

Mr Ethan Bonthron
Planning and Regeneration
Gravesham Borough Council
Civic Centre
Windmill Street
Gravesend
DA12 1AU

16 January 2025

Dear Ethan,

Town and Country Planning Act 1990 (As Amended)
Former SGN Gasholders Site, Land on the east side of Canal Road, Gravesend, DA12 1AU
Agent of Change Principle – Assessment

Planning Application Reference: 20240960

The purpose of this letter is to provide an agent of change assessment, in support of a planning application (ref. 20240960) for the change of use to open storage (Use Class B8), with the associated works, cycle and car parking, at the Former SGN Gasholders Site, Land on the east side of Canal Road, Gravesend, DA12 2RS ('the Site).

The application submission has been supported by the following documentation, which should be reviewed alongside this assessment: _____

- / Noise Impact Assessment – prepared by ALN Acoustic Design; and
- / Air Quality Technical Note – prepared by PES.

THE SITE

The Site measures approximately 9,824 sqm and is situated within the Norfolk Road Industrial Estate and the Gravesend Riverside East and North East Gravesend Opportunity Area (GRE&NEGOA). The Site formerly comprised two gasholders and whilst these have now been decommissioned the historic and lawful use of the site is industrial. The Site is bound to the north, east, and south by the other industrial uses within the Estate, and to the west and northwest by residential properties. The Site is not within a Conversation Area, and does not comprise any listed buildings, or heritage assets.

In terms of planning, the Site falls within the following designations:

- / Flood Zone 3a;
- / Gravesend East and North East Opportunity Area;

- / Norfolk Road Industrial Estate; and
- / Canal Basin Regeneration Area (adjacent, north).

Whilst there are some residential properties, the Site's locality is characterised by industrial uses, and warehouses; predominantly within open storage use. The Site directly to the north, known as Albion Waterside, has resolution to grant planning permission (planning ref. 20210270) for the construction of c. 1,500 homes, elderly accommodation and c. 4,500 sqm of employment floorspace. This transformative regeneration project is to be delivered by Joseph Homes – who are also the applicant for this planning application.

AGENT OF CHANGE ASSESSMENT

Following submission of the planning application seeking change of use to open storage, a request from the Planning Officer was received which stated:

“Given that there is an allocation for the site [to the north] to be housing/employment land and an existing resolution to permit a scheme subject to planning obligations the Local Planning Authority require further justification for the proposed B8 storage use. Based on this, can you address the agent of change principle in relation the development. This can be included within a revised planning statement or as a standalone supplementary document”.

The purpose of this letter is therefore to provide the requisite agent of change assessment and demonstrate to the Council that both the proposed residential and open storage use can co-exist successfully. In the first instance it is important to note that although the two gasholders have now been decommissioned, the historic and lawful use of the site is industrial, as demonstrated by the site's inclusion within the Norfolk Road Industrial Estate.

Paragraph 200 of the National Planning Policy Framework (NPPF) 2024 states:

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. 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.

In line with this, the Planning Practice Guidance (PPG) on Noise states:

Development proposed in the vicinity of existing businesses, community facilities or other activities may need to put suitable mitigation measures in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme. In these circumstances the applicant (or ‘agent of change’) will need to clearly identify the effects of existing businesses that may cause a nuisance (including noise, but also dust, odours, vibration and other sources of pollution) and the likelihood that they could have a significant adverse effect on new residents/users.

Policy CS04 (Gravesend Riverside East and North East Gravesend Opportunity Area) of the Local Plan Core Strategy states within paragraph 4.5.8 of the sub text:

To the north and east of the Canal Basin lies an area that is currently in general employment use. The buildings are mainly old and in poor condition, with much of the land used for open storage. It has long been recognised that this area has potential for Gravesham Borough Council regeneration and it is shown as a Key Site. The Council's approach to this area is that mixed use regeneration that complements the development which has already taken place to the south of the Canal Basin will continue to be supported. This will comprise a mix of residential and business uses that have regard to the constraints imposed by its location in a flood risk area and the proximity of gasholders at Canal Road. A range of shops and services to serve the development and the existing residential area to the south should be included. Planning permission has been granted for these uses.

Paragraph 4.5.34 continues to state the Gasholders and adjoining sites will continue to be retained in employment use:

The Canal Road Industrial Site, Canal Road Gasholders, Riverside Industrial Area East of Canal Basin, Metropolitan Police Site and Norfolk Road Industrial Area will be retained in employment use. The Council will support proposals which improve their operation and the quality of their environment.

