



Delegated Report

Submission of Details Application

Planning Application No: 20250267

Location: Land To The West Of Nursery Mews Gravesend Kent

Description: Application for approval of conditions 4, 5, 6 and 7 attached to planning permission reference number 20241000 relating to a comprehensive Code of Construction Practice/Construction Management Plan, Biodiversity Gain Plan, a Biodiversity Management Plan and a Monitoring Plan, swept path analysis demonstrating a fire tender navigating through this area containing the removable barriers and also turning within the site itself where the car park is situated to ensure turning facilities are available and a strategy to deal with the potential risks associated with any contamination of the site.

Applicant: Hyde Housing Association

Submitted Documents/Plans

Application Form
2406105-TK05 – Swept Path Analysis, Pumping Appliance
L003 – Landscape Layout
L004 – Planting Plan
L011 – Habitat Baseline
Small Site Metric (July 2024)
Habitat Management and Monitoring Plan (14/3/25)
Construction Management Plan (Rev C 24th June 2025)
Biodiversity Assessment (December 2024)
Biodiversity Gain Plan (14/3/25)
Response to CMP comments

Superseded Documents:

~~Habitat Management and Monitoring Plan (14/3/25)~~
~~Construction Management Plan (Rev A 14th March 2025)~~
Construction Management Plan (Rev B 24th April 2025)

Relevant Planning History

Reference	Description	Decision	Decision Date
20241000	Erection of 6no. affordable residential dwellings, emergency access / pedestrian / cycle route with associated parking and landscaping.	Permitted	14/02/25

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 – Design and Development Principle

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T5 – Access to the Identified Highway Network
- 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 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

Received 10th April 2025:

Only Conditions 4 (CMP) and 7 (Contaminated land) are relevant to Environmental Protection. Comments as follows:

Condition 4 (CMP) - comments have been made in bold adjacent to the relevant parts of the condition:

(A) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery

Details are acceptable.

(B) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery

A Dust Management Plan has not been submitted – details relating to dust control are very sparse and insufficient. More details are needed.

(C) A Construction Traffic Management Plan covering:

a. Details of numbers and routing of construction and delivery vehicles to / from site

b. Timing of deliveries

c. Parking and turning areas for construction and delivery vehicles and site personnel

d. Type and location of wheel washing and chassis cleaning facilities e. Temporary traffic management / signage

This section is more for the Highways Officer to comment on.

(D) Details of the location of the proposed construction compound and location of the parking for construction workers.

Details are acceptable.

(E) Details of security fencing and other site security measures

Details are acceptable.

(F) Details of stockpile areas for building materials or for fill or removed topsoil

The location is acceptable.

(G) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage and onto the highway

Details are acceptable, but the Highways Officer may wish to comment.

(H) Details of vibration monitoring and mitigation during any necessary piling works

There is no information relating to this. Can the contractor confirm whether or not there will be any piling work associated with the development.

(I) Details of the location, form and visual appearance of any site hoardings along road frontages and footpaths

Details are acceptable.

(J) Details of temporary construction or security lighting; and

I can't see any reference to lighting. It is envisaged that some lighting will be used if work continues into the autumn/winter.

(K) Monitoring and review provisions with the Local Planning Authority

This section does not fall within Environmental Protections remit.

(L) Details of hours of construction.

The proposed hours of work are acceptable.

(M) Details of the processes to be followed, if protected species are found on site during works. This shall confirm that all works must stop, and an ecologist contacted for further advice. Works shall not

recommence, until further details of the protected species found and appropriate mitigation measures are submitted to and approved by the Local Planning Authority, and implemented.

This section does not fall within Environmental Protections remit.

Further comment received 9th June 2025:

The updated CMP is fine, and the outstanding matters have been satisfactorily addressed. There is no objection to this condition being discharged.

Condition 7 (Contaminated land)

Parts (a) and (b) were addressed by the reports submitted with the application. The 'Remedial Method Statement and Verification Plan' dated March 2025 by Geo Integrity (Report Ref: 25-02-17) has been reviewed. The earlier reports highlighted exceedances of PAH's in areas of made ground which require remediation. Contaminated soil is to be removed and a 600mm cover system for soft landscaped areas in the vicinity of the 2 areas affected is proposed. This must include at least 150mm of clean topsoil. All imported topsoil must be appropriately tested prior to importation and validation testing is proposed.

