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## SUMMARY REPORT

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|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Ref:</b>         | <b>20240856</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Site Address:</b>            | <b>Former Tollgate Hotel, Watling Street, Gravesend.</b>                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Application Description:</b> | <b>Demolition of existing buildings to provide an EV charging hub and petrol filling station, including 24 charging bays and supporting electrical infrastructure (12 charging upstands, three substations and two network cabinets), six pump islands with canopy above, a forecourt shop/amenity building, customer parking, two air and water spaces and associated hardstanding and landscaping, accessed from the Wrotham Road/eastbound A2 roundabout junction.</b> |
| <b>Applicant:</b>               | <b>BP Oil UK Ltd</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Agent:</b>                   | Kathryn McCain, Rapleys LLP                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Ward:</b>                    | Istead Rise, Cobham and Luddesdown                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Parish:</b>                  | Non-Parish Area                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Decision due date:</b>       | 21 <sup>st</sup> November 2025                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Publicity expiry date:</b>   | 24 <sup>th</sup> April 2024                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Decision Level:</b>          | Planning Committee Decision                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Reason for referral:</b>     | Head of Planning Referral                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Recommendation:</b>          | That the application be DELEGATED to the Head of Planning to grant Planning PERMISSION subject to the finalisation of planning conditions (including making any necessary modification, deletion or addition to the proposed conditions)                                                                                                                                                                                                                                  |

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### **Summary of Reasons for Recommendations**

This planning application is for the demolition of the existing buildings to provide an EV charging hub and petrol filling station, including 24 charging bays and supporting electrical infrastructure (12 charging upstands, three substations and two network cabinets), six pump islands with canopy above, a forecourt shop/amenity building, customer parking, two air and water spaces and associated hardstanding and landscaping, accessed from the Wrotham Road/eastbound A2 roundabout junction and the former Tollgate Hotel site.

The site falls within the definition of previously developed land where development in the Green Belt is acceptable in principle providing it would not cause substantial harm to the openness of the Green Belt. The proposed scheme would result in an overall reduction of volume, height and footprint of built development and a slight increase in hardstanding. The intensification of the use of the site by traffic and lighting will not have a detrimental impact on the Green Belt due to the existing backdrop of the A2 and surrounding developed area.

The reduction of development on site, the proposed building materials and lighting, all of which can be conditioned, will result in an improvement to the wider landscape character. Subject to conditions there will be no detrimental impact to the archaeology of the site.

The development is a sufficient distance away from residential properties to ensure there will be no loss of amenity, including in terms of noise, which is expected to be below the existing background noise levels and no concerns are raised with regards to additional lighting, flood risk and drainage, contamination.

In terms of ecology, the site is of low ecological value. Lighting will have no significant impact due to existing levels of light pollution, and 10% biodiversity net gain can be achieved. Conditions relating to ecological enhancements are recommended.

The proposed parking is sufficient and, subject to conditions, no concerns are raised with regards to highway safety and the impact on the highway network.

The benefits of the development will include improvements to the appearance of the site due to the removal of existing derelict buildings, increase in soft landscaping and the provision of electrical vehicle charging within close proximity of the A2.

Therefore, it is recommended that the application is DELEGATED to the Head of Planning to grant PLANNING PERMISSION subject to the imposition of conditions.

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## **MAIN REPORT**

### **1. Site Description and Surroundings**

- 1.1. Prior to being purchased by Highways England for the A2 Bean to Cobham widening scheme, which was completed in 2009, the site was in use as a hotel and restaurant with conferencing and event facilities (which ceased trading around 2006). The site was sold by Highways England in May 2019.
- 1.2. The site comprises:
  - A part two storey, part single storey pitched roof, mock-Tudor building, to the north west (which comprised a former public house, before the site was converted to a hotel and restaurant);
  - A large two storey L shape building framing the northern and eastern boundaries (comprising hotel rooms);
  - Two centrally located single storey buildings (including a function room), and
  - Hardstanding to accommodate car parking, and areas of hard and soft landscaping.
- 1.3. As set out in Appendix 16 to the Planning Statement, “the hotel buildings and external areas have suffered from prolonged neglect and vandalism. The external fabric of the buildings and the external areas of the complex are in a significant state of disrepair. Substantial repair and refurbishment works are required in order to bring the property back into use and a good state of general repair.”
- 1.4. To the north of the site is the former A2 which has been largely removed and resurfaced to form a footpath and cycleway leading to the Cyclopark to the northwest. Beyond this is a petrol filling station with some hot food takeaway, sandwich shops and car washing facilities. Further beyond this to the north are residential properties. To the east there is a field, to the south is the A2 and to the west are the access roads to the site.
- 1.5. The site area is approx. 12,196 sqm (1.22 ha) in area.

- 1.6. An earlier planning application (ref 20131018) for both a BP Connect petrol filling station and a restaurant/drive thru was the subject of Committee resolutions to grant conditional planning permission on 15 January 2014 and subsequently on 22 July 2015. However Judicial Review (JR) claims were brought against the decisions of the Council, with the application being ultimately withdrawn by the applicant.
- 1.7. In regard to the 2016 planning application (20160215) for a BP Connect filling station only, following the Committee's resolution to grant planning permission on 7<sup>th</sup> February, after which a decision notice was issued the following day, this decision was also the subject of a legal challenge which was successful and required the application to be redetermined. Having submitted an appeal against non-determination to the Planning Inspectorate, the applicant withdrew their appeal and application.
- 1.8. The differences between 20160215 and this current application are:
- Refocusing of the proposed development to delivery of the government's net zero policy agenda, with a reduction in the number of petrol pump islands from eight to six and the inclusion of 24 EV charging bays (from zero in the previous scheme);
  - Removal of the HGV refuelling element, and a reduction in the height of the proposed canopy, which will further prevent large vehicles using the site, and
  - Revised layout and design being promoted which reflects the site context and ensures a soft interface between the site and its surroundings.

## 2. Planning History

|          |                                                                                                                                                                                                                                                                                                                                          |                                                    |            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|------------|
| 20180784 | Demolition of former hotel/restaurant and construction of a petrol filling station and forecourts, sales building, ATM, underground fuel tanks, refuse/recycling, AC/refrigeration units, access, substation, parking and all associated works and services                                                                              | Withdrawn                                          | 14.01.2020 |
| 20160215 | Demolition of all former Tollgate hotel/restaurant buildings and construction of a petrol filling station and forecourts, sales building, ATM, underground fuel tanks, refuse/recycling, AC/refridgeration units, vehicular access, substation, parking and all associated works and services on part of site.                           | Appeal against non-determination, appeal withdrawn | 13.01.2020 |
| 20150952 | Request for a screening opinion in respect of development comprising demolition of former hotel/restaurant and erection of a petrol filling station and forecourts with underground fuel tanks, sales building with ATM, AC/refrigeration units, refuse/recycling, substation, vehicular access, parking provision and associated works. | Not required                                       | 12.10.2015 |
| 20140888 | Request for a screening opinion in respect of development comprising demolition of former hotel/restaurant and erection of a petrol filling station and forecourts with underground fuel tanks, sales building with ATM, restaurant with drive-through facility, AC/refrigeration units,                                                 | Not required                                       | 07.10.2014 |

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|  | refuse/recycling, substation, vehicular access, parking provision and associated works and services. |  |  |
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### 3. **Proposal**

#### 3.1. The application consists of the following documents/plans

Covering letter  
 Planning Policy Update Note – NPPF (December 2024) – Grey Belt dated 13 May 2025  
 External Lighting Environmental Impact Assessment by Graham White Lighting Consultancy  
 Lighting Layout by Graham White Lighting Consultancy  
 Illuminance layout drawing by Graham White Lighting Consultancy  
 Air Quality Assessment by Wardell Armstrong  
 Environmental Noise Report by Sharps Redmore  
 Archaeological Assessment by edp  
 Heritage Statement by edp  
 Infiltration Test Report by Subadra  
 Proposed Scope of Works to Inform Revised Hydro-geological Risk Assessment by Subadra  
 Appraisal of Risk Associated with new Fuel Tank Installation by Subadra  
 Geo-Environmental Investigation Report by Subadra  
 Flood Risk and Drainage by Weetwood

#### *Ecological Documents:*

Arboricultural Impact Assessment and Method Statement by Owen Allpress  
 Ecological Impact Assessment by Eco Tech September 2024  
 Bat Survey Report by SLR  
 Bat Surveys Preliminary Roost Appraisal by SLR (March 2024)  
 BNG Metric

#### *Landscape Documents:*

Landscape and Visual Appraisal by Huskisson Brown Associates  
 Photomontages (Viewpoint A and B) by Huskisson Brown Associates  
 Photomontages (Viewpoint C and D) by Huskisson Brown Associates  
 Photo sheets 1 - 11 by Huskisson Brown Associates  
 Landscape Extracts (Figures 1-4) by Huskisson Brown Associates  
 Appendix 1 -7 – LVA Methodology by Huskisson Brown Associates  
 Landscape Strategy Masterplan by Huskisson Brown Associates  
 Landscape Extracts (Figures 5 and 5) by Huskisson Brown Associates  
 BNG Strategy by Huskisson Brown Associates

#### *Transport Documents:*

Transport Assessment by Markides Associates  
 Transport Assessment Appendix I by Markides Associates  
 Transport Assessment Appendix C-H by Markides Associates  
 Transport Assessment Addendum Appendix E-I – committed development flows by Markides Associates  
 Transport Assessment Addendum by Markides Associates

Transport Assessment Addendum Appendix J - N– A227 Wrotham Road/A2 Westbound Slip Road Roundabout Arcady Report by Markides Associates  
Technical Note Response to KCC Highways and Transportation and National Highways by Markides Associates (March 2025)  
Technical Note Response to KCC Highways and Transportation and National Highways Appendix H - A227 Wrotham Road/A2 Eastbound Slip Road/Site Access Roundabout Equal Lane Usage Arcady Model by Markides Associates by Markides Associates (March 2025)  
Road Safety Audit Stage 1 by Markides Associates  
Stage 1 Road Safety Audit – Designers Response by Markides Associates