The Agent of Change principle thus clearly places the onus of mitigating the impacts of existing, potentially nuisance-causing uses, on forthcoming development. Whilst a change of use to open storage is proposed by this planning application it will continue as an employment use, as required by Policy CS04. Notably, at the time of the submission of planning application for the Albion Waterside (ref. 20210270), the Site was known to comprise two gasholders. Whilst these had been decommissioned it was known that the lawful use of the Site was industrial and in line with paragraph 4.5.34 of the subtext of Policy CS04, it was also known the Council's position was that this would continue in employment use.

As demonstrated in the image below, the residential blocks closest to the Site are N1, N2, O1 and O2 which are located within the outline element of the Masterplan. All matters for this phase are reserved meaning the detailed design can incorporate any mitigation measures necessary to ensure residential amenity is



satisfactory for future occupants. Nevertheless, the Masterplan indicates that the blocks have been logically positioned so that the principal windows will face either east or west as opposed to directly towards the Site with only secondary windows and those to non-habitable rooms anticipated on the flank elevations.

The Environmental Statement (Vol 4): ES Report Addendum which accompanies the Albion Waterside application, in Chapter 16, includes an assessment of the cumulative effects. This chapter assesses the cumulative effects as a result of the implementation of the scheme, alongside any other existing and approved development. The assessment considers the Site's industrial surroundings, and concludes that, all cumulative effects would be mitigated.

The Planning Committee report for Albion Waterside application also gives due consideration to potential noise for the residential units within Phase 2 of the Masterplan from the adjoining existing industrial uses stating in paragraphs 6.142 and 6.148:

"It is noted that at the closest point, the proposed residential properties (within the later Phases - outline element of the development) would be a minimum of 9.5m from the adjacent industrial uses..."

...Subject to appropriate planning conditions, it is considered that the development as proposed would not result in harm to local amenity or result in harm to future occupants of the development and would be in conformity with local and national policy, including in relation to the 'agent of change' principle as set out above".

The Planning Committee report continues to state that the Council's Regulatory Services have considered the scheme in respect of noise and vibration and consider that noise can be satisfactorily attenuated through suitable design and construction. This can primarily be achieved through carefully designed and installed glazing and ventilation/façade scheme, and compliance with appropriate internal target noise levels, with the preferred option for provision of mechanical ventilation. They recommend a condition on noise target levels and a post-completion report to validate this. They also recommend a planning condition in respect of the separation of an apartment from potentially higher noise levels associated with non-residential uses (i.e. commercial, car park, etc.) and a condition to control construction and demolition noise and vibration. Therefore, in resolving to grant planning permission Planning Committee Members were aware of the developments proximity to existing industrial and employment uses, including the Site. They deemed that the residential and industrial uses could successfully co-exist subject to satisfactory mitigation measurement being incorporated into the Albion Waterside development, which were conditioned.

Planning policy is clear that the onus is on new development i.e. the Albion Waterside, to demonstrate that future occupants would not be adversely affected by the operation of existing industrial and employment uses. This was satisfactorily demonstrated during the course of the planning application for Albion Waterside and Members resolved to grant planning permission on this basis.

The proposed application proposes an open storage use (Use Class B8) which is a continuation of the employment uses advocated by Policy CS04 (Gravesend Riverside East and North East Gravesend Opportunity Area) of the Local Plan Core Strategy. The development proposals have been conceptualised to avoid any adverse impacts on the surrounding area, particularly future sensitive residential uses within the Albion Waterside development. In support of this application a Noise Impact Assessment has been prepared by ALN and an Air Quality Assessment has been prepared by PES.

The Noise Impact Assessment concludes that the noise generated by the development would not exceed the baseline residential noise levels, and that the operational noise levels would not significantly differ from those of the existing nearby industrial sites. As such the development is not anticipated to cause any adverse noise impacts for existing or proposed residential uses.

With regards to air quality, the Air Quality Assessment concludes that the impact of any traffic introduced by the Class B8 use at the Site would have a negligible impact on the air quality of the local micro-environment, and as such, there are no adverse air quality impacts anticipated. In light of the above, the development fully accords with the guidance set out within Policy CS19.

The development proposals are thus fully in-keeping with the Council's vision for the Gravesend Riverside East and North East Gravesend Opportunity Area, as well as the Canal Road Gasholder Site, as outlined within the Local Plan Core Strategy. The proposal therefore fully accords with the planning policy for the area and the agent of change principles.

Yours sincerely,

Siofra Boyd

Associate Director
For and on behalf of
Rolfe Judd Planning Limited