



## Delegated Report

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| <b>Application No:</b>  | <b>20220681</b>                                                                                                                                                                                                                           |
| <b>Location:</b>        | <b>Jackson Family Holdings Ltd, Unit K6, Northfleet Industrial Estate,<br/>Lower Road, Northfleet DA11 9BL</b>                                                                                                                            |
| <b>Description:</b>     | <b>Change of use of building to a mixed warehouse and office use<br/>together with erection of first and second floor extension and<br/>construction of a multi level car park, together with associated<br/>earthworks and drainage.</b> |
| <b>Applicant:</b>       | <b>Mr Philip Rudd, Jackson Family Holdings</b>                                                                                                                                                                                            |
| <b>Site Visit Date:</b> | <b>5 July 2022</b>                                                                                                                                                                                                                        |

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### Submitted Documents/Plans

The application comprises the following documents and plans:

Application form  
Covering letter  
Design and Access Statement (parts 1 and 2)  
Phase I Geo Environmental Desk Study and Preliminary Risk Assessment  
Contamination Report  
Flood Risk Assessment  
Economic Benefits  
Planning Statement  
Transport Assessment  
Junction Modelling Note  
Drawing no. 2521.WD.01 (site location plan)  
Drawing no. 2521.WD.02 (existing topographical site plan)  
Drawing no. 2521.WD.09E (multi storey car park floor plans)  
Drawing no. 2521.WD.10D (proposed topographical site plan)  
Drawing no. 2521.WD.07F (proposed elevations)  
Drawing no. 2521.WD.08B (proposed elevations)  
Drawing no. 2521.WD.20 (3D visual)  
Drawing no. 2521.WD.19 (3D visual)  
Drawing no. 2521.WD.17 (3D visual)  
Drawing no. 2521.WD.03 (existing floor plans)  
Drawing no. 2521.WD.21 (existing elevations)  
Drawing no. 2521.WD.14B (proposed multi storey car park elevations)  
Drawing no. 2521.WD.15B (proposed multi storey car parking elevations)  
Drawing no. 2521.WD.06E (proposed floor plans)  
Drawing no. 2521.WD.05C (proposed floor plans)  
Drawing no. 2521.WD.04E (proposed floor plans)  
Drawing no. 2521.WD.16 (existing and proposed cross section)

## Relevant Planning History

|          |                                                                                                 |     |            |
|----------|-------------------------------------------------------------------------------------------------|-----|------------|
| 19900415 | Erection of single storey extension on both end elevations of existing building for office use. | PER | 17.07.1990 |
| 19760367 | Provision of offices and mess room and installation of mezzanine floor for light storage        | PER | 10.06.1976 |

## Development Plan

### Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS03 - Northfleet Embankment and Swanscombe Peninsula East Opportunity Area
- CS07 - Economy, Employment and Skills
- CS10 - Physical and Social Infrastructure
- CS11 – Transport
- CS12 - Green Infrastructure
- CS18 – Climate Change
- CS19 - Design & Development Principles

Paragraph 33 of the National Planning Policy Framework (2021) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1<sup>st</sup> Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

### Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network

## Other material considerations

### National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable development
- Section 11 – Making effective use of land

- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

#### Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)

### **Consultations, Publicity and Representations**

#### GBC Environmental Protection

Whilst we have no objection to this application we have concerns regarding the potential impacts of contaminated land, noise, and vibration on the proposed development and the surrounding area. As such this Service has compiled a list of comments below which we would wish to see conditioned within the Decision Notice should the application be approved.

#### *Contaminated Land*

The applicants have submitted a Phase 1 Geo Environmental Desk Study with a Preliminary Risk Assessment, dated March 2022, Ref: 3962/22, by R. Carr Geotechnical Services. Additional to this, a Site-check Assess report has also been submitted.

The Sitecheck Assessment identified plausible contaminated land linkages at the site.

The submitted Phase 1 Desk Study provides an adequate risk assessment/information providing:

- previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potential risks arising from contamination at the site

The Phase 1 Desk Study suggests that the contamination concentrations within the site boundary are generally low and not considered to pose significant risk or significant harm to human health.

This service is generally satisfied with the information submitted however would expect all mitigations measures/recommendations set out in section 10.6 of the Phase 1 Desk Study to be carried out in full. Details of completed works must be submitted to the LPA by means of a Verification/Closure Report prior to occupation/business.

Details of any sampling and analysis showing site asbestos levels are within the required criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site along with any other identified measures set out in Section 10.6 of the Desk Study.