*Planning Statement Documents:*

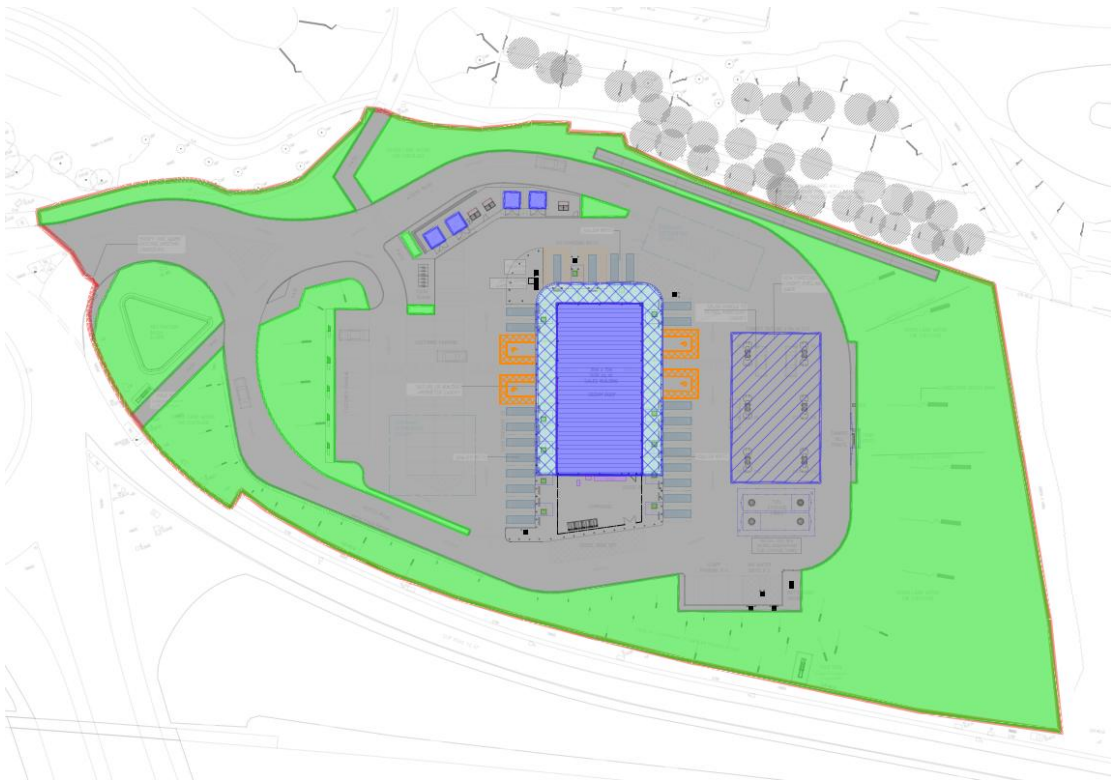
Planning Statement by Rapleys  
Appendix 3 – existing site layout areas  
Appendix 4 – Planning history schedule  
Appendix 5 – 20160215 Committee Report  
Appendix 6 – letter from Rapleys dated 17 December 2020  
Appendix 7 – pre-app letter from Rapleys dated 27 May 2022 (first pre-app), site location plan  
Appendix 8 – pre-app letter from Rapleys dated 11 July 2023 (Second pre-app), site location plan, second pre-app drawings, response letter  
Appendix 9 – pre-app response from JSJV, KCC Ecology (14.08.24 and 06.08.24),  
Appendix 10 – public consultation letter and plan  
Appendix 11 – notice of public consultation on proposed electric vehicle charging hub  
Appendix 12 – public exhibition details  
Appendix 13 – full report of questionnaire responses and summary  
Appendix 14 – operational development of bp pulse EV hubs and business rationale  
Appendix 15 - electric vehicle need assessment by Graham and Sibbald  
Appendix 16 – report on structure condition of Tollgate Hotel (5 December 2022 and 23 April 2024)  
Appendix 17 – existing site layout, volume calculations, site area calculations  
Appendix 18 – hotel needs assessment report  
Appendix 19 – adopted option  
Appendix 20 – new build option C

*Drawings:*

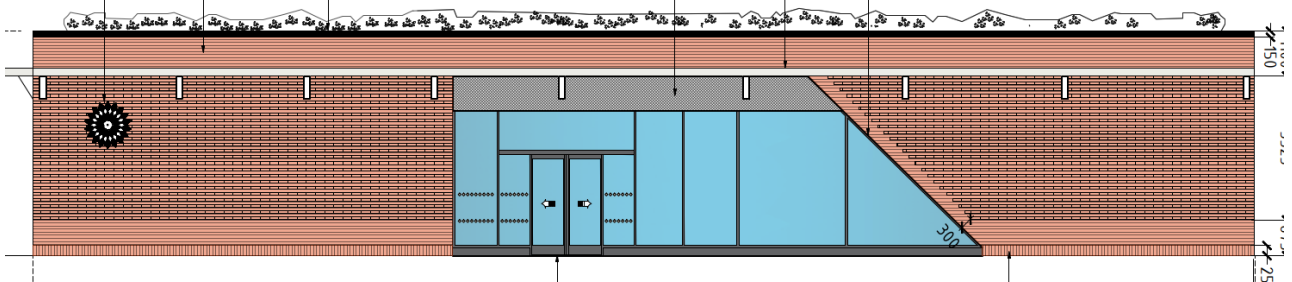
Drawing no. EN 20129/30 (enabling work survey drawing)  
Drawing no. EV005-PS-LAY-000-GB00015044-0010-001 rev B01 (vehicle tracking cars)  
Drawing no. EV005-PS-LAY-000-GB00015044-0007-001 rev B01 (surfacing site layout)  
Drawing no. EV005-PS-LAY-000-GB00015044-0009-001 rev B01 (vehicle tracking HGV)  
Drawing no. EV005-PS-LAY-000-GB00015044-0005-001 rev B01 (proposed site layout)  
Drawing no. EV005-PS-LAY-000-GB00015044-0004-001 rev B01 (proposed site elevations)  
Drawing no. EV005-PS-LAY-000-GB00015044-0003-002 rev B01 (existing site layout)  
Drawing no. EV005-PS-LAY-000-GB00015044-0005-002 rev B01 (proposed site layout)  
Drawing no. EV005-PS-LAY-000-GB00015044 (existing site layout)  
Drawing no. EV005-PS-GAS-000-GB00015044-0002-001 rev B01 (equipment details sheet)  
Drawing no. EV005-PS-LAY-000-GB00015044 (proposed site layout area calcs)  
Drawing no. EV005-PS-GAS-000-GB00015044-0001-001 rev B01 (proposed building details)

Drawing no. EV005-PS-LAY-000-GB00015044-0001-001 rev B01 (OS location plan)  
Drawing no. EV005-PS-LAY-000-GB00015044-0003-001 rev B01 (existing site layout)

- 3.2. This application seeks the demolition of the existing buildings and clearance of the site to provide an EV charging hub and petrol filling station with ancillary retail and cafe, customer parking, two air and water spaces and associated hardstanding and landscaping accessed from the Wrotham Road/eastbound A2 roundabout junction.
- 3.3. The plan below shows the proposed layout with the customer parking to the west, the shop and cafe in the middle surrounded by EV charging stations and a petrol filling station to the east. Staff parking and an air/water station is to the south and substation enclosures are to the north:



- 3.4. The main shop front elevation is shown below (western elevation):



- 3.5. There will be 24 EV charging bays, two of which will be accessible EV bays for people with mobility challenges and to blue badge holders only. These will surround the sale building which will include the following facilities for customers while they wait:

- A sales area for goods intended to meet the needs of the motorist using the site to recharge/refuel, of the same type and scale (and selling the same range of goods) as would be found in a modern petrol filling station
- A café area, again similar in size and scope to other fuelling facilities (albeit with a

slightly larger seating area to recognise longer dwell times associated with EV charging);

- Customer toilets, and
- Supporting “back of house” facilities, and a screened compound on the southern side of the building.

3.6. The wider area will contain:

- 33 customer parking spaces to the west of the sales building, which will primarily offer a waiting area for EV charging, as well as provide additional parking for customers after refuelling (for rest, or to spend more time using the on-site services), in a manner akin to existing roadside services/petrol filling stations (a total of 37 parking spaces for customers).
- Four accessible bays located adjacent to the sales building;
- One parcel collection locker and one recycling deposit return scheme both with associated parking bays located to the west of the sales building;
- Four staff parking spaces and two air/water bays to the south of the petrol forecourt area;
- Cycle parking to the north of the sales/amenity building;
- Four electricity substations, and three network cabinets, to the north-west of the sales/amenity building.
- Internal vehicular circulation hardstanding, utilising an upgraded access in approximately the same location as the existing vehicular crossover onto the adjacent roundabout.
- Internal pedestrian paths, as well as pedestrian/cycle accesses to the south-west of the site and the northern part of the site to feed into existing routes.
- Landscaping around the perimeter of the site and within in it, to screen and create a soft interface between the development and the surrounding area.
- A six island petrol filling station forecourt to the east of the sales building with two underground fuel storage containers covered by a bespoke canopy.

3.7. The EV charging hub is supported by a conventional filling station (serving both petrol and diesel fuel), to reflect current consumer demand on the A2 corridor. However, as per other sites in the country which have been converted from conventional filling stations to EV charging hubs, the site could in future be converted to solely an EV charging hub. The point of transition will reflect the wider public and businesses take-up of electric vehicles on the A2/M2 corridor over the next 10-15 years. However, depending on emerging technology another form of low-carbon refuelling, such as hydrogen could also potentially replace the conventional filling station.

3.8. The access to the site is existing and is taken from Wrotham Road to the west.

3.9. In terms of materials the building is proposed to be clad in a local brick with 250mm brick skirting, external doors to be painted to match the cladding panels, the awning to be a steel frame powder coated white, the metal fascia powder coated grey, green LED banding to the perimeter of the glazing and the shop front to be finished in grey. A green/sedum roof to secure further biodiversity improvements whilst helping the proposed building to blend in with its surroundings is also proposed.

