

Application: 20260163

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Co Situ8 Ltd
C/O Angela Warwick, Situ8 Planning Consultancy
Oravia House
Trevarthian Rd
St Austell
PL25 4BH
United Kingdom**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**St Andrews Gardens
Royal Pier Road
Gravesend
Kent**

and being **Groundworks to provide tiered seating, an extended level hardstanding area adjacent to the river and improved access; hard landscaping including areas of hard surfacing and seating, relocated and new steps and ramp; soft landscaping including terrace, ornamental, shrub, tree and hedge planting; and installation of lighting.** Your application dated 8th April 2026 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following schedule of approved plans:

Application for Planning Permission form;
Ownership certificate and agricultural land declaration;
Drawing no. ML_2564_MLOC_DR_L_1000 Existing site layout;
Drawing no. ML_2564_MLOC_DR_L_1001 Proposed site layout;
Drawing no. ML_2564_MLOC_DR_L_1002 Topographical survey;
Drawing no. ML_2564_MLOC_DR_L_1003 Site location plan;
Drawing no. ML_2564_MLOC_DR_L_1004 Proposed general arrangements;
Drawing no. ML_2564_MLOC_DR_L_1005 Proposed levels and gradients;
Drawing no. ML_2564_MLOC_DR_L_1006 Proposed lighting;
Drawing no. ML2564_MLOC_DR_L_1006 Proposed hard landscaping;

Drawing no. ML_2564_MLOC_DR_L_2001 Proposed site sections;
 Drawing no. ML_2564_MLOC_DR_L_4001 Proposed soft landscaping;
 Drawing no. EV-5339-TCP Tree constraints;
 Drawing no. EV-5339-TPP Tree protection plan;
 Planning Statement February 2026
 Design and Access Statement November 2025;
 Heritage Impact Assessment January 2026;
 Flood Risk Assessment January 2026;
 Ecological Impact Assessment 27 January 2026;
 Tree Survey 20 January 2026;
 Planting schedule;
 BNG metric;
 BNG Assessment 30 January 2026
 Biodiversity Gain Statement;
 Drawing no. 25-1301-P1 Rev. 2 BNG baseline plan;
 Drawing no. 25-1301-P2 Rev. 3 BNG post intervention plan;
 Method Statement;
 Site/street furniture details;
 External stair, ramps, handrail and balustrades details;
 Schellevis seating details;
 Schellevis steps details;
 Schellevis colour details;
 Written Scheme of Investigation for Archaeological Watching Brief April 2026;
 Email from the applicant received 20 April 2026; and
 Email from the ecologist received 09 June 2026.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan (submitted as part of the deemed condition discharge application), and based on the most up-to-date and/or relevant ecology surveys as determined by a suitably qualified ecologist, has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include:
 - a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat retention, creation and enhancement works (including detailed landscaping plan(s) and planting schedule(s)) to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the retained, created or enhanced habitat;
 - f) details of the decommissioning process to be followed, and measures to be taken, to mitigate impacts to protected and priority species and habitats, including reference to an up-to-date ecological impact assessment carried out in line with current professional guidelines.

The retained, created and/or enhanced habitat specified in the approved HMMP shall be implemented, managed, maintained and monitored in accordance with the approved HMMP.

Reason: To ensure that the future management and monitoring of the planned habitat retention, creation and enhancement works, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

4. No development shall take place until a Landscape and Ecological Management Plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic

gardens), has been submitted to, and approved in writing by, the Local Planning Authority. The LEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The scheme shall include the following elements:

- o details of maintenance regimes
- o details of Bat and Fish friendly lighting (informed by the Bat conservation Trust)
- o details of any new habitat created on or off-site
- o details of treatment of site boundaries and/or buffers around water bodies
- o details of management responsibilities

Reason: To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), national planning policy and the Gravesham Biodiversity Strategy 2025-2030.

5. From the commencement of works (including site clearance), the applicant shall implement root containment measures as detailed within 'Tree Constraints Plan, St Andrews Park, Gravesend, Drawing No. EV-5339-TCP, Jan 2026' and 'Tree Protection Plan, St Andrews Park, Gravesend, Drawing No. EV-5339-TPP, Jan 2026'.

Reason: To ensure the structural integrity of the existing flood defences thereby reducing the risk of flooding and to protect existing trees and in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

6. Prior to any above ground level works, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include full details of the biodiversity enhancements to be implemented on-site. The Plan shall include:
- o Provision of suitably placed bat and/or bird boxes, with the exact locations, make and model and height from ground level shown on scaled plans suitable for construction. Boxes for breeding birds shall be targeted at S41 priority species and/or red/amber listed species as listed within the latest British Trust for Ornithology Birds of Conservation Concern report. Boxes shall be building integrated and/or constructed of woodcrete to ensure durability;
 - o The provision of bee bricks and/or the provision of log piles/artificial refugia for wildlife. The exact locations, make and model, height from ground level, size and construction materials shall be shown on scaled plans suitable for construction.

The Plan shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To protect and enhance biodiversity in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), paragraphs 187 and 193 of the National Planning Policy Framework (December 2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

7. Prior to any above ground level works, details and a plan(s) showing how the development will provide appropriate riparian lifesaving infrastructure, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented before the development is first brought into use and thereafter shall be maintained in accordance with the approved details.

Reason: To ensure that the details of the proposal are satisfactory and in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

8. Prior to the installation of any external lighting, a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall show the type and locations of external lighting, as well as the expected light spill in lux levels, to demonstrate that areas to be lit shall not adversely impact biodiversity. All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and shall be maintained thereafter.

