



Delegated Report

Planning Application

Planning Application No: 20260163

Location: St Andrews Gardens Royal Pier Road Gravesend Kent

Description: 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.

Applicant: Co Situ8 Ltd

Site Visit Date: 26 February 2026

Submitted Documents/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.

Relevant Planning History

Reference	Description	Decision	Decision Date
20251220	Summary description: Works to 17 trees in a Conservation Area	Consent Granted	22.12.2025
20250241	Summary description: Works to 12 trees in a Conservation Area	Consent Granted	22.04.2025
20240854	Application for a Proposed Lawful Development Certificate in respect of re-landscaping the gardens, including removal of grass areas and replacement with hard standing paving, together with soft landscaping to include removal and re-siting of tree(s), planting of new trees and other plants and installation of bench seating.	Certificate Granted	21.05.2025
20230515	Application for a Lawful Development Certificate for works to facilitate the mooring of the historic steam tug Cervia at St Andrews Quay, Royal Pier Road, Gravesend, DA12 2BD, and its proposed use as a heritage museum under Use Class F1, in accordance with Section 192 of The Town and Country Planning Act 1990.	Certificate Refused	01.09.2023
20131066	Erection of a statue.	Permitted	07.01.2014

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS10 – Physical and Social Infrastructure
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC2 – Policy for Listed Buildings
- TC3 – Development Affecting Conservation Areas
- 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 7 – Ensuring the vitality of town centres
- Section 8 – Promoting healthy and safe communities
- Section 12 – Achieving Well-Designed Places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- High Street & Queen Street Conservation Area Character Appraisal (2009)
- Riverside Conservation Area Character Appraisal (2009)
- Gravesend Town Centre Conservation Areas Management Plan (2009)
- Design for Gravesham – Design Code (2024)

Other material considerations

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, *Gladman Developments Ltd v SSHCLG & Corby Borough Council*; & *Uttlesford DC* [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

GBC Environmental Protection Team (Regulatory Services)

There is no objection to this application or adverse comments to make.

GBC Conservation Officer

Having reviewed the application information, there are no issues in respect of the design approach being adopted. The proposals aim to create an attractive amenity space that will offer seating overlooking the river. Retention of important trees that contribute to the area have been carefully designed into the new layout and the monument has also been incorporated into this design. There are no adverse impact on the setting of adjacent heritage assets or the conservation area and the proposals therefore comply with local and national policy.

GBC – Horticultural

From the perspective of Gravesham Borough Council horticultural department, the Phase 2 proposal for St Andrews Gardens are broadly supported in principle. The scheme successfully aligns with the overarching objectives of enhancing accessibility, usability, and inclusivity, while also seeking to improve landscape quality along an important river frontage. The integration with Phase 1 and the wider riverside corridor is particularly welcomed, as it reinforces continuity of public space and encourages greater engagement with the Thames.

In responding to the comments made by the Port of London Authority (PLA), the Local Authority would concur with the general support expressed. The emphasis on improved public access and biodiversity enhancement is consistent with local green infrastructure priorities. The recommendation for riparian lifesaving infrastructure is considered appropriate and necessary given the site's proximity to the tidal Thames. The inclusion of life buoys, signage, railing, grab chains or similar safety features should be secured via condition, ensuring they are sensitively integrated within the public realm design without detracting from visual amenity.

The requirement for a Landscape and Ecological Management Plan (LEMP), as supported by the Environment Agency and echoed by the PLA, is strongly endorsed. This should include long-term maintenance regimes, planting specifications, and ecological monitoring to ensure that biodiversity enhancements are successfully established and sustained.

While it is acknowledged that the site is currently of limited biodiversity value, this presents a meaningful opportunity for ecological uplift. The horticultural approach should therefore move beyond basic landscaping to incorporate habitat creation measures. Consideration should be given to the inclusion of integrated features such as bat roosting boxes, bird nesting units, and potentially sculptural or architectural elements designed to provide habitat. These interventions could be coordinated with Phase 1 to create a more cohesive ecological corridor along the riverside.

In addition, planting design should prioritise native and pollinator-friendly species, with layered vegetation structure where feasible, to maximise habitat diversity within the spatial constraints of the site. Even small interventions, such as wildflower pockets or climbers on structures, could significantly improve ecological value.

