
SUMMARY REPORT

Application Ref:	20250167
Site Address:	Milton Place Car Park, Gravesend, Kent, DA12 2RJ
Application Description:	Construction of 76 dwellings and associated infrastructure.
Applicant:	Gravesham Community Investment Partnership
Agent:	Miss Kate Holland, Invicta Planning
Ward:	Town
Parish:	Non-Parish Area
Decision due date:	30 May 2025
Publicity expiry date:	4 April 2025
Decision Level:	Planning Committee
Reason for referral:	GBC Housing Application
Recommendation:	Delegate the application to the Head of Planning to grant planning permission subject to the finalisation of the internal layout for the Lewis property type, finalisation of planning conditions (including to make any necessary modification, deletion or addition to the proposed conditions) and completion of S106 legal agreement.

Summary of Reasons for Recommendations

The proposed scheme is for the construction of 76 dwellings, consisting of 61 apartments and 15 dwellings, with associated infrastructure and open space improvements.

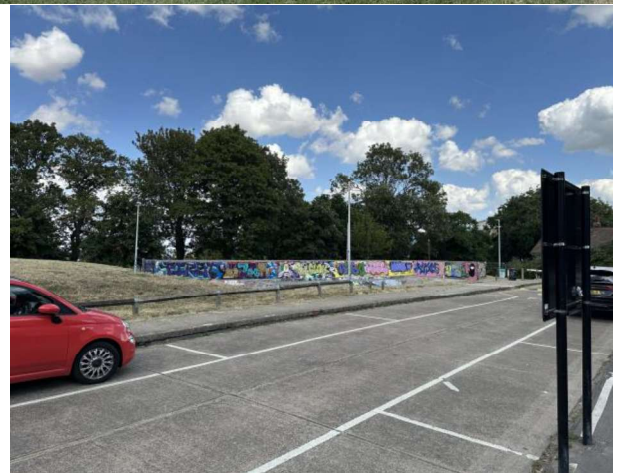
In order to be positive and proactive, during the course of the application the Local Planning Authority have worked with the applicant to refine the proposal to ensure that it is in accordance with local and national planning policy.

Subject to the finalisation of the internal layout for the Lewis property type, planning conditions and completion of the S106 legal agreement, the proposal is considered to comply with the Development Plan and material considerations, which includes the NPPF.

The recommendation is for approval, as set out above.

MAIN REPORT**1. Site Description and Surroundings**

- 1.1. The application site consists of the former BT Depot (car park), Milton Place carpark, the Ordnance Road open space including skatepark, and a layby offering additional parking spaces. Whilst the skate park is included within the redline of the application, no changes are proposed to the skate park itself.



- 1.2. To the north lies New Tavern Fort, Gravesend, including Milton Chantry (a Scheduled Ancient Monument), the Riverside Leisure Area and Gordon Gardens, a public green space providing recreational opportunities for residents and riverside promenade with play space and cafe. This is bordered by a number of mature trees. Nearby facilities include Gravesend High Tower School and Chantry Community Academy. Ordnance Road intersects with Milton Road and serves as a key thoroughfare for the area.

1.3. The site borders the Milton Place Conservation Area, is within the Gravesend Riverside Conservation Area, and is in close proximity to a number of listed buildings, including:

- Gordon House and Milton House (Grade II)
- 14 Milton Place (Grade II)
- 15 Milton Place (Grade II)
- 1-8 East Terrace (Grade II)
- 16-19 Milton Place (Grade II)
- New Tavern Fort (Grade II)
- Milton Chantry (Grade II*)
- Statue of General Gordon (Grade II)
- Obelisk (Grade II)
- 124-127 Milton Road (Grade II)

2. Planning History

Reference	Description	Decision	Decision Date
20210270	Due to Ordnance Road improvements. Hybrid planning application comprising: Part A - Full planning application for demolition of existing buildings and structures, construction of a mixed use development comprising C3 and C2 Residential Uses and commercial floorspace (Use Class E), a new river wall, works to Swing Bridge, highway junction improvements at Milton Road and Ordnance Road, associated new public open spaces and public realm improvements, car and cycle parking, landscaping, infrastructure and earthworks and ancillary works; and Part B - Outline planning application with all matters reserved (apart from access) for demolition of all existing buildings and structures and the construction of a mixed use development comprising C3 Uses and commercial floorspace (Use Class E) with associated vehicular access, car parking, landscaping, associated infrastructure and earthworks and ancillary works. (The proposed development would consist of up to 1,500 homes and up to 4,500sqm (GIA) of commercial floorspace).	Planning Committee have resolved to grant permission	Not yet issued
20110034	**REVISED APPLICATION/REVISED DESCRIPTION** Construction of a skateboard park with associated facilities including lighting, earth mounding and landscaping	PERMITTED	20.06.2011
20100745	Outline application for the laying out of a skateboard park with associated landscaping.	PERMITTED	08.10.2010
20070764	Application for renewal of temporary planning permission reference number GR/2006/551 for the continued use of land as an extension to existing Milton Place car park to	PERMITTED	10.10.2007

	provide an additional 74 car parking spaces for a temporary period.		
20050434	Change of use of land as an extension to existing Milton Place car park to provide an additional 74 car parking spaces for a temporary period.	PERMITTED	29.06.2005
19900069	Retention and reduction in height of the weldmesh and lattice post security fence and entrance gates to 2.8 m in height on the boundaries of the vehicle compound.	PERMITTED	26.03.1990

3. Proposal

3.1. This application proposes the construction of 76 dwellings on the site.

The proposals include the provision of 61 one-bedroom apartments and 15 dwellinghouses, along with the following key elements:

- A reduction in the number of parking spaces in Milton Place car park to 84 spaces.
- Provision of parking spaces for the apartment building and dwellinghouses
- New tree planting along Milton Place and Ordnance Road.
- Provision of open space and landscape improvements.
- Improved connectivity across the site with a new entry point along Milton Place.
- Retention of the skatepark and landscaped mound.

4. Planning Policy, Development Plan and other Material Considerations

4.1. Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS09 – Culture and Tourism
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design and Development Principle
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- LT6 – Additional Open Space in New Housing Development
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- T5 – New Accesses onto Highway Network
- TC2 - Listed Buildings
- TC3 – Development Affecting Conservation Areas
- TC7 – Other Archaeological Sites

- 4.2. 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.
- 4.3. The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- 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 15 – 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

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
 - Technical Housing Standards – Nationally Described Space Standard (2015)
 - SPG 4 – KCC Parking Standards (2006)
 - Gravesham Householder Extensions/Alterations Design Guide (2021)
 - Design for Gravesham – Design Code (2024)
 - Gravesend Town Centre Conservation Areas Management Plan (2009)
 - Milton Place Conservation Area Appraisal (2009)
- 4.4. Section 72(1) of the Planning Listed Building and Conservation Areas Act 1990 (as amended) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 4.5. The Council has a statutory duty under 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects the settling of listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5. Consultations and Publicity Responses

5.1. External Consultations

- 5.1.1. **KCC Economic Development** – The Economic Development comments are attached as Appendix 1 and detailed in Section 6 of this report.

5.1.2. **KCC Highways & Transportation –**

First Comment (25 March 2025) – I have the following comments to make with respect to highway matters:-

Adoption

It is assumed that the site is to remain private and therefore the comments on which the main response is based, are those where the proposals will have a direct impact on the local highway network.

Access and Highway Works

Vehicular access is proposed to be provided via a priority junction with Milton Road. Emergency access is to be provided via the Milton Place car park. This is acceptable.

A 3m shared pedestrian / cycleway is proposed to be provided along the eastern side of Milton Place, allowing cyclists to travel southbound. This is welcomed. However, cyclists cannot discharge onto Milton Place at the southern end as the carriageway is still one way northbound at that point. The corner of Milton Place and Ordnance Road is not shared, it is footway only. The plan should be updated to demonstrate how southbound cyclists access Milton Road.

A dropped kerb will need to be provided at the southern end of the shared pedestrian / cycle route to allow northbound cyclists to egress the carriageway, and appropriate tactile paving introduced to the south to inform visually impaired users that they are entering a shared area. Ordnance Road does not have off carriageway cycle facilities and therefore, a dropped kerb will also be required along Ordnance Road (east of the flats) for cyclists to access and egress the carriageway. A cycle symbol should be provided on carriageway to make it clear that this is not a pedestrian uncontrolled crossing.

It is very disappointing that the applicant has not taken forward KCC's request to provide a segregated cycle route along Ordnance Road. This would create a high quality, attractive cycle network in this part of the town and connect to the existing facilities on Milton Road. Further consideration should be given to providing this facility.

A Road Safety Audit for the highway works has not been submitted with the Transport Assessment. This is likely to be required for the KCC Technical Approval stage.

It is unclear if the Ordnance Rd car park is to be resurfaced (including the footways and disabled bays at the eastern end). This is recommended.

Plan 2302-048 Rev A 'Proposed Site Access Arrangement', shows the running lane of the Ordnance Road car park to be partially covered by landscaping. It is assumed this is an error as the tracking shows vehicles over running this area. However, this should be confirmed. Please also confirm whether the width of the existing Ordnance Road car park aisle is to remain as existing, as the tracking for a car looks to be quite tight so larger vehicles would have difficulty accessing the bays.

There is currently a level difference between Milton Place and the car park. A plan is required demonstrating that the access road is compliant with the gradients set out in the Kent Design Guide.

Steps are currently provided at the southwestern corner of the car park, providing a pedestrian connection to Milton Place. These steps should be retained / re-provided to ensure the car park remains permeable and to prevent pedestrians creating their own desire lines across the vegetation.

Parking

The applicant proposes to provide 8 parking spaces for the independent living units and 19 spaces for the 15 residential units. Whilst this is within the standards, it is extremely low and it is unclear how these would be managed. It is strongly recommended that additional spaces are provided for the independent living units. However, as the surrounding local highway network is subject to double yellow line markings, any ad hoc parking is likely to remain on site.

The number of spaces in the Milton Place and Ordnance Road car parks are proposed to be reduced from 148 to 84 and 29 to 27 spaces, respectively. Evidence has been provided to support this provision and this proposal is acceptable.

In relation to the Ordnance Road car park and the junction mitigation proposals put forward under Application GBC/2021/0270, paragraph 1.6 of the Transport Assessment states, "As shown, the proposals require land within the site to come forward, and our scheme has subsequently been developed not to prejudice their delivery". Paragraph 3.17 states "The Albion Waterside proposals will reduce the quantum of parking spaces available within the Ordnance Road Car Park due to the extent of widening proposed". Whilst it was agreed that the Albion Waterside junction mitigation would require land within this site, KCC do not believe the proposals included a reduction in the number of spaces in this car park, rather, the spaces would be pushed further into this land. The spaces should therefore be retained.

Traffic Generation

The site is anticipated to generate a total of 16 two way movements in the AM peak and 15 two way movements in the PM peak. This is unlikely to have a significant impact on the local highway network and is acceptable.

Conclusion

I would like to place a holding objection on the application until the above issues have been satisfactorily resolved. Should the LPA be minded to grant planning permission prior to these being resolved, I request the following Conditions are applied:

Conditions

- The highway works as shown on plan 2302-048 Rev A 'Proposed Site Access Arrangement', to be provided and available for use prior to first occupation.
- Provision and maintenance of the 2.4m x 43m visibility splays shown on 2302-048 Rev A 'Proposed Site Access Arrangement', with no obstructions over 0.6m metres above carriageway level within the splays, prior to first occupation of the site.
- 8 vehicle parking spaces for the independent living units and 19 vehicle parking spaces for the 15 residential units are to be provided prior to occupation of the associated unit.
- Four accessible parking spaces and four active electric vehicle charging points to be re-provided within the Milton Place car park, prior to first occupation.
- A minimum of 84 vehicle parking spaces to be provided in the Milton Place car park and available for use at all times (in line with existing durations) of the construction and operation of the site.
- A minimum of 27 vehicle parking spaces to be provided in the Ordnance Road car

park and available for use at all times (in line with existing durations) of the construction and operation of the site.

- Prior to first occupation of the associated use, one active electric vehicle charger to be provided for each house; 10% of the communal parking spaces to be provided with active vehicle chargers and 90% to be provided with passive chargers.
- A minimum of 62 cycle parking spaces (including space for a minimum of four adapted bikes) to be provided for the retirement flats and a minimum of two cycle parking spaces per house, to be provided prior to occupation of the associated unit.
- New residents must not be allowed to apply for parking permits for the car parks.
- Submission and approval of a Construction Management Plan prior to the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site.
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
 - (c) Timing of deliveries, avoiding network and school peaks where possible.
 - (d) Provision of wheel washing facilities.
 - (e) Measures to prevent the discharge of surface water onto the highway.
 - (f) Temporary traffic management / signage.
- Before and after construction of the development, highway condition surveys for Milton Place should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development. Further information can be found here: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance/photographic-highway-condition-survey>.

Additional Comments

Whilst the below comments will not directly affect the highway, it is strongly recommended that they are considered in order to ensure the design is appropriate for all users.

Shared routes for pedestrians and cyclists must be a minimum of 3m in width. As the only 3m route is along Milton Place, it is unclear how cyclists' route from the cycle store to Milton Place and Ordnance Road. In line with LTN 1/20, cyclists should not be made to dismount before reaching the cycle store.

Two steps are shown to the northeast of cycle store 1. A cycle ramp should be provided alongside the steps to accommodate this movement as otherwise, cyclists are likely to create their own desire path through the grass.

It is recommended that an internal door to the cycle store is provided in addition to the external door, to enhance permeability and safety.

Whilst cycle parking has been provided in line with standards, it is recommended that additional visitor parking is provided within the site.

A 10.6m refuse vehicle has been tracked to demonstrate that a refuse vehicle can access and egress the site in a forward gear. KCC usually require tracking for an 11.3m refuse vehicle as that is the largest vehicle that operates in Kent. As the access has been tracked for a 16.5m vehicle, the larger refuse vehicle will also be able to access the site from the

highway. However, the larger refuse vehicle may have difficulty undertaking a three point turn within the site.

Page 102 of the Design and Access Statement shows the refuse vehicle strategy. It is questioned whether all residents of the apartment blocks are within the maximum drag distance of the bin store (30m).

As requested during pre-app, it is recommended that a Travel Information Pack is provided to each unit upon first occupation, providing information on walking, cycling and public transport. In order to encourage residents to cycle, it is recommended that an adapted bike (e.g. an adult trike) is provided in the cycle store, for residents to borrow / try out. Given the low level of parking for the independent living units, consideration should be given to providing each retirement unit with a free one years public transport ticket, to encourage them to use the bus.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the

responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Second Comment (05 June 2025) – The following comments are based on a review of Technical Note 2302-048/TN/01 dated 15.05.25.

The Technical Note confirms that cyclists wanting to travel west or south from the site would need to use the existing road network, or the new access from Ordnance Road. The on carriageway cycle lane on the minor arm of the access should be removed to support this.

Confirmation has been provided that a dropped kerb will be provided at the southern end of the shared pedestrian / cycle route on Milton Place to allow northbound cyclists to egress the carriageway. Appropriate tactile paving will also be required to the south of the dropped kerb to inform visually impaired users that they are entering a shared area. This can be dealt with at the Detailed Design stage.

Drawing PL04 Rev C in Appendix D of the Technical Note shows a dropped kerb is to be provided on Ordnance Road to allow cyclists to access and egress the carriageway. A cycle symbol should also be added to help clarify this is not an uncontrolled crossing. The internal route from this location has been increased to 3m to allow shared use by pedestrians and cyclists. This is welcomed. No visibility splays have been provided for the cycle access onto Ordnance Road and this should be condition to any permission granted.

A Road Safety Audit for the highway works has been undertaken and provided in Appendix B. The audit raised only one concern, related to the potential for vehicles to roll forward off the raised table at the give way line. The Designer's Response states this can be reviewed at the Detailed Design stage, and this is acceptable.

Drawing SK09 in Appendix C shows the area of the Ordnance Road car park to be resurfaced. Where possible, permission should be sought from the owner of the section between the red line boundary and the highway, and KCC, to re-surface the entire car park to avoid a patchwork effect.

The Technical Note confirms that a section of the landscaping shown 2302-048 Rev A 'Proposed Site Access Arrangement', for the Ordnance Road car park was shown in error and that updated tracking has been provided in Appendix D. Appendix D does not contain tracking of the car park. However, the updated Proposed Site Access Arrangement Plan (PL04 rev C) plan does show this area to be car park, and the Technical Note confirms that the dimensions of the bays and aisle width will remain as existing. This is acceptable.

Confirmation has been provided that the bellmouth would have a gradient of 1:21. This is acceptable.

The Milton Place car park would have two access points for pedestrians, which is acceptable. However, as suggested previously, the relocation of the existing steps currently provided at the south western corner of the car park would provide additional benefit for access to Milton Place and help to prevent pedestrians creating their own desire lines across the vegetation.

As per the KCC previous response, the parking provision is low, particularly for the independent living units and it is recommended that additional spaces are provided. However, the provision is in line with the parking standards and as the surrounding local highway network is subject to double yellow line markings, any ad hoc parking is likely to remain on site.

The Technical Note confirms that the widening of the Ordnance Road car park (other than for the highway scheme approved under GBC/2021/0270) does not form part of the proposals for this development and this is accepted.

It is recommended that the LPA consider the 'additional comments' set out in KCC's previous response as whilst these issues would not affect the highway, they would likely provide a safer and better user experience for the new residents.

Conclusion

Having considered the development proposals and their effect on the highway network, I raise no further objection on behalf of the local highway authority, subject to the following conditions being secured:

Conditions

- The highway works as shown on plan PL04 Rev C 'Proposed Site Access Arrangement', to be provided and available for use prior to first occupation. Where dropped kerbs / access points are no longer required, kerbs should be reinstated.
- Provision of the 2.4m x 43m visibility splays shown on 2302-048 Rev A 'Proposed Site Access Arrangement', with no obstructions over 0.6m metres above carriageway level within the splays, prior to first occupation of the site and maintained permanently thereafter.
- Provision of 2.4m x 43m visibility splays at the cycle access onto Ordnance Road, with no obstructions over 0.6m metres above carriageway level within the splays, prior to first occupation of the site and maintained permanently thereafter.
- Provision of 8 vehicle parking spaces for the independent living units and 19 vehicle parking spaces for the 15 residential units to be provided prior to occupation of the associated unit and retained permanently thereafter.
- Provision of 84 vehicle car parking spaces including four accessible parking spaces and four electric vehicle chargers, to be available for use in the Milton Place car park prior to first occupation and maintained permanently thereafter.
- Provision of 27 vehicle parking spaces including three accessible spaces to be available for use in the Ordnance Road car park prior to first occupation and maintained permanently thereafter (12 within the red line and 15 outside).
- The existing Milton Place and Ordnance Road car parks to remain open for use at all times during construction unless otherwise approved by KCC through the Construction Management Plan.
- One active electric vehicle charger to be provided for each house prior to first occupation of the associated use. 10% of the communal parking spaces to be provided with an active vehicle charger and 90% to be provided with passive

chargers, prior to first occupation.

- A minimum of 62 cycle parking spaces (including space for a minimum of four adapted bikes) to be provided for the retirement flats and a minimum of two cycle parking spaces per house, to be provided, prior to occupation of the associated unit.
- New residents must not be allowed to apply for parking permits for the car park.
- Submission and approval of a Construction Management Plan, prior to the commencement of any development on site to include the following (as a minimum):
 - (a) Routing of construction and delivery vehicles to / from site.
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
 - (c) Timing of deliveries, avoiding network and school peaks where possible.
 - (d) Provision of wheel washing facilities.
 - (e) Measures to prevent the discharge of surface water onto the highway.
 - (f) Temporary traffic management / signage.Before and after construction of the development, a highway condition survey for the highway along of the site boundary of Milton Place and Ordnance Road should be undertaken and a commitment provided to fund the repair of any damage caused by construction vehicles related to the development.
- The area of Ordnance Road car park shown on plan SK09 (as a minimum) to be resurfaced prior to first occupation.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to

progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

5.1.3. **KCC Flood & Water Management –**

First Comment (25 March 2025) – Kent County Council as Lead Local Flood Authority has reviewed the Flood Risk Assessment and Drainage Strategy (Revision P01) prepared in support of the application and have the following comments to provide:

The LLFA understands from the report that surface water runoff from the development will be directed to an infiltration basin. The design of the basin has been based upon an infiltration rate of $2.82 \times 10^{-4} \text{m/s}$ (1.01m/hr) from testing close to the proposed location of the basin. We would advise that further testing is undertaken at the location of the basin itself to obtain an accurate reflection of the underlying chalk. To facilitate the undertaking of further testing, we would advise for the attachment of a detailed design condition for surface water drainage. The wording to this condition can be found at the end of the response.