This service would therefore ask for the Verification/Closure report to be conditioned within the Decision Notice of the application.

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With the addition of the above, due to location and context of the development, our service will also require a noise and vibration impact assessment to be carried out. This is to ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of noise and vibration on the local environment

Should the applicant be successful with their appeal, this Service would ask for the following conditions to be applied:

#### *Vibration*

Noise and Vibration as a result of pilling during the development phase needs to be assessed, however no comments in regards to assessing the impact on residents from vibration nuisance

have been provided.

We therefore require that before any ground works commence a vibration impact assessment is carried out with reference to BS 6472:2008, and submitted to and approved, in writing, by the Local Planning Authority. For the avoidance of doubt the vibration impact assessment shall set out how the detailed design and construction of the development will ensure compliance with the following requirements;

- The internal vibration dose values for residential buildings shall not exceed 0.4ms-1.75 1 during the day or 0.2ms -1.75 1 during the night as referenced in Table 1 of BS 6472:2008

#### *Noise*

The impact of noise from operational activities or any building services associated with the Proposed Development and associated piling, requires assessment in accordance with British Standard 4142:2014: 'Method for rating and assessing industrial and commercial sound', either assessing the impact of, or proposing limits for, such equipment.

The report will also demonstrate potential impact on the nearest Noise Sensitive Receptors. Any works identified as required to ensure the rating noise is at least 5dB below the LA90 background noise shall be carried out where possible, prior to commencement of the works. The report is to be submitted to and approved, in writing, by the Local Planning Authority.

#### *Air Quality*

As the site is within the Northfleet Industrial Area Air Quality Management Area declared for particulate matter (PM10) a condition is sought to require that dust and fine particles from the construction phase of the development do not detrimentally impact the locality. Therefore the applicant must ensure:

- a) The submission to the LPA for approval of an Air Quality Impact Assessment covering the potential predicated impact (PM2.5 and PM10) of the demolition/construction phase including the associated recommended mitigation measures to be implemented to prevent this impact for approval prior to work commencing on site AND
- b) the recommended mitigation measures must be implemented to prevent there being any detrimental impact, however small, on local air quality  
OR ALTERNATIVELY the applicant may wish to
- c) submit a comprehensive set of mitigation measures to prevent the emission to air of particulates (PM2.5 and PM10) to the LPA for approval as part of a dust management plan for the development AND
- d) the recommended mitigation measures must be implemented to prevent there being any detrimental impact, however small, on local air quality.

#### *Electric Vehicle Charging Point(s)*

This Service would wish to see the inclusion of suitable electric vehicle charging facilities at the proposed dwellings in support of the Council's commitment to become carbon neutral by 2030.

#### *Code of Practice on Construction and Demolition*

Please apply

#### *Smoke Control Informative:*

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an

unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed.

When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services [air.quality@gravesham.gov.uk](mailto:air.quality@gravesham.gov.uk).

#### Environment Agency

The proposed development falls within flood zone 2 tidal which is defined as being less vulnerable risk of flooding.

#### KCC Biodiversity

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that further information is sought with regards to the potential for ecological impacts to arise as a result of the proposed development.

It is recommended that an ecologist produce a simple ecological impact assessment (EcIA) report for the site that includes the following information:

- Results of an inspection of the trees on-site by a suitably qualified and competent CIEEM ecologist for bat roosting suitability (where they are to be removed or experience an increase in lighting);
- Results of any further surveys and mitigations (if required) following the ecologist's tree inspection;
- Details of any other mitigations required for protected habitats or species (e.g., Swanscombe Peninsula SSSI/ nesting birds/ bat sensitive lighting);
- Details of mitigation for the loss of the trees on-site if they cannot be retained; and
- Details of ecological enhancements proposed on-site.

#### General Biodiversity Interest on-Site

The site appears to offer limited biodiversity interest, although, two trees appear present on site, a 3m high elder, and 12m high oak. Mature and semi-mature trees have intrinsic biodiversity interest and should be retained as far as possible. Nevertheless, current designs indicate that it is likely that these trees will need to be removed. The loss of these trees should be mitigated for within designs in accordance with the National Planning Policy Framework (NPPF) which states that planning policies and decisions should contribute to and enhance the natural and local environment by: 'Minimising impacts on and providing net gains for biodiversity...'. Plans should be provided to demonstrate adequate mitigation for the loss of these trees where necessary. It may be possible to provide some mitigation on the roof terrace, as suggested by the view of the proposed rear south west elevation within Ward and Associates drawing 2521.WD.08B.