With regard to the King Charles III England Coast Path, the development should ensure that the route is not only protected but enhanced. This includes maintaining clear, safe passage, improving surfacing where necessary, and ensuring that planting and street furniture do not impede movement. Opportunities to enrich the user experience of the path—through shading, seating, and interpretation—should also be explored.

Lighting is an important consideration, particularly given the sensitivities of river ecology and potential bat

activity. The Local Authority would support a carefully designed lighting strategy that minimises ecological impact. This should include directional, low-spill lighting, appropriate lux levels, and the use of timers or motion sensors to reduce unnecessary illumination. Such measures would help balance user safety with environmental protection.

In summary, the scheme is well aligned with its intended purpose as a multifunctional, accessible riverside space. Subject to the inclusion of appropriate safety infrastructure, a robust ecological management plan, and enhancements to biodiversity and lighting design, the proposals represent a positive and policy-compliant development.

KCC Biodiversity Officer

We have reviewed the information submitted by the applicant and advise that sufficient ecological and biodiversity net gain information has been provided for determination. Recommended condition/informative wording is provided below.

A summary of our review of the submitted biodiversity net gain information is provided below. Detailed comments on the submitted ecological and biodiversity net gain information follow the subheadings below.

Table 1: To show a summary of our review of submitted biodiversity net gain information

Percentage Net Gain Required	Percentage Net Gain Reported for Area Habitats	Percentage Net Gain Reported for Linear Habitats	Net Gain Proposed:	On-site 'significant' Net Gains Proposed
10%	15.29%	60.83%	All on site	Yes

Using the national and local guidance regarding significance, we consider that the on-site biodiversity net gain (excluding private gardens) should be treated as significant and so does require securing for 30-years.

Breeding Birds:

It is possible that breeding birds may be using the vegetation on site. We advise that an informative is included on how works are to be carried out with respect to breeding birds should planning permission be granted.

Suggested Informative Wording:

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.

Biodiversity Net Gain:

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications¹ for development (unless exempt^{2,3}), must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development.

Significant on-site gains, and all off-site gains will need to be secured for at least 30 years.

Having reviewed submitted information⁴, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development. We consider there is no local policy biodiversity net gain requirement above

10% for this development.

We have produced the following table (table 2) to aid the local planning authority in ascertaining whether sufficient BNG information has been submitted [NB table 2 not included in this summary]

Post-development Habitats:

Habitat Creation and Enhancement Tabs:

We consider that the proposed habitat creation/enhancement and proposed uplift of 15.29% BNG for area habitats and 60.83% for hedgerows is achievable and realistic.

Information has been submitted with this application to give confidence that the biodiversity gain hierarchy can be effectively applied to this application, and how conditions should be applied should planning consent be granted.

We are satisfied that having confirmed that the stretch of river is part of the estuary and classed as a transitional and coastal waterbody, we are satisfied that the watercourse part of the metric is not required.

Submission of Biodiversity Gain Plan:

The applicant should submit a biodiversity gain plan form⁶ 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:

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

We advise the local planning authority that there may be conditions attached to the decision notice should planning permission be granted that are linked to the biodiversity gain plan. Wording should be included in such conditions to ensure that it is clear that any documents/plans are produced in accordance with the 'approved biodiversity gain plan'. Relevant conditions where this is likely to be appropriate include soft and hard landscaping conditions, and any other ecology/biodiversity conditions. Other relevant conditions may include drainage conditions.

On-site Gains:

The creation of medium distinctiveness habitats and hedgerows is proposed onsite, these include the creation of Individual (16 urban) Trees and Native Hedgerows. We consider the creation of these habitats to constitute significant⁷ on-site gains. Government guidance states: "The maintenance of these significant enhancements must be secured with a legal agreement (planning obligation or conservation covenant) or planning condition for 30 years in the same way as off-site gains. LPAs will consider the most appropriate mechanism and this will need to be agreed at the planning permission stage."⁸

However, due to the amount of habitat created (in this case, less than 1 Biodiversity Unit), and ease with which it can be created and maintained, it is not considered proportionate to implement LPA oversight through the collection of monitoring fees and the submission and approval of monitoring reports to the LPA.