In addition to the infiltration testing, we would seek an urban creep factor to be applied on the residential homes only. This is build redundancy in the drainage design in the event of increasing impermeable areas such as extensions. Lastly, we request that the summer and winter CV values within the Causeway Flow Simulation Settings are uplifted to a value of 1 as opposed to the default values of 0.75 and 0.84. Should the Local Planning Authority be minded to grant planning permission to the development, the LLFA would request for the following conditions to be applied:

1. No development other than necessary enabling works shall begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The submitted scheme shall demonstrate compliance with the required technical standards at the time of submission and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the

proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

2. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 182 of the National Planning Policy Framework.

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

Second Comment (01 July 2025) – Kent County Council as Lead Local Flood Authority has reviewed the latest Flood Risk Assessment and Drainage Strategy report (Revision P02), of which we welcome the application of a higher CV value and urban creep allowance being applied to the design. As raised within our last consultation response, we would view that further infiltration testing is required moving forward. Therefore, we would still request for our recommended conditions to be attached if planning permission is granted. For ease, the wording to these conditions can be found below:

1. *No development other than necessary enabling works shall begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The submitted scheme shall demonstrate compliance with the required technical standards at the time of submission and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.*

The drainage scheme shall also demonstrate (with reference to published guidance):

- *that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.*
- *appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.*

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of

surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the

approval of which cannot be disaggregated from the carrying out of the rest of the development.

2. *No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.*

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 182 of the National Planning Policy Framework.

- 5.1.4. **KCC Biodiversity** – *Please consider this advice note to supersede our previous comments of 7 May 2025. A revised BNG assessment has been received.*

SUMMARY – NO FURTHER INFORMATION REQUESTED

We have reviewed the ecological information submitted in support of this application and advise that **no further** information is requested from the applicant prior to determination of the planning application. Informative and condition wording is recommended as appropriate.

ECOLOGICAL CONSTRAINTS AND MITIGATIONS

The submitted Ecological Impact Assessment (James Blake Associates, February 2025) concludes that the application site is broadly unsuitable for most protected/priority species given its urban setting and largely uniform habitat composition. The only ecological constraint identified is nesting birds. As such, integration of measures to avoid impacts to nesting birds into any Construction Management Plan (CMP) is strongly recommended.

This would include avoiding vegetation clearance during the core nesting period which is March through August. The following informative is also recommended:

NESTING BIRD INFORMATIVE: *All wild birds and their nests are protected from harm under Section 1 of the Wildlife and Countryside Act 1981. As such, any works which may result in impacts to nesting birds should be conducted outside of the core nesting season which is March through August (inclusive) or under ecological supervision. A suitable exclusion zone should be established around any active bird nest in the event one is discovered during works; this exclusion zone should be maintained until all nesting birds have fledged and the nest is unoccupied.*

DESIGNATED SITES

The application falls within the 6km zone of influence of the Thames Estuary and Marshes Ramsar and SPA. As such, the North Kent Strategic Access Management and Monitoring Strategy (SAMMS1) applies and the applicant will be required to make a tariff payment based on the net number of additional dwellings proposed to mitigate additional recreational effects on the designated sites.

Gravesham Borough Council must consider the impact the proposal will have on the

designated sites in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework (NPPF) 2024.

A recent decision from the CJEU (C-323/17) has detailed that mitigation measures cannot be considered when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that there is a need for the local planning authority to carry out an appropriate assessment as part of a full HRA. Natural England may need to be consulted on this application at the appropriate assessment stage in accordance with the CHSR 2017 (Regulation 63[3]).

BIODIVERSITY NET GAIN (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from the 12th February 2024 and all minor applications from the 2nd April 2024. Where required, the Statutory Biodiversity Metric will need to be used to demonstrate a minimum 10% biodiversity net gain. Local policy may request a higher level of net gain. Significant gains will need to be secured for at least 30 years.

Biodiversity net gain is a statutory requirement of this proposed development. References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric.

Our previous comments of 7 May 2025 requested a revised BNG metric as we believed area/linear habitat calculations had underestimated the biodiversity value of the site. A revised biodiversity metric has been received. Changes were explained in an accompanying email:

"The change in habitat from 'introduced shrub' to 'vacant or derelict land' has not had an impact as the 'vacant or derelict land' is still considered 'poor' using the condition assessments and not higher value. The values are therefore the same between both habitat types.

Comments regarding the 'line of trees' had assumed that the number of trees were under recorded, but as per the guidance 'line of trees' cannot be used if in an urban setting and therefore all trees on site have been classed as individual trees. Therefore no changes to this aspect were required."

Following these minor changes, it is still indicated that the proposals will deliver a BNG of 18.11% (habitat units) and 836.2% (hedgerow units). This is to be delivered through compensatory tree planting (97 small trees), hedgerow planting, creation of areas of neutral grassland, a SUDS basin, scrub creation and creation of vegetated gardens. These onsite gains are considered 'significant'² in nature. Significant onsite gains and all offsite gains should be subject to a S106 agreement or conservation covenant to secure a monitoring fee and ensure enforceability over a 30-year period. Monitoring fees should always be secured for significant onsite gains as these will be subject to 30 years of monitoring reports which will need to be reviewed by the LPA at their own cost. Verna have created a tool to calculate BNG monitoring fees: [Free tool: How to calculate Biodiversity Net Gain monitoring charges – Verna](#).

The statutory condition of BNG will apply by default as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

(a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is included in decision notices in the form of an informative.

The following condition is recommended to secure a full Habitat Management and Monitoring Plan (HMMP) as is standard for significant biodiversity gains:

- **HMMP CONDITION:** *The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved biodiversity gain plan and including:*
 - (a) a non-technical summary;*
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.*

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

OTHER ENHANCEMENT MEASURES

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

The submitted EclA recommends the provision of external bat and bird boxes on retained trees and new dwellings. Integral features are strongly preferred in line with the NPPF 187(d) and BS 42021:2022 ‘Integral nest boxes. Selection and installation for new developments’. The adopted Kent Biodiversity Strategy 2020-20453 also contains the target: *“stop the decline of swifts by ensuring that every new house built in Kent contains one swift-box or nest-brick.”* As swifts are an urban bird species, this is of particular relevance to this scheme.

As the proposals are for 15 housing units and 61 flats and the accepted ratio of integral nest boxes to residential units is 1:1, with 10-40+ for larger blocks of flats, at least 25 integral nest boxes should be provided (1 per housing unit and at least 10 in the block of flats). We originally made this request on 7 May and note that no further details have been submitted. For the sake of expedience, condition wording is recommended below to secure these integral nest boxes, but it is always preferable to seek these details as early as possible to reduce the number of condition discharges sought post-permission.

- **SWIFT BRICKS:** *Prior to the commencement of works on site in connection with the development hereby permitted and for partial discharge of this condition, updated elevations drawings showing the make, model and locations of at least 25 integrated swift nesting boxes (1 per housing unit and at least 10 in the block of flats) evenly spread along north and east facing elevations a minimum of 4m above ground level with a clear drop*

underneath, shall have first been submitted to and approved in writing by the local planning authority. Nest boxes shall be provided in accordance with BS 42021:2022 (British Standard for integral nest boxes). Nest boxes shall be constructed of durable material, i.e. not wood.

For full discharge of this condition, photographs of the integral boxes in their agreed locations are to be submitted to and approved in writing by the local planning authority prior to first occupation. They are to be retained in that manner thereafter.

Reason: In accordance with BS 42021:2022 and with consideration for swifts in accordance with paragraph 187(d) of the NPPF 2024.

- 5.1.5. **KCC Heritage and Conservation** – The site lies within an area of multi-period archaeological and heritage interest, immediately south of the designated New Tavern Fort (which includes two Grade II* listed components) and within the setting of other designated and non-designated heritage assets. I will defer to Historic England and to your Conservation Officer in respect of built heritage advice and here focus on the below-ground archaeological interest.

The application has been made with a useful Historic Environment Impact Assessment (GHC Archaeology and Heritage, February 2025) which sets out, and considers, the existing archaeological data for the site and its surroundings. I broadly agree with the findings of the assessment which conclude that the potential for the survival of significant archaeological remains of prehistoric to post-medieval date is limited within the area of proposed development, in part as a result of development impacts in the 19th and 20th centuries. These included the construction of the former Holy Trinity Church, a school, swimming pool, air raid shelter and other structures, all of which have no surviving above ground elements. Whilst of relatively modern date, these features of Gravesend's 19th and 20th century development, along with any surviving early archaeological remains, have archaeological interest and, where impacted by the proposed development, should be subject to appropriate levels of professional archaeological recording and reporting.

I therefore recommend that if planning permission is granted, ground works are subject to a targeted archaeological watching brief secured by the following condition:

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

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

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

C) Within 6 months of the completion of the watching brief a Report shall be submitted to and approved in writing by the local planning authority.

REASON: To ensure that features of archaeological interest are properly examined and recorded in accordance with local and national planning policy.

- 5.1.6. **KCC Public Rights of Way** – I can confirm that I do not have any objections to the above planning application at Milton Place Car Park. Public Right of Way Footpath NGX10 lays to

the north of the site and NGX11 to the east, both of which should be unaffected by the application. I enclose a copy of the Public Rights of Way network map showing the line of the path for your information.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

5.1.7. **KCC Fire and Rescue** – Following my assessment of Fire and Rescue Service emergency access provisions for planning application; 20250167, I would like to make the following observations.

Upon reviewing the available plan drawings on the Gravesham planning portal, I can confirm that on this occasion, it is my opinion that the emergency access requirements under the above act appear to have been met at this stage. However, please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

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

If you require any further advice, please contact this office using the details above. Please be aware that the Building Safety office hours are 09:00-17:00 Monday to Friday.

NHS DGS Clinical Commissioning Group – NHS Kent and Medway has responsibility for planning healthcare services in Kent and Medway and reviews planning applications to assess the direct impact on healthcare.

I refer to the above full planning application which concerns the proposed residential development comprising up to 76 dwellings.

NHS Kent and Medway has assessed the implications of this proposal on delivery of healthcare services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests:

1. Necessary
2. Related to the development
3. Reasonably related in scale and kind

We have applied these tests in relation to this planning application and can confirm the following specific requirements. The calculations supporting this requirement are set out in Appendix 1.

	Total Chargeable units	Total (See Appendix 1)	Project
Healthcare services provided in the community	76	£47,268	Towards refurbishment, reconfiguration and/or extension of existing general practice and other healthcare premises covering the area of development or new premises for general practice or healthcare services provided in the community in line with the healthcare infrastructure strategy for the area.

The obligation should also include the provision for the re-imbursement of any legal costs incurred completing the agreement (where relevant).

Justification for infrastructure development contributions request

This proposal will generate approximately 131 new patient registrations in general practice based on the dwelling mix provided in Appendix 1. The proposed development falls within the current practice boundaries of Rochester Road Surgery and Gravesend Medical Centre. The proposal will also increase demand on other healthcare services provided to the local population and will be considered as part of the integrated models of care that will be developed along with the infrastructure strategy for the Dartford, Gravesham and Swanley Health and Care Partnership area.

There is currently limited capacity within existing healthcare premises to accommodate growth in this area. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice and other healthcare premises. Whilst it is not possible at this time to set out a specific premises project for this contribution we can confirm that based on the current coverage of health care services and location of this application, we would expect the contribution to be utilised as set out above. Any premises plans will include the pooling of S106 contributions where appropriate.

In addition to the above we request that any S106 agreement regarding a financial contribution recognises the following:

- Supports the proactive development of premises capacity with the trigger of any healthcare contribution being available linked to commencement or at an early stage of development.
- Allows the contribution to be used towards new premises in the area serving this population in line with the Infrastructure Strategy and priorities for the Dartford, Gravesham and Swanley Health and Care Partnership area.
- Allows the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises.

I would be grateful if you could advise me of the Council's decision in due course, should you require any further information, or points of clarification in the meantime please contact me using the above email address.

Appendix 1

NHS Kent and Medway currently uses a formula for calculating s106 contributions which has been used for some time and is calculated as fair and reasonable. This calculation is based the number of proposed units multiplied by the assumed occupancy multiplied by £360.

Where the application identifies unit sizes the following predicted occupancy rates will be used.

1 bed unit @ 1.4 persons
2 bed unit @ 2 persons
3 bed unit @ 2.8 persons
4 bed unit @ 3.5 persons
5 bed unit @ 4.8 persons

Where the unit sizes are not identified then an average occupancy of 2.4 persons will be used.

The calculations for this development are based on the dwelling mix provided:

Total Units (per application) (A)	Proposed Number of Bedrooms (per planning application)					NHS Predicted Occupancy Rates					Predicted Occupancy (N)	X £360 (O)
	1 (D)	2 (E)	3 (F)	4 (G)	5+ (H)	1 (I)	2 (J)	3 (K)	4 (L)	5+ (M)		
76	53					1.4					74.2	£26,712
		10					2				20	£7,200
			12					2.8			33.6	£12,096
				1					3.5		3.5	£1,260
					0					4.8		
											131.3	£47,268

- 5.1.8. **Kent Police - Designing Out Crime Team** – We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

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

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

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

1. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people. These must be subject to surveillance but sited so that residents will not suffer from possible noise pollution, in particular the green spaces surrounding the site, any parking areas/ courts and pedestrian routes. These areas must be well lit and covered by natural surveillance from neighbouring properties.
2. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways to have secure side gates, which are lockable from both sides, located flush to the front building line.
3. To meet SBD guidance we would strongly recommend the installation of pavements on both sides of the roads to avoid vehicle and pedestrian conflict and promote safer spaces for families. It is now common practice to have some shared vehicle/ pedestrian areas on secondary routes. If pavements cannot be installed in these shared spaces, we strongly recommend traffic calming measures, especially where there is a curvature in the road.
4. Parking - To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or sold secure ground or wall anchors can help provide this. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse. If car ports are unavoidable, we recommend they be lit and painted in a light colour to optimize surveillance opportunities. For car parks, we recommend the Safer Parking Scheme, which follows CPTED guidance from both the police and the British Parking Association.
5. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
6. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Residential Guide 2025 states: "19.3 SBD does not advocate the use of bollard lighting to achieve lighting uniformity. Bollard lighting is purely for wayfinding and can be easily obscured or damaged. It should be avoided, as it can increase the fear of crime, because it does not project sufficient light at the right height to recognise facial features." Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
7. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors and individual flat entrance doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and communal doors may require a higher standard, such as STS or LPS.
8. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016,

LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.

9. For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or storage area. Bin storage must also be secure with access control.
10. Mail delivery to meet SBD TS008 with a fire guard are strongly recommended for dwellings.
11. Defensible spaces. Corner properties require well established boundaries to avoid desire lines across front gardens. This can be provided by using hedges or knee rails/ fences, for example.
12. Blank Walls. It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces. This type of elevation tends to attract graffiti, inappropriate loitering, and ball games. The provision of a 1m buffer zone using either a 1.2 – 1.4m railing or a 1m mature height hedge with high thorn content should address those issues.
13. Vehicle mitigation may be required on pedestrian routes, to prevent mopeds or similar vehicles accessing the area and causing nuisance.
14. Open space. Open space areas must be well lit and boundaries must be clearly defined to avoid conflict or ball games causing nuisance. For any LAP or LEAP, we recommend fencing at a minimum height of 1.2m and vandal resistant play equipment. Consideration should be given to a single dedicated entry and exit point to enable adult control/supervision.

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

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

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

- 5.1.9. **Historic England** – On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

We think the proposal for residential development on the southern edge of Fort Gardens, Gravesend, affects the significance of designated heritage assets (New Tavern Fort, and Milton Place and Riverside Conservation Areas).

We think the proposals would cause less than substantial harm to these designated heritage assets, and advise that further improvements might be made to minimise harm and secure greater heritage benefit in line with the NPPF.

Advice

Significance

- *Gravesend Riverside Conservation Area* - The Gravesend Riverside Conservation

Area, situated at the eastern shore of the town, is primarily significant for its Scheduled fortifications (16th century Gravesend Blockhouse; National Heritage List for England no 1005120, and 18th century New Tavern Fort; NHL no 1013658) and their fields of fire designed into the landscape.

These heritage assets are historically significant in the wider riverscape by working in concurrence with other military assets, including Tilbury Fort, to strategically protect the mouth of the Thames from attack.

Milton Chantry, Gravesend's oldest building, symbolises the foundation for settlement stands at the heart of the conservation area. To a lesser degree the nineteenth century conversion of the military landscape to recreational use, such as the open space and abundant trees which form General Gordon's park and promenade, and the development of formal townhouse rows, contribute to the conservation area's aesthetic value and tell of its riverine prosperity.

The Conservation Area is important to understanding the time depth of Gravesend and its development from the relationship between people and the river.

- *Milton Place Conservation Area* - The Milton Place Conservation Area lies east of the historic centre and is significant as an early nineteenth century planned development of fine high-quality housing. Architecturally, houses are classical in style with Italianate features, sash windows, and decorative railings. A hierarchy of housing, from grand villas to modest terraces can be appreciated with a tight urban grain interspersed with open space.

The open space east of the conservation area provides an attractive green buffer to the planned development as well contributing to an appreciation of higher status dwellings overlooking the park.

- *New Tavern Fort* - New Tavern Fort is a nationally important scheduled monument and Grade II* listed building; the scheduling includes the site of the 14th century Milton Chantry (also listed Grade II*), alongside earthworks and below ground remains.

New Tavern Fort is an unusually complete example of 18th century fortifications which underwent further development in the 19th and 20th centuries, responding to changes in military threat and strategy, and the evolving surrounding town.

The open space around New Tavern Fort is an important component that contributes to its significance. The larger artillery guns it accommodated were designed to provide long distance fire, particularly along the coast and out to sea, and crossing fire with Tilbury Fort, so consideration of their sightlines and field of fire is important in this regard.

The area immediately around the fort provided an open space that would have ensured a lack of cover for enemy approach, but was not easily defensible, or planned to be so. Close after the fort's construction, this was then seen as a vulnerability, with subsequent enhancements made (c.1795) along the south and west sides, including a brick wall with loopholes for musketry, bastion, and palisade in the ditch. This would be both effective for security and give some defence against localised land assault. The walls closing the southern ditch of the fort were an early, if primitive, example of a caponier with firing loops positioned to fire along the length of the ditch, emphasising the perceived need for close range defensive capabilities.

The stretches of front earthen ramparts not occupied by gun embrasures, also had fire-

steps for the overbank firing of muskets, to reinforce the obstacle of the ditch and its palisade against frontal range assault.

In this regard the fort would have had some defence from ground attack at close range and the open space retained around it contributes to functionality and understanding of its defensive capability.

The effectiveness of these modified defences reduced as the urban development of Gravesend spread towards the rear and flank of the fort from the early nineteenth century. However, in the mid-later 1880s the security of the fort was improved with the erection of a spiked metal 'Dacoit' fence in its ditch, supporting the ongoing desire for security and defence to the east and south-east.

A training battery was also added during the reconfiguring of the fort in 1868 with emplacements facing inland to the south/south-east. These were essentially for firing blank practice, but the ability to replicate defensive fire and target spotting, would presumably have made a clear sightline from these emplacements part of their design.

The edges of the defensible open ground to the south and south-east of the fort, gradually became encroached upon; the proposal area was repurposed for a church (c.1845) and school, and in 1930 the whole fort and surrounds were laid out as a pleasure garden for the public including a swimming pool. All these structures were then subsequently demolished in the later 20th century in favour of a return to largely open ground, which fortuitously enables better understanding of the fort within its setting.

Impact

- *Conservation Areas* - The main impact of proposed development within the Gravesend Riverside Conservation Area, and setting of the Milton Place Conservation Area, is from the loss of open green space.

This would harm historic value by eroding an understanding of the space as an informal recreational area following General Gordon's nineteenth century remodelling of the fort into a park. The unity of the green spaces from Ordnance Road as a riverside landscape would be harmed to a modest degree.

Aesthetically, the loss of open and green space would harm the appreciation the soft, green buffer against the contrast of formal terraced housing on Milton Place. The green space also helps to understand the high status of housing along the west side of Milton Place, which commands views over the space.

