITIONS

- 6.10 In addition to controlling the financially focused benefits and mitigation from the development, it is expected that planning permission would be subject to conditions which secure elements of the design that are to be delivered and/or approved prior to certain stages of the development.
- 6.11 Paragraph 56 of the NPPF confirms that conditions should be kept to a minimum and should be agreed early to speed up decision making. Pre-commencement conditions should be avoided unless there is a clear justification.
- 6.12 It is expected that there will be a number of standard conditions applied in a phased manner to the decision which are commensurate to a development of this scale and kind. Below we offer comment on those conditions which are likely to be bespoke for the Proposed Development is expected that there will be a number of standard conditions applied in a phased manner to any decision issued by the Council which are commensurate to a development of this scale and kind. Below we offer comment on those conditions which are likely to be bespoke for the proposed development:

Non-standard Period for Reserved Matters and Implementation

- 6.13 Given the need to CPO elements of the site and the scale of development, the standard period for the submission of reserved matters and implementation of the permission are unlikely to be adequate. To ensure that the scheme can come forward within the timescales envisaged it is proposed that the following are used:
- Submission of Reserved Matters for each phase of the development within 10 years OR within 3 years from the date of the last reserved matters approval for the previous phase of development (whichever is later)
 - Implementation of the reserved matters for each phase to be no later than [two] years from date of approval of the final reserved matters for the specific phase in question
- 6.14 A variation to the standard timescales is not uncommon in such situations and in principle fully adheres to the tests set out in paragraph 56 of the NPPF.

Permitted Maximum Floorspace for the Development

- 6.15 The application is supported by a significant level of detailed information. To assist with clarity over the delivery of the scheme and associated monitoring by the Council it is proposed that a bespoke condition is attached to the permission which clarifies the **maximum** floorspace for each class use and number of units to be delivered across the scheme.
- 6.16 A similar condition would be imposed which clearly confirms the **minimum** amount of public open space that is to be provided within the scheme.
- 6.17 This information is contained with the application, but the use of conditions (as opposed to the description of development) ensures clarity over what has been approved by the Council within the decision notice.
- 6.18 This is necessary to the onward delivery of the scheme and relevant to the proposed development, particularly in light of case law which limits variations post planning to the description of development. It adheres to the NPPF Tests and is becoming a commonly used condition.

Construction Management

- 6.19 Whilst a Demolition and Construction Environmental Management Plan (DCEMP) is commonplace, given the extent of works this should be provided on a phased basis with a specific discussion on how the A226 will be diverted and built over without impacting the flow of traffic through the local area.
- 6.20 This is necessary to ensure that the scheme does not have a detrimental impact upon the local highway network and is specifically related to the first phase of development.

Meanwhile Use Strategy

- 6.21 The Northfleet Harbour scheme covers a significant landholding which includes a variety of structures capable of interim use prior to development coming forward. This presents a unique opportunity to bring forward a meanwhile use strategy which keeps the area in active use whilst also supporting business relocation and community cohesion / creation.
- 6.22 It is therefore proposed that a Meanwhile Use Strategy is conditioned to discuss how this can be achieved in each phase of the development. This approach provides control and clarity over the intention expressed within the Design Code, and thus is necessary and related to the development in accordance with the NPPF Tests.

Heritage Trail

- 6.23 Both the above and below ground heritage of the area is important and is something that is to be reflected in the new scheme for the community to benefit from.
- 6.24 It is therefore proposed that details of a heritage trail for each phase of the scheme is conditioned for future approval by the council. This condition could seek details of the interpretation of the history and archaeology of the site which could be presented through (but are not limited to), the use of materials, landscaping, public art, heritage trail, interpretation boards and online digital information of published recordings found on site (e.g. through QR codes).