Should the LPA decide to secure the monitoring fees, these significant on-site gains should be subject to a S106 agreement or conservation covenant to secure a monitoring fee and ensure enforceability over a 30-year period. It is our view that monitoring fees should be secured for these significant on-site gains as these gains will need to be subject to monitoring reports across 30 years, which will need to be reviewed (and acted upon as necessary) by the LPA at their own cost. We provided details of suggested monitoring fees

in our March 2025 advice note 'KCC Ecological Advice Service suggested BNG Monitoring Fees' which has been distributed to all LPAs in Kent.

Additionally, we recommend conditions for Habitat Management and Monitoring Plan (HMMP) to secure the significant on-site gains. The HMMP will need to align with the approved biodiversity gain plan and detailed landscaping plans. We also recommend that the conditions secure the retention of urban trees, modified grassland and introduced shrub. Although the retention of existing habitat cannot count as on-site significant habitat, the relevant retained habitats are recommended to be secured, as well as the relevant created and enhanced habitats, as without the retained habitats, the 10% biodiversity net gain would not be achieved. Furthermore, there are national and local policies in place to conserve biodiversity.

Habitat Management and Monitoring Plan:

The below condition is recommended as the scheme must set out the actions needed to create and enhance habitat on-site as well as maintain it for 30 years from the "completion of development" Paragraph 9(3) of Schedule 7A of the Town and Country Planning Act 1990).

Neither the statutory definition of the biodiversity gain plan nor the current DEFRA biodiversity gain plan template require management and maintenance measures to be specified. As a result, the statutory condition does not on its own secure compliance with the approved biodiversity gain plan (including the implementation of any habitat creation and enhancement works or their maintenance for a 30-year period). The delivery of the gain envisaged by the HMMP needs to be secured by condition or, where necessary, legal agreement.

The suggested condition wording below also includes reference to habitat retention. Retention of existing habitat cannot count as on-site significant habitat. Only created and enhanced habitats can count as on-site significant habitats. However, the retained habitats are recommended to be secured as well as the created and enhanced habitats as without the retained habitats the 10% biodiversity net gain would not be achieved. Furthermore, there are national and local policies in place to conserve biodiversity.

Suggested Condition Wording:

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.

Ecological Enhancements:

Paragraph 187(d) of the NPPF 2024 states: "Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs." The updated NPPF encourages habitat features. These are in addition to the

requirements of mandatory 10% biodiversity net gain.

Suggested biodiversity enhancements include the provision of durable bird/bat boxes (for house sparrows, starlings, swifts or as appropriate to the development), the creation of artificial refugia for wildlife, and/or creation of bug hotels/bee bricks for invertebrates. Where placed on buildings, bat and bird boxes should be clearly visible on elevations plans.

Suggested Condition Wording:

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:

- 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;
- 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 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.

Lighting:

Lighting in the vicinity of a bat roost or along commuting / foraging routes could constitute an offence both to a population and to individuals. Artificial lighting has been shown to be particularly harmful to bats along river corridors, near woodland edges and near hedgerows⁹. Local authorities have a duty to ensure impacts upon legally protected species are avoided and impacts upon bats are a material consideration in any planning permission under the Natural Environment and Rural Communities (NERC) Act 2006 and through the NPPF 2024.

Therefore, to mitigate against potential adverse effects on biodiversity, the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 8 Bats and Artificial Lighting at Night' (or subsequent updates) should be consulted in the lighting design of the development.

We advise that the incorporation of sensitive lighting design for biodiversity is submitted to the local planning authority and secured via an attached condition with any planning permission.

Suggested Condition Wording:

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.

¹ All planning applications for major development (unless exempt) submitted on or after 12th February 2024 in England, and all minor applications (unless exempt), submitted on or after the 2nd April 2024.

² Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)

³ The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (legislation.gov.uk)

⁴ References to the biodiversity value of any habitat or habitat enhancement within this section of the advice note refer to the value as calculated in accordance with the biodiversity metric.

⁵ relates to table 2 and so is not included

⁶ [Biodiversity gain plan - GOV.UK](#)

⁷ We have recently drafted an advice note titled 'Defining significant onsite habitat for Biodiversity Net Gain in Kent and Medway' (March 2025) [Significant-on-site-BNG-Guidance-Note -12.03.25.pdf](#) which outlines our definition of 'significant'. However, this document is awaiting a revision whereby reference to retained habitats counting as on-site significant habitats will be removed.

⁸ [Make on-site biodiversity gains as a developer - GOV.UK](#)

⁹ Bats and Artificial Lighting guidance. Available here: [layout](#).