Development would block dynamic views of terraced town housing on Milton Place from Ordnance Road. This view enhances the setting of the Milton Place Conservation Area by providing an attractive backdrop to the historic row of houses.

The inclusion of new hard surfaced infrastructure, lighting and domesticating features associated with the proposed housing will to some degree create a suburban appearance in a conservation area primarily defined by green riverside space and town house rows, for these reasons development would harm the character of both conservation areas.

Whilst much of the development's proposed layout is well considered, there are areas that could be better integrated into the Conservation Areas from an urban design perspective.

- *New Tavern Fort* - We think that harm to New Tavern Fort from the proposals would occur from encroachment of built form into the open space to its south, which forms an important contribution to its setting.

Despite a series of historic changes in the immediate area surrounding the fort, we think retaining open space here is important to understanding the reason for construction of the fort in this location, its defensive capability, how it could be operated (including in case of ground based infantry attack), and how it evolved through different phases of military and public amenity use.

Whilst the area to the north of the fort, and east along the river, was the primary focus for long range defence, the inland areas clearly had an important supporting, if gradually diminishing, role in proximal defence.

Construction of new houses and flats in this open space would further erode the open space around the fort that is an important aspect of its setting, making it harder to understand how it was designed and operated, and more difficult to appreciate the open context the fort was purposefully set within.

Policy

Section 16 of the National Planning Policy Framework (NPPF), Conserving and Enhancing the Historic Environment, sets out policies for decisions governing change in the historic environment.

Paragraph 208 notes that: local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 210: in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 requires consideration of the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be; scheduled monuments are of national importance). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para 213 notes any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 215 requires that less than substantial harm to significance should be weighed against the public (including heritage) benefits of a proposal.

Paragraph 219 notes you should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should

be treated favourably

Position

- *Conservation Areas* - In terms of impact on the Milton Place and Riverside Conservation Area, we think the applicant has addressed matters raised through our pre-application advice, but think that a lower level of less than substantial harm remains.

We think that the scheme could go further in terms of better integration of its design and layout into the rich character of both areas to reduce harm in line with paragraph 208 of the NPPF.

We welcome the reduction in hard surface car park, which has a negative impact on the character of the conservation areas, however, the development site as a whole has retained large areas of hard surfacing for parking and vehicles. One way to reduce harm might be to consolidate parking into one area or reduce the number of spaces in favour of green space.

Of the proposed development types, the gable fronted houses have the most architectural interest. The rusticated bricks patterning at ground floor level and front gardens along Ordnance Road are particularly attractive and contextual. The development also successfully provides an active frontage to Ordnance Road. To continue the line of this active frontage, we think the '3B6P' houses to the east could connect better to the Ordnance Road facing houses by turning sideways/forming an arc which wraps to the east and faces the 'field of fire' pedestrian cut through.

Uniformity is key to housing in the conservation area, and we also feel that the two blocks facing Khartoum Place '4B7P' house and '2B4P' house would benefit from adopting the same gabled elevation as the neighbouring '3B5P' house as shown in the cross-section elevation A-A. If changed, the roofscape and form of the buildings would integrate better with the houses faced to Ordnance Road. Houses facing Khartoum place would also benefit from front gardens as seen at nearby Milton Place.

The character of the corner block is pared back and contemporary, we think the rusticated ground floor and horizontal brick line add interest but would encourage the design team to go further, for example, by accentuating window and doorway openings with contrasting brick 'architraves' and enlivening the parapet of the building with a textured brick cornice.

We recommend conditions securing high quality design such as recessed windows and doorways, brick samples, eaves and ridge details, soft landscaping details and heritage interpretation.

- *New Tavern Fort* - We think that proposed construction of new buildings in the open space to the south of the fort would be harmful to the Forts significance through development within its setting, and some harm would be likely whatever the configuration of buildings on the proposal site.

We do not therefore agree with the applicant's conclusion (see submitted heritage and planning statements) that the development can be achieved whilst causing no harm to the significance of the Scheduled Monument.

We think the current proposals are in the middle of the range of less than substantial harm (to New Tavern Fort) and therefore encourage you to consider NPPF paragraphs

212 and 213, and the great weight that should be given to the asset's conservation.

The idealistic outcome for this site would be retaining and further enhancing the existing public space, and in doing so better addressing heritage concerns. We recognise, however, that previous 19th/20th century uses of this site included buildings that encroached within the forts setting, that there is a desire to regenerate the redundant, derelict, corner plot included in the proposal area, and create affordable housing in Gravesham.

We appreciate that steps have been taken to create lower building heights, lessen density on the eastern half of the site, and maintain a buffer, free from built form in the area closest to the fort, and this has reduced harm in relation to the fort and Conservation Areas, in response to our pre-application advice.

We think the landscape design to the east side of the proposed housing area is creative in how it seeks to interpret the former field of fire to the south and south east of the fort. The reduction in proposed trees in this area and implementation of a lower-level planting scheme, is also beneficial in retaining a sense of openness.

Further comments

Whilst there is some heritage benefit included in the proposal, given the importance of the heritage assets here (the fort is nationally important), we encourage you to consider paragraphs 210 and 219 of the NPPF, and seek to maximise the opportunities for enhancement.

New Tavern Fort for example, would benefit greatly from better investment, landscape management and repair, and interpretation; if this development proposal sought to give clearer benefits for the fort, we think the application would better satisfy the requirements of the NPPF.

Whilst we have previously raised the point that harm might be minimised to all the above mentioned heritage assets by even further reducing the number of dwellings and lowering the height of the corner block of flats, we understand that the viability of the scheme is finely balanced, and will reserve comment on this, subject to your own assessment.

In reaching a decision on this proposal, we encourage you to be satisfied that harm has been avoided and minimised as far as possible, heritage enhancements and opportunities have been maximised, and harm (to the Conservation Areas and New Tavern Fort), which we assess to be less than substantial overall, weighed against the public benefits of this proposal, as described in paragraph 215.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 208, 210, 212, 213, 215 and 219 of the NPPF.

In determining this application, you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

5.1.10. Natural England – FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Natural England's statutory advice on these potential impacts is set out below.

Designated sites

Further information required - recreational pressure impacts to European Sites (habitats sites)

This development site is within the zone of influence (Zol) for recreational pressure impacts to one or more European Sites (habitats sites).

Within this Zol, proposals for any net increase in residential units will have a likely significant effect on the qualifying features of the European Site(s) (habitats site(s)) through increased recreational pressure when considered either alone or in combination with other plans and projects.

Your authority has measures in place to manage these potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).

Notwithstanding this, Natural England advises that these measures should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment in view of the Natural England Access to Evidence - Conservation Objectives for European Sites and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Providing the appropriate assessment concludes that the measures can be secured, it is likely that Natural England will be satisfied that there will be no adverse effect on the integrity of the European Site(s) (habitats site(s)) in relation to recreational disturbance.

Where the proposal includes bespoke mitigation that falls outside of the strategic solution, Natural England should be consulted.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the strategic approach, should also be subject to the requirements of the Conservation of Habitats & Species Regulations 2017 (as amended) and our advice above applies.

Discretionary Advice

Natural England may provide further advice to the applicant through the discretionary advice service (DAS). Refer to Developers: get environmental advice on your planning proposals - GOV.UK (www.gov.uk) for more information.

Impact Risk Zones for Sites of Special Scientific Interest

We strongly recommend that local planning authorities (LPAs) use Natural England's Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) (available from the Natural England Open Data Geoportal (arcgis.com) and to use on MAGIC (defra.gov.uk) along with guidance) to decide when to consult Natural England on development proposals that might affect a SSSI.

The SSSI IRZs tool is quick and simple to use and gives instant planning advice as a formal consultation response in certain circumstances. Use of the SSSI IRZs avoids the need for a formal email consultation on some development proposals, reducing unnecessary delays in the planning process. In turn this allows Natural England to concentrate resources on development proposals with the highest risks and opportunities for nature recovery.

Planning and transport authorities: get environmental advice on planning - GOV.UK (www.gov.uk) provides further guidance on when LPAs must consult Natural England on development proposals.

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

We would be happy to comment further should the need arise but if in the meantime you have any queries, please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

5.1.11. **Environment Agency** – We have no objections to the proposal, subject to the following comments.

Groundwater and Contaminated Land

We recommend the applicant reviews our groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents • Land contamination
- Ground source heat pumps • Cemetery developments
- Drainage

Land contamination: risk management and good practice

We recommend that the applicant should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination • Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

Drainage and infiltration

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There

should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

Discharge of treated sewage effluent

If you are proposing a non-mains drainage solution the following form should be completed and submitted with any application: <https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

The discharge of domestic sewage may be subject to General Binding Rules (GBRs) under the Environmental Permitting (England & Wales) Regulations 2016, which provide a statutory baseline of good practice. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506. If your proposal cannot meet the GBRs then a permit will likely be required.

Piling

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. It should therefore be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment should be undertaken to confirm the proposed design does not pose risks to the groundwater. This should be in accordance with our guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73*".

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- The position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site

Waste soil that must be disposed of site is subject to waste management legislation. You must ensure that handling, transport, treatment and disposal of the waste is in line with the legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016 • The Waste

(England and Wales) Regulations 2011

Developers should ensure that all wastes are adequately assessed and characterised in line with 'Technical Guidance WM3-Guidance on the classification and assessment of waste' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Waste assessment and classification

It is the producer's legal responsibility to correctly classify a waste prior to it being moved off site. The procedure of which is described in the WM3 Guidance on the classification and assessment of waste:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719394/Waste-classification-technical-guidance-WM3.pdf

Under Section 34 of the Environmental Protection Act 1990 (the Waste Duty of Care), you are required to ensure the description of the waste you produce is accurate and contains all the information you are in a position to provide. This includes chemical analysis.

Future Thames Barrier Informative

The Thames Estuary 2100 Plan (the Plan) sets out how we and our partners can work together to manage tidal flood risk in the Thames Estuary, from now until the end of the century.

The Plan was designed to be adaptable to changes in the Thames Estuary and to different rates of climate change and sea level rise. It therefore remains crucial for us to plan early for future flood defence requirements, including the end of the century options within the Plan.

We expect the Thames Barrier to continue to protect London from tidal flooding up until 2070, but over the longer term the Plan sets out the strategic direction and seven end of the century options for managing tidal flood risk in the Thames Estuary. Building a new barrier, with or without locks, within Gravesend Reach is included in these end of the century options. A decision on a preferred option is not planned until about 2040 when such a decision will be informed by the data and information available at the time.

This ongoing work is something the developer should be aware of as their site may be impacted, or in close proximity to works, in the future. We will contact the developer and landowners in the future should a new barrier in Gravesend Reach be taken forward as the preferred option.

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

- 5.1.12. **Southern Water** – Following from our previous correspondence dated the 12th of December 2024 in which states there being adequate capacity. Southern Water has additional comments below.

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link: <https://www.southernwater.co.uk/developing-building/connection-charging->

arrangements

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

SuDS

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer.

Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>
<https://www.ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS>

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Please see attached our GIS document which shows an existing Water Pipe in the vicinity of the development. Please be aware the water main requires a clearance of 6 metres on either side of the water main to protect it from construction works and to allow for future maintenance access.

5.2. Internal Consultees

5.2.1. GBC - Leisure Manager (Communities) –

First Comment (26 March 2025) – Please find below comments from the Leisure Team – Communities & Inclusive Growth Directorate with regards to the above Planning Application.

Access to high quality open spaces and provision of opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Sport England outline that consideration should be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities.

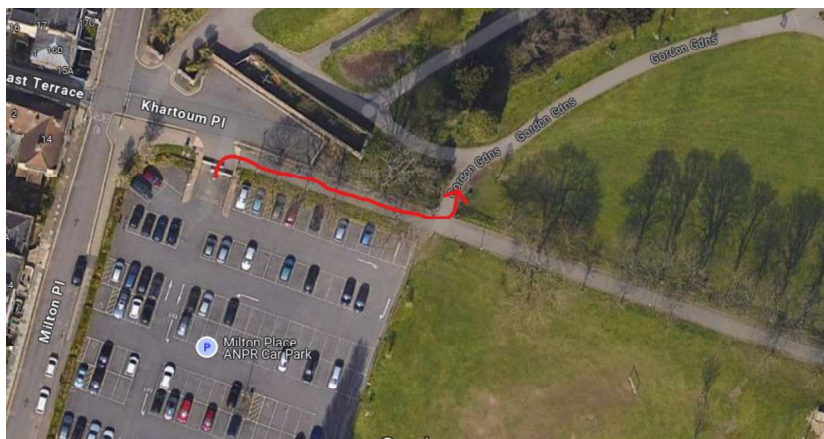
Due to location of the proposed development, it would not be expected for the developer to provide formal leisure provision on site, but it is reasonable to expect the applicant to offset the impact of its development on existing leisure facilities within the area. The approach promoted by officers is to secure a financial contribution towards the upgrading and development of local sporting and recreational facilities located within a reasonable distance of the application site, such that it will be directly related to the development and will contribute to offsetting the impact of the increased population.

Based on all the assessment data currently available including, the Open Space, Sport & Recreation Assessment compiled by Knight Kavanagh & Page in 2016 and updated indoor leisure feasibility study 2022; there is particular shortage in the provision of artificial pitches, a shortage of junior/youth grass pitches coupled with an ageing leisure centre facility stock.

Using the Sport England Sports Facility Calculator (SFC) and working on the assumption that approximately 190 residents may potentially reside within the new development (based on an average of 2.5 residents per residential dwelling), the SFC gives an indicative contribution figure of £99,114.

With regards to a contribution towards the actual loss of the playing field amenity land itself within the Riverside Leisure Area, this has been calculated as £60,000. This is an estimated cost of provision for grass pitches as outlined within the Sports England Facilities cost document (2024 Q3) for 2 x mini U7/U8 pitches in size https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2024-08/Facility%20cost%20guidance%20-%20Q3%202024.pdf?VersionId=KV.EIKyKaP3TknV746wfw3BFINt76_sp

Additionally, I mentioned in the Pre-App meeting with GBC Officers on 29 July 2024, that the Council currently uses the area earmarked for development to host a funfair 4 times per annum. As the Council generates an income from the hiring out of the space, it would be reasonable to expect that we would continue to use our land for this purpose, with the funfair moving into the Gordon Gardens. This relocation will only be possible if the existing access way through the car park is maintained, or alternative provision made by the developers to enable large vehicles to enter the Gordon site from a different point. Current access is shown on the map below.



Second Comment (28 May 2025) – Access to high quality open spaces and provision of opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Sport England outline that consideration should be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities.

Due to location of the proposed development, it would not be expected for the developer to provide formal leisure provision on site, but it is reasonable to expect the applicant to offset the impact of its development on existing leisure facilities within the area. The approach promoted by officers is to secure a financial contribution towards the upgrading and development of local sporting and recreational facilities located within a reasonable distance of the application site, such that it will be directly related to the development and will contribute to offsetting the impact of the increased population.

Based on all the assessment data currently available including, the Open Space, Sport & Recreation Assessment compiled by Knight Kavanagh & Page in 2016 and updated indoor leisure feasibility study 2022; there is particular shortage in the provision of artificial pitches, a shortage of junior/youth grass pitches coupled with an ageing leisure centre facility stock.

Using the Sport England Sports Facility Calculator (SFC) and working on the assumption that approximately 190 residents may potentially reside within the new development (based on an average of 2.5 residents per residential dwelling), the SFC gives an indicative contribution figure of £99,114.

With regards to a contribution towards the actual loss of the playing field amenity land itself within the Riverside Leisure Area, this has been calculated as £60,000. This is an estimated cost of provision for grass pitches as outlined within the Sports England Facilities cost document (2024 Q3) for 2 x mini U7/U8 pitches in size https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2024-08/Facility%20cost%20guidance%20-%20Q3%202024.pdf?VersionId=KV.EIKykaP3TknV746wfw3BFINT76_sp

It is noted that the applicant has submitted a plan to create a new access route into Gordon Gardens for articulated vehicles so the Council can continue to use the grounds to host funfairs. The route suggested within Appendix E of the applicant's Transport Statement will be sufficient to meet this need.

5.2.2. **GBC - Environmental Protection Team (Regulatory Services)** – The following

comments are made:

- Noise - The 'Environmental Noise Assessment' dated 20th February 2025 by Ian Sharland Ltd (Report Ref: M5600 v3) has been reviewed. The methodology and findings of the report are accepted. With appropriate noise mitigation measures the development can achieve the internal noise levels as required in BS8233:2014. Consideration has been given to overheating and for those properties which will need to keep windows closed, MEV fans with acoustic trickle vents are proposed. Noise attenuation measures including glazing specifications for the different plot numbers and also trickle vent specifications are given in section 5 of the report.

Fig 6.1 shows which areas are not suitable for ventilation via opening windows (areas shaded yellow). The centralised MEV fans for the houses and flats will draw in fresh air via the acoustic trickle vents.

As part of the site (the apartments and houses along Ordnance Road) falls within an Air Quality Management Area (see discussion below on air quality), air intake/inlets should not be placed on the Ordnance Road facing façades of the buildings, as this will only result in traffic fumes being drawn into the dwellings. Bearing this in mind, the use of the acoustic trickle vents on this façade will not be suitable and needs further thought on their location/where fresh air will be drawn into the properties.

Noise levels in the external amenity areas (gardens) comply with the required WHO criteria in all except 3 gardens. Of these 3, 2 comply with the upper threshold value of 55dB and only 1 exceeds this. These results are based on the gardens having 1.8m high close boarded timber fences. The report advises that the upper guideline value may be achieved with a higher fence (2.5-3m) on the southern boundary. The possibility of an acoustic grade fence doesn't appear to have been investigated.

- Air Quality - The comments made during the pre-application stage which include the Air Quality Assessment are largely reiterated. The Air Quality assessment by KP Acoustics dated 28/11/2024 (report Ref: 28439.AQ.01 Rev A) submitted at the pre-application stage covered both construction impacts and also operational impacts. Appropriate dispersion modelling was undertaken for operational phase impacts looking at both the impact of the development on the existing AQMA and also the impact on future residents in the development. The modelling demonstrated that even through the proposed development is in an AQMA, there will be no exceedances of the AQO's at this location at the time the development is completed.

This was checked by Environmental Protection by reviewing current and the past years monitoring data. Monitoring locations in the vicinity of the development site indicate that they are no longer in exceedance of the NO2 annual average objective. The findings of the assessment are accepted that the development site, despite being on the northeast of the Ordnance Road junction, is unlikely to be in exceedance at the time of occupation. Therefore, air quality mitigation is not sought in relation to an exceedance of the objective.

Any fugitive dust emissions resulting from the groundworks and construction can be addressed by way of mitigation measures in a Dust Management Plan being included in a Construction Environmental Management Plan. Reference should be made to the IAQM guidance in the plan.

- Contaminated Land - A 'Phase 2 Geo-Environmental Assessment' dated January 2024 by Create Consulting Engineers Ltd (Report Ref: AW/CS/P23-2862/02 Rev A) has been submitted and reviewed. This builds on a prior Phase 1 assessment for the site. Intrusive soil sampling and ground gas and groundwater monitoring has been undertaken, and

results assessed in relation to the required criteria for a residential end user. Made ground was found across parts of the site, including the former swimming pool area.

One elevated level of lead in exceedance of the residential criteria was found in the centre of the site and elevated levels of petroleum hydrocarbons was found in the infill of the former swimming pool. No other exceedance of heavy metals, PHAs or hydrocarbons were found. NO asbestos was found however, it is likely that the infill of the swimming pool may contain asbestos due to the age of the demolished municipal buildings on site.

Based on the above, the report recommended that further investigation should be undertaken in the are of the former swimming pool in order to decide whether the material can remain on site or is classified for off-site disposal. A remediation statement will be needed based on the findings of the additional information. This can be addressed by way of a condition

Ground gas monitoring did not find elevated levels of methane or carbon dioxide and therefore no ground gas protection measures are needed.

To address the above and other matters, the following is recommended:

Noise Mitigation

No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures in accordance with the 'Environmental Noise Assessment' dated 20th February 2025 by Ian Sharland Ltd (Report Ref: M5600 v3) If the noise levels set out in the aforementioned report are exceeded, additional noise mitigation measures to ensure the appropriate noise levels can be met shall be submitted to an approved in writing by the Local Authority and implemented in full prior to the first occupation.

The final approved sound insulation scheme shall be implemented and maintained in accordance with the approved plans thereafter.