- 3.10. All signage will be subject to a future application for advertisement consent.
- 3.11. The submitted application form states that the number of proposed full-time employees will be 17 and the number of part-time employees will be 13. The applicants have confirmed that the site will be operational 24 hours a day, seven days a week.
- 3.12. A business rationale has been submitted and is included in appendix 14 of the Planning Statement which sets out the government's support for development that supports the UK economy becoming net-zero by 2050 and appendix 15 which relates to EV need.
- 3.13. A statement released by the Secretary of State for Transport on 6 January 2025<sup>1</sup>, confirms this position, and indicates that the Government supports the cessation of sales of petrol and diesel cars from 2030. With vehicles sold from 2035 being 100% zero emission vehicles.
- 3.14. On 12 February 2020 BP announced its new ambition to become a net zero company by 2050. This aspiration covers BP's greenhouse gas emissions from its worldwide retail operations, as well as the carbon in the oil and gas that it produces. BP's ambitions accord with the nationwide shift away from hydrocarbons to a net zero transport future, as confirmed and led by central government and enshrined in the national legislative and policy frameworks.
- 3.15. In this context, the proposed use of the site as a flagship EV charging facility is in line with, and is an integral facilitator of, central government's agenda to transition to low carbon transport systems (see the Section 8 of the Planning Statement for a full assessment of the principle of development, as supported by the local and national need for EV).
- 3.16. As stated in the above section, the site is previously developed land benefiting from connectivity to the A2 and its gateway location into Gravesend, the site is ideally located for BP's aspirations for an EV charging facility and associated amenity/sales building and ancillary petrol offer.
- 3.17. With its ultra-rapid charging offer providing 80% charge in circa 20 minutes (depending on vehicle type), and accessibility to the A2 and Gravesend, the proposed development would serve both a strategic need, catering to users of the A2, and a local need. The proposed amenity/sales building would provide an area for customers to rest and relax whilst their vehicle charges.
- 3.18. An ancillary petrol filling element is proposed to ensure the viability of the scheme whilst the nationwide shift to low emission vehicles gains momentum.

#### **4. Planning Policy, Development Plan and other Material Considerations**

- 4.1. Gravesham Local Plan Core Strategy (2014)
- CS01 – Sustainable Development
  - CS02 – Scale and Distribution of Development
  - CS07 - Economy, Employment and Skills
  - CS08 - Retail, Leisure and the Hierarchy of Centres
  - CS11 - Transport
  - CS12 – Green Infrastructure

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<sup>1</sup> <https://www.gov.uk/government/speeches/phasing-out-the-sale-of-new-petrol-and-diesel-cars-from-2030-and-support-for-zero-emission-vehicle-zev-transition>

- CS18 – Climate Change
- CS19 – Design and Development Principle
- CS20 – Heritage and the Historic Environment

#### Gravesham Local Plan: First Review (1994)

- Policy TC7: Other Archaeological Sites
  - Policy T1: Impact of Development on the Highway Network
  - Policy T2: Channelling of Traffic onto the Primary and District Distributor Network
  - Policy T3: Development Not Well Related to the Primary and District Distributor Network
  - Policy T4: Development Outside the Built-Up Area
  - Policy T5: New Accesses onto Highway Network
  - Policy P3: Vehicle Parking Standards
- 4.1.1. 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.
- 4.1.2. 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
- 4.2. National Planning Policy Framework (2024)
- Section 2 – Achieving sustainable development
  - Section 4 - Decision-making
  - Section 6 – Building a strong, competitive economy
  - Section 9 - Promoting sustainable transport
  - Section 11 - Making effective use of land
  - Section 12 – Achieving well-designed places
  - Section 13 - Protecting Green Belt land
  - 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

- KCC Development Contributions Guide (2007)
- Design for Gravesham: Design Code (2024);
- Gravesham Landscape Character Assessment (2009)
- SPG1 – Landscape Character (2006)
- SPG2 – Biodiversity Conservation (2006)
- SPG4 - KCC Parking Standards (2006).

## **5. Consultations and Publicity Responses**

- 5.1.1. External and Internal Consultee comments along with 3<sup>rd</sup> party comments received are contained within appendix 1.

## **6. Preliminary Matters**

- 6.1. Under regulation 6 of the EIA Regulations a developer can ask the planning authority to give an EIA screening opinion before any application for planning permission is made. The planning authority must respond to such requests within three weeks unless an extension is agreed.
- 6.2. A request for a screening opinion (20250932) was submitted by the developer on 23 September 2024 to the Council, in respect of an EIA Screening Opinion to determine whether a full planning permission for the demolition of existing buildings to provide an EV charging hub and petrol filling station, including 24 charging bays and supporting electrical infrastructure (12 charging upstands, three substations and two network cabinets), six pump islands with canopy above, a forecourt shop/amenity building, customer parking, two air and water spaces and associated hardstanding and landscaping, accessed from the Wrotham Road/eastbound A2 roundabout junction constitutes EIA development.
- 6.3. Upon review of the material supplied in association with the screening request from the applicant, plus other material that is mentioned in association with this screening opinion, the Council concluded that the proposed development is not EIA development. As such an EIA did not need be undertaken to accompany this planning application which reflects the development for which the opinion was sought and incorporates the proposed mitigation measures to address potential adverse effects of the development as set out in this screening opinion.

## **7. Planning Analysis and Head of Planning Comments**

- 7.1. The key issues are:
  - The principle of the development
  - The impact of the development with regard to Green Belt policy
  - The design, landscape and visual impact of the development
  - Amenity impacts on any nearby residential properties
  - Flood and Drainage
  - Ecology and Biodiversity
  - Sustainability
  - Highway impacts, access and parking

### Principle of Development

#### *Planning Policy Allocation*

- 7.2. As a starting point in the determination of this planning application consideration needs to be given as to whether the use as proposed, namely as an EV charging station with a conventional filling station and ancillary retail and café offer, are appropriate to this particular location and are policy compliant.
- 7.3. The site itself is within Gravesend, but falls within the Green Belt (and the Green Belt issues are examined in the next section of this report) and rural area as designated in the LPCS (2014). The site sits alongside the realigned A2 trunk road (adjacent to the east or coast bound slip from the A227). The Tollgate has previously performed a function of providing road side facilities (hotel, restaurant etc.) to the old line of the A2 when the site was on the south side of the A2 and accessed from the western (London) bound slip.

- 7.4. The site is not allocated for a specific use within the LPCS (2014), however the evidence published to support the emerging Local Plan has via the Draft Strategic Housing Land Availability Assessment (2020) identified that the site could be suitable for non-residential uses and within the Stage 2 Green Belt Study has identified that the site falls within parcel GR1. The associated text for this parcel sets out that it contributes moderately to checking the unrestricted sprawl of large built-up areas, has limited/no contribution to preventing neighbouring towns merging into one another, has relatively limited contribution to assisting in safeguarding the countryside from encroachment, has limited/no contribution to preserving the setting and special character of historic towns and has equal contribution to assisting urban regeneration, by encouraging the recycling of derelict and other urban land.

#### Need for EV Charging/Petrol Filling Station/Impact on Existing Businesses/Competition

- 7.5. Previous applications for a petrol filling station at the site attracted a significant amount of objections on the basis of the need for the development and the impact on the existing (Shell) petrol filling station to the north west.
- 7.6. The Secretary of State for Transport, when considering the Development Consent Order for the Lower Thames Crossing, specifically sought additional information from the promoters of Lower Thames Crossing (National Highways) in relation to rest and service area (RASA) provision, due to the loss of the Cobham RASA to the east of the Tollgate (London bound) In terms of lorry parking, National Highways advised the Secretary of State that lorries would be displaced to Moto Medway and other suitable locations. With the Lower Thames Crossing itself being capable of operating safely without the provision of a new RASA, however, in their response National Highways point out that the A2 corridor within Gravesham could be served by provision available at Tollgate e.g. Shell Tollgate<sup>2</sup>.
- 7.7. The Government releases data on the availability of EV<sup>3</sup> chargers, this illustrates that the number of publicly available chargers in the UK has gone from 2,283 in 2015, to 73,334 in 2025. With provision in certain locations i.e. London being better than elsewhere in the country with 250 chargers available per 100,000 people in London, compared to the England average of 111 chargers available per 100,000 people. In the South East this figure stands at 97 chargers per 100,000 people, and 62 chargers per 100,000 people in Gravesham. By comparison Dartford has 100 chargers per 100,000 people, and Medway 72 per 100,000 people. Clearly the provision within Gravesham is well below the South East and below the provision available in neighbouring areas.
- 7.8. In June 2019, the Borough Council passed a motion declaring a climate emergency, and recognising that action needed to be undertaken to prepare the Borough to become carbon net zero by 2030. This is reflected in the Borough's Corporate Plan as a commitment. The Council's Climate Change Strategy acknowledges the need for the Borough to reduce its carbon emissions, and recognises one of the means of doing so is by moving from ICE vehicles to EV vehicles. The delivery of this ambition requires a suitable EV charging infrastructure to be available in the Borough to residents, businesses and visitors.

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<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-006374-Applicant's%20Response%20to%20Secretary%20of%20State%20letter%20dated%2021%20May%202024.pdf>

<sup>3</sup> <https://www.gov.uk/government/statistics/electric-vehicle-public-charging-infrastructure-statistics-january-2025/electric-vehicle-public-charging-infrastructure-statistics-january-2025#regional-distribution-of-charging-devices>

- 7.9. The applicants have submitted two documents, Appendix 14 Operational Development of BP Pulse EV Hubs, and Appendix 15 EV Needs. Appendix 14 sets out that, "The provision of 24 charging bays, with an average charge time of 20 mins can provide Ultrafast charging for 72 vehicles per hour. The Society of Motor Manufacturers and Traders (SMMT) shows EV and hybrid car sales accounted for approximately 24.7% of vehicle sales in April 2024. For this to continue its upward trajectory, to address the UK's climate reduction targets it is imperative the necessary charging infrastructure is provided on the Strategic Road Network (SRN)." The SRN being referred to is the A2 corridor.
- 7.10. The evidence put forward in Appendix 15 sets out that an examination of the EV charging infrastructure in the A2 / A227 corridor, shows a dearth of facilities. With the provision of EV charging in Gravesham being insufficient, with Gravesham in the lower-level 20-40% of local authority areas for the provision of EV recharging facilities.
- 7.11. It is accepted that there are other filling stations for conventional fuels in close proximity to the proposed development, primarily at Morrisons (Coldharbour Road) and Shell Tollgate (Watling Street), with other facilities available elsewhere in the Borough e.g. Sainsburys Pepper Hill (Wingfield Bank). There may be some impact upon these existing retailers, however there is no basis in local or national policies for seeking to protect existing businesses from legitimate commercial competition.