The report satisfactorily covers parts (c) and (d) of condition 7. There is no objection to the condition being fully discharged.

Verification is dealt with by condition 8.

KCC Biodiversity

Received 12th May 2025:

Condition 5 states: No development shall commence until a Biodiversity Gain Plan, a Biodiversity Management Plan and a Monitoring Plan have been submitted to and approved in writing by the Local Planning Authority. The plans must demonstrate a 10% net gain in biodiversity will occur within a 30-year period as a result of the development.

The Biodiversity Management and Monitoring Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. Monitoring reports shall be submitted to the Council during years 2, 5, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management and Monitoring Plan, demonstrating how the Biodiversity Net Gain (BNG) is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The Biodiversity Management and Monitoring Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The BNG assessment has detailed that over 10% BNG can be achieved for habitats and due to the habitats on site we agree that it is possible. It has been achieved through the creation of a flowering lawn with shrubs and tree planting. Only trees outside the residential curtilage (including residential boundary) have been counted towards the BNG calculation.

A management plan was submitted with the original application and it is more detailed than the information submitted within the Habitat Management and Monitoring Plan. When we originally commented on this site we raised concerns that the grassland would be cut too frequently to enable the site to achieve good condition modified grassland. To rectify this problem we advise that the management plan submitted as part of the application is update to detail that the whole grassland area will be cut on rotation/ad hoc basis to ensure that there are always longer areas of grassland within the site.

We advise that as long as the applicant confirms to the LPA that this amendment will be made to the management plan we are satisfied that the condition can be discharged.

KCC Highways Officer

Received 10th April 2025:

Thank you for your consultation in relation to the above planning application and for providing the Construction Management Plan (CMP), for the discharge of condition 4.

It is noted that the proposals include a temporary parking suspension, to allow construction and delivery vehicles access into Nursery Mews. The parking suspension and any temporary traffic management measures (including signage and hoarding) and the necessary permits would need to be discussed and agreed with our Streetworks Team, prior to any works commencing on site. The applicant would also need to notify Gravesham Borough Council's technical services, regarding the parking suspension, to ensure they have no concerns.

As detailed in the CMP, due to the close proximity of the school, vehicles should avoid accessing the site during school start and finish times. I would advise the applicant to liaise directly with the school.

Subject to the above, I can confirm the information provided is satisfactory and I have no objections to this condition being discharged.

KCC Flood and Water Drainage

Received 25th March 2025:

As Lead Local Flood Authority, Kent County Council are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangement put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving any one or more of the following:

- a) The winning and working of minerals or the use of land for mineral-working deposits;
- b) Waste development;
- c) The provision of dwelling houses where:
 - i. The number of dwelling houses to be provided is ten or more; or
 - ii. The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c) (i);
- d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) Development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

Notwithstanding the above, please feel free to contact us again if you consider there to be local flood risk issues on this site that may require further consideration.

Kent Fire and Rescue Service

Received 2nd April 2025:

note that I have commented on this previously (ref: 20241000). Upon reviewing the Gravesham planning portal under this new application (ref: 20250267), I note drawing no. 2406105-TK03 demonstrating a satisfactory swept path analysis of a fire appliance navigating through the area containing removable barriers and also turning within the site itself where the car park is situated.

Providing the turning facility in the car park is available at all material times, then it would be in my opinion that the emergency access requirements for the Fire and Rescue service under the above act would appear to be met.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Environment Agency

Received on 21st March 2025:

This application relates to conditions that were not requested by us, we therefore have no comments to make with regards to the discharge of conditions.

Officer's Analysis

Condition 4 of 20241000 states:

No development approved by this permission shall be commenced until a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development is submitted to and approved in writing by the Local Planning Authority.