The Post Completion report shall assess the performance of any ventilation and cooling/heating system that has been installed to the satisfaction of the local authority. The approved alternative means of ventilation and cooling/heating shall be maintained thereafter.

Alternative Ventilation and Cooling

A scheme for alternative means of ventilation and air cooling and heating must be submitted in writing for approval to demonstrate that:

- The alternative means of ventilation and cooling will not compromise any noise protection measures
- The alternative means of ventilation and cooling will not present an adverse noise or odour impact on occupants
- The air intake must bring in air away from the source of pollution i.e. the traffic on Ordnance Road
- The alternative means of ventilation and cooling will enable optimum living conditions in all weather and with reference to climate change predictions

The means of ventilation must be in accordance with CIBSE TM59 2017 - Design methodology for the assessment of overheating risk in homes and comply with Approved

Document O "Overheating" of the Building Regulations.

The alternative means of ventilation and cooling shall be maintained thereafter.

Contaminated Land

No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.

- a) A further site investigation, based on the findings of the submitted 'Phase 2 Geo-Environmental Assessment' dated January 2024 by Create Consulting Engineers Ltd (Report Ref: AW/CS/P23-2862/02 Rev A) shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- b) An updated site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
- c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.
- d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the local planning authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

Code of Practice on Construction and Demolition

Please apply as appropriate and ensure that this includes a Dust Management Plan.

Smoke Control Informative

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

5.2.3. **GBC - Waste & Recycling Manager –**

First Comment (06 March 2025) – I have reviewed this planning application and I require more information on the bin storage arrangements. At the moment, there is one bin store for the apartments with six bins which is not sufficient to meet the Council's standard collection requirements.

For guidance, the council's standard requirements are;

- Refuse - 1 x 1100ltr bin per six flats
- Recycling - 1 x 1100ltr bin per six flats with specialised recycling lid
- Food Waste - 1 x 140ltr bin per ten flats with an individual 5ltr caddy per flat

Gravesham Borough Council operates a fortnightly collection of refuse and recycling and a weekly collection of food waste.

Developers are required to pay for the provision of all bins required for a development, quotes for bins can be obtained by emailing waste.management@gravesham.gov.uk.

Collections from sites will not occur until containers are in place.

It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto to the developer for response.

The Council should be informed at least two weeks prior to the waste collections by the council commencing so that collections can be scheduled.

Second Comment (02 June 2025) – I have reviewed the attached floor plan and am happy with the bin storage arrangements, this will allow us to operate alternate weekly collections to the whole site.

- 5.2.4. **GBC - Parking Services** – The Enforcement Services Manager has been involved in various meetings regarding this development and therefore any comments have been provided during said meetings however I wanted to record a couple of points raised during those meetings.

It has been agreed that the relocation of the Councils Automatic Number Plate Recognition (ANPR) car parks systems, which currently covers Milton Place and Ordnance Road Car Parks, should be completed as part of the development works to be used for the new Milton Place Car Park.

In addition, it was also agreed that the existing Electric Vehicle charging points in Milton Place Car Park should also be relocated as part of the works, to the new Milton Place Car Park.

- 5.2.5. **GBC - Tourism and Heritage Manager** – When looking at the scheme as a whole and the provision of car parking it is important to keep in mind its location and the fact that it is next door to the Historic Area of New Tavern Fort which is recognised as a scheduled monument by Historic England - <https://historicengland.org.uk/listing/the-list/list-entry/1013658?section=official-list-entry>

Plans are also being made to restore and develop New Tavern Fort and the surrounding area by submitting a bid to National Heritage Lottery Fund this new financial year.

The Fort and Gordon Gardens already attract locals, families, schools, clubs and visitors from further afield. However, with the development plans in process it will make it one of Gravesend's key destinations to visit and the number of events and use of the site will increase.

The Heritage element of the Milton area must not be overlooked and taken into consideration when designing the plans for the development. A real synergy is essential between the two areas and financial contribution from the developers towards the restoration and development of the Fort area should be considered.

- 5.2.6. **GBC - Conservation Officer** –

First Comment (17 April 2025) – Key aspects of Milton Place Conservation Area: Milton Place in Gravesend is a designated conservation area, characterised by its long line of three-story buildings and a historical context linked to the river and surrounding meadows. The area emphasizes the importance of maintaining consistent colours and retaining original features like sash windows and panelled doors, crucial for enhancing the overall aesthetic and distant views.

- **Historical Significance:-** The area's buildings originally overlooked meadows, and the relationships between houses and their prospects are considered important for the character of the area.
- **Architectural Emphasis:-** The long line of three-story buildings, the Pilot P.H. (an Arts and Crafts style building), and the Georgian terrace on East Terrace contribute to the unique character of the area.

Without wanting to repeat Historic England's comments, which are supported, I would clarify that "less than substantial harm" carries great weight and when determining the proposals such harm cannot be supported. (Substantial harm is normally applied only to complete demolition of a designated heritage asset).

Unfortunately, the proposals have not addressed the issues of the scale and bulk it

imposes along Milton Place. Indeed the Site section 3 that has been adopted to illustrate the relationship with the existing terrace opposite the proposals has been taken through the lower section of proposed buildings and the two existing buildings in Milton Place that have mansard roofs. This is not a typical section, where Site section 4 indicates the relationship and true extent of the proposed elevation fronting Milton Place which will dwarf the existing terrace of historic buildings. The proposed corner block appears far too bulky and out of scale with the area, and appears to reference the telephone exchange rather than Milton Place or the previous church that stood on the corner site, which clearly celebrated the corner site with interest and delight. The proposed corner will appear quite bland and uninspiring on this significant gateway into the town centre. Disappointingly, the heritage statement focuses on historical and archaeological information but lacks analysis of the design proposals and the impact they will have on the conservation area and adjacent heritage assets.

What the proposals illustrate is a clear design split between the proposed houses and the proposed block of flats fronting Milton Place. It is not clear what contextual justification there is for this approach, where the proposed houses will appear to have been arbitrarily sited in this location without reference to historic context. The juxtaposition of flat roof to pitched roofs emphasises this design split, where parapet walls are commonly adopted as a historic characteristic of the area, including Milton Road, Milton Place, East Terrace and the adjacent roads in Wellington Street and Peacock Street where two storey terraces that predominate and reflect Gravesend's early historic expansion as a late Georgian town. The adoption of parapets to the front elevations, with lower pitched slate roofs, would assist in unifying the proposals within this historic context.

The planting plan shows proposed new trees but it is not clear if the existing trees on the corner of the site are to be removed or replanted, they appear as outlines and so it is assumed that they are to be removed and not replaced, but were shown in earlier iterations of the proposals. Softening of the corner with trees will make a positive contribution to the area and create the green foil that will be lost with the development of the corner.

On balance the proposals fall short of addressing points previously raised, requiring further refinement to address the issues of scale, bulk and design that impacts the historic character and appearance of the conservation area and scheduled ancient monument and heritage assets.

Second Comment (04 July 2025) – This is my assessment of the proposals for further discussion

Design and Heritage Impact Assessment

This assessment addresses the design approach for the proposed development, considering the guidance provided in the Kent Design Guide and the National Planning Policy Framework (NPPF) regarding heritage assets.

Design Approach

Paragraph 2.4.2 of the Kent Design Guide (page 158), titled "BUILDING DESIGN," emphasises that new designs should avoid confused application of architectural styles or inappropriate historic imitation. The guide advocates for quality design solutions, whether reflecting a historic style or a contemporary approach. It cautions against superficial "veneers" of traditional materials that can weaken building integrity, often lacking the detailing or sense of scale of the original. While local constraints typically dictate design, infill developments are almost always expected to harmonize with their context. The quality and detail of all materials and components are of paramount importance.

In line with this, the current proposals adopt a contemporary architectural style that subtly reflects historic elements. Historic England has acknowledged that this approach results in less than substantial harm to heritage assets.

Balancing Heritage Harm and Public Benefits

Paragraph 215 of the National Planning Policy Framework states that where a proposal causes less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The proposed development has been assessed as causing less than substantial harm to the adjacent listed buildings and the character and appearance of the conservation area. This conclusion is based on a thorough review of the proposal's design, scale, massing, and its impact on key views and the setting of heritage assets.

Crucially, the demonstrable public benefits associated with this scheme are considered to clearly outweigh the identified less than substantial harm.

The Balancing Exercise: Public Benefits vs. Heritage Preservation

When considering the material facts related to the setting of the heritage assets, significant wider public benefits would accrue from developing this land to meet Gravesham's housing needs. These benefits include:

- **Regeneration of derelict land** within the town.
- **Contribution to Gravesham Borough Council achieving a 5-year Housing Land Supply.**
- **Addition of 76 affordable homes.**
- **Economic benefits** through the creation of construction jobs.
- **Economic benefits to the Town Centre and the wider Borough as a whole.**

Conversely, it is acknowledged that the preservation of heritage assets provides considerable public benefit for current and future generations. The balancing exercise therefore involves weighing these significant public benefits of the proposed development against the identified less than substantial harm to the heritage assets.

Suitable conditions have been discussed with the Case Officer and Head of Planning, these should be imposed to any grant of planning permission.

5.2.7. **GBC - Licensing Team (Regulatory Services)** – No comment on application.

5.2.8. **Local Ward Councillors** – No comment received.

5.3. Neighbouring properties

5.3.1. An advert was published in the Gravesend Messenger and two notices were displayed around the site.

5.3.2. In addition, three-hundred and sixty-four surrounding properties were consulted and six representations were received, all registering objection to the proposal. The concerns raised have been separated into material and non-material planning considerations, and are listed below:

NB – only the material planning considerations are relevant to this decision

Material Planning Considerations

- Inappropriate Scale of Development
- Overdevelopment
- Out of Character and Poor Design
- Harmful Impact on Heritage Assets
- Impact on Amenity (loss of light, outlook, sense of enclosure, noise and disturbance)
- Impact on Parking (reduction in Milton Place carpark)
- Increased traffic flow onto Milton Place
- Loss of Open Space
- Impact on Air Quality

Non-Material Planning Considerations

- Loss of Property Value
- Loss of View
- Objectors personal circumstances
- Seek financial compensation if the development goes ahead
- Issues with the public consultation

5.3.3. The consultation period expired 04 April 2025.

6. Planning Analysis and Head of Planning Comments

Principle of Development

6.1. The principle considerations in the assessment of this application are:

- Housing Need
- Design, Character and Appearance
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Open Space
- Refuse Arrangements
- Sustainable Urban Drainage
- Sustainable Development
- Historic Environment
- Archaeology
- Contaminated Land
- Air Quality
- Ecology and Biodiversity
- Affordable Housing and Planning Obligations

Housing Need

6.2. In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

“It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than “guidance” and as such a “material consideration” for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme.”

- 6.3. It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025, it demonstrates that based on data for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.
- 6.4. Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Policy CS02 of Gravesham's Local Plan Core Strategy (LPCS) (2014) must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:
 1. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 2. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.5. In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:
 - Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
 - Land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and
 - and areas at risk of flooding or coastal change.
- 6.6. In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 130(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.
- 6.7. The proposed development for a net increase of '76' residential units would offer an significant contribution towards meeting this local need and, accordingly, officers considers that this should be accorded significant weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2024) which requires new development to be high quality, beautiful and sustainable, and to create better places in which people can live and work, which also helps make development acceptable to existing local communities.

- 6.8. Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Design, Character and Appearance

- 6.9. Policy CS19 (LPCS) states that the design, layout and form of new sustainable development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. The NPPF (2024) sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development. The NPPF (2024) makes it clear that development that is not well designed should be refused, especially where it fails to reflect local design policies (e.g. Local Plan Policy CS19 and the associated Supplementary Planning Document adopted by the Council, Design for Gravesham) and government guidance on design (contained in the National Design Guide and National Model Design Code).
- 6.10. The quality and character of the built environment is also important in making the Borough an attractive place in which to invest. Therefore, a balance is required between achieving an effective use of a site, whilst ensuring the development is a sustainable, place-led development with people at its heart and one which protects local amenity. At the level of individual sites and buildings, the environmental impact of new development can be minimised by reducing energy in use; minimising external pollution and environmental damage; reducing embodied energy and resource depletion; and minimising internal pollution and damage to health.
- 6.11. The design, character and appearance of the proposal was raised as a concern within the neighbour consultations. Neighbouring residents have objected to the development raising concerns related to, in their view, poor design, inappropriate scale and overdevelopment, which is considered by these neighbours as being out of character with the surrounding area.

Density of Development

- 6.12. Development on this site should meet the requirements of Policy CS14 (LPCS), where the Council expects new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area.
- 6.13. Policy CS15 (LPCS) requires that all new housing will be developed at a density, which is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration, new residential development within the urban area will be expected to achieve a minimum density of 40 dwellings per hectare. It is clear that whilst Policy CS15 (LPCS) seeks to achieve this minimum density, this should not be at the expense of compromising the character of the surrounding area.
- 6.14. Policies CS14 and CS15 (LPCS) are expanded upon by Design for Gravesham, which also requires applicants to follow a design-led approach to achieve an appropriate density, to deliver a level of density that is contextual to area and to deliver a minimum of 40 dwellings per hectare (dph) in the urban area.
- 6.15. Based on the area of the site, the density of the development would be circa 54 dph thus meeting the minimum density requirements of both the LPCS and Design for Gravesham.

Although the density calculation might suggest the density of the site is conservative, only marginally exceeding the 40dph minimum, due to the context of the site including several heritage assets the proposal has to address a number of factors such as reflecting the character of the area, retaining open space, as well as the conservation of heritage assets and their significance impacted by the proposal.

- 6.16. Having taken these matters into consideration, it is considered that the proposed density for the site is acceptable. Therefore, the proposal is in accordance with Design for Gravesham (2024) and Policy CS15 (LPCS) subject to wider considerations such as design and heritage.

Housing Type, Mix and Size

- 6.17. Policy CS14 (LPCS) seeks to ensure that new housing development provides a range of dwelling types and sizes. The proposed scheme will deliver a mix of unit types and sizes, with 15 dwellinghouses ranging from 2 bedrooms to 4 bedrooms, as well as 61 assisted living apartments with 1 bedroom and 2-person capacity.

Unit		Amount
Apartments (assisted living)	1 bedroom	61
Dwellinghouses	2 bedroom	2
	3 bedroom	12
	4 bedroom	1
Total		76

Table 1 – Dwelling Mix

- 6.18. The assisted living apartments would all be affordable units (social rent), tailored for the 'Later Living Market' (55+) with 8no. apartments being M4(3) complaint. The new dwellinghouses would be market housing.
- 6.19. The proposed development achieves a mix of housing types and sizes, providing for single person to family occupation, in accordance with Policy CS14 (LPCS).

Design, Character and Appearance

- 6.20. The development comprises of a number of different buildings, at varied scale and design. For ease of assessment, the section below will assess the apartment building and dwellinghouses separately, before considering the development as a whole.

Apartment Block

- 6.21. The apartment building is a four storey block located on the corner of Ordnance Road and Milton Place. It is the tallest building on the site, with its height stepping down along Milton Place.

Ordnance Road Elevation



Milton Place / Ordnance Rd Corner Elevation



Milton Place Elevation



Khartoum Place Elevation



- 6.22. The building has a contemporary design and a flat roof, screened behind parapet walls. The building has a staggered height, which emphasises the corner, and reliefs have been incorporated into the elevations to aid in breaking up its perceived bulk. Due to surrounding land levels, the ground floor is set-below the footway which further reduces the perceived height of the building.
- 6.23. It is acknowledged that the scale of the apartment building is large compared to the surrounding built form, through both height and mass. However, the building has been redesigned to emphasise the height on the corner and step down along Milton Road, with recesses and linear banding serving to break up of the perceived bulk, which are good design strategies. Therefore, although the scale of the building is large, it is a considered that the proposed design in accordance with Design for Gravesham (2024).
- 6.24. As shown in the elevation excerpts above, plant machinery is visible on the roof which is considered to be detrimental to design. Should Members be in support of the application, there will be conditions attached to ensure that details of all plant and the proposed screening are agreed in writing by the Local Planning Authority.
- 6.25. Subject to conditions, the proposed development accords with the design principles set out Policy CS19 (LPCS) and Section 12 of the NPPF (2024). Notwithstanding this, further consideration of the apartment building and its impact on Heritage Assets is set out later in this report.

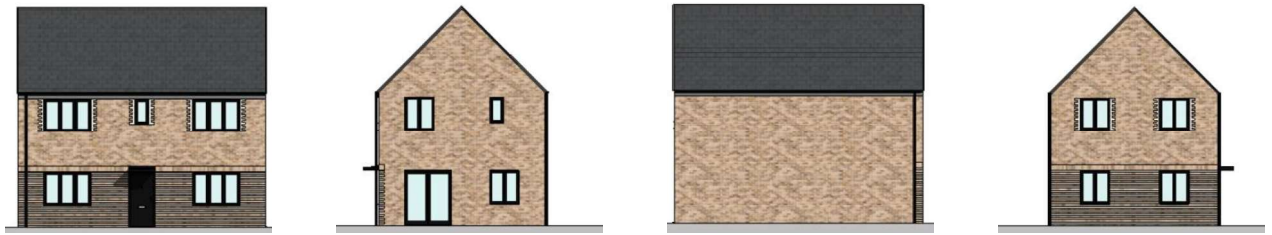
Dwellinghouses

- 6.26. The dwellinghouses in the development would be a mix of detached and semi-detached units, varying between two and three storeys in height. The properties have similar characteristics and materiality, which would tie in with the apartment building and create continuity throughout the development.
- 6.27. The excerpts below show each dwelling type and their layout on the site:

Galloway - Semi-detached (2b / 4p)



Lewis - Detached (3b / 5p)



Wainwright - Detached (4b / 8p)



Walbury - Detached (3b / 6p)



Walbury - Semi-detached Type 01 (3b / 6p)



Walbury - Semi-detached Type 012 (3b / 6p)





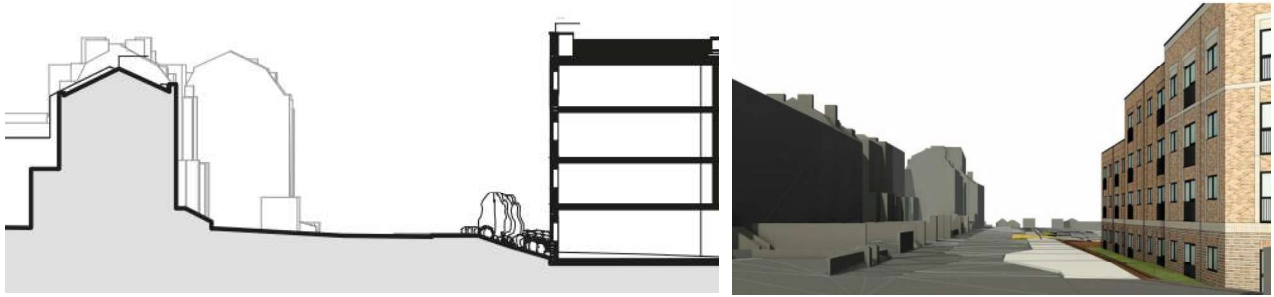
6.28. The proposed dwellings are considered to be well-designed, with variety in appearance but key characteristics to provide continuity. Subject to the securing additional details via a planning condition, there are no issues relating to the scale and design of the dwellings within the development, as such the proposed development accords with the design principles set out Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Layout and Landscaping

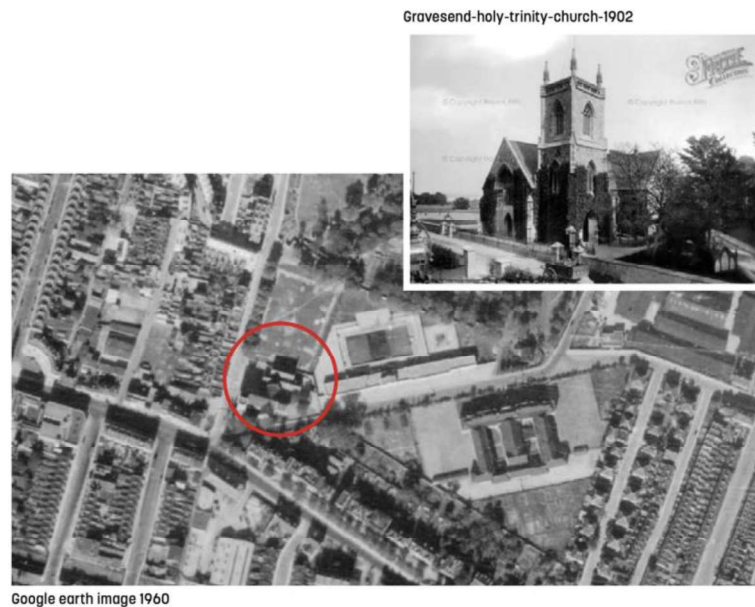
Layout

- 6.29. The development has been designed with the tallest building located on the corner of Milton Place and Ordnance Road, and the lower density properties to the east of the block of apartments, immediately to the north of Ordnance Road, this is demonstrated in the diagram below.
- 6.30. Whist the diagram provides useful context of the heights of the proposal, consideration also needs to be given to the section plans accompanying the proposal. These show that when considered in context, the height of the apartment block will be approximately 0.5 storeys taller than the existing residential properties on Milton Place, directly adjacent to the proposal.