#### Bats

Although the trees are sited within an existing industrial area, likely to be lit at night, this alone cannot rule out the possibility of roosting bats. There is woodland approximately 225m south of the site, with parts of the Swanscombe Peninsula Site of Special Scientific Interest (SSSI) within 175m to the north and 480m to the south-west of the site. Surveys carried out in the SSSI have recorded bats. The River Thames is located approximately 330m to the north-east of the site. There are a number of recent records of bats, including roosting bats within

900m of the site.

As such, the trees on-site will need to be inspected by a suitably qualified ecologist to assess their potential to support roosting bats, where they are to be removed or impacted by an increase in lighting.

In addition to considering roosting bats, any external lighting (where required) should be sensitively designed to ensure there is no increase in light spill that could have an impact upon commuting and foraging bats in the local area. As lighting can be detrimental to roosting, foraging and commuting bats, the recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled 'Guidance Note 08/18 Bats and Artificial Lighting in the UK', should be considered where relevant.

Supplying sufficient information with regards to protected species, in advance of determination, is in accordance with paragraph 99 of ODPM 06/2005 which states: "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

#### Birds

The removal of bushes and trees during the main nesting season (March-August inclusive) risks breaches of nesting bird legislation. Under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Therefore, the clearance of suitable nesting habitat should take place outside the main nesting bird season, or only be carried out following a nesting bird check by a suitably qualified and competent ecologist within 48 hours of the clearance, that shows that the nesting habitats are not in active use by nesting birds.

#### Designated Sites

The site is approximately 175m south-east and 480m north-east of parts of the Swanscombe Peninsula Site of Special Scientific Interest (SSSI). There are no international statutory designated sites for their nature conservation value within 6km of the site.

The SSSI Impact Risk Zone for the site suggests that any development that could cause air pollution or dust, either during its construction or operation requires the local planning authority to consult Natural England on likely risks to statutory designated sites. An ecologist should review the potential impacts of the proposal on nearby statutory designated sites and advise on any mitigations that could be required during construction or operation to mitigate for effects on nearby designated sites.

#### Ecological Enhancements

One of the principles of the National Planning Policy Framework is that "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity..." We advise that details of how the site will enhance biodiversity should be provided with input from an ecologist.

#### KCC Highways

This proposal was the subject of extensive pre-application discussions between the applicant and KCC Highways in January 2022. Of major concern at the time was the proposal to provide a multi-storey car park at the rear of the building accessed by a car lift. This has now been amended to provide a multi-storey car parked accessed by ramps which is considered acceptable.

The planning application is supported by a Transport Assessment dated June 2022 which

covers all highway related impact on the local roads and addressed the majority of concerns raised during the pre-application discussions.

Of particular concern was the level of car parking available for the proposed 120 office-based employees. A total of 59 car parking spaces is proposed whereas KCC Parking Standards (SPG4) requires a maximum of 85 spaces for the combined office and warehouse uses. The TA demonstrates that the typical usage of the offices by staff means that not all personnel will be attending the offices at the same time with evidence gained from the existing company premises in Charlton, London. This is understood and it is accepted that the reduction of car parking spaces from the maximum standard is acceptable provided it is supported by mitigating measures such as a robust Travel Plan including a mini-bus to transport staff to and from the nearby railway stations at peak times and complimentary bus travel tickets (including Fasttrack services which run nearby).

Concerns are raised, as with most industrial areas, about on-street parking which can be seen to be affected by HGV parking and vehicles parked on footways. Whilst the TA demonstrates using the "Lambeth Parking Stress Methodology", which is not totally accepted that this methodology can apply to industrial areas, that there is sufficient availability on the nearby roads to accommodate overspill parking. This is accepted, again provided other mitigating measures are applied to reduce parking demand. Given the advice provided in the NPPF regarding excessive parking provision it is not considered appropriate to recommend refusal on parking grounds.

Cycle parking is proposed with 20 secure and covered spaces which meets the minimum cycle parking requirement of SPG4.

A minimum of 10% of car parking spaces should be provided with EV charging provision together with a minimum of a further 10% of parking spaces provided with passive (cabling / ducting) provision.

In respect of traffic generation and a request by KCC Highways to consider the impact of the nearby Lower Road / Stonebridge Road signalised junction, a modelling exercise has been undertaken and provided in support of the application via a separate Technical Document dated 11th July 2022 which demonstrates that the junction will operate within acceptable capacity taking into account the additional traffic generated by the proposal. This is accepted.