#### *Retail Development/Use*

- 7.12. In respect of retail development policy the size of the retail element of the development is small with an internal floor area of approx. 450sqm and is ancillary to the specific use of the site for the charging of vehicles. A conventional ICE (internal combustion engine) vehicle takes significantly less time to refuel, compared to an EV vehicle. For example, it can take approx. 35 mins to add 100 miles of range to an EV vehicle using a 50kW rapid charger. Due to this, there is more of a requirement for waiting areas where refreshments/restrooms are provided.
- 7.13. The sales building is well below the threshold for the applicants to be required to undertake an impact assessment. The retail element, due to its size, is small and retail assessment at this scale would not be meaningful in an assessment of need for the development. It is not regarded as a main town centre use and therefore would not require a sequential appraisal to be undertaken.

#### *Hotel Need/Use*

- 7.14. The applicant's evidence on hotel need is set in Appendix 18. It is recognised by the applicant that the hotel ceased trading in 2006, due to being compulsory purchased as part of the A2 widening project. Prior to this time, the hotel had successfully operated as a 114 bedroom hotel with a restaurant, bar and meeting/conference facilities. Whilst there is demand for a hotel development within this location from potential operators, the previous hotel use ceased in 2006 and is not capable of resuming without significant work taking place. Any desire to utilise the site for a hotel whether through a new build, rebuild, or refurbishment would require any developer to obtain planning permission from the Council.

#### *Summary*

- 7.15. The NPPF indicates that there is a presumption in favour of sustainable development and highlights the Government's commitment to building a strong, competitive economy and that planning should not act as an impediment to sustainable growth (paragraph 11

of the National Planning Policy Framework 2024), albeit that the presumption in favour would not apply where adverse impacts would significantly and demonstrably outweigh the benefits or specific policies (such as Green Belt policy) which direct that development should be restricted.

- 7.16. In taking into account all of the above issues on balance it is considered that in principle the proposed use of the site as an EV charging station with retail and petrol offer adjacent to the A2 trunk road can be supported in this location subject to the Green Belt tests and any other material considerations discussed below.

The impact of the development with regard to Green Belt policy

- 7.17. The application site is located within the Metropolitan Green Belt.

- 7.18. Policy CS02 of the Gravesham Core Strategy 2014 states that:

*In the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. Development outside those settlements, including affordable housing and proposals to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan. The extent of the Green Belt is defined on the Policies Map. A strategic Green Belt boundary review will be undertaken Gravesham Local Plan Core Strategy Adopted September 2014 to identify additional land to meet the housing needs up to 2028 and to safeguard areas of land to meet development needs beyond the plan period, while maintaining the national and local planning purposes of the Green Belt.*

- 7.19. The Core Strategy states that the local purposes of the Green Belt will be maintained. Paragraph 4.2.7 of the document sets these purposes as being:

- to maintain the break in development between the eastern edge of Gravesend and the Medway Towns which is one of the few barriers preventing the further eastward sprawl of London and the merging of towns along the southern part of the Thames Estuary;
- to assist in safeguarding the countryside by minimising the expansion of the Borough's rural settlements; and
- to assist in concentrating development on underused, derelict and previously developed land in the urban area of Gravesend and Northfleet.

- 7.20. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 7.21. Paragraph 143 of the National Planning Policy Framework 2024 states that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 7.22. Paragraph 153 of the National Planning Policy Framework 2024 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness<sup>4</sup>. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.23. Paragraph 154 states that development in the Green Belt is inappropriate unless one of the exceptions set out at Paragraph 154 apply. The site is not in agricultural or forestry use, does not relate to outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, does not relate to an extension or alteration of a building, the replacement of a building, limited infilling in a village or limited affordable housing and therefore exceptions 154a-f are not applicable. Exceptions listed under 154 (g) and (h) are discussed below.
- 7.24. The development therefore initially stands to be assessed against paragraph 154 (g) which relates to:

*'limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.'*

- 7.25. In terms of paragraph 154 (g), the proposal would involve the complete redevelopment of previously developed land. The definition of previously developed land in annexe 2 of the National Planning Policy Framework 2024 is:

*'Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'*

- 7.26. The site includes permanent structures, and hardstanding which were lawfully developed, and the applicant is proposing to completely redevelop. The site can therefore be considered to be previously developed land, therefore an assessment needs to be made of the potential harm to the openness of the Green Belt to determine whether this development meets the exception of paragraph 154(g).

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<sup>4</sup> Other than in the case of development on previously developed land or grey belt land, where development is **not** inappropriate.

### *Impact on Openness*

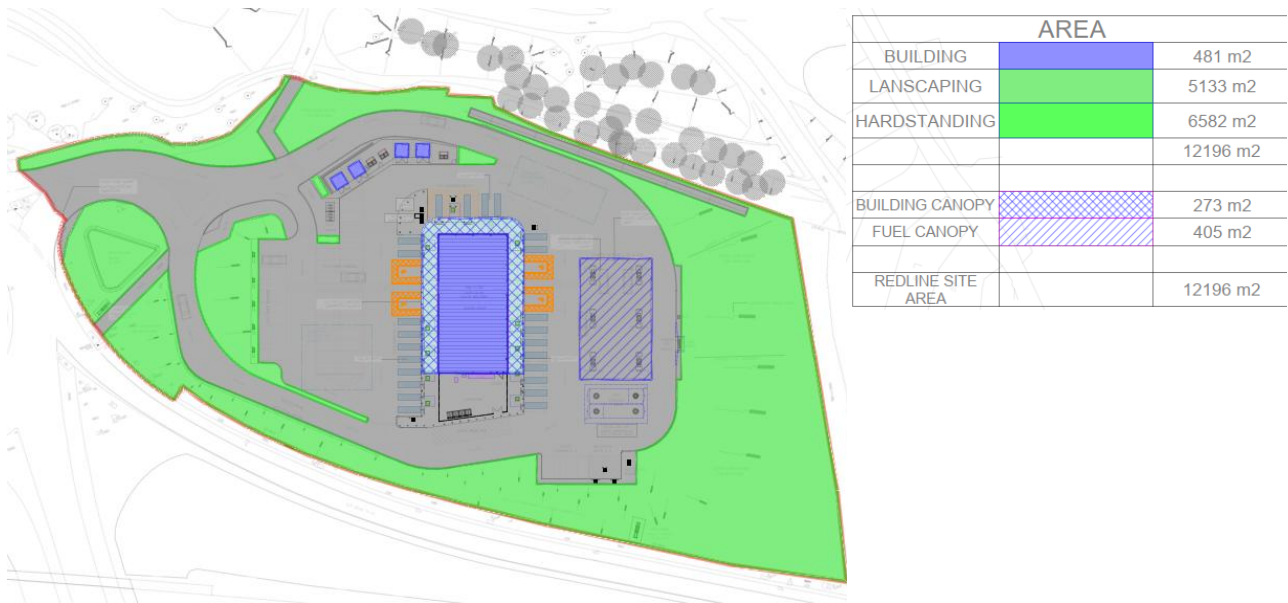
- 7.27. The NPPF states that, in order to meet paragraph 154(g) the proposed development must not cause substantial harm to the openness of the Green Belt. Openness has both visual and spatial aspects and is the state of being free from built development. The construction of built form in the Green Belt therefore will result in an impact to the openness, but whether that impact is greater or lesser on sites where there is already built development will be dependent on an assessment on a case by case basis. It is a different concept to “visual impact”. Although openness may be considered in a visual sense, the visual impact of a development in the Green Belt may be harmful through the siting, design and materials used. The presence of landscaping or screening may serve to mitigate the visual impact of a development including built development but there might still be an impact on openness. The intensification of the use of the site from increased noise, lighting, signage, litter etc. can also have an impact on openness.
- 7.28. The areas of the existing building, landscaped areas and hardstanding have been surveyed by the applicant and are shown below:



- 7.29. As can be seen below this corresponds with the aerial photo below from April 2024:



7.30. The proposed areas of the building, landscaping and hardstanding are shown below:



7.31. Overall, the change in the volume of buildings on the site is a reduction of 74.82% and the change in footprint is a reduction of 75.03%.

7.32. There is a slight increase in hardstanding from 6,533sqm to 6,582sqm.

7.33. Overall, the built form will be reduced by the proposed development and the difference in hardstanding is marginal. In terms of the visual impact the proposed buildings will not exceed approx. 5.5m in height which is significantly lower than the highest elements of the existing buildings on the site. The highest point of the original Tollgate Hotel building is 54.54m AOD, and the highest point of the wing elements is 55.25m AOD. Comparatively, the highest point of the proposed amenity building would be 48.0m AOD, reflective of both the lower build height of the proposed structure comparative to the existing hotel structures, and also the location of the proposed amenity building in an area of lower topography than the wing elements of the Tollgate Hotel.

7.34. As demonstrated above, and articulated within the Landscape and Visual Impact Appraisal (LVIA) provided by Huskisson Brown Associates, in terms of visual openness the proposed development has a clear and very positive benefit arising from the decrease in built form, as well as the increase of the area dedicated to landscaping, when compared to the site in its existing state. The photos below show the existing site and a computer generated image of how the site would look after one year:

Existing site (Viewpoint A):



Proposed site after one year:



- 7.35. As can be seen from the above the built form will be of a lower height than the existing and will be less sprawling across the width of the site. Beyond the first year the landscaping will mature further, and the site will become even less visible, from the A227 and the A2 slip roads.
- 7.36. The site is currently derelict and therefore bringing it back into active use, albeit as an EV charging station, will result in an intensification of the site. As mentioned above intensification is caused by increased noise, lighting, signage, litter etc.
- 7.37. In terms of lighting, the impact is assessed against the backdrop of the existing lighting, particularly, along the A2 and associated junctions. The boundary treatment and planting will aid in reducing the visibility of lighting from outside the site. The use of improved lighting technology will also aid in reducing the impact on the Green Belt. Noise, due to the location of the site adjacent to the A2, will not impact on the Green Belt in terms of intensification. Signage will be dealt with under advertisement consent legislation and waste collection can be controlled by condition.
- 7.38. All of these elements of the development can be controlled by condition to ensure they are acceptable in terms of openness and therefore no concerns are raised in this regard. Another result of the intensification of the site is the increase in traffic. The traffic generated by the proposed use would mostly comprise existing trips from vehicles already on the road network and within the Green Belt, either diverted from the A2 or passing to/from Gravesend. The activity generated by the proposed development is therefore de minimis in the context of the linked trips generated and the site's proximity

to the A2. This would not amount to a perceivable impact on openness of the Green Belt. The lighting assessment concludes that any impact of the proposed lighting scheme on the sense of openness of the Green Belt would therefore be diminished when compared to the site as vacant.