- 6.31. Notwithstanding this, the taller apartment block addresses the corner of this prominent site and is a focal building, which given its context in the wider townscape is a good design strategy in accordance with guidance from Design for Gravesham (2024). The focal building is also in the location of a historic church and seeks to reflect the former church's commanding presence within the town. Known as Holy Trinity Church, Milton Place the church was demolished in 1969 as a result of a fire.



- 6.32. The lower density housing has been strategically placed closer to the retained open space to enable the historic sightlines of the New Tavern Fort to be maintained, which preserves the heritage assets significance. Therefore, the layout of the proposal is considered to be appropriate.
- 6.33. Overall, the proposal achieves a suitable layout of the development, with residential uses positioned close to established neighbouring properties at acceptable heights and the larger buildings located at a focal point within the site and the wider townscape. The layout is such that the site is not cramped or overdeveloped, with landscaping proposed to soften the development and create a better living environment for future occupiers.

Landscaping

- 6.34. In terms of landscaping, the existing site contains the Milton Place carpark and a disused BT storage depot (car park) to the west, skate park to the east and an area of open space in the centre. There is a tree lined footpath and cycleway that runs along the north of the site, abutting the boundary with the Riverside Leisure area which is separated by metal railings and accessed from the site through gates from the footpath.

- 6.35. The development hereby proposed would principally be on the western and central part of the site, with the eastern edge retained as public open space and the skatepark. The existing carpark will be reduced in size by approx. 50% and the larger apartment block constructed on the disused BT storage depot area. The new dwellings more central on the site would occupy part of the existing open space, with the remaining area improved through landscaping.
- 6.36. The landscaping strategy seeks to improve the quality of accessible and safe public open space provision, respond to the historic context, soften and frame the development proposal, enhance existing landscaping and biodiversity opportunities, provide links with adjacent land uses and improve the skatepark. This would create different character areas within the site, with the carpark, residential to the west and south, and open space and skatepark to the east and north.



- 6.37. The Local Planning Authority acknowledge the relatively limited existing landscaping on site, with the exception of trees predominantly on the northern and south-western portions of the site. The proposed landscaping strategy seeks to retain these trees as far as possible, whilst proposing to introduce new hedgerow and tree planting to enhance and soften the development, and to screen the skatepark. The design of the gardens area within the open space will utilise ornamental planting to emphasise the historic cannon lines of fire, in addition grassland amenity areas will be provided with informal play space (boulders and logs) and a usable SUDS depression of flower rich grassland.
- 6.38. In terms of hard landscaping, the proposal would introduce a mix of materials. The access road would be formed using tarmac, with the internal parking and side roads to be pre-cast concrete block paving, the main footways, private patios and paths would be surfaced using concrete block paving, and the linear cannon fire paths formed using hoggin (self-binding gravel). The private amenity space of the new dwellings would be enclosed by fencing, and benches (backless and backed) will be located around the open space. Generally this strategy is considered to be acceptable and good design, however, this would be secured by way of planning condition.
- 6.39. This is considered to be an appropriate strategy and will create a visually attractive development, providing both private and communal amenity spaces for future occupiers and surrounding residents. The implementation of the proposed landscaping strategy will be secured by conditions.

Conclusion on Overall Design, Character and Appearance

- 6.40. The proposed development has been designed in a contemporary style and would not result in an overdevelopment of the site or have a detrimental impact on the character, appearance or the quality of the area and has an appropriate layout and landscaping proposal, in accordance with Policy CS19 of the Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2024).

Amenity of Future Occupiers

- 6.41. Policy CS19 (LPCS) requires that all development should be ‘fit for purpose’ and be ‘adaptable to allow changes to meet the need of users’ and that ‘the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines’ (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These Nationally Described Space Standards (NDSS) came into effect on 1 October 2015.
- 6.42. The dwellings proposed within the development vary between single family dwellinghouses and assisted living apartments. The proposed apartments within the block are single bedroom units, with two bedspaces all of which exceed the NDSS minimum floor area of 50m² and have good sized rooms that accord with Gravesham’s RLG.
- 6.43. The proposed dwellinghouses also meet and exceed the requirements of the NDSS and would provide good quality living environments for future occupiers. Moreover, the rooms within the units and private amenity space exceed the minimum standards set out in Gravesham’s RLG.

House Type		Proposed Bedspaces / Occupants	Proposed Floor Space	National Space Standard (m ²)	RLG (floorspace rooms)	Amenity Space
Galloway	(semi-detached)	2b / 3p	111.11m ²	70m ²	Y	51.2m ² (minimum)
Lewis	(detached)	3b / 5p	99.37m ²	93m ²	N	79.5m ² (minimum)
Wainwright	(detached)	4b / 7p	134.9m ²	115m ²	N	95.3m ² (minimum)
Walbury	(semi-detached) – Type 1	3b / 6p	115.94m ²	108m ²	Y	71.5m ² (minimum)
	(semi-detached) – Type 2	3b / 6p	115.94m ²	108m ²	Y	55.5m ² (minimum)
	(detached)	3b / 6p	115.94m ²	108m ²	Y	65m ² (minimum)

Table 2 – Dwellinghouses

- 6.44. As demonstrated in Table 2, the proposed dwellings exceed the gross internal floor area requirements set out in the NDSS. The dwellings comply with the RLG for internal room floorspace, with the exception of the double bedrooms in the Wainwright and Lewis units, and single bedroom in the Lewis units, which fall below the 11.5m² minimum.
- 6.45. In the Local Plan Core Strategy, adopted in September 2014, Policy CS19 requires developments to be fit for purpose, and to meet a list of design criteria. Amongst other things, these include that the design and layout should accord with the RLG, adopted as

supplementary guidance in February 1996. The Written Ministerial Statement (WMS) which introduced the NDSS, dated 25 March 2015, states that existing local plan policies relating to space within dwellings should now be interpreted by reference to the nearest equivalent NDSS standard. Where there is an applicable standard specified in the NDSS, national policy requires that standard to take precedence over the RLG. However, whichever standards are applied, they should be seen as guidance rather than mandatory taking into account the particular merits of the development proposed.

- 6.46. As set out within the RLG, the minimum floorspaces for double bedrooms and single bedrooms originally set within the RLG no longer applies as at 11.2 sq m and 6.5 sq m respectively, as these are less than the nationally described space standards of 11.5 sq m and 7.5 sq m.
- 6.47. With regards to the shortfall against the minimum floorspace for bedrooms, the table below sets this out. To address the shortfall, the applicant has agreed to certain bedrooms in the Lewis and Wainwright properties being restricted to single occupancy as set out in the table below.
- 6.48. These changes mean, that all but one of the bedrooms (Lewis property type, bedroom 2) will meet both the RLG and NNDS minimum floorspace requirements for bedrooms. To overcome the shortfall for Lewis property type bedroom 2, the applicant has agreed to amend the proposed floor plan. These changes would mean that the Wainwright property will have 4 bedrooms with an occupancy of 5 persons, rather than 7. With the Lewis property having 3 bedrooms with an occupancy of 4 persons, rather than 5.

Without these changes, the proposal would have failed to provide acceptable living conditions for future occupiers with regards to internal space. This would have been contrary to Local Plan Policy CS19 and the NPPF which seeks to ensure developments have high standards of amenity for existing and future users.

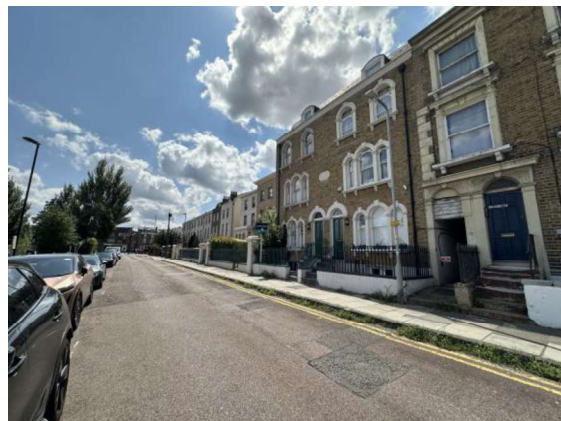
House Type	Bedroom Number	Bedroom Floorspace Proposed (sq m.)	Minimum Double Bedroom Floorspace (sq m.)	Minimum Single Bedroom Floorspace (sq m.)	Revised Position
Lewis	Principle	13.5	11.5	7.5	No change
	1	10.3	11.5	7.5	Single bedroom occupancy only
	2	7	11.5	7.5	Revision to floorplan proposed
Wainwright	Principle	15.8	11.5	7.5	No change
	1	10.6	11.5	7.5	Single bedroom occupancy only
	2	10	11.5	7.5	Single bedroom occupancy only
	3	9.21	11.5	7.5	No change

Table 3 – Lewis and Wainwright Internal Layouts

- 6.49. Further to this, the dwellings all comply with Gravesham's RLG requirement for private garden (amenity space). As such, the proposal would provide a good quality living environment for future occupiers.
- 6.50. The proposed layout of the residential dwellings on the site means that there would be no overlooking, with minimum window-window distances of 20m between new dwellings facing back-to-back. These distances mean that there would be no detrimental impact on amenity through overshadowing, outlook or sense of enclosure.
- 6.51. Therefore, subject to the identified changes being secured, the proposed development is considered to safeguard amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Neighbouring Amenity

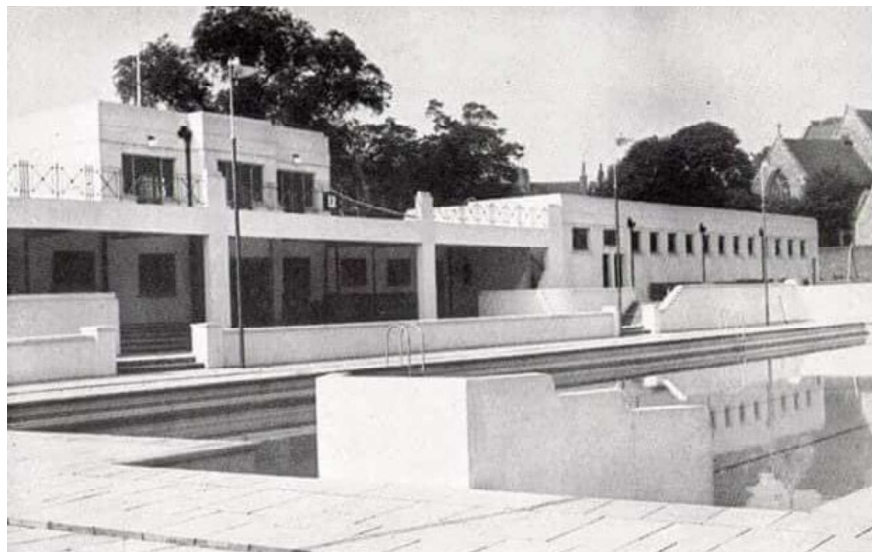
- 6.52. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and the NPPF (2024) requires development to have a high standard of amenity for existing users (In this case surrounding properties).
- 6.53. The neighbour consultation registered six objections to the development. These are summarised in section 5.3 of this report, with a number of residents expressing concern with amenity impacts through loss of privacy, overshadowing and outlook, as well as noise and disturbance impacts.
- 6.54. The layout and scale of the development are such that the dwellinghouses sit to the east and the larger apartment block is located to the west, fronting Milton Place and Ordnance Road. This places the larger apartment block adjacent to residential properties on Milton Place, therefore the amenity of these properties are a key consideration and must be safeguarded by the proposal.
- 6.55. The properties on Milton Place are terraced dwellings of mixed height, varying between three and four storeys. These dwellings are set-back from the edge of the footway behind front gardens.



- 6.56. Gravesham's RLG sets out that the minimum window-window distance for privacy, over a highway, is 21m. In this case, the development achieves a separation distance of approx. 25.7m between the apartment block and the neighbours on Milton Place. As a result, the development meets the RLG minimum and would not result in direct overlooking.
- 6.57. The introduction of new dwellings via the apartment block would result buildings being

introduced opposite the existing dwellings on Milton Place and screen existing views over the car park and former BT depot and onto the open space to the East. This would a degree of impact on the views onto the open space currently afforded to residents.

- 6.58. The Milton Place Conservation Area Appraisal, identifies that, *“Milton Place was laid out in the early 19th century across early footpaths and farmland tracks that surrounded the Gravesend fortifications. It connects with The Terrace, which formed the first eastern expansion of Gravesend in the 1790s and led the way to the creation of the New Town. From the 1820s the Milton Place properties were built as desirable residences with extensive views across the Kent countryside towards Cobham and Gravesend Reach. Some of the houses were initially occupied by pilots who could view their ships at anchor and have easy access to the riverside piers. Milton Place retains many of these fine early and mid 19th century houses with interesting Italianate and classical architectural features and proportions.”*
- 6.59. Recognising this, it has to be accepted that the context of Milton Place and the land adjacent to these properties has varied over time, with views changing as time has gone on with development taking place in the Borough and evolving the Borough’s townscape. For example, prior to the current car park and former BT depot, the immediate view from Milton Place would have consisted of the former Church and open-air swimming pool, as illustrated in the photo below. In addition to this, it must also be recognised that the views from Milton Place towards the car parks and open space, is neutral rather than positive, due to it’s current context. It light of this, it is not considered that the views from Milton Place will be harmed, although it is accepted that they will evolve and change.

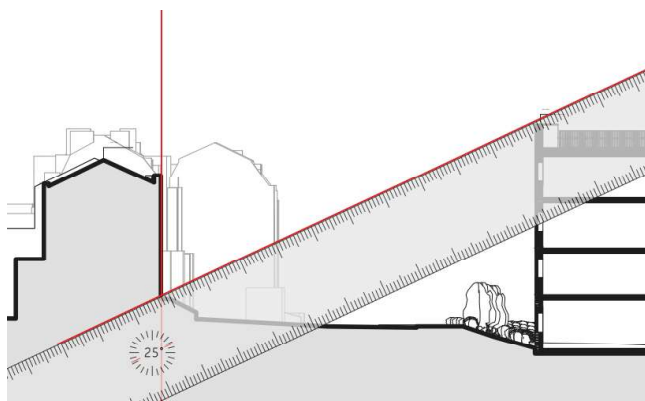


Former Swimming Pool

- 6.60. It is well established in planning law that there is no right to a view and is not a material planning consideration. The concerns raised by residents could be more related to outlook impacts which is considered below).
- 6.61. The new development would increase the perception of being overlooked, however the proposal exceeds the minimum window-window distance and neighbours would not be directly overlooked, thus there would be no impact on privacy.
- 6.62. Moreover, negotiations between the applicant and Local Planning Authority have resulted in the roof terrace being removed from the proposal. The original submission sought a 143.24m² roof terrace on the northern side of the block at third floor level, which would have resulted in future occupiers of the apartments gathering and an unacceptable,

increased level of perceived overlooking for residents on Milton Place. With the removal this unacceptable perceived overlooking is addressed.

- 6.63. The new apartment block would not impact amenity through overshadowing, based on the RLG's 25° rule. The RLG states that a 25° rule should be applied to new development to ensure no loss of light to residential properties. As demonstrated in the annotation below, the development would pass the 25° test from the lower point of the ground floor windows. It is noted that the basement windows would fall below the height measured on the plan, however these are below ground level and would still receive good quality levels of light during the day due to the sun's path.



- 6.64. Considering the impact of a development on outlook, or if a development is overly dominant or overbearing is more subjective than light. However, the separation distance and compliance with the 25° rule can be applied to ensure that neighbouring residents have an unobstructed view of the sky, which was considered by the Planning Inspectorate in a Hounslow appeal. The Inspector dismissed the appeal for an upward extension to a 1960's building for new flats, based on the impact on neighbours through the proximity of the development resulting in a loss of outlook and a limited view of the sky (APP/F5540/W/16/3143446).
- 6.65. In this case, the 25.7m separation distance and compliance with the 25° rule is considered to minimise potential overbearing impact on outlook. Furthermore, while the development would be visible from the neighbouring properties and would alter the existing outlook, the proposal would be softened through planting on the boundary fronting Milton Place and conditions will be attached to ensure that this is sufficient to mitigate and screen the development.
- 6.66. Overall, the proposal is not an unneighbourly form of development and would safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Parking and Highways

- 6.67. The proposed development needs to be considered against Policy CS11 (LPCS) which states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This is also reflected by Saved Policy T1 (LPFR) which requires proposed development to be adequately served by the highway network and Saved Policy P3 (LPFR) which sets out highways parking standards for development.

- 6.68. At a national level the NPPF (2024) states at paragraph 110, significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF (2024) goes on to state development should only be prevented or refused on transport grounds where the cumulative impact of development is severe.

Proposed Highway Layout and Arrangements

- 6.69. The proposed development would introduce a new bell mouth vehicular access point onto Milton Place, relocating the access into the carpark to the north. The access into the development would have a carriageway width of approx. 6m, reducing to approx. 5.7m within the development. The access would provide 2.4m x 43m visibility splays southward on Milton Place, which accords with the requirements set out in KCC's Kent Design Guide (2000) and Manual for Streets (2007), as such KCC Highways have not raised objections to the proposed access.



- 6.70. The road network within the site (as highlighted above) is considered acceptable by KCC Highways, with main trunk road providing access to the apartment building and dwellings, before the hierarchy is reduced to the property accesses, defined by different surface materials.
- 6.71. In order to allow for the development of Albion Waterside, a Key (allocated) Site within the LPCS, Policy CS04 the applicant via their transport assessment has demonstrated that the road widening required under planning application 20210270 can be delivered, as demonstrated in the extract shown below. However, the proposed landscaping may be impacted by the delivery of this allocation, as such this matter will be addressed via the soft landscaping condition.



- 6.72. There are pedestrian and cycle routes through the site from Ordnance Road, Milton Place and the Riverside Leisure Area, providing connectivity for all users. This is in accordance with Policy CS11's (LPCS) active travel objectives.

Traffic Generation and Impact on Surrounding Properties

- 6.73. With a net increase of 76 residential properties and the retention of an 84no. space carpark, there would be an increase in movements to and from the site. However, given the location of the site and the entrance/egress onto a one-way street, with close connection to Gravesham's Town Centre one-way system, it is not considered that the development would create any significant issues on the local highway network.
- 6.74. The application has been supported by a Transport Statement, which forecasts a total of 16 vehicle trips generated in either peak morning or evening travel times from the new residential uses (08:00-09:00 / 17:00-18:00). These projected trip numbers do not result in an unacceptable impact on highway safety, neither do the proposed number of trips result in residual cumulative impacts on the road network (local or strategic), which when taken into account with other permitted growth, would be severe enough to warrant a refusal on highways grounds. It should also be noted that there are no major accident records near the access to the site.
- 6.75. Surrounding residents raised concerns with the increased traffic flows on Milton Place due to the new development and the relocation of the carpark access, which would result in increased noise and disturbance.
- 6.76. It is acknowledged that the number of vehicles using Milton Place would increase, however the road would remain one-way which would manage traffic flows and minimise conflict. Due to the proposed apartments being assisted living accommodation and making up 80% of the units, the traffic generated by the development would be limited. The flow of traffic to the carpark would be more noticeable, however is not considered to have any material impact on amenity. The single glazed windows required on properties on Milton Place do have lower acoustic values or noise reduction, however the properties are set-back from the highways edge and the proposed development would not increase traffic significantly to impact through noise.

- 6.77. Overall, the proposed development as a whole is not considered to generate significant vehicle movements to result in impact on the highway network. The methodology and estimate for vehicle movements have been accepted by KCC Highways, who have not raised objections in this regard. Therefore, in light of the evidence presented, the proposed vehicle movements are not considered to be sufficient enough to cause unacceptable impacts on the highway network, and therefore are not sufficiently severe enough to warrant a refusal on highways grounds.