It is therefore concluded that the Highway Authority raise no objection to the planning application provided the following Conditions / S106 Commitments are applied to any consent granted.

1. Details and location of the secure and weatherproof parking for a minimum of 20 cycles shall be submitted and approved prior to first occupation of the new accommodation.
2. Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.
3. A minimum of 10% of parking spaces in the multi-storey car park shall be provided with appropriate EV charging facilities and a further minimum 10% spaces shall be provided with passive EV Charging facilities (cabling / ducting).
4. A full Travel Plan shall be submitted and approved by the LPA prior to first occupation. The Travel Plan shall include agreed mode of travel targets and details of a peak time mini-bus service and details of complementary bus season tickets (including Fasttrack) provided to employees for a minimum of one year post first occupation. The Travel Plan shall be monitored annually at the expense of the applicant and further mitigating measures agreed with the LPA should targets not be met.
5. Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

6. A contribution, the amount of which to be agreed with the LPA, shall be made to improve pedestrian crossing provision of Galley Hill Road / Stonebridge Road for access to bus stops and Ebbsfleet International Station on the southern side of the A226.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

#### Highway Development Management Officer

This is a complex application and at times my views will be at odds with those taken by the Highway Authority, initially looking at the Transport Assessment;

1. It is noted that the Lambeth Council's parking survey methodology, which seems to have been accepted by Kent County Council, the Highway Authority. Yet this document is at odds with the County Councils only supplementary parking guidance note SPG4. The Lambeth document states that the average vehicle takes up an average kerb length of 5 metres, but SPG4 requires parallel parking spays to be 6 metres long to ensure there is sufficient manoeuvring space to access and egress a parking space, although once parked a vehicle may only occupy 5 metres, but it would not necessarily have room to manoeuvre. I am not aware of any work of any work that validates the Lambeth approach outside of London, indeed I'm not aware of how Lambeth initially validated their survey method, despite what appears to be general acceptance by many Highway Authorities, although there may be some doubt in the applicant's consultant states it has only been broadly accepted across Greater London (Paragraph 3.7).
2. The Lambeth methodology also refers to the 500m distance, although over time this appears to have changed from radius of the development to walking distance which better reflects the true situation as a parking space within a 500m radius could be significantly further away in terms of walking distance.
3. As far as I can ascertain, in the latest version of the guidance private roads and housing estates should be excluded from the survey.  
<https://beta.lambeth.gov.uk/sites/default/files/2021-10/lambeth-parking-survey-guidance-2021.pdf> extract provided below. It should also be noted that Taunton Road suffers significant parking stress as pavement parking is normal due to the width of the carriageway to the detriment of pedestrians. Taunton Road also serves as the only possible emergency vehicle access to the adjacent Snowden Hill/Robinson Way development so it is essential that this route is kept clear as far as possible of parked vehicles. It is also noted that a significant amount of partial or total pavement parking occurs in the industrial estate, which suggests there is little room for true on street parking due to the large vehicles that visit the area. Pavement parking deters active travel and should not be promoted unless it is controlled to ensure there is a pedestrian route along the path. It is also noted that there are occasionally lorries parked on street, no doubt for operational reasons and these vehicles I doubt would normally be parked in areas considered by the Lambeth Methodology and need to be accommodated or else they will be displaced to less suitable areas away from the Industrial Estate.

Extract from the Lambeth Methodology

### Extent of survey

All roads within 200m (or 500m for commercial uses) walking distance of the site. Note this area is **NOT** a circle with a 200/500m radius but a 200/500m walking distance as measured along all roads up to a point 200/500m from the site.

People searching for a parking space are unlikely to stop halfway along a road at an imaginary 200/500m line so the survey should be extended to the next junction or shortened to the previous one, or taken to a suitable location along a road. Surveys will be assessed based on practical driving routes so advanced confirmation that the extent of a survey is acceptable should be sought.

The following areas should be *excluded* from surveys:

- If the site is in a CPZ, any parking bays in an adjoining CPZ
- Any CPZ bays within the survey area where the site itself does not fall into a CPZ
- Private roads and housing estate roads
- Places where drivers are unlikely to park, for example:
  - Locations where parking is restricted due to the width of the road or waiting restrictions are in place.
  - Areas that may present highway or personal safety issues, or difficulty in accessing the parking, such as on a major road, in areas with poor surveillance, etc.

Common sense should be applied in all cases and the extent of the survey area and justification for any amendments should be included in the survey. If inadequate justification is provided for a survey area, then amendments may be required or a recommendation for refusal made accordingly.