- 7.39. There are benefits from the development of the site largely the removal of the existing buildings which are falling into disrepair and improving the appearance of the site with fewer more modern buildings, structures and increased soft landscaping. The resultant development, due to the decrease in built form and reduction in height will improve the openness of the site and will be far less prominent and will have a positive impact on visual openness.
- 7.40. Part of the site will be returned to open landscape and new neutral grassland areas, mixed shrubs and areas of woodland planting. This will result in a total increase of 1,920m<sup>2</sup> of landscaping when compared to existing areas on the Site. In addition, semi-mature trees are proposed to the northern and southern boundaries of the site providing a beneficial visual contribution by both screening the development from view and adding to the verdant character of the site and immediate area.
- 7.41. In summary, the proposed development is considered to meet exception 154(g) of the National Planning Policy Framework 2024 as the development would be constructed on previously developed land and will not cause substantial harm to the openness of the Green Belt.

*The Local Infrastructure exception under paragraph 154(h)(iii)*

- 7.42. Notwithstanding that the proposal falls within the exception of paragraph 154(g), the applicants have also presented a case for meeting exception 154(h) (iii) of the National Planning Policy Framework 2024 which allows for local transport infrastructure that can demonstrate a requirement for a Green Belt location. The proposal which serves the Strategic Road Network and Local Road Network, is proposed in a location that is covered by Green Belt policy. In this regard they have provided evidence by way of an appeal decision (APP/C2708/W/23/3319925) where the Inspector clearly states that a petrol filling station with sales building in the countryside could be considered to form a facility for motorists capable of being transport infrastructure. Whilst it is accepted that the proposed development will serve vehicle trips on the Strategic Road Network, the proposed development will make a significant contribution to the provision of local EV charging infrastructure, in this regard the proposed development therefore could be defined as 'local transport infrastructure'.
- 7.43. In terms of demonstrating a requirement for a Green Belt location, the applicants have also demonstrated the need for the development within appendix 15 of the Planning Statement and have assessed this in terms of requiring a Green Belt location. This is essentially because of the position of the site adjacent to the A2 which happens to sit within the Green Belt that covers around 78% of the Borough.
- 7.44. To fall within this exception, development also is required to preserve its openness. Based on the assessment above, it is considered that this proposal would preserve Green Belt openness. above.
- 7.45. For these reasons it is also considered that the proposal would fall within this exception.

*Paragraph 155 of the National Planning Policy Framework 2024*

- 7.46. The NPPF at Paragraph 155 also adds that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of the following apply:
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
  - b. There is a demonstrable unmet need for the type of development proposed;
  - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
  - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below. *(As the proposal is not a major development involving the provision of housing on a site in the Green Belt, Paragraphs 156-157 do not apply).*
- 7.47. For completeness the applicant has provided a statement relating to paragraph 155 of the NPPF. This relates to Grey Belt. As the proposed development is considered to meet exception (g) and (h) (iii) of paragraph 154 it is not necessary to assess it against paragraph 155 however the applicant was asked to address this change to the NPPF in the event the application was not considered to meet any of the exceptions listed in paragraph 154. They submit that the that the land meets the definition of Grey Belt as the land does not contribute strongly to the purposes of the Green Belt listed in paragraph 143 (a), (b) and (d) and its release for development would not undermine the purposes (taken together) of the remaining Green Belt across the area of the local plan; the proposals meet and unmet need; and they are sustainably located.
- 7.48. The Council agrees that the development utilises Grey Belt land and does not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; that there is a significant demand for EV charging which can be considered an unmet need; that the site is in a sustainable location due to its proximity to road and bus networks and within walking distance of amenities; and is not required to meet the 'Golden Rules'. An exception under paragraph 155 does not require an assessment of the impact on openness of the Green Belt.
- 7.49. Therefore, the Council agrees with this assessment of paragraph 155 of the National Planning Policy Framework 2024 however, as noted above, the proposals also meet exceptions 154(g) and (h).

#### *Summary of Green Belt policy*

- 7.50. In summary, the proposed development of the site will re-use previously developed land which would not cause substantial harm to the openness of the Green Belt and therefore accords with exception 154(g) of the NPPF. The proposed redevelopment of the site would positively contribute to the openness of the Green Belt by:
- Reducing the footprint, volume and height of buildings
  - Increasing the area, and enhancing of, soft landscaping
  - Bringing back to use the derelict site, while incorporating all the above.
- 7.51. In addition to the above, the proposal relates to local transport infrastructure which can demonstrate a requirement for a Green Belt location which preserves the openness of the Green Belt and therefore accords with exception 154(h) (iii) of the NPPF.
- 7.52. Finally, the application site is located in the Grey Belt and is appropriate development that accords with paragraph 155 of the NPPF.

- 7.53. The proposed development therefore accords with Policy CS02 of the Gravesham Core Strategy 2014 and Section 13 of the National Planning Policy Framework 2024.

The design, landscape and visual impact of the development

- 7.54. Policy CS19 of the Gravesham Core Strategy 2014 states that new development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. The design and construction of new development will incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change.
- 7.55. Paragraph 135 of the National Planning Policy Framework 2024 states that planning decisions should ensure that developments are:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.56. The Design for Gravesham Design Code does not provide specific design guidance for EV charging or petrol stations however it does make clear that material and detailing choices play an important role in successfully translating a design from concept to reality and that the Council will seek to ensure materials are durable and robust; ensuring they function correctly and weather well over time. It also states that a selection of a limited palette of quality materials will reduce the need for junctions, abutments and flashing details which can increase the potential for weather damage or degradation. Red and yellow brick are found throughout Gravesham with red clay tiles, pebble dashing and white weatherboarding being popular in the 1960s/1970s.
- 7.57. The Design Code states that material variation is a direct expression of the character of a place and new developments must select materials that are sympathetic or complementary to the existing ones. The proposed design and use of materials has a more modern appearance than the existing buildings on site. There are no objections to more contemporary buildings which is the approach that has been taken with new developments close to the site such as the Travelodge, Toby Carvery and the

Cyclopark. A condition relating to materials is recommended to include, where possible, the reuse of materials that are currently on site.

- 7.58. In terms of hard landscaping material palettes should reinforce the character and place-making objectives of a place, whilst also responding to maintenance, budget and function and the size and extent of hard materials should be balanced with moments of greening through planting and trees to ensure a pleasant microclimate. Permeable surface finishes should be prioritised to help with drainage/surface water flooding.
- 7.59. Proposed lighting is also considered in the Design Code which states that proposed lighting must create a welcoming, safe and human-scale environment, must enhance architecture, must contribute to feelings of safety, be directed away from residential windows. Primary footpaths and amenity spaces should be adequately lit. Lighting should be designed to minimise light pollution, particularly near wildlife habitats, dark landscapes and nature conservation (discussed further in the ecology section).
- 7.60. A Lighting Impact Assessment has been prepared by Graham White Lighting Consultancy (GWLC) to inform and confirm the impact of the proposed lighting scheme. The Lighting Impact Assessment confirms that the scheme has been designed in line with best practise for visual performance, comfort and energy efficiency, and illuminance levels would be in keeping with relevant guidance. Furthermore, there will be no significant additional light pollution from the subject site, and there would be no harmful impact on the rural amenity or night sky cover above the existing baseline conditions.
- 7.61. The location of the site, at one of the main accesses in and out of Gravesend and Northfleet settlements, makes it highly prominent, and a key gateway to the settlements. The current development on site is in large part of a very poor visual appearance. The proposed development provides an opportunity to improve the site and the surrounding area. Conditions are recommended relating to materials and hard and soft landscaping. Subject to these conditions the proposed development accords with Policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2024.

#### *Landscape character and Visual Impact*

- 7.62. Policy CS12 states that the overall landscape character and valued landscapes will be conserved, restored and enhanced. The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs National Landscape and its setting.
- 7.63. Paragraph 187 of the National Planning Policy Framework 2024 states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and should recognise the intrinsic character and beauty of the countryside.
- 7.64. As summarised in the submitted Landscape Visual Appraisal, the site is not designated a 'valued landscape' and therefore merits being given no weight in the consideration of 'valued landscape' reference in the NPPF.
- 7.65. Paragraph 105 of the National Planning Policy Framework 2024 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails. The proposals do not affect any of the public rights of way and therefore no concerns are raised.