KCC Heritage Conservation (E & W) (Archaeology)

Fourth Response:

Confirms that the following condition would be acceptable;

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 local and national planning policy

Third Response:

I've reviewed the attached WSI and would recommend approval and discharge of part A of the archaeological condition as it does also address any historic building recording required. While the condition could remain as is, the following condition could be substituted.

To ensure that features of archaeological interest are properly examined and recorded during development works:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure an archaeological watching brief so that excavations and other development groundworks are observed and heritage assets with archaeological interest are recorded. The watching brief shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Specification which has been submitted to, and approved in writing, by the Local Planning Authority.

B) The archaeological watching brief, recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.

C) 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 local and national planning policy

Second Response:

Agrees that an amendment of the proposed archaeological condition wording from 'prior to commencement' to 'prior to any below ground works' is a reasonable request and would be happy with that as a change of wording.

Initial response:

The site lies within an area of multi-period archaeological potential, and the application has been made with useful Heritage Statement (Portico Heritage 2026) that sets out the historic nature of the Gravesend in the medieval and post-medieval period. The document helpfully sets out the presently known and recorded heritage information for the site and surrounding area. It is recognised that the setting of St Andrews Gardens is entirely modern and has very little historical or associational relevance – being entirely happenstance following the wholesale demolition of the buildings that once formed this part of Gravesend's riverfront, however there is potential for below-ground archaeological remains which have survived the 20th century development of the site.

I would therefore recommend that if planning permission were granted the following condition is applied to any forthcoming consent:

To ensure that features of archaeological interest are properly examined and recorded during development works:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure a programme of archaeological work comprising of an archaeological watching brief (including historic building recording) so that structural building works and groundworks are observed and archaeological information is recorded. The archaeological work shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Written Specification, which has been submitted to and approved in writing by the Local Planning Authority.

B) The archaeological watching brief and historic building recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.

C) Within 6 months of the completion of the programme of archaeological works a Report shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the archaeological interest of the site that would be affected by the development is properly examined and recorded in accordance with local and national planning policy.

KCC - West Kent Public Rights Of Way Officer

ECP/8 - the England Coastal Path - will be affected by the proposals. We note that National England has a statutory duty to prepare a Variation Report for the Secretary of State where the approved alignment of the path is impacted.

Kent County Council have no objection to the proposals.

KCC - Flood & Water Management

Kent County Council as Lead Local Flood Authority have reviewed the application and regard the development as low risk. We therefore have no comments to make on the application.

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.

Environment Agency

Environment Agency position:

We have no objection to the proposed development subject to the following planning conditions being included in any permission granted.

Please refer to the following sections for our full response:

- Section 1: Technical comments
- Section 2: Conditions and informatives
- Section 3: Advice to the Applicant / Local Planning Authority

Decision notice:

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Section 1: Technical comments:

Fisheries, Biodiversity and Geomorphology:

Having reviewed the submitted information, our position is that the area would benefit from a Landscape and Ecological Management plan.

The installation of new hardstanding and lighting could have an unacceptable effect on the ecological value of the water-dependent habitat at this site. Due to the effects of potential over-lighting of the watercourse

and/or affects upon bat and bird species.

Ecological enhancements that have been proposed will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment.

The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Without a landscape management plan, the proposal's ecological impact may lead to a deterioration of a water quality element to a lower status class. This is because, due to the increase in hardstanding, potentially, there will be an increase in non-attenuated and filtered surface water run-off.

In-light of the above, the proposed development will only be acceptable if a planning condition requiring a landscape management scheme (as set out in Section 2 of this letter) is included in any permission granted.

This approach is supported by paragraphs 187 and 193 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to the riverine environment.

Flood risks:

We have no objection from a flood risk perspective. The applicant is proposing appropriate root containment measures to ensure that the tree planting will not impact the flood defence. These measures should be secured by a planning condition, as set out in Section 2 of this letter.

Section 2 Conditions and informatives:

Condition 1 (Landscape and ecological management plan)

No development shall take place until a landscape and ecological management plan, 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 landscape and ecological management plan 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:

- details of maintenance regimes
- details of Bat and Fish friendly lighting (informed by the Bat conservation Trust)
- details of any new habitat created on or off-site
- details of treatment of site boundaries and/or buffers around water bodies
- 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 national planning policy and Gravesham Biodiversity Strategy 2025-2030.