Google Street View Taunton Road May 2018





Google Street View May 2018

Whilst the industrial estate roads are private, it is not suggested for this reason they should be removed from the surveyed area. However, it is suggested because of the style and uncontrolled nature of the parking they should be. Also all residential streets should be, if the Lambeth Method is considered acceptable. I would also recommend the car parking space should conform to the 6 metres requirement in SPG4, to give conformity with the Council's adopted car parking guidance.

4. In terms of the car parking requirements for the proposal, the applicant notes the requirements of both the Kent County Council and Ebbsfleet Development corporation vehicle parking standards. However, the consultant also refers to Paragraph 108 of the National Planning Policy Framework, in their paragraph 2.5

Paragraph 108 of the N.P.P.F. states:

“Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.”

Therefore applying a maximum standard is inappropriate and a first principles approach for the car parking should be taken, based on a TRIC's analysis for the proposed use class, or if a restricted permission is sought, this could reflect the current operational site, adjusted for the potential increase in staff plus an appropriate Travel/Site Management Plan. It is noted that the applicants existing site in Charlton is reasonably close to the railway station and a bus network, so the sites may be comparable in terms of access to public transport. Whilst an over provision of car parking is to be avoided, it is essential to avoid parking on street that could result in overspill parking on the highway resulting in displacement of existing on street parking to the detriment of residential amenity or creating a hazardous situation.

- 5 Paragraph 5.15 refers to census data in terms of staff location, but this is an existing use that is transferring, therefore at least initially it would be anticipated the majority if not all staff would transfer to the new site, particularly if it is closer to home. Therefore I would expect at least a sensitivity test to demonstrate vehicle movements based on the homes (post codes) of the existing staff would not create any issues.
- 6 Reference is made to the London Lift share in paragraph 6.10, but this should be extended to include the equivalent Kent and Medway web site.  
<https://liftshare.com/uk/community/km>
- 7 The potential use of a mini bus is noted, but no details on how this will be provided. Is it a contracted in service or supplied by the company, in which case a parking area would need to be established and as it is doubtful it could be accommodated in the multi-storey car park, it would have to be in the area in front of the building. The alternative may be a people carrier type car which can accommodate up to 7 people and could possibly be electric powered to reduce operational costs.
- 8 There appears to be a discrepancy in the proposed number of parking spaces suggested for the development, the TA states 59 at the rear plus 2 at the front giving 61, whilst the Application Form and Planning Statement give a total of 66, an 8% difference. The drawings for the new car park show 59, it is also noted the scale bar on drawing 2521.WD.09E is 1:50 whilst the drawings are 1:100. The drawing also provides differing details on the number of parking spaces provided, depending on where you read it refers to 59 and 64 spaces.
- 9 Drawing 2521.WD.15B appears to have several errors, scale bar is 1:50, whilst the drawing is 1:100. The drawing refers to 64 spaces when the plans show 59 and the clearance between the carriageway and the walkway is shown as 580mm headroom! Some of the errors are repeated on drawing 2521.WD.14B
- 10 The applicant needs to demonstrate that the cladding on the car park will not obstruct the visibility of a driver exiting it. It is possible that despite the gaps, at certain angles the cladding can appear to be a wall and obstruct all visibility. Manual for Streets suggests that for 10mph a visibility splay of 12m x 2.4m x 12m should be adequate, although it is for the applicant to determine the speed of vehicles along the access and pick the appropriate sight line requirement. (Not 12m has been selected instead of the normal 11m to reflect the potential for a higher HGV content in the traffic flow)

So having heavily criticized the Transport Assessment would additional work result in an improvement in understanding the situation. As far as I am concerned the Lambeth Methodology for on street parking at this location can be discounted. However, a simple pro rata of the existing situation at Charlton would suggest 59 spaces for 120 staff (0.49 spaces per staff member) should be adequate given that 35 car parking spaces serve 80 people at the current site (0.44 spaces per staff member). This would however have to be a personal permission, unless a more robust car parking calculation using TRIC's data for the same use classes is used.

In terms of traffic on the highway, I would anticipate the majority of traffic entering the site would use the A2 to avoid negotiating the local routes through the towns, this by default would mean vehicles approaching the site from the east as no doubt they would use the Ebbsfleet or Pepper Hill exits so they would be little change.

No details are provided on how the company operate, it is assumed that site operatives park their firm's vehicles at home and only travel to the head office when necessary, generally travelling directly to offsite work locations which saves time, avoids the need for onsite car parking and minimises local traffic impact. It would also be beneficial to know if any parts are collected from the head office or if they are couriered to site, which would also reduce vehicle movements to and from this site.

