



Delegated Report

Variation of Condition Application

Planning Application No: 20250315

Location: Denton Wharf, Mark Lane Gravesend Kent

Description: Application for variation of condition 2 attached to planning permission reference number 20240527 for construction of DNO kiosks, Low Voltage Cabinets and associated Cabling; to allow the cable design to be amended.

Applicant: Denton Wharf Marine Services

Site Visit Date: Site visit for original application ref. 20250315

Submitted Documents/Plans

- Cover Letter;
- Application form;
- Drawing no. EL-01 – Proposed Royal George Pontoon Elevation;
- Drawing no. EL-02 – Proposed Site Elevation; and
- Figure 1 – Proposed Site Plan Rev. B.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240527	Construction of DNO kiosks, Low Voltage Cabinets and associated Cabling.	Permitted	12.08.2024

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS04 - Gravesend Riverside East and North East Gravesend Opportunity Area
- CS07 – Economy, Employment and Skills
- CS10 -Physical and Social Infrastructure
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC7 – Other Archaeological Sites

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to

assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed and beautiful places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- None.

Consultations, Publicity and Representations

Consultees

Environment Agency

We would like to reiterate our comments for the application 20240527 our ref: KT/2024/131849/01-L01, dated 06 August 2024 and do not have anything further to add.

KCC Biodiversity

We understand that the proposed changes are as follows: *The cable is now proposed to go over the pontoon and not under it as previously designed. The height of the cable is proposed to be 3m and will be installed in the same manner as the existing cables on the Svitzer pontoon (please see Appendix 1). The new design will include support poles holding the cable in place, secured to the base of the pontoon in the same manner as initially planned for the cable. The design of the proposed poles will be the same as the existing poles on the Svitzer pontoon.*

We advise that our comments have not changed significantly since we commented on application 20240527. We are satisfied that no ecological information is required for the following reasons:

It is our understanding that the works are proposed to replace an existing diesel generator with electrical power services. As such the noise levels from pier will be reduced.

All the work are on existing hard standing/wharf and no piling works are proposed to be carried out within the River Thames. Therefore as long as the works are carried out following best practice construction measures to minimise noise/dust/dirt impacting/entering the Thames we are satisfied that any ecological impact will be minimal.

KCC Heritage

No comment to make.

KCC Highways

No objection.

KCC Public Rights of Way

The proposed cabling works will cross over Public Right of Way NG1, which would entail the surface of NG1 being dug up to accommodate the new cabling. If this is the case, then a Traffic Restriction Order (TRO) will need to be applied for to close/divert the footpath. Please advise the applicant that a minimum of 8 weeks is required to apply for a TRO and this can be done by e-mailing the Public Rights of Way and Access Team at westprow@kent.gov.uk. I enclose a copy of the Public Rights of Way network map showing the line of the path for your information.

Lower Medway Internal Drainage Board

The site is within the drainage district of the North Kent Marshes Internal Drainage Board; however, the application variation has been reviewed, and the Board has no objection.

National Highways

Our response to 20240527 was no objection.

The proposal to vary condition 2 of this permission would not alter the impact of the development on the SRN.

Given this, we are satisfied that this proposal, if permitted, would not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the SRN. No objection.

Port of London Authority

No objection.

UK Power Networks

We refer to the Planning Application for the above site. The proposed development is in close proximity to our substation and have the following observations to make:

If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1. The distance between buildings and substations should be greater than seven metres or as far as is

practically possible.

2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.

3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation. Minimum distance for this should be at least 10m.

4. If noise attenuation methods are found to be necessary, we would expect to recover our costs from the developer.

Other points to note:

5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.

6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.

7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.

8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Neighbouring properties

26 surrounding properties were consulted plus site notice – overall consultation expiry date is 23.05.2025 – no responses received. Please note two consultees – UK Power Networks & the Marine Management Organization responded via public access and the comments have been added to the public access system as neighbour comments however, they are not neighbour comments as they are from UK Power Networks and the Marine Management Organisation. To confirm, no neighbour comments have been received on the application.