Parking Provision

- 6.78. The proposed development will include:
- 8 spaces for the independent/assisted living accommodation
 - 19 spaces for the dwellinghouses
 - 84 spaces (4 accessible) in Milton Place carpark
 - 27 spaces in the Ordnance Road carpark (to be reduced as part of Ordnance Road widening for Albion Waterside)
 - EV charging spaces for all dwellings and provision within Milton Place carpark.
- 6.79. Further to the vehicular parking, cycle parking is provided with 62 spaces provided for the apartments and 2 spaces provided for each dwellinghouse, within secure cycle stores.
- 6.80. The proposals include the reduction in an existing area of public surface car parking from 148 no. spaces to 84 no. spaces and the Ordnance Road car park would be reduced by 3no. spaces to 27no. spaces. This reduction in parking is supported by a study into the use of the existing public car parks within Gravesend and specifically the car park occupancy data analysis for Milton Place and Ordnance Road car parks.
- 6.81. The reduction in parking spaces within Milton Place carpark has been raised as a concern by local residents. This has been reviewed by GBC Parking Services who have raised no objection to the reduction in parking spaces to accommodate the development. Therefore, this is not considered to cause any significant or serve impact on the highway network and is not sufficient grounds to refuse the application.
- 6.82. The parking provision serving the development is below the maximum requirements set out in Gravesham's adopted parking standards (SPG 4) (2006), however the site is within a sustainable location within 650m of the Town Centre, with bus routes within short walking distances, and Gravesham Railway Station within 880m providing regular connections to London and Kent. The NPPF at Para. 115-117 makes it clear that when considering development proposals, priority should be given to pedestrian and cycle movements, followed by public transport, with a vision led approach taken to mitigating impacts on the transport network.
- 6.83. In the past, the approach advocated was known as "Predict-and-Provide". This involved making predictions about the size and make-up of the future population of a development, their employment (and the location of these opportunities) and their travel patterns: the latter largely derived from an analysis of past travel behaviour, which then influenced the mitigation needed. A vision led approach in contrast considers how to make places attractive, prosperous, safe, healthy, and easy to get around. It approaches transport matters in ways that will influence travel choices that, in turn, will help create these better places. This is reflected in the NPPF prioritising sustainable modes of transport, over the use of private motor vehicles.

6.84. There is no objection raised by KCC Highways, subject to the following conditions being imposed, should Members resolve to grant the proposal planning permission:

- Construction Management Plan
- Car Parks to remain open at all times during construction
- No resident permits for carpark
- Resurfacing of Ordnance Road carpark
- Parking provided prior to occupation
- Cycle storage prior to occupation
- Electric vehicle charging
- Visibility splays prior to use of site

Conclusion of Parking and Highways

6.85. Overall, subject to the imposition of the above listed conditions should Members resolve to grant the proposal planning permission, the proposed road layout, trip generation and parking provision are considered to be acceptable to serve the development and not cause any severe impact on the highway network. As such, the proposal is in accordance with Gravesham's adopted parking standards (SPG 4) (2006), Policy CS11 (LPCS), saved policies T1 and P3 (LPFR) and Section 9 of the NPPF (2024).

Open Space

6.86. Policies CS12 and CS13 (LPCS) seek to prevent the loss of open space and ensure that new development provides adequate protection and enhancement to the quality and accessibility of green space within the borough, and provide links between networks of green spaces through footpaths and cycle routes. This is echoed by paragraph 104 of the NPPF (2024), which seeks to protect existing open space, sports and recreational land, unless certain exceptions are met.

6.87. The application site contains open space at Ordnance Road, which is made up of a primarily grassed area which is occasionally used as for sport (football) and a travelling funfair (4x per annum). The skatepark is located to the eastern corner of the site, which is adjoined by a grass bund. It is utilised as a shortcut by pedestrians to access Milton Road and the Riverside Leisure Area from Ordnance Road. This area of open space is identified within Gravesham's open space assessment (2016) as low value by virtue of being a grassed area with no notable features, albeit providing breaks in urban form and some visual amenity to their locality.

6.88. This proposal would encroach on the existing open space, reducing its overall size but improving it in qualitative terms. The informal sport provision would no longer be available, but the skate park would be retained and boulder/log play area included. Gravesham's Leisure Services have raised no objection to the proposal, subject to securing a contribution towards the loss of playing field and amenity land, with the contribution going towards leisure provision within the borough.

6.89. The reduction in open space has been expressed as a concern by surrounding residents, who consider that green infrastructure and facilities should be improved and not developed. In this case, the applicant will improve the portion of retained open space and due to the close proximity of the Riverside Leisure Area is not considered to have impact on the availability or provision for residents. Moreover, the development will improve connectivity through the site to provide access routes between Milton Place and Ordnance Road as well as to the Promenade.

- 6.90. Therefore, although reducing the open space offer in quantitative terms, the uplift in quality is considered to meet the objectives of Policies CS12 and CS13 (LPCS), as well as paragraph 104 of the NPPF (2024).
- 6.91. Further to this, the supporting information highlights issues of anti-social behaviour were raised by residents during the public consultation, due in part to the lack of overlooking or natural surveillance over the Milton Place carpark or skatepark. The Local Planning Authority acknowledge that the new development would increase natural surveillance of the skatepark and new carpark, which would reduce the potential for anti-social behaviour in accordance with Secured by Design Principles (Residential (Homes) Guide) (2025) and Policy CS19 (LPCS).

Refuse Arrangements

- 6.92. Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.
- 6.93. The proposal sets out that each of the dwellinghouses would have individual bin stores. The apartments will have communal bin stores. There appears to be sufficient space to accommodate the quantity of bins for the development and no objection has been raised by Gravesham's Waste and Recycling Manger to the provision set out in the revised plans.
- 6.94. Should Members resolve to grant the proposal planning permission, there will be conditions attached to the permission requiring details of the bin store to be submitted and approved in writing by the Local Planning Authority. In addition, an informative regarding additional information relating to waste will be attached to the decision notice.
- 6.95. Subject to conditions as set out above, the proposal is in accordance with Policy CS19 (LPCS) and incorporates appropriate facilities for storage and recycling of waste. There is sufficient space on the roads throughout the site to accommodate refuse collection vehicles, with turning spaces provided.

Sustainable Urban Drainage

- 6.96. Policy CS18 (LPCS) sets out the requirements for dealing with sustainable drainage and surface water run-off. The proposal seeks to collect and convey all surface water to the infiltration basin within the soft landscaped area to the north of the site. The water would be retained from roof and hardstanding areas via rainwater goods, drainage channels and road gullies.
- 6.97. The application has been supported by a Flood Risk Assessment and Drainage Strategy (10109-PTA-XX-XX-RP-C-9071 - P02), which has been reviewed by Kent County Council Flood and Water Management, who raise no objection subject to conditions relating to the submission of a sustainable urban drainage scheme and a verification report.
- 6.98. Southern Water are content that there is capacity to accommodate the developments foul water drainage within the system, and the waste would be directed in an underground pipe network to the main sewer on Ordnance Road.
- 6.99. Overall, should Members resolve to grant the proposal planning permission, subject to these conditions, the proposal is in accordance with Policy CS18 (LPCS) and Section 15 (paragraph 187) of the NPPF (2024).

Sustainable Development

- 6.100. Policy CS01 (LPCS) requires the Local Planning Authority to take a positive approach that reflects the presumption in favour of Sustainable development contained with the LPCS and the NPPF (2024). Policy CS02 (LPCS) requires development to prioritise the redevelopment and recycling of underused, derelict and previously developed land in the urban area. Due to the location, size and layout, together with the spatial character of the area, this application site meets these definitions.
- 6.101. Policy CS18 (LPCS) sets out that new development should aim to reduce the overall carbon footprint of on development, and Policy CS19 (LPCS) requires (where relevant) that new development will provide carbon reduction and provision for low carbon and renewable imagery, minimising energy consumption and water use.
- 6.102. At a national level, the NPPF (2024) states in paragraph 8 that achieving sustainable development means improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Paragraph 105 of the NPPF (2024) states the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.
- 6.103. The development is looking to meet the sustainable design and construction requirements set out in the LPCS, Gravesham Borough Council Climate Change Strategy, Building Regulations and NPPF (2024). These are as follows:
- Dwellinghouses would have:
 - air source heat pump (ASHP) with internal hot water cylinder;
 - underfloor heating on the ground floor;
 - wet panel radiators on upper floors;
 - electric mechanical ventilation fans and acoustic trickle vents; and
 - EV charging points.
 - Apartments would have:
 - ASHP and electric panel radiators; and
 - centralised electric mechanical fan and acoustic trickle vents.
 - Orientation of homes to maximise daylight and dual aspect where possible;
 - Provision of cycle storage spaces to promote sustainable means of travel;
 - Close proximity to public transport links, with opportunities to walk or cycle to Town Centre amenities
- 6.104. Overall, the proposed development is considered to be sustainable form of development that is designed to minimise the impact on climate. As such there is no conflict with Policies CS01, CS02, CS18 and CS19 (LPCS) and Section 2 of the NPPF (2024).

Historic Environment

- 6.105. Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 135 of the NPPF (2024) seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 (LPCS) reflects these aims and requires that new development is well designed and respects the character

and appearance of the surrounding area.

6.106. The NPPF (2024) also places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 219). This is echoed in Policy CS20 (LPCS), which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC2 of the Local Plan First Review (LPFR) (1994) sets out that for development affecting the setting of listed buildings, the primary consideration is the maintenance of the integrity of the original listed building, and whether the character or appearance of the listed building will suffer as a result. Proposals must be sympathetic in terms of their appearance and materials.

6.107. Saved Policy TC3 (LPFR) also states that development is expected to make a positive contribution to the conservation area. As mentioned previously the application is within and adjacent to a number of Heritage Assets. As such these policies are all relevant to the consideration of this application. The principle Heritage Assets that are within or adjacent to the site include:

- New Tavern Fort, Gravesend, including Milton Chantry (Scheduled Ancient Monument)
- Gravesend Riverside Conservation Area (the site lies within this Conservation Area)
- Milton Place Conservation Area (the site lies adjacent to this Conservation Area)
- The following listed buildings, which are in close proximity to the site:
 - Gordon House and Milton House (Grade II)
 - 14 Milton Place (Grade II)
 - 15 Milton Place (Grade II)
 - 1-8 East Terrace (Grade II)
 - 16-19 Milton Place (Grade II)
 - New Tavern Fort (Grade II)
 - Milton Chantry (Grade II*)
 - Statue of General Gordon (Grade II)
 - Obelisk (Grade II)
 - 124-127 Milton Road (Grade II)
- Undesignated heritage assets (key unlisted buildings are set out within the Conservation Area Appraisals)

6.108. Whilst it is recognised that development which makes effective use of land should be supported (paragraph 124 of the NPPF (2024)), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF (2024). Relevant to this proposal is paragraph 135 of the NPPF (2024) which states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

6.109. From a historic building/conservation point of view, the site forms the southern edge of Fort Gardens and within or adjacent to designated heritage assets of the New Tavern Fort, and Milton Place and Riverside Conservation Areas). These assets and their significance are detailed below:

- *New Tavern Fort* - The New Tavern Fort is a scheduled monument (nationally significant) and Grade II Listed Building, with its scheduling including the site of the C14 Milton Chantry (Grade II Listed) as well as earthworks and below ground remains.
- *Riverside Conservation Area* – situated at the eastern shore of the town, is primarily

significant for the scheduled fortifications Gravesend Blockhouse and New Tavern Fort, which are historically significant in the riverscape. The oldest building in Gravesend, Milton Chantry, stands at the heart of the Conservation Area. The Riverside Conservation Area is important to understanding the history of Gravesend and the development from the relationship between people and the river.

- *Milton Place Conservation Area* - lies east of the town's historic centre and is significant as an early nineteenth century planned development of fine high-quality housing which are classical in style with Italianate features, sash windows, and decorative railings. A hierarchy of housing, from grand villas to modest terraces can be appreciated with a tight urban grain interspersed with open space. The open space east of the Conservation Area provides an attractive green buffer to the planned development as well contributing to an appreciation of higher status dwellings overlooking the park.

6.110. Surrounding residents raised concerns with the impact of the development on the Conservation Area and heritage assets, based on scale and design which in their view fails to preserve or enhance their characteristics.

6.111. Historic England have reviewed the proposed development and consider it would cause less than substantial harm to relevant designated heritage assets. However, they advised that further improvements to the proposals could minimise harm and secure greater heritage benefit in accordance with Section 16 of the NPPF (2024).

6.112. Following Historic England's observation that further improvements could minimise harm to heritage assets and concerns initially raised by Gravesend's Conservation Officer, negotiations between the applicant and the Local Planning Authority achieved design amendments to the apartment block and dwellinghouses. These are as follows:

- Removal of roof terrace;
- Stepping down of height on apartment block (Milton Place frontage);
- Introduction of brick recess;
- Inclusion of alternative brick detailing and banding;
- Alterations to the roof form of dwellings fronting Khartoum Place.

6.113. Any harm to a Heritage Asset would be from potential impacts to their setting that contribute to the significance of the asset, rather than to their physical form or below ground archaeology. The proposal as recognised by heritage experts would cause harm to the setting of heritage assets, and thus the significance of designated heritage assets, however it is considered that the harm would be less than substantial at the middle of the scale.

6.114. The harm arises as a result of the loss of some open green space, which erode the historic riverside landscape and understanding of the area from the time of General Gordon's nineteenth century remodelling of the fort into a park. As well as the appreciation of a number of heritage assets in the current soft, open, green space context.

6.115. The proposed development would block dynamic views Heritage Assets between Milton Place and Ordnance Road, and vice versa. The current views are enhanced by the current open green space.

6.116. Furthermore, the character of heritage assets including the Conservation Areas would be harmed by the increased urbanisation of the site, which is an area defined primarily by green space.

6.117. The NPPF (2024) (paragraph 215) states that where a proposal causes less than

substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The associated public benefits of the proposal are considered to be:

- Regeneration of derelict land within the Town / urban area
- Important contribution to the housing land supply
- Creation of 61 affordable homes
- New assisted living accommodation for 55+ demographic
- Economic benefits
 - Creation of construction jobs
 - Town Centre and wider borough
 - Creation of jobs within the assisted living accommodation

- 6.118. However, despite the public benefits great weight has to be given to the harm caused in accordance with the NPPF (2024). Para. 212 of the NPPF (2024) indicates that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to its conservation and the more important the asset, the greater the weight should be. However, it is considered that the contribution that the scheme would make to the delivery of housing, and affordable housing in particular (social rent), when considered alongside the Biodiversity Net Gain, economic, open space and wider public improvements would outweigh the less than substantial harm to the designated heritage asset.
- 6.119. The development has been designed with a contemporary style that subtly reflects historic elements, such as brick recesses, brick banding and chamfered corner. This is in line with Design for Gravesham which emphasises the importance of new designs to not confuse architectural styles or inappropriately imitate historic characteristics through superficial veneers, and as such the proposal accords with the general objectives of Policies CS19 and CS20 (LPCS).
- 6.120. Notwithstanding this, it is considered that the design amendments improve the overall design and minimise harm to the heritage assets, however the Local Planning Authority consider that the proposal could go further to preserve or enhance the significance of the Milton Place Conservation Area and New Tavern Fort.
- 6.121. This is in line with suggestions from Historic England and would serve to preserve the character of the Milton Place Conservation Area in line with paragraph 219 of the NPPF (2024). As such, conditions will be attached to the decision notice, to ensure that further improvements to the elevations of the apartment block are achieved, and to ensure that suitable materials are secured, these will be notwithstanding the approved details and prior to any above groundworks.
- 6.122. Subject to conditions, the proposed development causes less than substantial harm to heritage assets, this is a matter that is afforded great weight, however this is outweighed by the associated public benefits. Therefore, the proposal is considered to achieve the objectives of saved policies TC2 and TC3 of the Local Plan First Review (1994), Policy CS20 (LPCS) and Section 16 of the NPPF (2024).

Archaeology

- 6.123. Policy CS20 (LPCS) gives a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk. When considering the

impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

- 6.124. Saved Policy TC7 (LPFR) 1994 indicates that planning permission may be refused without adequate assessment of the archaeological implications in areas of archaeological potential.
- 6.125. At a national level paragraph 214 of the NPPF (2024) advises that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest (evidence of past human activity), local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 6.126. The application site lies within an area of multi-period archaeological potential though there have been relatively few recent archaeological investigations close to the site. Although the Historic Environment Impact Assessment (GHC Archaeology and Heritage – February 2025) concludes that the archaeological potential for prehistoric to post-medieval history is limited, KCC Heritage consider it important to note that the prior to any below-ground an archaeological watching brief is undertaken to record and report any archaeological remains.
- 6.127. On the basis KCC Heritage have recommended that archaeological conditions are attached if permission is forthcoming.
- 6.128. Subject to the inclusion of the relevant archaeological condition, it is considered the proposal complies with Policy CS20 (LPCS), Saved Policy TC7 (LPFR) and Paragraph 214 of the NPPF (2024).

Contaminated Land

- 6.129. Policy CS19 (LPCS) indicates that new development will be located, designed and constructed to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination.
- 6.130. Paragraph 187 of the NPPF (2024) indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:
- e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and*
 - f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*
- 6.131. The application has been supported by a 'Phase 2 Geo-Environmental Assessment' by Create Consulting Engineers Ltd (ref. AW/CS/p23-2862/02 - Rev. A).
- 6.132. The assessment identifies that the ground conditions generally comprise hardstanding/Topsoil, underlain by Made Ground generally to 1.0m. However, deeper areas of Made Ground were recorded within the footprint of the former church structure (2.0m bgl) and former swimming pool (c. 3.45m bgl). The Made Ground generally comprised reworked natural deposits with brick and concrete fragments although metal and glass fragments were encountered in the central area of the Site. The structure of the

former swimming pool was confirmed to remain in-situ and the infill materials comprised predominantly demolition waste, likely arising from the demolition of the buildings formerly present on the Site and associated with the former swimming pool.

- 6.133. Chemical testing identified an elevated concentration of Lead within the infill materials in the former swimming pool structure in the centre of the Site, which exceeded residential end-use criteria with home grown produce. No other human health exceedances were identified across the Site although the shallow Made Ground in the central areas and included fragments of glass and metal. No other concentrations of heavy metals, polyaromatic or petroleum hydrocarbons were recorded in shallow soils that exceeded the residential end-use criteria with home grown although elevated concentrations of Petroleum Hydrocarbons were identified within the infill materials within the former swimming pool. No asbestos was detected within Site soils or Made Ground, although it is likely that ACMs are present within the infill material within the swimming pool given the likely origin of this material (c.1950s constructed municipal buildings).
- 6.134. Gravesham's Environmental Protection officers also consider it likely that the former swimming pool site could contain asbestos due to the age of the demolished building.
- 6.135. The Phase 2 report recommended a number of measures, including further investigation being undertaken, focused around the former swimming pool to confirm if the material can remain on site, or if removal for off-site disposal is required, with a follow-up remediation statement to confirm the findings. Gravesham's Environmental Protection are happy to proceed on this basis through planning conditions.
- 6.136. Therefore, subject to conditions to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution, the development is in accordance with paragraph 187 of the NPPF (2024) and Policy CS19 (LPCS).

Air Quality

- 6.137. The site is within close partly within the Ordnance Road Air Quality Management Area (AQMA).
- 6.138. Gravesham's Environmental Protection team reviewed an Air Quality Assessment during the pre-application stage (produced by KP Acoustics – 28/11/2024 (ref. 28439.AQ.01 - Rev A)), within which modelling demonstrated that even through the proposed development is in an AQMA, there will be no exceedances of the AQO's at this location at the time the development is completed.
- 6.139. These findings were checked and monitoring locations in the vicinity of the development site indicate that they are no longer in exceedance of the NO2 annual average objective. The findings of the assessment are accepted that the development site, despite being on the northeast of the Ordnance Road junction, is unlikely to be in exceedance at the time of occupation. Therefore, air quality mitigation is not sought in relation to an exceedance of the objective.

Ecology and Biodiversity

- 6.140. Paragraph 187 of the NPPF (2024) requires planning decisions to ensure that the natural and local environment is enhanced by minimising impacts on and providing net gains for biodiversity and this is reflected in Section 40 of the Natural England Commission Rural Communities (NERC) Act (2006) and the Environmental Act (2021).