So what needs to be done?

- (a) Drawings need to be checked and corrected as necessary.
- (b) A car parking accumulation calculation should be carried out for an average workday using TRIC's data, or only a personal permission given.
- (c) Sight lines for the car park at the rear need to be determined and provided, or at least demonstrated that the proposal will not impact on the sight line requirement.
- (d) Reference is made in the TA to changing shower and locker facilities being provided, these should clearly be identified on the floor plans

**6.8** The following measures are proposed in order to promote walking and cycling:

- ▶ provide information about walking and cycling routes;
  - ▶ raise awareness of the health benefits of walking and cycling;
  - ▶ provide employees with changing facilities, showers and lockers where they can store clothes;
- (e) Ideally a site management plan, should be provided that demonstrates how the company operates in terms of site staff, attending the office and controlling deliveries and collections to ensure the car park at the rear of the property and the small service yard at the front of the property are not overloaded.

### Neighbouring properties

The application has been advertised by site notice and individual letters to 10 neighbouring properties.

One letter has been received, not raising objection, but querying the impact on pile driving and machine digging. They also ask if any overlooking will occur from the upper part of the development.

### **Analysis**

#### Proposal

The application seeks planning permission for the 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.

The additional storeys will be located on top of the existing unit and will be approx. 14m high with a faux-pitched roof:

Front elevation:



Rear elevation:



To the rear will be a multistorey carpark with covered walkway leading from the main building to the carpark. The carpark will be approx. 9m high and will contain three storeys.

Internally, on the ground floor will be a large storage/warehouse area, toilets lift, stair, staff and manager room, reception office, customer seating area and customer toilets together with a comms room/archive office on the mezzanine. On the first floor will be no. 15 offices, no. 3 meeting rooms, toilets, lift and stairs and large office area. On the second floor there will be a

large office area, staff recreation area including a roof garden, toilets, stairs, a lift, no. 13 offices, meeting room and board room.

The proposals would allow for further expansion of the business that has outgrown its site in Charlton. The business currently employs 80 people and the proposal would allow expansion to 120 people. As well as providing additional jobs in the business it would also provide jobs during construction.

### The Site

The application site is located within an existing industrial area within the urban area of Northfleet and forms one unit in a terrace. It has a B8 Use Class with ancillary office accommodation. Vehicle unloading is to the front and through the roller shutters. There is also rear access and open land used for car parking. The building and surrounding area is mostly industrial in appearance.

### Principle

Policy CS02 seeks to retain and improve suitable employment land and to make provisions for at least 186,490sqm gross employment floor space during the plan period. Such development will be distributed throughout the Borough within opportunity areas. Development is prioritised in these areas.

The application site is within the Swanscombe Peninsular East Riverside Industrial Area which is a subsection of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area and therefore Policy CS03 of the Gravesham Local Plan Core Strategy 2014 applies. The Policy states that the area will be retained in employment use and the Council will support proposals which expand and support the operation.

Policy CS07 seeks to deliver new employment floor space on Key Sites as identified in policy CS03 and supports schemes incorporating small and flexible industrial and/or office workspaces. Development related to employment within this area is therefore acceptable in principle subject to meeting all the other Policies in the adopted Local Plan.

### Character and Appearance

The existing unit is located within a row of single storey units that are similar in appearance. A row of similar units is also located to the north of the site. The buildings are a mixture of brick and corrugated material with shallow pitched roofs. None have extended upwards.

Policy CS19 requires new development to be visually attractive, fit for purpose and locally distinctive and should integrate well with the surrounding area. The introduction of an additional floor or, in this case, two additional floors, will result in an incongruous form of development out of character with this terrace of units. Due to its height and appearance, it will bear no relationship with the other units and will appear dominant in the street scene with long ranging views.

The Planning Statement addresses this by describing the existing building as of limited visual merit and of functional appearance but does acknowledge its scale and form generally match with the neighbouring units. Units K1-5 are occupied by a single business and their appearance has been updated however, the units remain the same height.

There are taller buildings within the wider locality but not within the context of the application site. The site can be seen from Galley Hill Road and the railway line due to their elevated position and therefore the Council do not agree that 'the development proposals would not be highly visible within the wider townscape'.