Condition 2

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.

Informative 1 (Environmental permit – Flood risk activities)

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be

obtained for any of the following activities:

- 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
- 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
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- 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
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- 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

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> 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.

Section 3 Advice to Applicant/Local Planning Authority (LPA):

Flood risk issues not within our direct remit:

The following issues are not within our direct remit or expertise, but nevertheless may be important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

Advice to applicant:

Biodiversity Net Gain:

The Environment Act 2021 introduced a requirement for mandatory Biodiversity Net Gain (BNG) on most types of Town and Country Planning Act (TCPA) development. Biodiversity net gain offers an opportunity to promote and achieve our desired environmental outcomes – nature recovery, natural flood management, nature-based solutions and green and blue infrastructure.

Please note, for this application we have not reviewed any submitted BNG information in detail and our position on this application does not mean the biodiversity gain objective has been met. In line with the “Biodiversity Net Gain” section of the Planning Practice Guidance, it is the role of the Local Planning Authority role to decide if the BNG requirement for development in scope has been met.

Intertidal habitats should be recorded within the area unit module of the metric. Applicants should record areas of intertidal habitats which are above water at low tide and under water at high tide.

Further information, data and advice on our rivers and catchments can be found using the England Catchment Data Explorer <https://environment.data.gov.uk/catchment-planning/> and River Basin Management Plans <https://www.gov.uk/guidance/river-basin-management-plans-updated-2022>.

Note to applicant:

Planning advice service:

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 <https://www.gov.uk/government/publications/planning-and-marine-licence-advice-standard-terms-for-our-charges/planning-and-marine-licence-advice-standard-terms-for-our-charges>

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

Natural England

Summary of Natural England's Advice:

No objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

King Charles III England Coast Path:

The development proposal affects the King Charles III England Coast Path, which should be protected and enhanced in line with paragraphs 105, 185(d) and 187 (c) of the National Planning Policy Framework.

Natural England has a duty to prepare a Variation Report for the Secretary of State where the alignment (but not the margin) of the King Charles III England Coast Path changes and local planning authorities are advised to notify Natural England of any development or other change that impedes or obstructs people's ability to undertake a continuous journey on foot on the National Trail.

Priority habitats and Species:

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on Gov.uk <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>.

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here <https://www.buglife.org.uk/brownfield-hub>.

Sites of Special Scientific Interest Impact Risk Zones:

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website <https://naturalengland-defra.opendata.arcgis.com/datasets/sssi-impact-risk-zones-england?geometry=-32.18%2C48.014%2C27.849%2C57.298>

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Port of London Authority

The PLA in principle support the proposed development, which sets out to enhance accessibility and usability of St Andrews Gardens for all users, whilst enhancing biodiversity and protecting the historic character of the site. This aligns with the PLA's Thames Vision 2050 plan which sets out to ensure that the Tidal Thames and its riverside is accessible to all, with more visitors drawn to the river to enjoy the Thames Estuary. However, as part of the street furniture and public realm proposals, it is considered essential that this includes the provision of appropriate riparian lifesaving infrastructure (such as life buoys) along the riverside. This would be in line with the PLA's 'A Safer Riverside' guidance for developments on and alongside the Tidal Thames, as highlighted within section 6.12 (Adjacency to Riverside) of the Design for Gravesham Design Code Supplementary Planning Document (2024). The provision of this essential infrastructure should be confirmed via an appropriately worded planning condition as part of any forthcoming planning permission.

On other matters, the PLA support the recommendation of the Environment Agency with regard to a requirement for a landscape and ecological management plan, to be confirmed via condition, including for the provision of further details with regard to lighting, to ensure this has no negative effect on river ecology.

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.

Response to your consultation:

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/uksi/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 he 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>

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.

No response received

Thames Defence Heritage

GBC Leisure & Resilience Manager (Communities)

Neighbouring properties

The application was publicised by a site notice, press notice and to 11 neighbouring properties by letter. No representations have been received.

Officer's Analysis

Background

St Andrews Gardens is an open space used for recreational purposes, which would fall within Class F2(c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

A Lawful Development Certificate (LDC) was granted in May 2025 for re-landscaping part of St Andrews Gardens, including the removal of grassed areas and their replacement with hardstanding paving, soft landscaping including the removal and re-siting of trees, the planting of new trees and other plants and the installation of bench seating (reference 20240854). The application site comprised of the land located immediately to the south east of the current application site. The scheme was described as phase one of a five phase re-landscaping development.