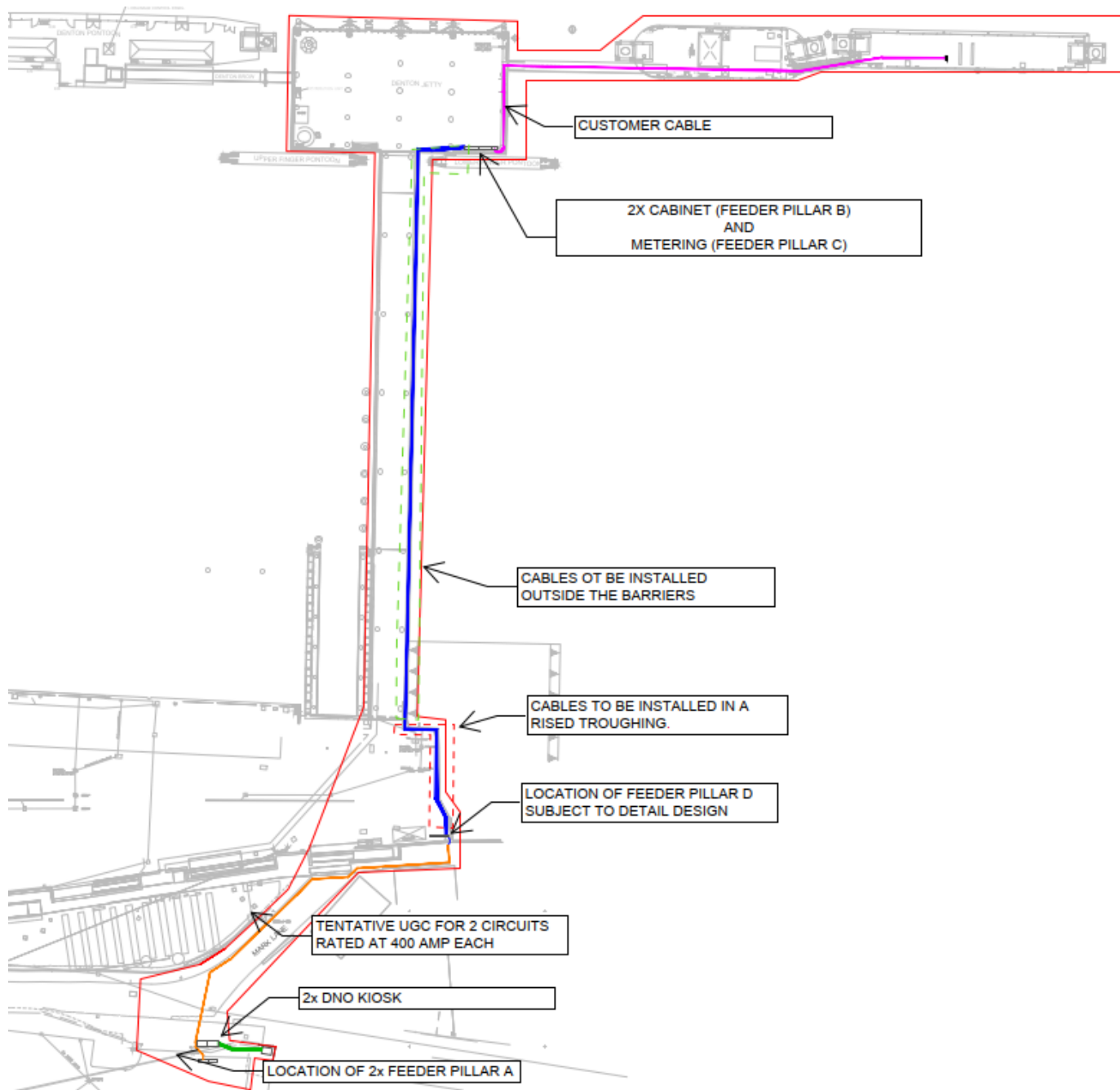
Officer's Analysis

The application site consists of Denton Wharf which is the Port of London Authority (PLA'S) marine base of operations and is a facility to undertake a wide range of critical marine and land-based operations.

This application relates to amendments to the development permitted under application ref. 20240527.

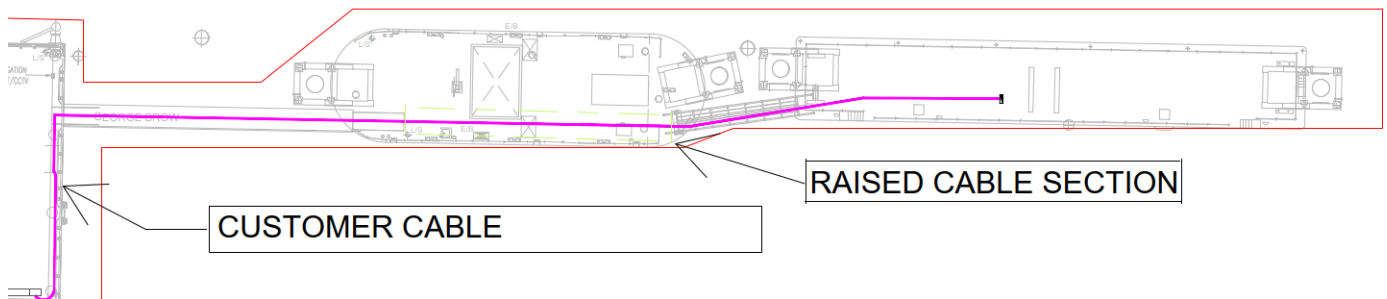
The permission was for the construction of DNO kiosks, Low Voltage Cabinets and associated cabling.