- 7.66. Paragraph 135 of the National Planning Policy Framework 2024 states that development should be visually attractive as a result in good architecture, layout and appropriate and effective landscaping.
- 7.67. The site lies within the Gravesham Fringe Landscape Character Area which is a linear character area that runs along the southern edge of Gravesend with an additional area that feeds into the urban edge and is encompassed by Gravesend suburbs. The majority of the character area is sandwiched between the urban edge and the realigned A2 trunk road and High Speed 1 (also known as the Channel Tunnel Rail Link).
- 7.68. Originally this area would have been part of the Istead Arable Farmlands, with the countryside abutting the southern edge of Gravesend and reaching in towards the town centre along the valley feature north of Tollgate but it has been cut off by the location of HS1 and the relocation of the A2. Whilst the site shares the physical characteristics of the countryside to the south, the influence of the urban edge and dominance of the infrastructure have been so great that it is appropriate to consider this as a separate character area.
- 7.69. The key characteristics are:
- Dominant settlement on urban edge of Gravesend
  - Very gently undulating topography rising from north to south
  - Small arable fields historically part of Istead Farmlands landscape
  - Man made golf course landscape acts as visual detractor
  - Limited tree cover mostly consisting of small clumps of non native tree material on golf course
  - Wire Fence lines and gappy native hedgerows
  - Landscape dominated by large roads, Channel Tunnel Rail Link and associated infrastructure
- 7.70. The condition of the landscape is considered poor and has many visual detractors including pylons, the A2, major road junctions and the HS1 line and various items of infrastructure. Major infrastructure also limits the ecological integrity of the area reducing its connectivity to the wider landscape. There is also a lack of vernacular architecture and traditional landscape elements means that the cultural integrity of the area is incoherent. The sensitivity of the site is moderate as the landscape elements are mostly dictated by road, rail or urban development and has a weak sense of place. The guidelines are to restore and create a new landscape identity and function appropriate to its urban edge location, consider ways to integrate new and existing development into the landscape using traditional landscape elements, improve design standards for new development in the area and consider ways to reduce the impact off visual detractors and infrastructure.
- 7.71. The existing site does not benefit from any significant landscaping and largely comprises buildings and hardstanding. Overall, the site has a poor visual appearance and there are significant opportunities for the enhancement of landscaping.
- 7.72. A Landscaping Plan has been prepared by Huskisson Brown Associates (drawing ref. HBA-664-001 Rev C), which has sought to maximise opportunities for soft landscaping and the creation of habitats across the site. The majority of the landscaping is proposed along the perimeter of the site, softening views of the site and improving the amenity and biodiversity value for the site itself. The landscaping strategy includes the provision of:

- 159sqm of retained and enhanced neutral grassland
- 1,088sqm proposed traditional orchard
- 1,398 sqm proposed woodland and shrub planting
- 484sqm proposed native mixed scrub planting
- 1,571sqm proposed native hedgerow
- 981sqm proposed neutral grassland
- 146sqm proposed ground cover planting with climbers to green gabion wall
- 381sqm proposed sedum roof
- 674 sqm proposed mown grass strip
- 90sqm proposed infiltration basin vegetation
- 57 proposed native trees

7.73. In addition to this the applicant has provided a landscape visual assessment of the site from 9 key sites. Viewpoint C taken from the east of the site shows an example of how the site will change:

Existing (Morrisons in the background):



Proposed (year 1)



Proposed (year 15):



7.74. Viewpoint A (shown in the 'Openness' Section of this report) is where the site is most visible and demonstrates how the appearance of the site will be improved by the proposed development due to the reduction in built form and scale of development.

- 7.75. The landscape strategy for the redeveloped site includes creating a new landscape identity having regard to its gateway location and the integration of the redeveloped site in the surrounding landscape by means of introduction of landforms and planting. In the event of planning permission being granted a condition is recommended that a detailed scheme of hard and soft landscaping is submitted to and approved in writing by the local planning authority.
- 7.76. The application plans show a development that introduces a palette of materials that reflect nearby buildings within the wider landscape and introduces landscape elements where there are currently none such as new tree planting and soft landscaping to provide a green buffer, restricting views to the site and improving the biodiversity value of the site itself. The development will sit comfortably within the landscape due to the slope of the land and the minimal visibility from the surrounding area and the reduction in built form. The proposed scheme would bring a disused site back into use replacing an unattractive and derelict site with a modern electric vehicle charging facility with reduced built form. Overall, the proposed use and appearance of the site will enhance what is currently on site in landscape terms and, subject to conditions, accords with Policy CS12 of the Gravesham Core Strategy 2014 and paragraphs 105, 135 and 187 of the National Planning Policy Framework 2024.

#### *Heritage and Townscape*

- 7.77. A Heritage Impact Assessment has been prepared by the Environmental Dimension Partnership Ltd (EDP) to consider the heritage interest of the existing buildings on site.
- 7.78. None of the buildings are statutorily listed or locally listed or considered to be non-designated heritage assets, within proximity to designated or non-designated heritage assets, or within a conservation area. The Heritage Impact Assessment has assessed the existing buildings on site to establish their heritage significance. The Tollgate was built in 1920 and the assessment concludes that it has no artistic or archaeological interest.
- 7.79. The existing buildings are of little heritage interest which is insufficient to warrant status as a 'non-designated heritage asset'.
- 7.80. It is therefore considered that the proposed development is acceptable in this regard, and compliant with local plan policy CS20 of the Gravesham Local Plan and Chapter 16 of the NPPF (2024).

#### *Archaeology*

- 7.81. The site is located within a designated area of archaeological potential. The Environmental Dimension Partnership Ltd has prepared a desk based archaeological assessment. The assessment presents the existing data about the site and the surrounding area. It is noted that past development is likely to have impacted some below-ground deposits, reducing the potential significance of any remains. However, as it noted in the desk-based assessment, there is the potential for burials in this area and they, by their nature, are relatively small and discrete and could survive within the site.
- 7.82. Groundworks, associated with the proposed development, may impact negatively on any surviving below-ground archaeological remains within pockets of undisturbed ground at the site and therefore to understand the potential and allow for an informed decision on appropriate mitigation, a condition is recommended that the applicant secures the implementation of archaeological field evaluation works in accordance with

a Written Scheme of Investigation and timetable that is submitted to and approved in writing by the Local Planning Authority and, following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

- 7.83. Subject to this condition the application adheres to the objectives of Policy CS20 of the Gravesham Core Strategy 2014 and saved Policy TC7 Of the Gravesham Local Plan 1994.

Amenity impacts on any nearby residential properties

- 7.84. Policy CS19 of the Gravesham Core Strategy 2014 states that new development will be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land; avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination; and not pose an unacceptable risk or harm to the water environment, including the quality and/or quantity of ground waters, surface waters, wetlands and coastal water systems.
- 7.85. Paragraph 135f of the National Planning Policy Framework 2024 states that planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

*Neighbouring Amenity*

- 7.86. The site is well contained and sufficiently separated from the urban area with the nearest residential property being some 60m away which is a sufficient distance to ensure no detrimental impact in terms of loss of privacy, outlook sunlight or daylight.

*Noise/Acoustics/Disturbance*

- 7.87. An Acoustic Assessment was undertaken by Sharps Redmore Partnership Limited and submitted in support of the planning application. The report assesses the predicted noise levels of key functional elements of the proposed development against the existing background noise levels and standard guideline levels, including at noise sensitive receptors during both day and night.
- 7.88. In summary:
- The predicted noise levels associated with the forecourt activity would be below existing ambient noise levels and below guideline levels at both day and night.
  - The predicted noise levels associated with delivery activity would fall significantly below existing background levels at both day and night, with maximum levels below the recommended guidelines for sleep disturbance.
  - There is no noise anticipated from fuel deliveries, and therefore no harm would be caused to residential amenity during the day or night.
  - Plant specifications have not yet been made. However, given the identified background noise levels, it is suggested to limit plant rating sound levels to 51dB during daytime and 50db at night in the interested of protecting neighbouring residential amenity. It is recommended that such details are secured by condition.

- The predicted noise levels of the proposed EV charging stations when used simultaneously would be negligible.

- 7.89. In consideration of the above, the proposed development could operate, including receiving deliveries at any time during the daytime and night, without impacting residential amenity in regard to noise disturbance.
- 7.90. The noise levels of plant/equipment, at this stage, is unknown however plant noise should not be set equal to existing background noises and should be 10dB below existing background noise levels when taken in accordance with BS4142. This can be controlled by condition.

#### *Lighting*

- 7.91. Lighting can impact on the landscape, amenities and biodiversity. In terms of amenities, the submitted lighting assessment raises no concerns with regards to lighting on the amenities of nearby residents due to the level of lighting proposed, back drop of existing lighting and the distance these properties are from the application site.

#### *Air Quality*

- 7.92. An Air Quality Assessment has been prepared by Wardell Armstrong LLP that assesses the impact of the proposed development in relation to dust and particulate matters arising during the construction phase, and road traffic emissions arising during the operational phase.
- 7.93. The Air Quality Assessment confirms that the proposed development would not give rise to an unacceptable risk from air pollution, or to any breach in national objectives. Further, it must be recognised that a key driver of the development will be to assist in the shift from internal combustion vehicles to electric vehicles, which in itself will bring benefits in air quality.
- 7.94. The methodology and findings of the report are accepted and indicate that there is no air quality reason to object to the development.
- 7.95. The proposed development therefore accords with Policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2024 with regards to amenity.

#### Flood and Drainage

- 7.96. A Flood Risk and Drainage Assessment has been undertaken by Weetwood which has been informed by extensive consultation with the Environment Agency and Kent County Council as the Lead Local Flood Authority.
- 7.97. The site is within flood zone 1 and has low risk of flooding from surface water and from ground water. There is a public sewer present within the vicinity of the site and all manholes are foul only therefore it is assumed that surface water runoff from impermeable surfaces at the site discharges to the ground. It is proposed to dispose of surface water by infiltration to the ground. Attenuation storage will be provided to store water that runs off from impermeable areas. This approach is acceptable, and conditions are recommended to ensure a detailed sustainable surface water drainage scheme for the site is submitted prior to development commencing. This shall demonstrate that surface water generated from the development can be disposed of without increase to flood risk. A condition is also

recommended that a verification report demonstrating compliance with the scheme is submitted before the site is brought into use.

- 7.98. The site is within the Zone II – Outer Protection (SPZ2) designated groundwater source protection zone. Pollution control measures are specified within the Flood Risk and Drainage Assessment to mitigate the potential hazard on site associated with the petrol filling stations element of the proposal. The measures are considered acceptable, and a condition is recommended to ensure a strategy to deal with the potential risks associated with any contamination of the site is submitted to and approved in writing by the Local Planning Authority and a further condition that a verification report is submitted demonstrating the completion of works in accordance with the strategy.
- 7.99. In terms of ground conditions, no sources of potential contamination (past or present) were found on site and no viable pollutant linkages were identified. A contamination condition is recommended to ensure a strategy to deal with potential risks associated with contamination is submitted prior to the commencement of development.
- 7.100. Two underground fuel tanks are proposed beneath the petrol filling station element of the site. The impact of the proposed development on groundwater and how the proposed development meets the overriding reasons tests as set out in the Environmental Agency (EA) position statement D2 policy document ('The Environment Agency's approach to groundwater protection' February 2018 Version 1.2), is required to be assessed to ensure there would be no undue impact on SPZ2.
- 7.101. An Appraisal of Risks Associated with New Fuel Tank Installation has been prepared by Subadra to assess the potential impact of installing the underground fuel storage tanks.
- 7.102. The EA's position statement D2 states that the EA will agree to underground storage of hazardous substances in principal and secondary aquifers outside SPZ1 where there is overriding evidence as to why:
- a) the activity cannot take place on unproductive strata, and
  - b) The storage must be underground (for example public safety), in which case the risks should be appropriately mitigated.
- 7.103. Confirmation that there are no other available sites on unproductive strata is required to demonstrate the need for below-ground tanks.
- 7.104. As identified within Subadra's Assessment:
- The use of above ground storage tanks at the site is not considered feasible or necessary, based on a range of potential health and safety, viability and possible pollution risk concerns, provided the necessary engineering controls, as specified in Section 3 of Appraisal of Risks Associated with New Fuel Tank Installation, are adopted;
  - The proposed petroleum installation is considered to represent the current best industry standard as described within 'Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations', APEA/EI, 4th Edition, April 2018 (also known as the Blue Book), and with the appropriate and relevant British and European standards for tanks, monitoring systems, lines and pumps. This type of below ground fuel storage system (using double skin monitored tanks) has been used for the last 40 years across Europe without any recorded incidence of loss of product;
  - The proposed petroleum installation is considered appropriate for a site located within a groundwater Source Protection Zone II in accordance with EA guidance, for the protection of groundwater in the relevant site setting.