Proposal

The proposed development would include groundworks (using a cut-and-fill approach) to provide tiered seating and an extended level hardstanding area, adjacent to the river, at the centre of the site and to improve pedestrian access arrangements across the application site.

An existing set of steps at the western end of the application site would be removed and a new, more accessible set of steps and a ramped access would be provided, some six metres and some 13 metres respectively, to the south. Three sculptural, planted terraces, with steel retaining edges would be formed on the southern side of the site (aligning with Crooked Lane). Three terraces of tiered amphitheatre-style seating would be located at the centre of the site, overlooking the extended hardstanding area and river. A new set of steps would connect the phase one and phase two re-landscaped parts of St Andrews Gardens together and some general re-grading of slopes/land across the site would be undertaken.

The soft landscaping would include various types of planting, including ornamental, shrub, trees, a hedge, species rich eco turfing and amenity turfing.

Various forms of lighting would be provided including 6 no. 4 metre high street lamps, 15 bollards, a spotlight (to up light the existing statue), architectural lighting under the tiered seating and illuminated handrails for the western steps.

Principle of the Development

The application site is located in the Gravesend Town Centre Opportunity Area, which according to Policy CS05 of the Gravesham Local Plan Core Strategy 2014, is the principle focus for town centre related economic and social activity in the Borough. Amongst other things, the policy promotes taking full advantage of Gravesend's heritage and riverside setting and supports leisure, entertainment, cultural and tourism provision, in accordance with a sequential approach.

Policy CS10 of the Gravesham Local Plan Core Strategy (2014) provides support for proposals that protect, retain or enhance existing physical and social infrastructure.

The proposed development would improve the environment and accessibility of an existing outdoor recreation space, located within the town centre. As such the proposal would be in accordance with Policies CS05 and CS10 of the Gravesham Local Plan Core Strategy (2014).

Design, Heritage and Conservation Impacts

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

Policy CS20 of the Gravesham Local Plan Core Strategy September 2014 places a high priority on the preservation, protection and enhancement of its heritage and historic environment. Saved Policy TC2 of the Gravesham Local Plan First Review 1994 (LPFR) sets out that the primary consideration for development affecting the setting of listed buildings will be the maintenance of the integrity of the original listed building. Proposals also need to be sympathetic to the listed building in terms of massing, scale, appearance and materials.

Saved Policy TC3 of the Gravesham Local Plan First Review 1994 sets out that development within or affecting conservation areas will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area.

The application site is located within the High Street & Queen Street Conservation Area and the Riverside Conservation Area is located immediately to the east. Five listed buildings are located in close proximity, the Three Daws public house (a grade II listed building), the Town Pier (a grade II* listed building), St Andrew's Arts Centre, The Mission House and nos. 3-5 High Street (grade II listed buildings).

The GBC Conservation Officer has not raised an objection to the proposed development and highlights that the proposal would create an attractive amenity space, retain important trees that contribute to the area and that the existing monument would be incorporated into the design. He states that there would be no adverse impacts on the setting of adjacent heritage assets or conservation areas.

GBC Horticultural has set out that the proposal successfully aligns with the overarching objectives of enhancing accessibility, usability, and inclusivity, while also seeking to improve landscape quality along an important river frontage. Furthermore, they state that the integration with Phase 1 and the wider riverside corridor is particularly welcomed, as it reinforces continuity of public space and encourages greater engagement with the Thames.

The proposed development would improve the visual amenities of the application site and utilise materials, features and hard and soft landscaping that would be in keeping with the surrounding area. The proposed design would match with the recent hard and soft landscaping project undertaken in the south eastern

section of St Andrews Gardens.

Overall, the proposed development would be appropriate in terms of design and would not have an adverse impact on the character or appearance of the existing garden, the surrounding area, the High Street & Queen Street Conservation Area, the Riverside Conservation Area or any of the nearby listed buildings. Therefore, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers and to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution.

The development known as The Charter, which includes some completed residential units and some under construction, is located some 8 metres to the south of the application site (at its closest). No. 3A The High Street, which has both a residential and commercial use, is located some 16 metres to the south of the application site.