The Code of Construction Practice/Construction Management Plan shall include details, where relevant, of the following, including any other measures deemed reasonably necessary:

- (A) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery*
- (B) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery*
- (C) A Construction Traffic Management Plan covering:*
 - a. Details of numbers and routing of construction and delivery vehicles to / from site*
 - b. Timing of deliveries*
 - c. Parking and turning areas for construction and delivery vehicles and site personnel*
 - d. Type and location of wheel washing and chassis cleaning facilities*
 - e. Temporary traffic management / signage*
- (D) Details of the location of the proposed construction compound and location of the parking for construction workers.*
- (E) Details of security fencing and other site security measures*
- (F) Details of stockpile areas for building materials or for fill or removed topsoil*
- (G) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage and onto the highway*
- (H) Details of vibration monitoring and mitigation during any necessary piling works*
- (I) Details of the location, form and visual appearance of any site hoardings along road frontages and footpaths*
- (J) Details of temporary construction or security lighting; and*
- (K) Monitoring and review provisions with the Local Planning Authority*
- (L) Details of hours of construction.*
- (M) Details of the processes to be followed, if protected species are found on site during works. This shall confirm that all works must stop, and an ecologist contacted for further advice. Works shall not recommence, until further details of the protected species found and appropriate mitigation measures are submitted to and approved by the Local Planning Authority, and implemented.*

The construction of the development shall adhere at all times and be carried out in full accordance with the

relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure that construction of the development does not result in avoidable congestion on the local highway network, and to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater, in accordance with Policy CS11 (Transport), CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of the Gravesham Local Plan: Core Strategy (2014).

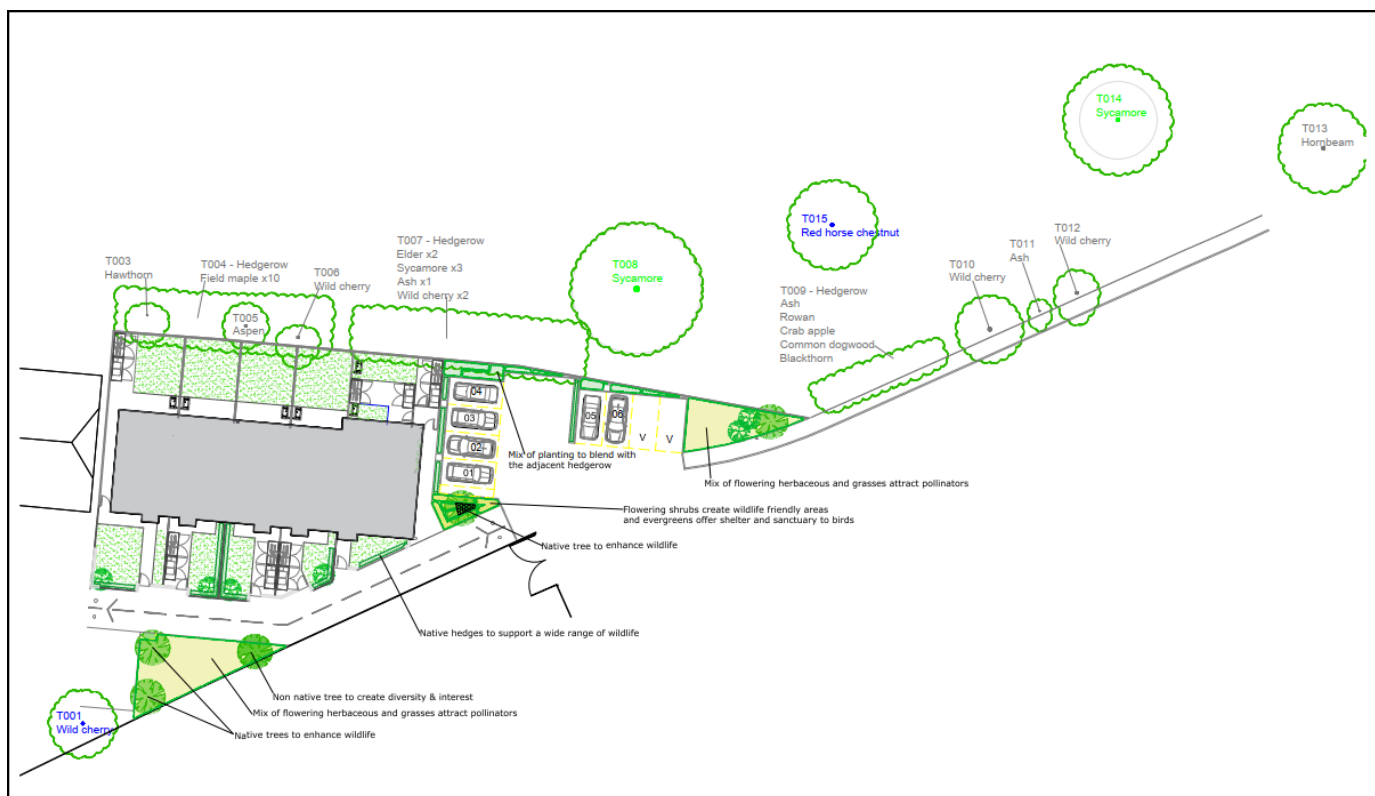
The Construction Management Plan provided addresses the information required as above, in its latest amendment, following consultee comments with the Environmental Protection Team and request for further amendment to address part M of this condition. The document as amended therefore is considered to meet the requirements of condition 4 and address the reason for its inclusion; to ensure that construction of the development does not result in avoidable congestion on the local highway network, and to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater,