- 7.105. It has therefore been demonstrated that the proposed development meets the overriding reason tests set out in position statement D2 of the EA. Subject to relevant conditions, the Environment Agency have removed their objection to the application.
- 7.106. The proposed development therefore accords with Policy CS18 of the Gravesham Core Strategy 2014 and Section 14 of the National Planning Policy Framework 2024.

#### Ecology and Biodiversity

- 7.107. Policy CS12 states that sites designated for their biodiversity value will be protected. The site is not designated but does have some biodiversity value and is close to a Biodiversity Opportunity Area. The policy goes on to say 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, in particular within the Biodiversity Opportunity Areas shown on the Strategic Green Infrastructure Network map and within new development.
- 7.108. Paragraph 187 (d) of the National Planning Policy Framework 2024 states that planning decision 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.
- 7.109. Paragraph 193 says that when determining applications, local planning authorities should apply the following principles:
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
  - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
  - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>70</sup> and a suitable compensation strategy exists; and
  - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 7.110. An Ecological Impact Assessment, including Biodiversity Net Gain calculations, has been undertaken by Eco Tech Ecological Consultancy and submitted in support of this planning application. The Ecological Impact Assessment considers the likely impacts of the proposed development on biodiversity, including both the impact on existing biodiversity, and impact post-development.

- 7.111. The Assessment found all existing habitats on site to be of negligible value for vascular plant species, invertebrates, great crested newts, reptiles, bats, badgers and birds. The site may be home to hedgehogs however their habitat would only be lost during construction and negated by the provision of additional landscaping. Hedgehog houses and fences with gaps for hedgehogs are proposed.
- 7.112. The surveys of bats found no evidence of bats emerging from or re-entering any buildings during surveys. The overall site for local bat populations is negligible and therefore the redevelopment of the site is unlikely to impact bats or their roost sites either directly or indirectly.
- 7.113. The site consists mostly of hardstanding and Ruderal/Ephemeral vegetation of low ecological value. The habitats with more ecological value (Other Neutral Grassland in the northwest and Broadleaved Woodland to the southeast) are proposed to be retained and enhanced or extended. There is a lack of suitable features for most protected species and, for those potentially on site, appropriate precautionary approaches have been proposed.
- 7.114. Three out of the four buildings have moderate potential for roosting bats but no bats were observed emerging from or re-entering the buildings. All three trees were considered to have negligible potential to support a roost. The County Ecologist is happy with this assessment and, as the site is deteriorating, recommended that a condition is imposed to ensure, if works have not commenced within a year, another Preliminary Roost Assessment will be required to determine if the building value for roosting bats has increased and if further bat surveys will be required.

#### *Lighting*

- 7.115. In terms of ecology, the submitted lighting information demonstrates that there will be no significant additional light pollution from the site due to the current levels of lighting by roads surrounding the site. A condition is recommended that the development is built in accordance with the submitted lighting details and any changes must be submitted and approved in writing by the Local Planning Authority.
- 7.116. The proposed mitigation for breeding birds and hedgehogs are sufficient. A condition is recommended that the precautionary mitigations set out in section 5.3 of the EclA shall be secured within a Construction Environment Management Plan. The condition shall include the following bullet point:
- 7.117. Inclusion of section 5.3 of the Ecological Impact Assessment (Eco Tech Ecological Consultancy, September 2024), which covers the precautionary measures for Breeding Birds and hedgehogs.

#### *Biodiversity Net Gain*

- 7.118. Under the Environment Act 2021, all planning applications for major development (unless exempt) submitted on or after 12 February 2024 in England, will have to deliver at least a 10% biodiversity net gain. It is a requirement for minor applications submitted on or after the 2 April 2024.
- 7.119. The statutory BNG metric shows that the proposals will result in a combined on-site and off-site net change of 0.50 habitat units and 0.68 hedgerow units. The Biodiversity Net Gain Metric 4 confirms that the site would provide a 14.81% net gain in habitat units on site. This is above 10% and is acceptable.

7.120. The loss of habitat is proposed to be mitigated by the off-site enhancement of the adjacent Other broadleaved woodland and Other neutral grassland under the applicant's control. The enhancements are to bring the condition of both habitats from moderate up to good. The proposed habitat condition can be achieved within the required 30-year management period and the details of the proposed habitat enhancements must be included in the habitat creation and management plan.

7.121. Once planning permission is granted the applicant will need to submit a biodiversity gain plan form along with supporting information to demonstrate in more detail how the proposed biodiversity net gain will be delivered. The plan must include:

- 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.

7.122. To ensure measurable net gain can be achieved the management plan shall include a species list of native plants. The following condition is recommended:

*Within 3 months of works commencing within the site a habitat creation and management plan must be submitted to the LPA for written approval. The plan must include the following:*

- *Details of habitats currently on site*
- *Aims and objectives of the creation and management plan*
- *Plan of the habitats to be created*
- *Management requirements to create/enhance habitats on site.*
- *Overview of long term management requirements*
- *Rolling 5 year timetable to implement long term management*
- *Details of who will be responsible for implementing long term management*
- *Details of how it will be funded.*

*The plan must be implemented as approved.*

7.123. Ecological enhancements are not considered as part of a measurable net gain however enhancement features shall be incorporated into an enhancement plan within the red line and therefore the following condition is recommended:

*Within three months of works commencing, detailed plans showing how the development will enhance and maintain biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include details of integrated bat and bird bricks and/or durable boxes, log piles, hibernacula, and hedgehog homes and holes in close board fencing. The approved measures will be implemented and retained thereafter.*

#### *Trees and Ecology*

7.124. The site contains some vegetation including a number of trees within and adjacent to the site none of which are protected by a Tree Preservation Order.

7.125. Overall, the proposed development would have a minimal impact on the existing trees on and adjacent to the site, and the proposal has sought to minimise loss of existing trees where possible. Furthermore, the loss of those trees requiring removal to facilitate the

proposed development would be mitigated through ample tree planting consisting of semi-mature trees to the northern and southern boundaries of the site providing a beneficial visual contribution by both screening the development from view and adding to the verdant character of the site and immediate area and landscaping across the site, which would improve the amenity of the site when compared to the existing situation. This approach is considered acceptable and a condition is recommended that the trees shown on the plans to remain shall be protected and any tree lost shall be replaced.

- 7.126. The proposed development therefore accords with Policy CS12 of the Gravesham Core Strategy 2014 and paragraphs 187 and 193 of the National Planning Policy Framework 2024.

#### Sustainability

- 7.127. Policy CS18 of the Gravesham Core Strategy 2014 confirms that the Council will seek to reduce the overall carbon footprint of the Borough. Paragraph 161 states that the planning system should support the transition to net zero by 20250 and paragraph 164 of the National Planning Policy Framework 2024 states that new development should be planned to help to reduce greenhouse gas emissions.
- 7.128. Based on the location and the nature of the business, the site will not generate a significant amount of new trips to the road network as it will be mostly used by those already undertaking trips.
- 7.129. BP Pulse are committed to supporting the transition to a net zero future and are actively engaged in the development and implementation of publicly available EV charging infrastructure. BP Pulse are actively rolling out the maximum number of EV charging points nationwide in their effort to facilitate the take up of EV vehicles in place of traditional combustion engines.
- 7.130. The proposed development has been designed to:
- Reduce demand for energy where possible;
  - Ensure energy is used efficiently; and
  - Supply energy from certified renewable energy sources.
- 7.131. Throughout the construction phases sustainable initiatives will be employed such as the recycling of waste where possible, employment of local people to reduce carbon footprint and the implementation of a stringent pollution prevention policy where water use and consumption is strictly monitored. The selected contractor will have a certification as a Carbon Reduced Organisation by the Carbon Footprint Standard.
- 7.132. The following measures have also been incorporated into the design to reduce the environmental impact of the development:
- The amenity/sales building has been designed to maximise use of natural daylight whilst ensuring the building is thermally efficient. The building will incorporate energy efficient lighting fixtures and promises efficient ventilation and other service functions to help minimise heat loss.
  - The amenity/sales building incorporates a sedum roof, in the interest of improving biodiversity on site.
  - PV panels are proposed on the canopy covering the petrol filling element.
  - The drainage hierarchy has been followed, and the proposed drainage strategy prioritises infiltration as the preferred SuDs measure. An attenuation basin is proposed that has added

biodiversity benefits.

- A landscaping plan has been prepared which demonstrates a substantial improvement in the provision of soft landscaping and new trees across the site.
- The development would achieve a BNG of 14.81%.
- Cycle parking is provided and the proposal would link to existing cycle and pedestrian paths, ensuring employees and visitors can access the site using alternative sustainable transport modes.
- Use of water efficient taps and low flush toilets, which reduce water usage.
- Waste recycling facilities, both for customers and commercial waste and a dedicated bottle return scheme.
- The energy used to power the chargers will be REGO (Renewable Energies Guarantee of Origin)-backed.

7.133. The proposed development therefore accords with Policy CS18 and Section 14 of the National Planning Policy Framework 2024.