The proposed development would improve the environment and accessibility of St Andrews Gardens, which would have a generally positive impact on the residential amenity of surrounding occupiers. However, the proposal could result in an increase in visitors to the application site, with an associated increase in noise/disturbance.

The application site is located close to a public house and various commercial properties and adjoins the Gravesend one way system. Therefore, the area surrounding the site is already subject to high levels of noise and disturbance. In this context and due to their separation across the roadway, any increase in noise and disturbance would not be significantly detrimental to the residential amenity of any existing or future neighbouring occupiers.

No objection has been raised by the GBC Environmental Protection Team (Regulatory Services) in relation to the proposed lighting. Therefore, there would be no significant adverse lighting impacts to the residential amenity of any existing or future neighbouring occupiers.

Due to the design and layout of the proposal and their separation from the application site, there would be no adverse privacy, overshadowing or overbearing impacts to any existing or future neighbouring occupiers.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review (1994) require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

The proposed development would improve the pedestrian accessibility of St Andrews Gardens, which would have a generally positive impact in highways terms. However, the proposal, with its environmental improvements, could result in an increase in visitors to the application site, with an associated increase in traffic movements/parking requirements.

The application site is situated in a highly accessible, town centre location, where a range of public transport links and public car parks are available. Therefore, any increase in visitors, vehicle movements or parking demand would not be detrimental to highway safety.

Overall, the proposed development would improve pedestrian access and would not be detrimental to highway safety. As such, the proposal would be in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policy P3 of the Gravesham Local Plan First Review (1994).

Flood Risk

With the exception of previously developed sites along the Thames Riverside and other regeneration sites which have already been evaluated in accordance with the sequential and exception tests, Policy CS18 of the Gravesham Local Plan Core Strategy (2014) directs development sequentially to those areas at least risk of flooding. The policy requires proposals in areas at risk of flooding, to be accompanied by a flood risk assessment and a flood risk management plan (if required) to demonstrate that they are adequately defended and safe over their lifetime.

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires the design and layout of new development to take advantage of opportunities to build in resilience to the effects of climate change, including protection against flood risk.

The submitted flood risk assessment highlights that the application site is located in Flood Zone 3, associated with tidal flooding from the River Thames and that it is protected by an existing tidal flood defence.

The Environment Agency have advised that they raise no objection from a flood risk perspective and KCC Flood & Water Management regard the development as low risk. The proposal would improve access routes across the site, including to access to higher ground, which in a flood event would be an improvement in terms of flood risk.

Overall, it is considered that the proposal would not be detrimental in terms of flood risk and would be in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Ecology and Biodiversity

Policy CS12 of the Gravesham Local Plan Core Strategy (2014) states that sites designated for their biodiversity value will be protected and that there will be no net loss of biodiversity in the Borough and opportunities to enhance, restore, re-create and maintain habitats will be sought within new development.

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires new development to avoid adverse environmental impacts from pollution, to not pose an unacceptable risk or harm to the water environment and to protect and, where opportunities arise, enhance biodiversity.

In addition, under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG). Where BNG is required, the Defra Statutory Metric must be used to demonstrate that a minimum 10% biodiversity net gain can be achieved and the habitats created/enhanced to achieve BNG must be secured for at least 30 years.

A baseline assessment, BNG metric and details of the post development habitats have been provided as part of the application and the applicant has confirmed (in an email received on 20 April 2026) that the habitat baseline takes account of the Kent and Medway Local Nature Recovery Strategy (LNRS). The KCC Biodiversity Officer considers that the proposed habitat creation and enhancement and the proposed uplift of 15.29% for area and 60.83% for hedgerow BNG, to be achievable and realistic.

The KCC Biodiversity Officer suggests the imposition of a pre-commencement Habitat Management and Monitoring Plan (HMMP) condition, to secure the achievement of the BNG. It is noted that the applicant indicated (in an email received on 20 April 2026) that such a condition would be acceptable.

The Environment Agency has advised the applicant that intertidal habitats, which are above water at low tide and under water at high tide, should be recorded within the area unit module of the BNG metric.

However, they do not raise an objection to the proposed development and the KCC Biodiversity Officer has since advised that, because the river is part of the estuary and classed as a transitional and coastal waterbody, she is satisfied that the watercourse part of the metric is not required. Therefore, there is no need for any amendment to the BNG metric in this regard.

In addition to the BNG information, an Ecological Impact Assessment, tree survey and tree protection details have been submitted.