The approved cabling was as follows:

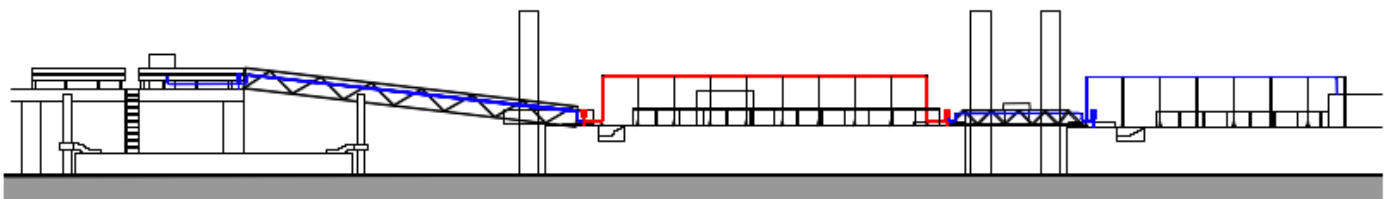


This application seeks to amend a small portion of the cabling, that is the part on the George pontoon. In the approval this cabling was to run under the pontoon but it is now proposed to go over it instead. The reason for this is said to be to mitigate safety risks as it is said that to have the cable on the floor could pose a safety risk. The cabling would be at a height of 3m on support poles and it is said it would be the same as the raised cabling permitted on the Svitzer pontoon.

A close up of the plan form of the George pontoon and surrounding sections is shown below:



The proposed raised section on the George Pontoon is shown in red below alongside the already permitted raised cabling sections in blue.



The principle considerations in the assessment of the application are design, character and appearance, neighbouring amenity, flood risk, biodiversity, archaeology, land contamination, public right of way and climate change.

Design, Character and Appearance

The proposed change of the cabling on the George pontoon from being on the ground to being at a height of 3m on supports posts is considered acceptable in design terms. The proposed raised cabling would match the adjacent raised cabling either side which has already been approved under application ref. 20240527. It would therefore not appear out of keeping and would not impact on the character of Denton Wharf or the surrounding area.

It is considered that in respect of design, character and appearance the proposal is compliant with Policy CS19 (LPCS).

Neighbouring Amenity

The site is in an industrial area with no neighbouring properties close to where the raised cabling is proposed. Due to the scale and location of the development and the distance from the nearest neighbouring dwellings there would be no impact on neighbouring properties amenity. In respect of neighbouring amenity it is considered the proposal would cause no harm and would be compliant with Policy CS19 (LPCS).

Flood Risk

The site is in Flood Zone 3, a Flood Risk Assessment (FRA) was submitted with the original application which stated that the proposal would not increase flood risk on or off the site. The Environment Agency were consulted on the proposal and they advised that they had no objections. The Environment Agency have been consulted on this current application and they advise they still have no objections. As such it is considered that in respect of flood risk the proposal is compliant with Policy CS18 (LPCS).

Biodiversity

In previous application ref. 20240527 KCC Biodiversity were satisfied that no ecological information was

required and their comments on this current application remain the same as before. As such it is considered that in respect of biodiversity the proposal is compliant with Policy CS12 (LPCS).

Archaeology

The site is in an Area of Archaeological Potential; in previous application ref. 20240527 based on the relatively limited nature of the works KCC Heritage advised there would be no archaeological impact. The proposed change of the cabling on the George pontoon from on the ground to being raised to 3m in height on support posts would similarly have no archaeological impact. In respect of archaeology the proposal is therefore considered compliant with saved Policy TC7 (LPFR).

Land Contamination

In previous application ref. 20240527 GBC Environmental Protection advised that there would not be much groundbreaking works and a watching brief on land contamination was only required. The proposed raised cabling would not raise any new land contamination issues and if permission was forthcoming, the watching brief condition would need to be attached as before.

Public Right of Way (PROW)

In previous application ref. 20240527 the cabling works were to cross over Public Right of Way NG1, which would entail the surface of NG1 being dug up to accommodate the new cabling. The specific section on the George pontoon subject of this application would not affect Public Right of Way NG1. The Traffic Restriction Order (TRO) informative will need to be applied for to close/divert the footpath and if permission is forthcoming this can be added as an informative.

Climate Change

The proposal would still adhere to the Council's aim to reduce the overall carbon footprint of the Borough and promote zero carbon development. As such the proposal is considered compliant with Policy CS18 (LPCS).

Any Other Material Planning Considerations

None.

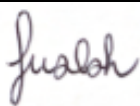
Conclusion & Recommendation

The proposed change of the cabling on the George pontoon from being on the ground to being raised to 3m in height on support posts is considered acceptable in respect of design, character and appearance, neighbouring amenity, flood risk, biodiversity, archaeology, land contamination, public right of way and climate change. The amendments are therefore compliant with national and local planning policy.

In terms of conditions, the standard time limit would need to be attached again with the new date specified of when the development must be commenced by i.e. 12 August 2027. The approved plans condition is required but with the new plans added to the original plans and documents which are still relevant. The watching brief condition is still applicable and would need to be added again.

Recommendation: Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	27th May 2025	Dated:	27 May 2025