Reason: To protect biodiversity in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

9. The approved archaeological watching brief (Written Scheme of Investigation for Archaeological Watching Brief April 2026) recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification. Within 6 months of the completion of the watching brief, a Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy CS20 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 39 of the National Planning Policy Framework (NPPF) 2024, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

2 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

3 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Gravesham Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan).

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition:

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
 - 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
 - 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
 - 4.5 Self and Custom Build Development, meaning development which:
 - i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares; and
 - iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).
 - 4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat:

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990:

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

5 SUBMISSION OF BIODIVERSITY GAIN PLAN

The applicant should submit a biodiversity gain plan form¹ along with supporting information (e.g., legal agreement and habitat management and monitoring plan) once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered. The biodiversity gain plan must include the following information:

- o Information about steps taken or to be taken to minimise the adverse effects of the development on biodiversity;
- o The pre-development biodiversity value of the on-site habitat;
- o The post-development biodiversity value of the on-site habitat;
- o Any registered off-site biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- o Any biodiversity credits purchased for the development; and
- o Any other matters that the Secretary of State may be regulations specify.

1 Biodiversity gain plan - GOV.UK (www.gov.uk)

6 BREEDING BIRDS

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

7 ENVIRONMENTAL PERMIT - FLOOD RISK ACTIVITIES

The applicant is requested to note the following comments from the Environment Agency;

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- o erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- o altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- o building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- o dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- o diverting or impounding the flow of water or changing the level of water in a main river
- o quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- o any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- o any activity within 16 metres of a sea defence structure activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

8 ENVIRONMENT AGENCY PLANNING ADVICE SERVICE

The applicant is requested to note the following comments from the Environment Agency;

Should you wish us to review any technical documents or want further advice to meet the requirements of the conditions recommended, we may do this as part of our charged for planning advice service.

Further engagement will provide you with certainty of our position as to what our response to your planning application will be. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £115 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms of our charged for service are available [here](#)

If you would like more information on our planning advice service, including a cost estimate, please contact us at kslplanning@environment-agency.gov.uk

9 MARINE MANAGEMENT ORGANISATION

The applicant is requested to note the following comments from the Marine Management Organisation;

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery

functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing:

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence <https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

- local planning authority name,
- planning officer name and contact details,
- planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment:

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/ukxi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link <https://www.gov.uk/guidance/make-a-marine-licence-application>

Marine Planning:

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to

the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

Minerals and waste plans and local aggregate assessments:

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions - including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play - particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link <https://www.gov.uk/topic/planning-development/marine-licences>

10 KENT POLICE - DESIGNING OUT CRIME TEAM

The applicant is requested to note the following comments from the Kent Police Designing Out Crime Team;

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. Any pre-existing or new trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas. We would recommend dense / prickly planting to ensure individuals stay on pedestrian routes, and do not create desire lines or spaces where potential offenders can hide from view.

2. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources, such as good quality use of LED lighting. In addition, external lighting should conform to min standard of BS5489-1:2020. Bollard lighting should be avoided as this style of lighting is used purely for wayfinding and can be easily obscured or damaged. In addition, it can increase the fear of crime, because it does not project sufficient light at the right height to recognise facial features. The Safer Parks Guidance provides useful information on the use of lighting. This document can be found on the Secured By Design website or by clicking on the link here:

https://www.securedbydesign.com/images/design-guides/Design%20Guide_Safer%20Parks_PoliceCPI.pdf

3. Public Footpaths should be at least 3 metres wide to allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles and mobility vehicles. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people.

4. Seating. Referring to the Secured By Design Residential (Homes) Guide 2025, It states "To avoid opportunities for anti-social behaviour, seating should include armrests or be designed as individual seats instead of long benches to discourage sleeping or prolonged loitering." And in addition, "Enclosed spaces under benches should be avoided to prevent items, such as weapons and drugs, from being concealed." For more useful advice and information on seating, please refer to the Secured By Design Residential (Homes) Guide 2025, Chapter 8.20 - Seating next to a footpath.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

11 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.

ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.

iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

12 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 20 April 2026 to the inclusion of the following pre-commencement conditions;

Condition 3 - Habitat Management and Monitoring Plan; and
Condition 4 - Landscape and Ecological Management Plan.

13 INFORMATION FOR THE APPLICANT - FUTURE USES

The Design and Access Statement and drawing no. ML_2564_MLOC_DR_L_1001 (proposed site layout) refer to the widened hardstanding located adjacent to the river, at the centre of the site as being a flexible open space for performance, pop-ups, markets and temporary uses. However, this proposal relates only to groundworks and hard and soft landscaping at the application site and has been determined as such. The applicant is therefore advised of the need to check if any future uses at the application site require planning permission, prior to them being first undertaken.

14 INFORMATION FOR THE APPLICANT - FUTURE DROPPED KERB

Drawing no. ML_2564_MLOC_DR_L_1000 (existing site layout) refers to protecting the hard surfaced area at the eastern end of the site for access to the riverside, for maintenance and mooring purposes and to allow events to be provided. Drawing no. ML_2564_MLOC_DR_L_1005 (proposed levels and gradients) refers to a drop to the existing kerb close to this location (although the exact location is not illustrated).

As any proposed dropped kerb would be located outside of the application site, it does not form part of this application. The applicant is therefore advised that any new dropped kerb may require a separate planning permission.

Dated: 12 June 2026

Civic Centre
Windmill Street
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DA12 1AU

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NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.

- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.