#### Highway Impacts, Access and Parking

7.134. The site is located to the north of the eastbound entry slip road to the A2 with access provided by a dedicated arm off the A227 Wrotham Road A2 eastbound slip road roundabout and is immediately south of the Urban Development Boundary of Gravesend. The nearest train station is Gravesend Station 1.8 miles to the north of the site.

7.135. There are existing cycle and pedestrian paths within close proximity to the site, providing access to the urban area of Gravesend and Northfleet to the north. The existing site is covered by extensive hardstanding (6,688 sqm) which would have accommodated car parking associated with the hotel use.

7.136. Policy CS11 of the Gravesham Core Strategy 2014 states:

*New developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Transport assessment work is required to be undertaken in accordance with national and local policy guidance, and to identify detailed highway and public transport network requirements and management arising from the development.*

7.137. Sufficient parking in new development will be provided in accordance with adopted parking standards.

7.138. Saved Policies T1-T5 of the Gravesham Local Plan 1994 relate to the impact on the transport system and access to the highway and Policy P3 relates to the adopted vehicle parking standards.

7.139. Paragraphs 109, 110, 115 of the National Planning Policy Framework 2024 are also applicable and relate to the impact of development on the highway network, identifying opportunities for walking/cycling and public transport use, environmental impacts, suitable locations for development and parking.

7.140. An assessment of the impact of traffic generated by the proposed use has been undertaken by Markides Associates (see Transport Assessment), the methodology and calculations of which were agreed with both Kent County Council Highways and Transport and National Highways through the course of multiple pre-application discussions.

- 7.141. The proposed development includes retention of the existing vehicular access to the site, which comprises a dedicated arm of the A227 Wrotham Road / A2 eastbound slip road roundabout. The access road would be widened to between 5.5m and 6.2m to ensure larger vehicles can access the site.
- 7.142. The layout that allows vehicles to traverse through the site and arrive at either the petrol filling pumps or EV charging facilities with ease, whilst allowing vehicles to circle back around the site without exiting the site, should either element be fully occupied at the time of their arrival. The proposal's layout has been designed to allow for efficient site circulation, and to ensure there is no negative impact on the highway network adjacent to it.
- 7.143. The layout of the EV bays is such that it optimises opportunities for users to find available bays through development of a circular flow of traffic.
- 7.144. In addition to the 24 EV charging bays, 12 petrol filling pumps and two dedicated air/water bays, 41 parking bays are provided (including 4 bays for staff and 4 dedicated disabled bays). This parking allows customers seeking to utilise the amenity shop to do so and provides space for customers waiting for an EV bay.
- 7.145. Six covered cycle parking spaces will be provided for staff and visitors to the site, with sufficient space around the site for future expansion, as needed. Given the nature of the use and number of staff required at any one time (between 8 and 10), it is considered that this level of parking is suitable.
- 7.146. Swept path analysis confirms that all servicing vehicles, including refuse, delivery and fuel tankers, can comfortably navigate the site.
- 7.147. Trip generation and traffic flows have been assessed drawing on data from comparable EV schemes, and the proposal's impact on the existing highways network. The Transport Assessment summarises that the proposed development would not have an undue highways impact and this view is shared by the county highway authority and National Highways. The proposal is therefore acceptable in transport terms.
- 7.148. National Highways (NH) initially raised objections to the scheme due to concerns regarding the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN), in particular within the vicinity of the A2. The applicant undertook further work to address the concerns raised which resulted in National Highways removing their objection. The applicants however are required to provide the following and this can be controlled by condition:
- The implementation of the improvement scheme identified for the A227 Wrotham Road/A2 Roundabout (westbound off-slip as shown in approved drawing ref: 22052-MA-XX-DR-C-0102 P07 in the Stage 1 Road Safety Audit Response Report (29 August 2025), is completed and open to traffic.
  - The submission of a Construction Environmental Management Plan.
  - Proposals for managing geotechnical risk in accordance with Design Manual for Roads and Bridges (DMRB) CD622.
  - No surface water to run-off from the development onto the Strategic Road Network.
  - External lighting to be installed as shown on the plans and to remain in a downwards facing position.

### *Details of a signage strategy.*

- 7.149. Kent County Council (KCC), as the highways authority, made comments that the pedestrian link between the southbound bus stop on Wrotham Road north of the underpass is poor and proposals to improve that link for staff should be submitted. KCC have requested an improvement to visibility splays which can be controlled by condition. The parking shown to be provided is acceptable and this can be secured by condition.
- 7.150. Concerns were raised that the transport modelling did not take into account the Coldharbour Road development. Proposed traffic signal works on the southern roundabout were required as a Condition (34) of the Coldharbour Road residential development (20141214) and have still not been undertaken even though the trigger for implementation has been passed. Further modelling of both scenarios was undertaken and no objections were raised. The improvements that are outstanding from the Coldharbour Road development have not been delivered, but the Council's Planning Enforcement team are liaising with National Highways and the applicants for the Coldharbour Road development to overcome this.
- 7.151. As KCC, in their response, were happy to suggest conditions if the objections from National Highways were overcome they were not consulted again on the additional information once NH removed their objection.
- 7.152. In addition to matters raised by National Highways and KCC Highways, the Council's Senior Economic Development Officer has raised concerns about the proposal limiting the ability of businesses elsewhere in the urban area, being able to bring forward other development that may bring forward beneficial economic benefits through the delivery of commercial floorspace that serves the needs of local business and residents. There is no policy support at a local or national level for refusing development on such grounds, it should be noted that the modelling undertaken to support the highways evidence would take into account existing commitments, as required to by transport modelling guidelines. As such this proposal would not hinder the delivery of other committed sites, any new commitments (i.e. development proposals) would be required to demonstrate that they do not cause harm to the local or strategic road network, as per the relevant guidance adopted and utilised by the relevant highway authorities.

### *Parking*

- 7.153. 33 parking bays, four disabled parking bays and four staff parking bays (41 in total) are proposed and this provision is considered acceptable.
- 7.154. Subject to the above conditions, the proposed development accords with Policies T1-T5 and P3 of the Gravesham Local Plan 1994, Policy CS11 of the Gravesham Core Strategy 2014 and Section 9 of the National Planning Policy Framework 2024.

### Equalities Considerations

- 7.155. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.156. In summary, the Council must, in the exercise of its function, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct

- prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and persons who do not share it.

7.157. The Council is therefore duty bound to consider decisions that have a disproportionate adverse impact on a protected characteristics, even if this impacts may be unintentional. This may involve an understanding of the practical impact on individuals affected by the decision. Regards should be had to the effect of mitigation taken to reduce any adverse impact. PSED is only one factor that needs to be considered when making a decision and may be balanced against other relevant factors.

7.158. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

7.159. The planning issues set out above do include factors that relate specifically to the equalities categories set out in the Act, however, the site has not been accessible to any individual or group for sometime, therefore it’s loss to an alternative use would not disproportionately harm any particular group, including those with a protected characteristic. The provision of an EV charging and conventional fuelling station together with associated facilities takes into account protected characteristics, in particular those with a disability. With provision specifically made for disabled users. On this basis it is considered that the requirements of the Act are met.

### Human Rights Act

7.160. In coming to this recommendation/decision consideration has been given to the rights set out in Article 8 (Right to Privacy) and Article 1 of the First Protocol (Right to Peaceful Enjoyment of Possessions) of the European Convention on Human Rights.

## **8. Conclusion**

8.1. Section 38(6) of the Planning and Compulsory Purchase Act provides that planning decisions should be in accordance with the development plan unless material considerations indicate otherwise.

8.2. It is recommended that the proposed demolition of existing buildings to provide an EV charging hub and petrol filling station, including 24 charging bays and supporting electrical infrastructure (12 charging upstands, three substations and two network cabinets), six pump islands with canopy above, a forecourt shop/amenity building, customer parking, two air and water spaces and associated hardstanding and landscaping, accessed from the Wrotham Road/eastbound A2 roundabout junction is GRANTED planning permission, subject to conditions.

8.3. The proposed development is considered appropriate within the Green Belt by virtue of meeting the exceptions listed in paragraph 154 (g) and (h) of the National Planning Policy Framework 2024.

- 8.4. The proposed development will result in a considerable reduction of built volume on the site and a slight increase in hardstanding. Overall, there will be a positive impact on the openness of the Green Belt.
- 8.5. Notwithstanding this, the application site is also considered to be located within the Grey Belt where development is not considered inappropriate and where the matter of openness does not need to be considered. The development will have no detrimental impact on the character and appearance of the area or the wider landscape and will improve a site that has become run down and unattractive in recent years and therefore accords with the Gravesham Landscape Character Assessment, Policies CS12 and CS19 that seek to ensure that new development conserves the overall landscape.
- 8.6. The proposed development will have no detrimental impacts on neighbouring amenity in terms of loss of outlook, privacy, sunlight, daylight, noise or lighting and therefore accords with Policy CS19 of the Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2024).
- 8.7. Any impact on environmental issues and ecology can be satisfactorily mitigated by the imposition of relevant conditions and therefore development accords with Policy CS12 of the Gravesham Core Strategy 2014 and Section 15 of the National Planning Policy Framework 2024.
- 8.8. The proposal would not result in an unacceptable risk to ground water conditions and is in accordance with Policy CS19 (LPCS) and paragraph 187 (e) and 198 of the NPPF (2024).
- 8.9. The proposed development, subject to conditions, will have no detrimental impact on the wider road network and provides sufficient parking for customers and staff alike. The proposed development is within a sustainable location and is considered to meet the requirements of paragraph 110 and 115 of the NPPF (2024) and Policies CS01, CS02 and CS11 (LPCS) 2014. The proposal would comply with Policy T1 of the Gravesham Local Plan: First Review (1994), which seeks to mitigate the adverse impact of development on the highway network.
- 8.10. The proposal is therefore considered to accord with the Development Plan when read as a whole, whilst taking into account material considerations, in this instance the NPPF Dec. 2024 and notably Section 13. Protecting Green Belt land, given Policy CS02 specifically states that development proposals in the Green Belt must be compatible with national policies for protecting the Green Belt and policies in the Local Plan Core Strategy.
- 8.11. Subject to planning conditions, the proposed development is recommended for approval.

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### **Recommendation**

That the application be DELEGATED to the Head of Planning to grant Planning PERMISSION subject to the finalisation of planning conditions (including making any necessary modification, deletion or addition to the proposed conditions).