The proposal therefore conflicts with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

#### Neighbouring Amenity

There would be no impact on neighbouring amenity in terms of loss of outlook, sunlight or daylight due to the industrial nature of the development. The nearest neighbour (measured from the two storey element of the proposed development to the nearest corner of the curtilage) is approx. 75m away. In order to protect privacy there should be 26m between habitable room windows and private amenity space. In this instance there are no habitable rooms being created and therefore there will be no loss of privacy. Nevertheless, 75m between the application site and the nearest dwelling is considerably over the 26m.

The proposed development therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021 with regards to neighbouring amenity.

#### Noise and Vibration

One objection has been received and raises concerns regarding piling, noise and vibration. Ideally, information regarding noise and vibration due to the building works on top of an existing unit and a new multistorey car park would be required upfront, however, as this application is unacceptable in terms of design and appearance, this was not requested but could be dealt with by condition if the application was allowed at appeal.

#### Air Quality

The site is located within an AQMA however the impact from the vehicular movements of the new development are likely to be no more than the current impact of the existing use. Mitigation measures for construction dust and exhaust emissions from the construction plant would be expected to be implemented as part of the code for that phase and could be controlled by condition in the event of a permission at appeal.

#### Contamination

The submitted reports have identified plausible contaminated land linkages at the site. The proposed mitigation measures would need to be carried out in full and a condition is required to ensure a verification/closure report is submitted prior to the occupation of the business in the event of an approval.

#### Ecology and Biodiversity

No ecological information has been submitted with this application and therefore further information is required in terms of a simple ecological impact assessment.

The site appears to offer limited biodiversity interest, although, two trees appear present on site, a 3m high elder, and 12m high oak. Mature and semi-mature trees have intrinsic biodiversity interest and should be retained as far as possible. Nevertheless, current designs indicate that it is likely that these trees will need to be removed. The loss of these trees should be mitigated for within designs in accordance with the National Planning Policy Framework (NPPF) which states that planning policies and decisions should contribute to and enhance the natural and local environment by: 'Minimising impacts on and providing net gains for biodiversity...'. Plans should be provided to demonstrate adequate mitigation for the loss of

these trees where necessary. It may be possible to provide some mitigation on the roof terrace, as suggested by the view of the proposed rear south west elevation within Ward and Associates drawing 2521.WD.08B. This can be controlled by condition in the event of an approval at appeal.

Although the trees are sited within an existing industrial area, likely to be lit at night, this alone cannot rule out the possibility of roosting bats. There is woodland approximately 225m south of the site, with parts of the Swanscombe Peninsula Site of Special Scientific Interest (SSSI) within 175m to the north and 480m to the south-west of the site. Surveys carried out in the SSSI have recorded bats. The River Thames is located approximately 330m to the north-east of the site. There are a number of recent records of bats, including roosting bats within 900m of the site. As such, the trees on-site will need to be inspected by a suitably qualified ecologist to assess their potential to support roosting bats, where they are to be removed or impacted by an increase in lighting.

In addition to considering roosting bats, any external lighting (where required) should be sensitively designed to ensure there is no increase in light spill that could have an impact upon commuting and foraging bats in the local area. As lighting can be detrimental to roosting, foraging and commuting bats, the recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled 'Guidance Note 08/18 Bats and Artificial Lighting in the UK', should be considered where relevant. This can also be controlled by condition.

Supplying sufficient information with regards to protected species, in advance of determination, is in accordance with paragraph 99 of ODPM 06/2005 which states: "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

The removal of bushes and trees during the main nesting season (March-August inclusive) risks breaches of nesting bird legislation. Under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Therefore, the clearance of suitable nesting habitat should take place outside the main nesting bird season, or only be carried out following a nesting bird check by a suitably qualified and competent ecologist within 48 hours of the clearance, that shows that the nesting habitats are not in active use by nesting birds. This can also be controlled by condition.

The site is approximately 175m south-east and 480m north-east of parts of the Swanscombe Peninsula Site of Special Scientific Interest (SSSI). There are no international statutory designated sites for their nature conservation value within 6km of the site.

The SSSI Impact Risk Zone for the site suggests that any development that could cause air pollution or dust, either during its construction or operation requires the local planning authority to consult Natural England on likely risks to statutory designated sites. An ecologist should review the potential impacts of the proposal on nearby statutory designated sites and advise on any mitigations that could be required during construction or operation to mitigate for effects on nearby designated sites.

One of the principles of the National Planning Policy Framework is that "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity..." We advise that details of how the site will enhance biodiversity should be provided with input from an ecologist.

