



Delegated Report

Variation of Condition Application

Planning Application No: 20260143

Location: Outfall Cottages Dering Way Gravesend Kent

Description: Application for variation of condition 5 attached to planning permission reference number 20230165 for demolition of the two existing dwellinghouses and use of site as Light Industrial units (Class E) incorporating 6 offices and storage with associated parking; to allow required floor level to be reduced with the provision of flood mitigation measures to include demountable flood barriers and the provision of resilient construction measures.

Applicant: Mr Richard Lawson

Site Visit Date: Desktop assessment

Submitted Documents/Plans

Application form
Flood Risk Assessment (Ref. T-2025-174 Rev. 1.0 by Tridax Ltd)

Relevant Planning History

Reference	Description	Decision	Decision Date
20230165	Demolition of the two existing dwellinghouses and use of site as Light Industrial units (Class E) incorporating 6 offices and storage with associated parking.	Permitted	19.05.2023

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS18 – Climate Change

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

Consultations, Publicity and Representations

External Consultee Responses

Environment Agency

Thank you for consulting us on the above application which we received on 13 February 2026. As part of this consultation, we have reviewed the following documents:

- Flood Risk Assessment (ref. T-2025-174 v1.0, dated 19 December 2025, by Tridax)

Environment Agency position

We have **no objection** to the variation of condition 5.

We are satisfied that the ground floor finished floor levels can be reduced to 4.43mAOD with the addition of flood barriers installed and for them to extend to 5.34mAOD. The applicant has demonstrated that the first-floor level will be set approximately 3.5m above the ground level at 7.93mAOD, 2.89m above the breach level, giving safe refuge to occupiers in the event of a breach.

Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the application, please reconsult us.

KCC Flood and Water Management

Kent County Council, as Lead Local Flood Authority, has reviewed the submission and understands that the application seeks to amend the wording of Condition 5, relating to the finished floor level (5.34m AOD). As this level was previously set at the request of the Environment Agency due to tidal/fluviial flooding, this matter falls outside of our remit and we therefore have no comments to make.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Internal Consultee Responses

GBC Environmental Protection

There is no objection to the variation of condition 5.

Neighbouring properties

The application has been advertised by individual neighbour letters to 5 properties and on site. The overall consultation period expired on 6 March 2026.

No letters of representation have been received from neighbouring properties.

Local Ward Councillors were also consulted. Councillor Croxton has stated he has no problem with the application.

Officer's Analysis

Condition 5 of planning permission 20230165 states as follows:

5. The development shall be carried out in accordance with the submitted flood risk assessment ("Flood Risk Assessment (FRA) Outfall Cottages", by Edge-Enviro Services Ltd) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.34 m above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014.*

This condition was recommended by the Environment Agency.

The variation sought to the condition is as follows:

*The development shall be carried out in accordance with the submitted flood risk assessment (**Flood Risk Assessment, ref. T-2025-174 Rev. 1.0 by Tridax Ltd**), including the following mitigation measures it details:*

- Finished floor levels shall be set no lower than 4.43 m above Ordnance Datum (AOD) with the addition of flood barriers installed and for them to extend to 5.34mAOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

For the avoidance of doubt, this application will only assess any impact from the proposed variation of condition, as the use of the site for light industrial units has already been established. The relevant conditions from the 20230165 application will be carried across to this decision, unless they have already been discharged.

Flooding

The application site lies within Flood Zone 3, which is defined as having a 'high probability' of river and sea flooding by the national Planning Practice Guidance (PPG) (Table 1: flood zones). The site is within an Area Benefitting from Defences (ABD) due to the presence of the Tidal Thames flood defences. Under the original application, the Environment Agency had no objections to the proposed development of 6 light industrial units, subject to a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment and specifically detailing mitigation in the form of finished floor levels.

It is a requirement for such development to produce a site-specific Flood Risk Assessment (FRA). A revised FRA has been submitted with this application, which details the required floor level stated in Condition 5 to be reduced with the provision of flood mitigation measures to include demountable flood barriers and the provision resilient construction measures. On the basis of this revised document, the Environment Agency has confirmed they do not have any objections, subject to a varied condition setting out that the development be carried out in accordance with the revised FRA.

On the basis of the above variation, the proposal would comply with Policy CS18 and CS19 of the Core Strategy 2014 and paragraph 181 of the NPPF 2024.

Conclusion

The proposed variation of condition 5 of planning permission 20230165 to allow the required floor level to be reduced with the provision of flood mitigation measures to include demountable flood barriers and the provision of resilient construction measures, is considered acceptable in terms of flood risk.

As no other conditions have yet been discharged, the original remaining conditions will be reattached to the permission.

Recommendation

Vary condition 5.

(For detailed conditions and informatives, see draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Mrs Faye Walsh
Signed:	<i>K. Parkin</i>	Signed:	<i>F Walsh</i>
Dated:	2nd April 2026	Dated:	02 April 2026