Event Management Strategy

- 6.25 The proposed development includes a stadium that can be used for other leisure activities, as well as areas of public realm that are to be activated through temporary and seasonal events. These may occur simultaneously as well as at separate times which presents the potential for times of conflict before/after events. It is therefore proposed that an Event Management Strategy is conditioned to secure the following details (as a minimum):
- Site management including staff numbers, staff training, protocols and first aid; ·
 - Safety and security including risk assessment procedures for all events; ·
 - Crowd and Incident Management for use of all areas of scheme including arrival and departure details and routing for crowds; ·
 - Emergency and evacuation procedures; ·
 - Noise Management; ·

- Traffic Management Plan; ·
- Equality Impact Statement; and ·
- Details of the event specific wayfinding strategy.

Delivery of Offsite Highway Works

- 6.26 There is a small area of offsite highway works which need to be delivered within the administrative area of Dartford Borough Council. These are located immediately adjacent to the site and require re-lining, re-surfacing and re-kerbing highway land to integrate the network into the works being delivered within the application boundary.
- 6.27 Given that these works fall wholly within highway land controlled by Kent County Council and are relatively minimal in scope and extent it is proposed that a Grampian-style condition is attached to any decision issued by the Council to ensure that the scheme is appropriately delivered. It is suggested that the wording could be as follows:
- “No development shall take place in respect of the podium structure until such time as the offsite highway works shown on plan [NFH-UNS-MAST-DR-1014] have been completed.”*
- 6.28 The use of Grampian conditions is discussed within Planning Practice Guidance at Paragraph: 009 Reference ID: 21a-009-20140306 and recognises their use in securing specific offsite works. Given the localised nature of the works wholly within highways land the use of a Grampian condition is considered acceptable.

07

SUMMARY & CONCLUSIONS

Gravesham Borough Council

7.0 SUMMARY AND CONCLUSIONS

- 7.1 The Northfleet Harbourside project proposes the transformational redevelopment of a 19 ha brownfield site in Gravesham. Through the clearance of existing buildings and uses, the scheme will deliver a new up to 8,000 capacity stadium for Ebbsfleet United Football Club, up to 3500 new homes, up to 18,000 sq m of employment space, up to 22,500 sq m of retail space, a realigned road network to separate pedestrians/cyclists from heavy goods vehicles, new hotel accommodation, circa 9.5 acres of publicly accessible open space and an estimated 400% increase in biodiversity net gain.
- 7.2 The Application has been prepared in consultation with the local community and following discussions with Gravesham Borough Council and Kent County Council. The application material presents a detailed assessment of the scheme in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and utilises a detailed Design Code for setting the framework for delivering a high-quality neighbourhood.
- 7.3 This brownfield site is highly accessible by public transport. Ebbsfleet International station is approximately 10 minutes walk from the site, and Northfleet Station 5 minutes. These stations provide fast and reliable services to London, Gravesham and the wider north Kent region, and from 2025 international destinations will also be available. Local bus services including Fast Track are also available, providing convenient travel via the road network and routes for this service would be taken through the site and away from general traffic on the A226.
- 7.4 This area of Northfleet suffers from significant levels of social deprivation being within the top 10% in the country for Multiple Deprivation including Crime, Income, Education, Skills & Training, and among the 20% most deprived under both the Barriers to Housing & Services, and Health & Disability domains. There is a pressing need for investment in this area that creates opportunity for social mobility and access to services and jobs to improve the prosperity of Northfleet.
- 7.5 Gravesham is also underperforming in its role in delivering new housing, failing to identify a five year supply of housing and achieving 57% on the 2021 Housing Delivery Test, placing pressure on the existing housing market and sustainable growth within the borough to meet identified need.
- 7.6 With the exception of the existing Ebbsfleet Football Club, the site is heavily developed by industrial uses that provide no areas of open space or natural habitat. The environment is heavily dominated by vehicles and is not welcoming to pedestrians and cyclists.
- 7.7 It is clear that there is a strong and material need for regeneration in this area that is capable of addressing the social, economic and environmental deficiencies in Northfleet. Given the levels of housing undersupply and social deprivation the need for development is given significant weight in the consideration of the planning balance.
- 7.8 The site is highly accessible by public transport and is able to accommodate development that is able to respond to these needs. Whilst it is located outside of a designated town centre, it is within the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area designated by Gravesham through local plan policy CS03. This Opportunity Area seeks to move away from the current employment model and seek regeneration that delivers a mix of both homes and employment opportunities that will help to address the

issues in this part of the Borough. This designation provides in-principle support for regeneration in this location.