Subject to appropriate conditions in the event of an approval at appeal, it would be possible that

the application proposal could meet the objectives of policy CS12 of the Gravesham Core Strategy 2014 and para. 174 of the National Planning Policy Framework 2021.

### Flood Risk

Policy CS18 states that development will be directed sequentially to those areas at least risk of flooding with the exception of previously developed sites along the Thams Riverside. The site is located within flood zone 3 that benefits from flood defences and no concerns are raised by the proposal in this regard.

### Archaeology

The site is located within an area of archaeological potential and therefore, in the event of an approval, a condition is recommended to ensure a watching brief is undertaken during works.

### Parking and Highways

The site is well located in relation to public transport. The existing site has 2no. parking spaces to the front and more land to the rear. The proposals show the retention of the front forecourt parking area and a new multistorey car park to the rear. It is not entirely clear how many spaces are being provided as the Transport Assessment and plans show 59no. spaces in the car park and 2no. to the front i.e. a total of 61no. However the application form states that the number of spaces in total would be 66. As the plans show the spaces laid out it is assumed that this is a typo and the number of spaces is indeed 61.

A total of 20no. cycle spaces are also proposed. The submitted Transport Assessment concludes that the development would result in a minor increase to traffic in the weekday peak period but would not cause a significant impact.

It is acknowledged that the number of spaces being provided is not clear however, as the comments from KCC are based on the smaller number, it is not raised as a concern. The applicant was made aware of the discrepancies but did not respond to these.

On street parking is a concern and the methodology used to calculate this (the 'Lambeth Parking Stress Methodology') is accepted, but not in full. In summary, given the advice provided in the National Planning Policy Framework 2021 regarding excessive parking provision is not considered appropriate to recommended refusal on parking grounds.

In terms of traffic generation, the modelling exercise provided demonstrates that the junction will operate within acceptable capacity taking into account the additional traffic generated by the proposal and this is accepted.

Overall, despite the discrepancies in number of spaces and incorrect scale bars, no significant concerns have been raised subject to conditions being imposed on any permission granted. These should include:

1. Details and location of the secure and weatherproof parking for a minimum of 20 cycles shall be submitted and approved prior to first occupation of the new accommodation and plans should be updated to show the changing and locker facilities being provided.
2. Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing together with appropriate sight lines for the car park to the rear.
3. A minimum of 10% of parking spaces in the multi-storey car park shall be provided with

appropriate EV charging facilities and a further minimum 10% spaces shall be provided with passive EV Charging facilities (cabling / ducting).

4. A full Travel Plan, including a site management plan, shall be submitted and approved by the LPA prior to first occupation. The

Travel Plan shall include agreed mode of travel targets and details of a peak time mini-bus service and details of complementary bus season tickets (including Fasttrack) provided to employees for a minimum of one year post first occupation. The Travel Plan shall be monitored annually at the expense of the applicant and further mitigating measures agreed with the LPA should targets not be met.

5. Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

6. A contribution, the amount of which to be agreed with the LPA, shall be made to improve pedestrian crossing provision of Galley Hill Road / Stonebridge Road for access to bus stops and Ebbsfleet International Station on the southern side of the A226.

The applicant has been made aware of these suggested conditions and the request for a contribution but has not commented. In terms of the contribution, it needs to be necessary, related to the development and reasonable in relation to the scale of the development. As the building does exist and there is no condition related to the original consent restricting the number of employees, it is not felt that requesting a contribution for off site improvements is directly relatable to the development or reasonable and therefore the lack of this contribution alone is not a reason to refuse the application on this basis.

Subject to the imposition of the above conditions no concerns are raised in terms of the impact of the development on the highway network and therefore the proposal accords with policy T1 of the Gravesham Local Plan 1994 and CS11 of the Gravesham Core Strategy 2014.

## Conclusion

The proposed extension to the industrial unit and erection of multistorey carpark will result in an incongruous form of development with a terrace of similar industrial units out of character with the surrounding area and appearing dominant from long ranging views contrary to policies CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

## Recommendation:

Refuse

See draft Decision

|                                                                                                    |                                  |
|----------------------------------------------------------------------------------------------------|----------------------------------|
| <b>Case Officer:</b> AW                                                                            | <b>Team Leader:</b> Richard Hart |
| <b>Signed:</b>  | <b>Signed:</b> <i>R Hart</i>     |

|                                 |                                              |
|---------------------------------|----------------------------------------------|
|                                 |                                              |
| <b>Dated: 27 September 2022</b> | <b>Dated: 27<sup>th</sup> September 2022</b> |

Gravesham Borough Council