- 6.141. Policy CS12 (LPCS) indicates that sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, and that there will be no net loss of biodiversity in the Borough.

Appropriate Assessment

- 6.142. The Habitats Directive protects certain species of plants and animals that are particularly vulnerable and requires a Habitats Regulations Assessment (HRA) to be undertaken by a competent public body, such as a local planning authority where any development has the potential to have an impact on a protected site. The process of HRA involves an initial 'Screening' stage followed by an Appropriate Assessment (AA) if proposals are likely to have a significant (adverse) impact on a protected site - in this case the Thames Estuary and Marshes Special Protection Area of SPA (termed Natura 2000 site).
- 6.143. In the light of any such assessment, the Borough Council may only grant planning permission if it has been ascertained that the proposed development will not, either on its own or in-combination with other plans and projects, have an Adverse Effect on the Integrity (AEIOI) of such a site, unless there is no feasible alternative or imperative reasons of overriding public interest apply.

Recreational Pressures on the Thames Estuary and Marshes Special Protection Area (SPA) and SAMMS

- 6.144. The Thames Estuary and Marshes Special Protection Area (SPA) is classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species listed on Annex 1 of the European Directive, which are rare and/or vulnerable in a European context, and also sites that form a critically important network for birds on migration. It is also listed as a Wetland of International Importance under the Ramsar Convention (Ramsar Site). Studies have shown marked declines in key bird species, particularly in areas that are busiest with recreational activity. Research conducted in 2011 found that additional dwellings were likely to result in additional recreational activity, causing disturbance to protected bird species that over-winter or breed on the SPA and Ramsar Site. The studies found that 75% of recreational visitors to the North Kent coast originate from within 6 km of the SPA boundary and Ramsar Site. The impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European Sites.
- 6.145. The Local Planning Authority has mitigated out the impacts of this on each and every planning application for a new residential development of one or more units within the 6km zone since September 2015 by accepting a Strategic Access Mitigation and Monitoring Strategy (SAMMS) (tariff) payment (currently £337.49 per additional dwelling), and if appropriate other mitigation. This approach is approved by Natural England for all new residential developments. For every planning application for a new dwelling (including new apartments), the tariff contributions are secured through a Section 106 legal agreement or unilateral undertaking or if there are no other financial contributions this is secured through a contribution agreement. Where a developer is unwilling to make the SAMMS payment, sufficient evidence is required to be supplied by the applicant to enable the Council to undertake a Habitats Regulations Assessment (HRA). A HRA is a process that determines whether or not development plans could negatively impact local plans on a recognised protected European site beyond reasonable scientific doubt.
- 6.146. The tariff has previously been accepted effectively in lieu of an Appropriate Assessment (AA). However, in a Court of Justice European Union (CJEU) ruling this approach was not

considered to be valid, as the CJEU considered the first stage to be a screening assessment as to whether the development either alone or in combination, is likely to have significant effects on a designated site without mitigation. In this respect, the CJEU judgement made a distinction between “the plan or project” itself and “measures intended to avoid or reduce the harmful effects of a plan or project on a European site”. This means that mitigation measures, which are intended to avoid or reduce effects, should be assessed within the framework of an Appropriate Assessment and that mitigation measures cannot be taken into account at the screening stage.

- 6.147. The applicants’ Preliminary Ecological Appraisal states that the proposed development will not impact on designated sites due to distance, however this is disputed by established research and recommendation set out in Natural England’s response. Therefore, the Strategic Access Management and Monitoring Strategy (SAMMS) mitigation contribution via a s.106 agreement would be required to offset any potential recreational impacts, to ensure the scheme is policy compliant and will be incorporated into the planning obligations secured through a legal agreement.
- 6.148. The Local Planning Authority is therefore satisfied that the proposals would put in place adequate measures to mitigate potential significant adverse impacts on the Thames Estuary and Marshes SPA/Ramsar sites and to protect their integrity in accordance with their conservation objectives. On this basis, the proposal is considered to comply with Paragraphs 193 and 194 of the NPPF (2024) and Policy CS12 (LPCS), and the requirements of the Conservation of Habitats and Species Regulations 2017. Potential impacts on the European Sites do not therefore impose an impediment on the grant of planning permission in this instance.

Biodiversity Net Gain

- 6.149. The Environment Act sets out the following key components of mandatory biodiversity gain:
- Minimum 10% gain required calculated using the Biodiversity Metric & approval of a biodiversity gain plan;
 - Significant on-site habitat and all off-site habitat secured for at least 30 years for at least 30 years via conditions, planning obligations or conservation covenants;
 - Delivered on-site, off-site or via a new statutory biodiversity credits scheme; and
 - National register for net gain delivery sites.
- 6.150. The proposal would deliver a BNG of 18.11% (habitat units) and 836.2% (hedgerow units), through compensatory tree planting, hedgerow planting, areas of neutral grassland, the SUDS basin, scrub creation and vegetated gardens. The scheme and metric have been reviewed by KCC Ecology, who consider the onsite gains to be “significant in nature” and should be secured through the S106 agreement or a conservation covenant to ensure a monitoring fee and enforceability over the required 30 year period.
- 6.151. Notwithstanding the compliance with the mandatory 10% BNG, the statutory BNG condition should be applied to the decision notice as per Schedule 7(A) 13(1) of the Town and Country Planning Act 1990, which requires the development to not be begun unless:
- (a) a biodiversity gain plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

Ecology

- 6.152. The application has been supported by an Ecological Impact Assessment (REF). The assessment concludes that no further studies are required and that the site is broadly

unsuitable for most protected/priority species due to the largely uniform habitat composition and urban location. However, the ECIA does identify nesting birds as an ecological constraint. KCC Ecology have reviewed the proposal and consider integration measures should be in place to avoid impact on nesting birds, which can be achieved within a Construction Management Plan (CMP) condition. Furthermore, KCC Ecology have recommended that a 'Nesting Bird Informative' is attached to the decision notice.

- 6.153. Regarding ecological enhancements, paragraph 187(d) of the NPPF (2024) states the planning decision should contribute to and enhance the natural and local environment by minimising impact on and enhancing biodiversity, which can be achieved by establishing ecological networks that are resilient to current and future pressures and are capable of supporting priority or threatened species (specifically listing swifts, bats and hedgehogs). KCC Ecology have agreed with the ECIA recommendation of external bat and bird boxes on the retained trees and new dwellings, however request that these are integral features in line with paragraph 187(d) of the NPPF (2024) and BS 42021:2022.
- 6.154. The recommendation from KCC is that a minimum of 25 integral nest boxes are delivered as part of the development and set out a condition relating to this, to be discharged prior to the commencement of works.
- 6.155. Subject to the conditions recommended by KCC Ecology and soft landscaping conditions for native species planting, the development will safeguard and promote biodiversity in accordance with Policy CS12 (LPCS) and Section 15 of the NPPF (2024).

Affordable Housing and Planning Obligations

Affordable Housing

- 6.156. The Borough Council's position on affordable housing, as set out in Policy CS16 (LPCS) is that affordable housing will be required at a provision of 30% on sites within the urban area proposing 15 or more dwellings, on a site of 0.5 hectares or more. Policy CS16 (LPCS) seeks a broad mix of 70% rented and 30% shared ownership (negotiable), although the tenure mix should meet local needs and achieve a viable, sustainable and socially inclusive development.
- 6.157. To meet the requirements of Policy CS16 (LPCS) the proposal is required to deliver 23 affordable dwellings. However, the applicant is proposing to deliver 61 affordable dwellings, and having taken into consideration the Borough's affordable housing stock and affordable housing need, these affordable dwellings are to be targeted towards independent living and the over 55's. In addition, the applicant is proposing that all of these 61 affordable dwellings will be socially rented dwellings, to be managed by Gravesham Borough Council's Housing Department in accordance with the Council's Housing Allocation Scheme.
- 6.158. To ensure the delivery of the affordable homes a planning, the following condition is proposed:

The residential units hereby permitted shall not be occupied until details of the proposed affordable housing units have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:

- (i) *Confirmation that the numbers, type and tenure of the affordable housing provision made is as proposed,*
- (ii) *Details of compliance with the Council's Housing Allocation Scheme*

Reason In the interests of securing affordable housing in accordance with policy CS16 of the Gravesham Local Plan Core Strategy (September 2014).

With the scheme being 80% affordable housing this will help local people on the housing list awaiting a social housing to meet their needs. This proposed development will provide 61 properties for social housing which will help reduce the waiting list. In addition, a further benefit is that the assisted living properties are targeted for the 55+ and later living, which may help people who wish to downsize in older age, thus freeing up larger properties for other people on the housing register.

Planning Obligations

- 6.159. The applicant has agreed to enter into an agreement with the Local Planning Authority under Section 106 of the Town and Country Planning Act (1990) to secure mitigation measures.
- 6.160. The Community Infrastructure Levy Regulations 2010, as amended, set out legal tests relating to the use of planning obligations. Regulation 122 states (where there is no CIL charging regime) a planning application may only constitute a reason for granting planning permission for the development if the obligation is:
- i. necessary to make the development acceptable in planning terms;
 - ii. directly related to the development: and
 - iii. fairly and reasonably related in scale and kind to the development.
- 6.161. The NPPF (2024) at Paragraph 56, makes it clear that, *“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition”*.
- 6.162. The Government’s Planning Practice Guidance (PPG) expands on the NPPF (2024), and sets out that developers may submit viability assessments at the planning application stage, as well as providing details for viability assessments. It states, *“Any viability assessment should follow the government’s recommended approach to assessing viability as set out in this National Planning Guidance and be proportionate, simple, transparent and publicly available... In plan making and decision making viability helps to strike a balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission”*.
- 6.163. Policies CS10 (Physical and Social Infrastructure) and CS16 (Affordable Housing) of the Local Plan Core Strategy (LPCS) (2014), require development to be supported by relevant infrastructure and to deliver affordable housing, subject to viability considerations. As the applicant is seeking to meet and exceed the requirements of Local Plan Policy CS16, and has in principle agreed to enter into a s.106 to commit to providing all of the relevant financial contributions, viability is not a matter that needs to be explored further.
- 6.164. The Borough Council has sought planning obligations for the following:

Obligation	Sum	Trigger
Financial contribution for Leisure Services (towards artificial playing pitches and improvements to Leisure facilities in the Borough)	£159,114	Prior to first occupation
SAMMS	£25,649.24	Prior to commencement
Total	£184,763.24	

Table 4 – Borough Council Financial Contributions

6.165. In addition to the Borough Council's financial requests, requests have also been received from Kent Country Council (KCC) and the National Health Service, these are set out below.

Each KCC request is considered below.

Obligation	Sum	Definition/Site/Address	Comment
Financial contribution for Secondary Education	£79,939.05	Towards additional capacity in the Gravesham and Longfield non-selective education planning group	Funding sought shall be restricted to the Borough of Gravesham, and shall be held by Gravesham Borough Council, until a suitable project has been identified and agreed to by the Borough Council. Prior to first occupation
Special Education Needs & Disabilities (SEND)	£8,997.45	Towards a SEND school within the KCC North Kent Education Area	Funding sought shall be restricted to the Borough of Gravesham, and shall be held by Gravesham Borough Council, until a suitable project has been identified and agreed to by the Borough Council. Prior to first occupation
Financial contribution for Community Learning and Skills	£2,599.96	Additional equipment and resources for adult education centres serving the development, including outreach provision.	Funding shall be held by Gravesham Borough Council, until a suitable project has been identified and agreed to by the Borough Council. Prior to first occupation
Financial contribution for Integrated Children's Services	£1,110.75	Towards additional equipment and resources for the	Funding shall be held by Gravesham Borough Council, until a suitable

Obligation	Sum	Definition/Site/Address	Comment
		Integrated Children's Services in Gravesend including outreach provision.	project has been identified and agreed to by the Borough Council. Prior to first occupation
Financial contribution for Adult Social Services	£13,746.88	Towards Specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places within the Borough.	Funding shall be held by Gravesham Borough Council, until a suitable project has been identified and agreed to by the Borough Council. Prior to first occupation
Financial contribution towards Ebbsfleet WTS	£14,753.88	Towards Ebbsfleet Waste Transfer Station and HWRC	Funding shall be held by Gravesham Borough Council, until a suitable project has been identified and agreed to by the Borough Council. Prior to first occupation
Total	£121,147.97		

Table 5 – Kent County Council Financial Contributions

National Health Service (NHS) request is summarised below.

Obligation	Amount	Definition/Site/Address	Comment
Healthcare services provided in the community.	£47,268	Towards refurbishment, reconfiguration and/or extension of existing general practice and other healthcare premises covering the area of development or new premises for general practice or healthcare services provided in the community in line with the healthcare infrastructure strategy for the area.	Funding shall be held by Gravesham Borough Council, until a suitable project has been identified and agreed to by the Borough Council. Prior to first occupation

Table 6 – NHS Financial Contribution

Total Requests

As set out above, the applicant has agreed to all of the above request and the heads of terms for financial contributions are as follows:

Obligation	Sum
Kent County Council	£121,147.97
Gravesham Leisure Services	£159,114
SAMMS	£25,649.24
NHS Kent and Medway	£47,268
Total Figure	£353,179.21

Table 7 – Total Requests

Equalities Considerations

- 6.166. 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.
- 6.167. 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.
- 6.168. 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.
- 6.169. The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 6.170. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty

- Equality objectives and the equality duty
 - Equality information and the equality duty
- 6.171. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>.
- 6.172. The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality. A review of the proposal in light of the Council's Equality Policy, shows that it will have positive impacts on those over 55 years of age, and certain disability groups, through the provision of 61 affordable dwellings for those over 55 years of age, with 8no. of these apartments being M4(3) compliant. In addition, changes to the existing parking and open space are not considered to negatively impact any group with protected characteristics.

Human Rights Implications

- 6.173. In determining this application, the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:
- Article 8: Respect for your private and family life, home and correspondence
 - Protocol 1, Article 1: Right to peaceful enjoyment of your property
- 6.174. consultation that has been undertaken on the planning application and representations made to the Council as Local Planning Authority.
- 6.175. In determining the application, the Council needs to satisfy itself that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights are legitimate and justified. Both public and private interests are to be considered in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. The Council must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

7. Conclusion and Overall Planning Balance

- 7.1. 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.
- 7.2. The proposed scheme is acceptable in principle, as it is located in a sustainable urban location in accordance with Policy CS02 of the Local Plan Core Strategy (2014) and Section 11 of the National Planning Policy Framework (2024).
- 7.3. The development would deliver a significant contribution towards meeting the Boroughs

housing need, through providing a net increase of 76 residential units, making efficient use of land in line with paragraph 130(c) of the National Planning Policy Framework (2024). In addition, the development would improve the quality of open space provision on the site by creating informal play space and amenity areas, while retaining the skatepark and providing improve connectivity through the site and into other locations in accordance with Policies CS12 and CS13 of the Local Plan Core Strategy (2014) and Section 8 of the National Planning Policy Framework (2024).

- 7.4. The proposed development has been designed in a contemporary style but subtly reflects historic elements. Whilst the proposal would cause less than substantial harm to the significance of designated heritage assets, which is afforded great weight, this harm is clearly outweighed by the associated public benefits. The proposed development is therefore in accordance with policies TC2 and TC3 of the Local Plan First Review (1994), Policy CS20 of the Local Plan Core Strategy (2014) and Section 16 of the National Planning Policy Framework (2024). Furthermore, the development would not result in an overdevelopment of the site or have a detrimental impact on the character, appearance or the quality of the area and has an appropriate layout, in accordance with Policy CS19 of the Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2024).
- 7.5. The proposal would safeguard the amenity of neighbouring residents and future occupiers of the development in accordance with Policy CS19 of the Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2024).
- 7.6. The proposal would promote sustainable modes of transport, and provides adequate on-site parking to serve the proposed units, in accordance with Gravesham's adopted parking standards (SPG 4) (2006). The layout is such that it would not be parking dominant while providing safe access for vehicles. Furthermore, the Milton Place carpark reduction would not result in any detrimental impact to parking provision. Therefore, the proposal is in accordance with Gravesham's adopted parking standards (SPG 4) (2006), Policy CS11 of the Local Plan Core Strategy (2014), saved policies T1 and P3 of the Local Plan First Review (1994) and Section 9 of the National Planning Policy Framework (2024).
- 7.7. The development would provide a biodiversity net gain and secure habitat for ecology, subject to suggested conditions and the signing of the S106 legal agreement. Therefore, the proposal would comply with the requirements of Habitat Regulations Assessment and be in accordance with the Environment Act (2021), Section 40 of the Natural England Commission Rural Communities (NERC) Act (2006), as well as paragraphs 187 and 190 of the National Planning Policy Framework (NPPF) (2024) and Policy CS12 of the Gravesham Local Plan Core Strategy (LPCS) (2014).
- 7.8. The proposal would comply with the Development Plan and material considerations, subject to the revision of the internal layout for the Lewis Property, the conditions set out at the end of the report and the completion of a s.106 agreement, therefore the application is recommended for approval, as set out below.

8. Recommendation

- 8.1. Delegate the application to the Head of Planning to grant planning permission subject to the finalisation of the internal layout for the Lewis property type, finalisation of planning conditions (including to make any necessary modification, deletion or addition to the proposed conditions) and completion of S106 legal agreement.

Suggested Conditions

Standard Conditions

Time Limit

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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

Approved Plans

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

- Application Form – dated 21 February 2025);
- Cover Letter by Invicta Planning Ltd (dated 21 February 2025);
- Cover Letter by Invicta Planning Ltd (dated 09 June 2025);
- Planning Statement by Invicta Planning Ltd (February 2025);
- Design and Access Statement by JTP (February 2025);
- Supplementary Information – Statement of Community Involvement by Pillory Barn (February 2025);
- Supplementary Information – Historic Environment Impact Assessment by GHC Archaeology and Heritage (February 2025);
- Supplementary Information – Transport Statement by Transport Planning Associates (ref.2302-048/TS/01) (February 2025);
- Supplementary Information – Highways Technical Note by Transport Planning Associates (ref. 23032-048/TN/01 (May 2025);
- Supplementary Information – Ecological Impact Assessment (Rev. B) by James Blake Associates (February 2025);
- Supplementary Information – Biodiversity Net Gain Assessment by James Blake Associates;
- Supplementary Information – Arboricultural Impact Assessment and Method Statement by Tracy Clarke Tree Consultancy (ref. TCTC-19152-A) (February 2025);
- Supplementary Information – Flood Risk Assessment and Drainage Strategy by PTA (ref. 10109-PTA-XX-XX-RP-C-9071 – Rev. P02) (February 2025);
- Supplementary Information – Phase 2 Geo Environmental Assessment by Create Consulting Engineers (ref. AW/CS/P23-2862/02 – Rev. A) (January 2024);
- Supplementary Information – Environmental Noise Assessment by In Sharland Ltd (February 2025);
- Supplementary Information – Energy Strategy by Energist (Rev. 02) (February 2025);
- Supplementary Information – Utility Statement (February 2025);
- Drawing no. 02324-JTP-MP-ZZ-DR-A-00001 – Rev. P1 – Location Plan;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-00002 – Rev. P1 – Existing Site Plan;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-00003 – Rev. P1 – Proposed Site Plan;
- Drawing no. 02324-JTP-MP-00-DR-A-10101 – Rev. P3 – Apartment Block GA Plan - Level 00;
- Drawing no. 02324-JTP-MP-01-DR-A-10102 – Rev. P3 – Apartment Block GA Plan - Level 01;
- Drawing no. 02324-JTP-MP-02-DR-A-10103 – Rev. P3 – Apartment Block GA Plan - Level 02;

- Drawing no. 02324-JTP-MP-03-DR-A-10104 – Rev. P4 – Apartment Block GA Plan - Level 03;
- Drawing no. 02324-JTP-MP-04-DR-A-10105 – Rev. P4 – Apartment Block GA Plan - Level 04;
- Drawing no. 02324-JTP-MP-RF-DR-A-10106 – Rev. P1 – Apartment Block GA Plan - Level RF;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-10201 – Rev. P2 – 2B4P Galloway - Semi Detached;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-10202 – Rev. P1 – 3B5P Lewis - Detached;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-10203 – Rev. P1 – 3B6P Walbury - Semi - Type 01;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-10204 – Rev. P1 – 3B6P Walbury - Semi - Type 02;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-10205 – Rev. P1 – 3B6P Walbury - Detached;
- Drawing no. 02324-JTP-MP-ZZ-DR-A-10206 – Rev. P2 – 4B7P Wainwright - Detached;
- Drawing no. 02324-JTP-MP-00-DR-A-10001 – Rev. P3 – Sitewide GA Plan - Level 00;
- Drawing no. 02324-JTP-MP-01-DR-A-10002 – Rev. P3 – Sitewide GA Plan - Level 01;
- Drawing no. 02324-JTP-MP-02-DR-A-10003 – Rev. P3 – Sitewide GA Plan - Level 02;
- Drawing no. 02324-JTP-MP-03-DR-A-10004 – Rev. P4 – Sitewide GA Plan - Level 03;
- Drawing no. 02324-JTP-MP-04-DR-A-10005 – Rev. P4 – Sitewide GA Plan - Level 04;
- Drawing no. 02324-JTP-MP-RF-DR-A-10006 – Rev. P1 – Sitewide GA Plan - Level RF;
- Drawing no. 02324-JTP-MP-XX-DR-A-11101 – Rev. P3 – Apartment Block Elevations 1 - 4;
- Drawing no. 02324-JTP-MP-XX-DR-A-11102 – Rev. P3 – Apartment Block Elevations 5 - 8;
- Drawing no. 02324-JTP-MP-XX-DR-A-11001 – Rev. P4 – Site Elevation 1 & 2;
- Drawing no. 02324-JTP-MP-XX-DR-A-11002 – Rev. P4 – Site Elevation 3 & 4;
- Drawing no. 02324-JTP-MP-XX-DR-A-11003 – Rev. P4 – Site Elevation 5 & 6;
- Drawing no. 02324-JTP-MP-XX-DR-A-12001 – Rev. P3 – Site Sections 1 & 2;
- Drawing no. 02324-JTP-MP-XX-DR-A-12002 – Rev. P3 – Site Sections 3 & 4;
- Drawing no. 12701-FPCR-XX-ZZ-DR-L-0005 – Rev. P06 – Landscape General Arrangement Plan;
- Drawing no. 12701-FPCR-XX-ZZ-DR-L-0006 – Rev. P07 – Planting Plan;
- Drawing no. 10109-PTA-XX-XX-DR-C-9300 – Rev. P03 – Proposed Drainage Layout.