Natural England has advised that the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

The Environment Agency has advised that the installation of new hardstandings and lighting could have an unacceptable effect on the ecological value of the water-dependent habitat at this site, due to the effects of potential over-lighting of the watercourse and/or affects upon bat and bird species. They also state that the ecological enhancements that have been proposed would require a Landscape and Ecological Management Plan (LEMP) to be in place. Such a management plan can be required via an appropriately worded pre-commencement planning condition and a condition requiring the pre-installation submission of a lighting design plan for biodiversity can be imposed. It is noted that the Port of London Authority and GBC Horticultural support such conditions and that the applicant has indicated (in an email received on 20 April 2026) that the pre-commencement condition would be acceptable.

To protect existing trees, in line with the submitted tree constraints plan, the Environment Agency also provides the wording of a condition to be attached to any planning permission granted. This condition is considered reasonable and necessary.

To secure additional biodiversity enhancement, the KCC Biodiversity Officer suggests the imposition of a Biodiversity Enhancement Plan (BEP) condition. This is considered reasonable and necessary and can be attached to any planning permission granted.

The KCC Biodiversity Officer provides the wording of an informative to protect breeding birds during the construction works, which can be attached to any planning permission granted.

Overall, subject to appropriate conditions and informatives, the proposed development would protect and enhance biodiversity at the application site and would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

King Charles III England Coast Path

The proposed development would improve pedestrian accessibility along the King Charles III England Coast Path by removing some existing steep steps and providing a more accessible set of steps and a ramped access.

The KCC West Kent Public Rights of Way Officer has raised no objection to the proposal.

The proposal would result in a minor amendment to the route of the King Charles III England Coast Path. It is noted that National England has a statutory duty to prepare a Variation Report for the Secretary of State where the approved alignment of the path is impacted. Natural England has raised no objection to the proposal and therefore, should planning permission be granted, a copy of the decision can be sent to them to facilitate this.

Any Other Material Planning Considerations

The application site lies within an area of multi-period archaeological potential and the application details include a Heritage Impact Assessment and a Written Scheme of Investigation for an Archaeological Watching Brief. KCC Heritage Conservation has set out that the setting of St Andrews Gardens is entirely modern and has very little historical or associational relevance but that there is potential for below-ground archaeological remains which have survived the 20th century development of the site. As such, they seek to ensure that features of archaeological interest are properly examined and recorded during development

works. An appropriately worded planning condition can be attached to any planning permission granted to achieve this and it is noted that the applicant has indicated that such a condition would be acceptable.

The Port of London Authority has highlighted that it is essential that the proposal includes the provision of appropriate riparian lifesaving infrastructure (such as life buoys) along the riverside, which should be achieved via an appropriately worded planning condition. It is noted that GBC Horticultural supports such a condition and that the applicant has indicated that such a condition would be acceptable.

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. To avoid any doubt, the applicant can be advised of the need to check if any future uses at the application site require planning permission, prior to them being first undertaken, in an informative attached to any planning permission granted.

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. To avoid any doubt, the applicant can be advised of this and that a new dropped kerb may require planning permission, in an informative attached to any planning permission granted.

The comments of the Marine Management Agency and Kent Police Designing Out Crime can be given to the applicant in informatives attached to any planning permission granted.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Pre-commencement Habitat Management and Monitoring Plan

Pre-commencement Landscape and Ecological Management Plan

From commencement implementation of root containment measures

Prior to any above ground level works biodiversity enhancement plan

Prior to any above ground level works provision of riparian lifesaving infrastructure

Prior to the installation of any external lighting a lighting design plan for biodiversity

Archaeological watching brief and completion report within 6 months

Soft landscaping in first planting season

Suggested Informatives

Positive/proactive

Building Regulations/Party Wall

Deviation from the approved plans

Biodiversity Net Gain

Biodiversity Gain Plan

Breeding Birds

Environmental permit

Environment Agency planning advice service

Marine Management Organisation information

Kent Police Designing Out Crime information

Works of construction

Agreement with pre-commencement conditions

Future uses of application site

Future dropped kerb

Conclusion

The proposal would comply with local and national planning policies and subject to the conditions and informatives set out above, the proposal would be acceptable.

Recommendation

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:	<i>K Joyce</i>	Signed:	<i>R Hart</i>
Dated:	10 June 2026	Dated:	11th June 2026