- 7.9 Part of the site includes an aggregates and concrete batching wharf which is safeguarded by policy by both Kent County Council and Gravesham Borough Council. A minerals safeguarding designation also affects the site and wider area. These designations are attributed great weight in the consideration of the proposals.

CONSIDERATION OF THE PLANNING BALANCE

- 7.10 The starting point for the decision maker when assessing planning applications is to determine these in accordance with the adopted policies of the development plan, unless material considerations indicate otherwise.
- 7.11 The policies of the plan are supportive of sustainable development that make the best use of brownfield land to deliver access to new homes, jobs and community facilities. This is set out across a range of local plan policies including CS01, CS02, CS03 CS07, CS08, CS09, CS10, CS11, CS13, CS14, CS15, CS18, CS19, CS20 and the proposed development accords with the development plan as a whole.
- 7.12 The site is within a minerals safeguarding area, however, the supporting text for Policy CSM5 of the KMWLP acknowledges that such a designation carries no presumption for extraction or the acceptability of such an operation. The site's location within an existing urban area and extent of existing development presents a situation where there is little prospect of minerals being extracted. The Supplementary Planning Document associated with the KMWLP acknowledges that the associated maps may not be updated post review to reflect the change in position, but it is recognised at paragraph 5.5.9 of the KMWLP that *"The mineral resources within the Plan area are extensive and whilst they continue beneath urban areas they are already sterilised by non-mineral development with very little prospect of future working. Therefore in order for the safeguarding to be practical such areas have been excluded from the MSAs"*.
- 7.13 It is also recognised that the site includes a wharf land use which is protected by policy. At the regional level, KMWLP Policy DM8 sets a series of scenarios against which proposals are to be assessed against. In this instance, it is the 6th criteria that has been met by the proposed development, namely that there are material considerations which indicate that the need for development overrides the presumption for safeguarding the proposed use. This need is, inter alia, founded in the levels of deprivation that the location experiences, the lack of open space and biodiversity, and the need for housing.
- 7.14 It is recognised that the proposed development will result in the closure of the safeguarded wharf, but there is a material need for development which is attributed significant weight. The proposals are able to address these issues through the comprehensive redevelopment of the wider site area to deliver new homes, employment and training opportunities across a number of uses within the development. The level of opportunity presented by the scheme would not be achievable if it were to come forward on a piecemeal basis. This is also given significant weight and the proposal satisfy policy DM8 of the KMWLP.
- 7.15 The scheme will also result in the loss of existing employment uses across the site, including those within part of the site which fall within sub-area 1.2 of the Opportunity Area which seeks the development of employment opportunities. The loss of existing employment is afforded weight against the development. However, the scheme assessment has identified that there is the potential for 950 new jobs to be provided within the proposed office floorspace, an increase of 450 over the number of jobs currently supported on the site within the industrial uses. Across the scheme as a whole there will be an estimated net increase of 1,500 FTE jobs, with additional training opportunities delivered through the s106 agreement. Whilst there is a shift in the type

of employment provision being delivered, moving from industrial to office based, the increase in job provision adheres to Policy CS07 of the local plan and is afforded great weight in the planning balance.