Condition 5 of 20241000 states:

No development shall commence until a Biodiversity Gain Plan, a Biodiversity Management Plan and a Monitoring Plan have been submitted to and approved in writing by the Local Planning Authority. The plans must demonstrate a 10% net gain in biodiversity will occur within a 30-year period as a result of the development. The Biodiversity Management and Monitoring Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. Monitoring reports shall be submitted to the Council during years 2, 5, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management and Monitoring Plan, demonstrating how the Biodiversity Net Gain (BNG) is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The Biodiversity Management and Monitoring Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

Reason: To ensure the development delivers a biodiversity net gain on site, in accordance with Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 (as amended), and Schedule 14 of the Environment Act 2021.

The details submitted with this application demonstrates that through the use of a flowering lawn with shrubs and tree planting a 10% Biodiversity Net Gain shall be achieved. The landscape layout which is shown below (Not to Scale), indicated to flowering lawns and native trees within the same areas, and an additional native tree bear the parking area, all of which fall outside of the residential curtilages.



KCC Biodiversity raised concern that the management plan details too frequent grass cutting which would impact biodiversity within the site. To address this, the Habitat Management and Monitoring Plan has been updated to indicate that the grassland area will be cut on a rotation/ad hoc basis to ensure that there are always longer areas of grassland within the site. KCC Biodiversity advised that where this was achieved, they would be satisfied that the condition could be discharged. The details submitted are therefore considered to meet the requirement of the condition and would address the reasons for its inclusion, namely to 'ensure the development delivers a biodiversity net gain on site'.

Condition 6 of 20241000 states:

No development shall commence until swept path analysis demonstrating a fire tender navigating through this area containing the removable barriers and also turning within the site itself where the car park is situated to ensure turning facilities are available has been submitted to and approved in writing by the Local Planning Authority. The details as approved, shall be implemented as approved and maintained thereafter.

Reason: In the interests of highway safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

A swept path analysis has been provided to address this condition. It details the through access and turning capabilities of a fire tender. Kent Fire and Rescue service were consulted on this application and confirmed that the emergency access requirements for the Fire and rescue service would be met where the car park turning facility would be available at all times. Biodiversity advised that where this was achieved, they would be satisfied that the condition could be discharged. The details submitted are therefore considered to meet the requirement of the condition and would address the reasons for its inclusion, in the interest of highway safety.

Condition 7 of 20241000 states:

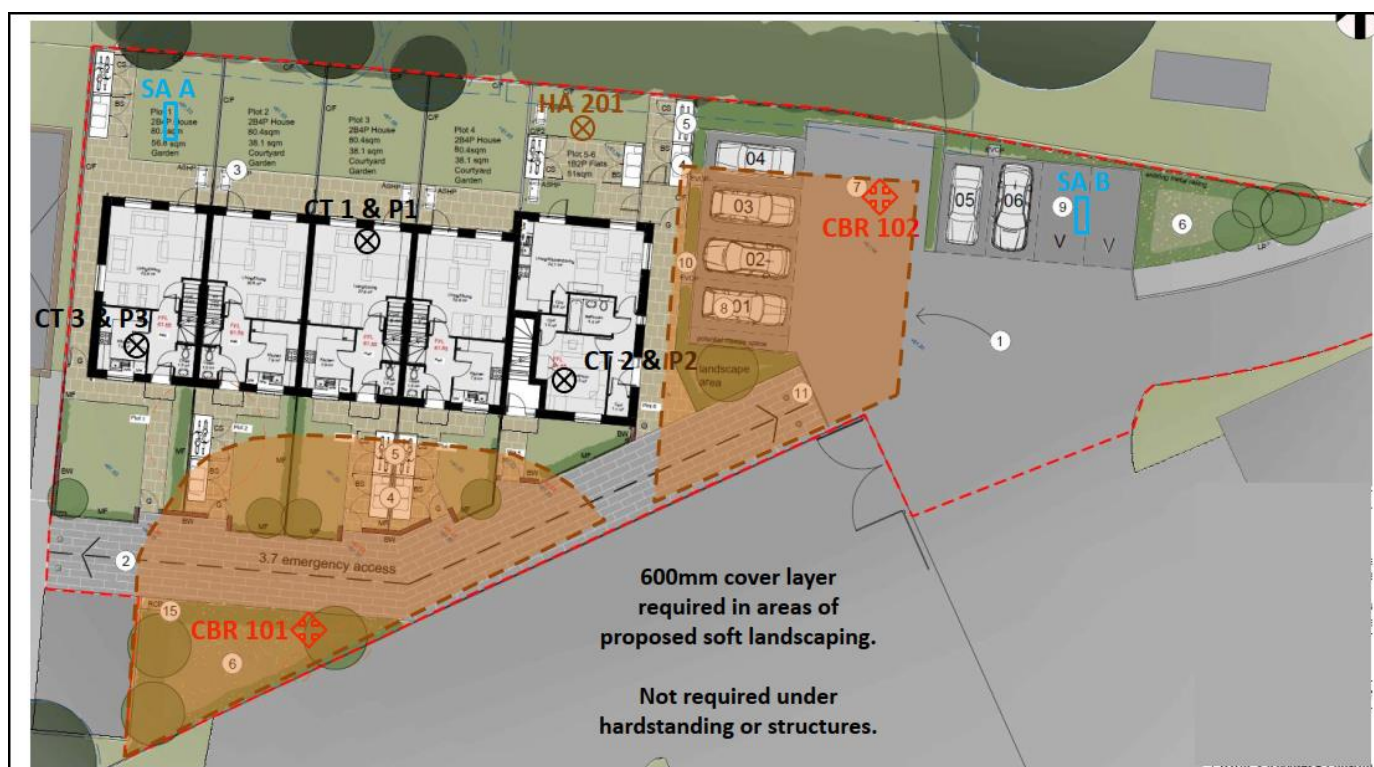
Within three months of the date of this permission, a strategy to deal with the potential risks associated with any contamination of the site should be submitted to and approved in writing by the Local Planning Authority. This strategy will include the following components:

(a) A preliminary risk assessment which has identified:

- o all previous uses;
 - o potential contaminants associated with those uses;
 - o a conceptual model of the site indicating sources, pathways and receptors; and
 - o potentially unacceptable risks arising from contamination at the site.
- (b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site .
- (c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the written approval of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraphs 170 to 182 of the National Planning Policy Framework 2024.

To address this condition a remedial method statement and verification plan have been submitted. The reports submitted with the original application showed exceedances in PAH's (Polycyclic Aromatic Hydrocarbons). These are a group of chemicals that are generally formed through combustion. Such soil contamination must be subject to remediation to ensure that the site is habitable. The details submitted with the reports show that the contaminated soil is to be removed and a 600mm cover system put in place for soft landscaped areas in the vicinity of the 2 affected areas. The relevant areas are highlighted in the image below.



GBC Environmental Protection confirm that this must include at least 150mm of topsoil which must be tested before importation, this is demonstrated within the report submitted. Verification of the implementation of the remediation measures is dealt with separately by condition 8 and would ensure that the measures would be put in place. The details are considered to meet the requirements of condition 7 and address the reason for its inclusion; ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution.

Conclusion

The details provided fully address the requirements of conditions 4, 5, 6 and 7 of 20241000.

Recommendation

Conditions 4, 5, 6 and 7 attached to planning permission reference number 20241000 should be discharged in full.

(See draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	26 th June 2025	Dated:	26 June 2025