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

Pre-commencement Condition(s)

Land Ownership

3. No development shall commence or continue (except for surveying, testing, sampling, soil tests, ground investigations, and archaeological investigations) unless and until the freehold interest in the site has been transferred to a party other than Gravesham Borough Council and that party has entered into an agreement pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) substantially in the form of the Confirmatory Deed included within the Section 106 Agreement with Gravesham Borough Council with the effect that the land is bound by the planning obligations contained in the Section 106 Agreement.

Reason The Local Planning Authority would have refused planning permission in the absence of the Section 106 Agreement and at the time of this planning permission being issued the applicant was not able to bind the legal interests in the whole of the development site pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).

Development must not commence until all legal interests in the relevant Phase are bound under the Section 106 Agreement and the planning obligations contained in the Section 106 Agreement are enforceable in respect of the Development comprised in that Phase.

In the interests of proper planning and in accordance with National Planning Policy Guidance Use of Planning Conditions (2019), which advises that a negatively worded condition limiting development that can take place until a planning obligation has been entered into can be used in exceptional circumstances.

Construction Environment Management Plan (CEMP)

4. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall cover all environmental impacts from the clearance and construction phases of this development including details of the following, as well as any other measures deemed reasonably necessary:
- (a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery.
 - (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery.
 - (c) A Construction Traffic Management Plan covering:
 - Means of direct access to the site from the adjoining maintainable public highway
 - Surface treatment of the access to avoid spill of migratory material on to the maintainable public highway.
 - Details of numbers and routeing of construction and delivery vehicles to / from site
 - Timing of deliveries and waste movement.
 - Loading and unloading of plant and materials away from the maintainable public highway.
 - Parking and turning areas for construction and delivery vehicles and site personnel.
 - Type and location of wheel washing and chassis cleaning facilities.Temporary traffic management / signage.
 - (d) Details of the location of the proposed construction compound.
 - (e) Details of security fencing and other site security measures.
 - (f) Details of stockpile areas for building materials or for fill or removed topsoil.
 - (g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage.
 - (h) Ecological mitigation measures.
 - (i) Measures to be undertaken to protect any public sewers and water apparatus.
 - (j) Details of vibration monitoring and mitigation during any necessary piling works.
 - (k) Details of temporary construction or security lighting; and
 - (l) Monitoring and review provisions with the Local Planning Authority.
 - (m) A Community Engagement Strategy covering how local residents, community groups and businesses will be kept informed about the development and construction timetable and works taking place, until completion of the development.

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason To ensure that a suitable programme of all works is set out from the commencement of development, to demonstrate that the free flow of traffic on the highway and to minimise the impact on local residents and businesses, in accordance with policies CS11,

CS12 and CS19 of the Gravesham's Local Plan: Core Strategy (September 2014).

Contaminated Land

5. No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.
 - (a) A further site investigation, based on the findings of the submitted 'Phase 2 Geo-Environmental Assessment' dated January 2024 by Create Consulting Engineers Ltd (Report Ref: AW/CS/P23-2862/02 Rev A) shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
 - (b) An updated site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
 - (c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.
 - (d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
 - (e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the local planning authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework (2024).

Sustainable Urban Drainage

6. No development other than necessary enabling works (means preparation works to make the Site ready for construction. Such works include (but are not exclusively limited to); site or ground clearance and preparation, surveying, environmental and hazardous substance testing and sampling, soil tests, remediation works, pegging out, tree protection, ecological survey and mitigation works, archaeological investigation, site clearance, ground improvement works, construction of boundary fencing or hoardings including for site security, demolition and

removal of buildings and other structures, creation of temporary haul roads and enabling works accesses or other works or operations to enable any of these works to take place including site and ground works) shall begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The submitted scheme shall demonstrate compliance with the required technical standards at the time of submission and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding in accordance with paragraph 181 of the National Planning Policy Framework (2024).

Habitat Management and Monitoring Plan (HMMP)

7. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved biodiversity gain plan and including:
- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Tree Protection

8. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees and hedgerows, in accordance with BS5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- (a) Location and installation of services/ utilities/ drainage;

- (b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees;
- (c) Details of construction within the RPA or that may impact on the retained trees.
- (d) A full specification for the installation of boundary treatment works.
- (e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- (f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- (g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing
- (h) A specification for scaffolding and ground protection within tree protection zones.
- (i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- (j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- (k) Boundary treatments within the RPA
- (l) Methodology and detailed assessment of root pruning
- (m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- (n) Reporting of inspection and supervision
- (o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- (p) Veteran and ancient tree protection and management

The development thereafter shall be implemented in strict accordance with the approved details.

Reason Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014) and pursuant to paragraph 136 of the National Planning Policy Framework (2024).

Archaeology

9. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:
 - (a) Prior to any development works the applicant (or their agents or successors in title) shall secure an archaeological watching brief so that excavations and other development groundworks are observed and heritage assets with archaeological interest are recorded. The watching brief shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Specification which has been submitted to, and approved in writing, by the Local Planning Authority.
 - (b) The archaeological watching brief, recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.
 - (c) Within 6 months of the completion of the watching brief a Report shall be submitted to and approved in writing by the local planning authority.

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

(September 2014) and paragraph 207 of the National Planning Policy Framework (2024).

Managing car parks during construction

10. No development approved by this permission shall be commenced until a programme for managing the existing public car parking during the construction phase (to include details of the access, signage and circulation), has been submitted to and approved in writing by the Local Planning Authority. The works affecting car parking shall be carried out in accordance with the approved programme.

Reason In order to minimise the impact of the construction phase upon the availability of town centre car parking; to minimise the impacts upon existing town centre businesses and retailers and in accordance with adopted Policy CS11 Gravesham Local Plan: Core Strategy (September 2014).

Prior to Above Ground Works

Foul and surface water sewerage disposal

11. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence details of the proposed means of foul and surface water sewerage disposal shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

Reason To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Elevations

12. Notwithstanding the details shown on the approved plans and submitted documents, before any above ground works commence drawings to a scale of 1:20 of each elevation of the apartment building shall be submitted to and approved in writing by the Local Planning Authority to show the architectural detailing on those elevations.

Reason In order to preserve the character and appearance of the Milton Place Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and saved policy TC3 of the Gravesham Local Plan First Review (November 1994).

External Facing Materials

13. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence details (and samples where requested by the Local Planning Authority) of all the external facing materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to any part of the development first being brought into use.

Reason To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and new development in accordance with

Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Swift Bricks

14. Prior to above ground works, updated elevations drawings showing the make, model and locations of at least 25 integrated swift nesting boxes (1 per housing unit and at least 10 in the block of flats) evenly spread along north and east facing elevations a minimum of 4m above ground level with a clear drop underneath, shall have first been submitted to and approved in writing by the local planning authority. Nest boxes shall be provided in accordance with BS 42021:2022 (British Standard for integral nest boxes). Nest boxes shall be constructed of durable material, i.e. not wood.

For full discharge of this condition, photographs of the integral boxes in their agreed locations are to be submitted to and approved in writing by the local planning authority prior to first occupation. They are to be retained in that manner thereafter.

Reason In accordance with BS 42021:2022 and with consideration for swifts in accordance with paragraph 187(d) of the National Planning Policy Framework (2024).

Hard Landscaping

15. Prior to above ground works, and notwithstanding the details shown on the approved plans a scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include the following:

- proposed boundary treatments,
- proposed finished levels and contours,
- hard surface finishes to the vehicle parking areas, pedestrian accesses, private gardens and amenity areas;
- details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures
- details of the pedestrian access and circulation areas
- minor structures such as play equipment, log piles, and any proposed seating.

The approved works shall be completed in accordance with the approved details prior to first occupation of any of the residential units hereby permitted.

Reason To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity and highway safety in accordance with Policies CS11 and Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 of the Gravesham Local Plan First Review (1994).

Soft Landscaping

16. Prior to above ground works, and notwithstanding the details shown on the approved plans, submitted documents and application form, a scheme detailing the proposed soft landscaping shall be submitted to and approved, in writing, by the Local Planning Authority. The landscaping scheme shall reflect proposed changes to Ordnance Road associated with Albion Waterside (Canal Basin allocation) as set out in the Transport Assessment and shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a

species of a similar size and species during the next available planting season.

Reason To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Crime Prevention Measures

17. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence, details of crime prevention measures according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to any of the residential units hereby permitted first being occupied and shall thereafter retained.

Reason To ensure the development protects the environment of the site and its locality generally, in the interest of security, crime prevention and community safety and is in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Prior to Occupation

Affordable Housing

18. The residential units hereby permitted shall not be occupied until details of the proposed affordable housing units have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:

- i) Confirmation that the numbers, type and tenure of the affordable housing provision made is as proposed,
- ii) Details of compliance with the Council's Housing Allocation Scheme

Reason In the interests of securing affordable housing in accordance with policy CS16 of the Gravesham Local Plan Core Strategy (September 2014).

Noise

19. No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures in accordance with the 'Environmental Noise Assessment' dated 20th February 2025 by Ian Sharland Ltd (Report Ref: M5600 v3). If the noise levels set out in the aforementioned report are exceeded, additional noise mitigation measures to ensure the appropriate noise levels can be met shall be submitted to and approved in writing by the Local Authority and implemented in full prior to the first occupation.

The final approved sound insulation scheme shall be implemented and maintained in accordance with the approved plans thereafter.

The Post Completion report shall assess the performance of any ventilation and cooling/heating system that has been installed to the satisfaction of the local authority. The approved alternative means of ventilation and cooling/heating shall be maintained thereafter.

Reason In the interests of protecting the amenity of adjoining/nearby residential properties

and safeguarding the amenities of the surrounding area in accordance Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Ventilation

20. Prior to first occupation of any of the residential units hereby approved, a scheme for alternative means of ventilation and air cooling and heating must be submitted in writing for approval to demonstrate that:

- The alternative means of ventilation and cooling will not compromise any noise protection measures
- The alternative means of ventilation and cooling will not present an adverse noise or odour impact on occupants
- The air intake must bring in air away from the source of pollution i.e. the traffic on Ordnance Road
- The alternative means of ventilation and cooling will enable optimum living conditions in all weather and with reference to climate change predictions

The means of ventilation must be in accordance with CIBSE TM59 2017 - Design methodology for the assessment of overheating risk in homes and comply with Approved Document O "Overheating" of the Building Regulations.

The alternative means of ventilation and cooling shall be maintained thereafter.

Reason In the interests of protecting the amenity of residential properties and safeguarding the amenities of the surrounding area in accordance Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Drainage Verification Report

21. Prior to occupation of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 182 of the National Planning Policy Framework (2024).

Management Plan

22. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, a management plan to ensure the long-term management and maintenance of all public realm and other areas with public amenity function within the ownership and/or management of the applicant shall be submitted to and approved, in writing, by the Local Planning Authority. The said management plan shall contain details of a mechanism to ensure that sufficient resources are made available to provide for the maintenance of the public realm in accordance with the

approved strategy for the lifetime of the development. For the avoidance of doubt the said management plan shall include details of the maintenance regime to be applied in relation to:

- (a) Hard and soft landscaping;
- (b) The maintenance of the surface water drainage systems;
- (c) Public car parking areas and external lighting;
- (d) The cleansing of public areas (including the removal of litter and graffiti); and
- (e) All internal and external internal communal spaces.

The approved management plan shall then be implemented in full prior to any part of the permitted development being occupied or used.

Reason To secure measures for the long term management and maintenance of the public areas to ensure the development is of a satisfactorily high design standard during its lifetime and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Formation of Parking Spaces

23. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, the vehicle parking areas shown on the approved plans shall be formed, surfaced, drained and marked out in accordance with a scheme first to be submitted to and approved in writing by the Local Planning Authority. Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

Reason To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of the Gravesham Local Plan First Review (1994).

Allocation and Safeguarding of Parking Spaces

24. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, a strategy for the allocation and safeguarding of parking spaces for the occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy and measures to safeguard the use of the spaces shall be implemented prior to any of the residential units hereby permitted first being occupied and maintained thereafter, including provision of four accessible spaces for the apartment block and EV charging points for the residential units.

Reason In order to ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Car Parking Management Plan

25. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, a car parking management plan for the public car parks shall be submitted to and approved, in writing, by the Local Planning Authority. This document should include arrangements for managing the private residential car parking spaces and public spaces within the car parks to

ensure they are used as efficiently as possible, with no resident permits provided to future occupiers. The car parking serving the development shall thereafter be managed and operated in accordance with the approved management plan.

Reason To ensure the most effective and efficient management of the available private car parking spaces and in accordance with adopted Local Plan Core Strategy Policies CS11 and CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Electric Charging Points (Car Parks)

26. Prior to the first use of the approved Milton Place and Ordnance Road car parks hereby approved details for provision of cabling to enable charging facilities to be installed for electric vehicles for the future occupants and public of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first use of the car parks hereby approved to which the cabling applies.

Reason To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policy CS11, CS18 and CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Visibility Splays

27. Notwithstanding the details shown on the approved plans, prior to any part of the development first coming into use full details of visibility splays for the vehicular access onto Old Road East shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the access first being brought into use and retained as such thereafter.

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

Cycle Storage

28. Prior to any part of the permitted development being occupied or used, the cycle storage facilities as shown on the approved plans, shall be provided prior to any of the residential units hereby permitted first being occupied and thereafter be retained for such purposes at all times.

Reason In order to encourage options for sustainable travel in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

External Lighting

29. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of all proposed external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details prior to any of the residential units hereby permitted first being occupied and no additional external lighting shall be provided on the site.

Reason In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Refuse Arrangements

30. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the refuse arrangements along with a refuse collection management plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores and the management plan shall include arrangements for how the bins shall be taken nearer to the public highway on collection days and then returned to the bin store after the refuse has been collected. The development shall be carried out in accordance with the approved details prior to first occupation of any of the residential units hereby permitted and shall thereafter be retained for such purposes at all times.

Reason In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Prior to Installation

Plant Equipment

31. Notwithstanding the details shown on the approved plans and application form prior to the installation of plant equipment, details of any services and plant systems, including roof top plant equipment shall be submitted to and approved, in writing, by the Local Planning Authority. The details shall include the siting, external appearance and any proposed screening. The works shall thereafter be carried out in accordance with the approved details prior to first occupation of any of the residential units hereby permitted.

Reason In the interest of the amenities of neighbouring properties and the area generally and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

On-going Conditions

Removal of Permitted Development Rights

32. Notwithstanding the provisions of Classes A, B and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any provision equivalent to it in any statutory instrument revoking and re-enacting or replacing that Order, no enlargements to the dwellinghouses hereby approved, including the roof of the dwellinghouse (excluding the construction of a porch) or the construction or any further outbuildings, shall occur, unless prior written consent has been obtained, in the form of full planning permission, from the Local Planning Authority.

Reason In the interests of retaining adequate private amenity space for the future occupiers of the dwellinghouse, in accordance with adopted Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Dishes/Telecommunication

33. No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roofs/walls of the development hereby approved.

Reason In the interests of the visual amenity of the development and in accordance with

Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

INFORMATIVES:-

1 STATEMENT OF POSTIVE AND PROACTIVE APROACH TO DECISION-MAKING

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

2 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of conditions 3 - 13 (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site.

Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing and the applicant has confirmed acceptance of the conditions.

3 DEVIATION FROM APPROVED PLANS

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

4 BUILDING REGULATIONS AND PARTY WALL ACT

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

5 NAMING & NUMBERING

As a result of the proposal, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered. The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's website <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

6 SOUTHERN WATER

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Please read their New Connections Services Charging Arrangements documents which has now been published and is available to read on their website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

7 DRAINAGE / SEWERAGE

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

8 KCC ECOLOGY ADVICE SERVICE - BREEDING BIRD INFORMATIVE

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

9 KCC HIGHWAYS

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

10 INFORMATION FROM KENT POLICE DESIGNING OUT CRIME TEAM

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

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

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

1. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people. These must be subject to surveillance but sited so that residents will not suffer from possible noise pollution, in particular the green spaces surrounding the site, any parking areas/ courts and pedestrian routes. These areas must be well lit and covered by natural surveillance from neighbouring properties.
2. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways to have secure side gates, which are lockable from both sides, located flush to the front building line.
3. To meet SBD guidance we would strongly recommend the installation of pavements on both sides of the roads to avoid vehicle and pedestrian conflict and promote safer spaces for families. It is now common practice to have some shared vehicle/ pedestrian areas on secondary routes. If pavements cannot be installed in these shared spaces, we strongly recommend traffic calming measures, especially where there is a curvature in the road.
4. Parking - To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or solid secure ground or wall anchors can help provide this. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse. If car ports are unavoidable, we recommend they be lit and painted in a light colour to optimize surveillance opportunities. For car parks, we recommend the Safer Parking Scheme, which follows CPTED guidance from both the police and the British Parking Association.

5. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than “round shaped” trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
6. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Residential Guide 2025 states: “19.3 SBD does not advocate the use of bollard lighting to achieve lighting uniformity. Bollard lighting is purely for wayfinding and can be easily obscured or damaged. It should be avoided, as it can increase the fear of crime, because it does not project sufficient light at the right height to recognise facial features.” Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
7. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors and individual flat entrance doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and communal doors may require a higher standard, such as STS or LPS.
8. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.
9. For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or storage area. Bin storage must also be secure with access control.
10. Mail delivery to meet SBD TS008 with a fire guard are strongly recommended for dwellings.
11. Defensible spaces. Corner properties require well established boundaries to avoid desire lines across front gardens. This can be provided by using hedges or knee rails/ fences, for example.
12. Blank Walls. It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces. This type of elevation tends to attract graffiti, inappropriate loitering, and ball games. The provision of a 1m buffer zone using either a 1.2 – 1.4m railing or a 1m mature height hedge with high thorn content should address those issues.
13. Vehicle mitigation may be required on pedestrian routes, to prevent mopeds or similar vehicles accessing the area and causing nuisance.
14. Open space. Open space areas must be well lit and boundaries must be clearly defined to avoid conflict or ball games causing nuisance. For any LAP or LEAP, we recommend fencing at a minimum height of 1.2m and vandal resistant play equipment. Consideration should be given to a single dedicated entry and exit point to enable adult control/supervision.