- 7.16 The principal area where the scheme deviates from planning policy is in relation to the loss of existing employment uses and the closure of the safeguarded wharf. This weighs against the scheme and needs to be considered against the benefits arising from the proposals.
- 7.17 By way of summary, the Proposed Development will deliver the following planning benefits for the Site and surrounding area, including:
- **The reuse and revitalisation of an underutilised brownfield site in a highly accessible and sustainable location**, according with policy priorities surrounding the identification of Opportunity Areas within Gravesham. This is afforded a degree of positive weight in the planning balance as the approach to development makes the best use of previously developed land for sustainable development.
 - **Exceptional quality design in the built environment** and in new landscaped spaces throughout the Site, including the delivery of buildings which will demonstrably improve the appearance, character and function of the townscape. The delivery of high-quality development is advocated at all levels and the change over the current position is afforded weight in favour of the scheme when considering the planning balance.
 - **The provision of a new stadium for Ebbsfleet United Football Club** with the ability to sustain other sporting and non-sporting events, securing the sustainability, long term financial security and geographical security of the club. This is afforded significant weight in the planning balance given the role and function of the club in the local community.
 - **The delivery of up to 3,500 new homes**, equivalent to 5.3 years' worth of the borough's unconstrained housing need, including a range of dwelling sizes to meet local needs. This level of housing is afforded significant weight in the planning balance given the Council's underperformance in housing delivery over the past few years and lack of five year housing supply.
 - **The delivery of up to 350 new affordable homes** of a range of unit sizes, making a significant contribution to meeting need within the borough. This is provided significant weight in the planning balance as whilst this provision falls below policy targets, it is supported by the viability assessment of the scheme and equates to 1.75 year's supply of affordable housing.
 - **The delivery of a range of commercial uses and employment opportunities**, including retail, food and beverage and leisure floorspace, responding to local unemployment levels and supporting the future of the football club, as well as the delivery of a significant quantum of high quality office floorspace estimated to generate a significant uplift in employment and training opportunities. This is afforded significant weight in the planning balance as these uses will help to address the deprivation of the area by improving access to a range of employment and training opportunities to assist with reducing unemployment.
 - **Providing access to important local services, including healthcare provision and community floorspace**, responding to the needs of existing and future communities. This need is supported by the levels of social deprivation within Northfleet and is afforded significant weight in the planning balance given the level of provision being delivered across the scheme.
 - **Significant employment opportunities during the course of construction**, including an average of 846 full time equivalent construction worker jobs for the duration of the construction programme. Whilst these are limited to the lifetime of the construction activities, they will have a material positive impact upon the local economy and are therefore afforded weight in the planning balance.

- **Improved pedestrian and cycle environment** that removes conflict with vehicles through the adjusted alignment of the A226 below the Proposed Development. This will encourage active travel which is afforded weight in the planning balance.
 - **The provision of high quality natural space**, parks and gardens, amenity green space and allotments across the Site, along with play space provision. Given the lack of open space within the site at present the delivery of 10ha of publicly accessible open space is afforded great weight in the planning balance.
 - **An increase of up to 400% in the levels of biodiversity and habitat across the site.** This level of improvement as part of the response to the climate crisis can be afforded significant weight in the planning balance in favour of the scheme.
 - **Via the s106 agreement, the delivery of significant financial contributions and training opportunities** to benefit both existing and proposed residents and occupiers. The planning benefits secured via the section 106 agreement are required to mitigate the impacts of the development and to maximise the opportunities provided by the scheme. These are provided weight in favour of the scheme.
- 7.18 Within the development plan there are policies with competing objectives that pull in different directions, especially for mixed use developments of this nature. Compliance with the development plan does not mean compliance with every policy; development can, on balance, still be in accordance with the development plan as a whole. This is especially relevant when the presumption in favour applies, as is the case here because of the Council's historic under-delivery of housing and inability to demonstrate a 5 year housing land supply, as per paragraph 11(d) of the NPPF.
- 7.19 Whilst it is acknowledged that the proposals do result in the loss of existing employment uses, including the safeguarded wharf, there is a material need for the development and the benefits arising from the scheme weigh greatly in favour of granting permission.
- 7.20 The list of benefits arising from the scheme is significant and will deliver a step-change in the area that responds to the social, environmental and economic needs of Northfleet. Together, it is clear that the benefits of the Proposed Development significantly and demonstrably outweigh the limited harm which has been identified.
- 7.21 Accordingly, these proposals should be granted planning permission by Gravesham Borough Council.

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WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL