



Delegated Report

Planning Application

Planning Application No: 20240527

Location: Denton Wharf Mark Lane Gravesend Kent

Description: Construction of DNO kiosks, Low Voltage Cabinets and associated Cabling.

Applicant: Net Zero Marine

Site Visit Date: 04/07/2024

Submitted Documents/Plans

- Application form;
- Figure 1 - Feeder Pillar A;
- Figure 1 – Feeder Pillar B;
- Figure 1 – Feeder Pillar C;
- Figure 1 – Feeder Pillar D;
- Figure 1 – UKPNGRP;
- Figure 1 – Site Location Plan;
- Figure 1 – Proposed Site Plan;
- EA Addendum Covering Letter;
- Planning Statement; and
- Flood Risk Assessment.

Relevant Planning History

Reference	Description	Decision	Decision Date
20171293	New ventilation duct to serve relocated battery store on east elevation of the South Shed.	Permitted	26.01.2018
20170562	Alterations to Shed number 2: door enlargement, new personnel door, infilling of two ventilation ducts and installation of a new CCTV camera.	Permitted	31.07.2017
20080630	Application for the approval of conditions 4, 4a, 4b, 4c and 4d attached to planning permission reference number 2007/1008 relating to the submission of a Contaminated Land Assessment, including relevant soil, soil gas and groundwater sampling and details of any remediation works.	Approved	16.02.2011
20071008	Change of use to an enclosed storage compound.	Permitted	07.02.2008
20060034	Stationing of a modular office building for a temporary period.	Permitted	23.03.2006
19940214	Application for a Lawful Development Certificate as to whether planning permission was required for the erection of the No. 2 storage shed.	Refused	28.11.1994

19870956	Erection of a single storey building for use as a warehouse	Permitted	07.03.1988
19840408	Erection of two storey building to form replacement office block	Withdrawn	20.11.1984
19820822	Erection of extension to existing jetties and construction of an extension to Tee Head pier	Permitted	31.01.1983
19800311	Erection of an extension to jetty	Permitted	15.05.1980
19790515	Construction of an extension to Tee Head pier	Permitted	25.07.1979
19781057	Erection of a single storey building for use as a warehouse	Permitted	01.03.1979
19780588	Erection of two extensions to existing jetty	Permitted	27.07.1978
19770863	Formation of access through river wall extension to jetty and extension to car park	Permitted	22.03.1978
19760838	Erection of an extension to the cargo jetty	Permitted	09.02.1977
19760800	Erection of a single storey changing room and toilet block	Permitted	01.12.1976
19760684	Proposed new jetty	Withdrawn	29.11.1976

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS04 - Gravesend Riverside East and North East Gravesend Opportunity Area
- CS07 – Economy, Employment and Skills
- CS10 -Physical and Social Infrastructure
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 8 – Promoting healthy and safe communities

- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed and beautiful places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- None

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

There is no objection to this application. It does not appear that there will be much groundbreaking works associated with the proposal and there is no residential in the area. However, the following is following is recommended.

Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Code of Practice on Construction and Demolition

Please apply as appropriate.

KCC Public Right of Way (PROW)

The proposed cabling works will cross over Public Right of Way NG1, which would entail the surface of NG1 being dug up to accommodate the new cabling. If this is the case, then a Traffic Restriction Order (TRO) will need to be applied for to close/divert the footpath. Please advise the applicant that a minimum of 6 weeks is required to apply for a TRO and this can be done by e-mailing the Public Rights of Way and Access Team at westprow@kent.gov.uk. 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.

KCC Biodiversity

We advise that we are satisfied that no ecological information is required.

It is our understanding that the works are proposed to replace an existing diesel generator with electrical power services. As such the noise levels from pier will be reduced.

All the work are on existing hard standing/wharf and no piling works are proposed to be carried out within the Thames. Therefore as long as the works are carried out following best practice construction measures to minimise noise/dust/dirt impacting/entering the Thames we are satisfied that any ecological impact will be minimal.

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, I consider it unlikely that these proposals would have a significant archaeological impact and have no further comments to make in this case.

KCC Highways

No objection.

North Kent Marshes Internal Drainage Board

The site is within the North Kent Marshes Internal Drainage Board's District, however, due to the nature and scale of the proposal, the Board has no comment to make.

The Applicant should approach the Environment Agency directly with regards to obtaining the appropriate flood risk activity permit for works on or near main river and on or near a flood defence structure.

Environment Agency

We have **no objections** to the proposal for construction of DNO kiosks, low voltage cabinets and associated cabling subject to the following comments.

Flood Risk

Due to the location of the proposal and installation of cabling, the applicant will need to apply for a Flood Risk Activity Permit.

Environmental permit – Tidal Informative

Please be aware that any works, whether permanent or temporary, may require a Flood Risk Activity Permit from the Environment Agency. The Thames is a designated 'main river' and under the jurisdiction of the Environment Agency for its land drainage functions. Under the Environmental Permitting (England and Wales) Regulations 2016 any works in, over, under or within 16m of the tidal flood defences, may require a permit from the Environment Agency.

The applicant should contact the Partnerships and Strategic Overview team at PSO.SELondon&NKent@environment-agency.gov.uk.

Fisheries, Biodiversity and Geomorphology

We have no objections to the current proposal for new electrical infrastructure. If in the future a greater numbers of vessels with particular reference to water taxis are proposed, a foreshore monitoring and mitigation plan would be required by condition.

Port of London Authority

Thank you for consulting the Port of London Authority (PLA) on the above-mentioned application, for the construction of DNO kiosks, Low Voltage Cabinets and associated Cabling at Denton Wharf, Gravesend. I have now had the opportunity to review the submitted documents and can confirm the PLA support the proposed development, which will facilitate a small-scale shore power installation project at Denton Wharf which will help to future proof the wharf, and assist in facilitating a reduction in carbon emissions from marine operators on the Thames. It is therefore considered that the proposed development is in line with the Gravesham Local Plan (2014) including policy CS07 (Economy, Employment and Skills) which states the Council will support proposals which facilitate the expansion of river-related employment, particularly where this involves the use of the river for transport and as a functional commercial waterway.

Within the submitted planning statement, the PLA agrees with the proposal for, as part of any forthcoming planning permission, an appropriately worded condition on the need for a Construction Method Statement prior to the commencement of the development.

National Highways

No objection.

Marine Management Organisation

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

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

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

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

Applicants should be directed to the MMO's online portal to register for an application for marine licence

<https://www.gov.uk/guidance/make-a-marine-licence-application>

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

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

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

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

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

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

Environmental Impact Assessment

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

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

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://www.gov.uk/guidance/make-a-marine-licence-application>

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes. Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

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

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

Minerals and waste plans and local aggregate assessments

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

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.

- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

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

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

UK Power Networks

Please note there are LV underground cables on the site running within close proximity to the proposed development.

Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

You can also find support and application forms on our website [Moving electricity supplies or equipment | UK Power Networks](#)

Neighbouring properties

13 surrounding properties were consulted plus site notice – overall consultation expiry date was 06.08.2024 – no responses received.

Officer's Analysis

The application site consists of Denton Wharf which is the Port of London Authority (PLA'S) marine base of operations and is a facility to undertake a wide range of critical marine and land-based operations. It is shown in the below image:



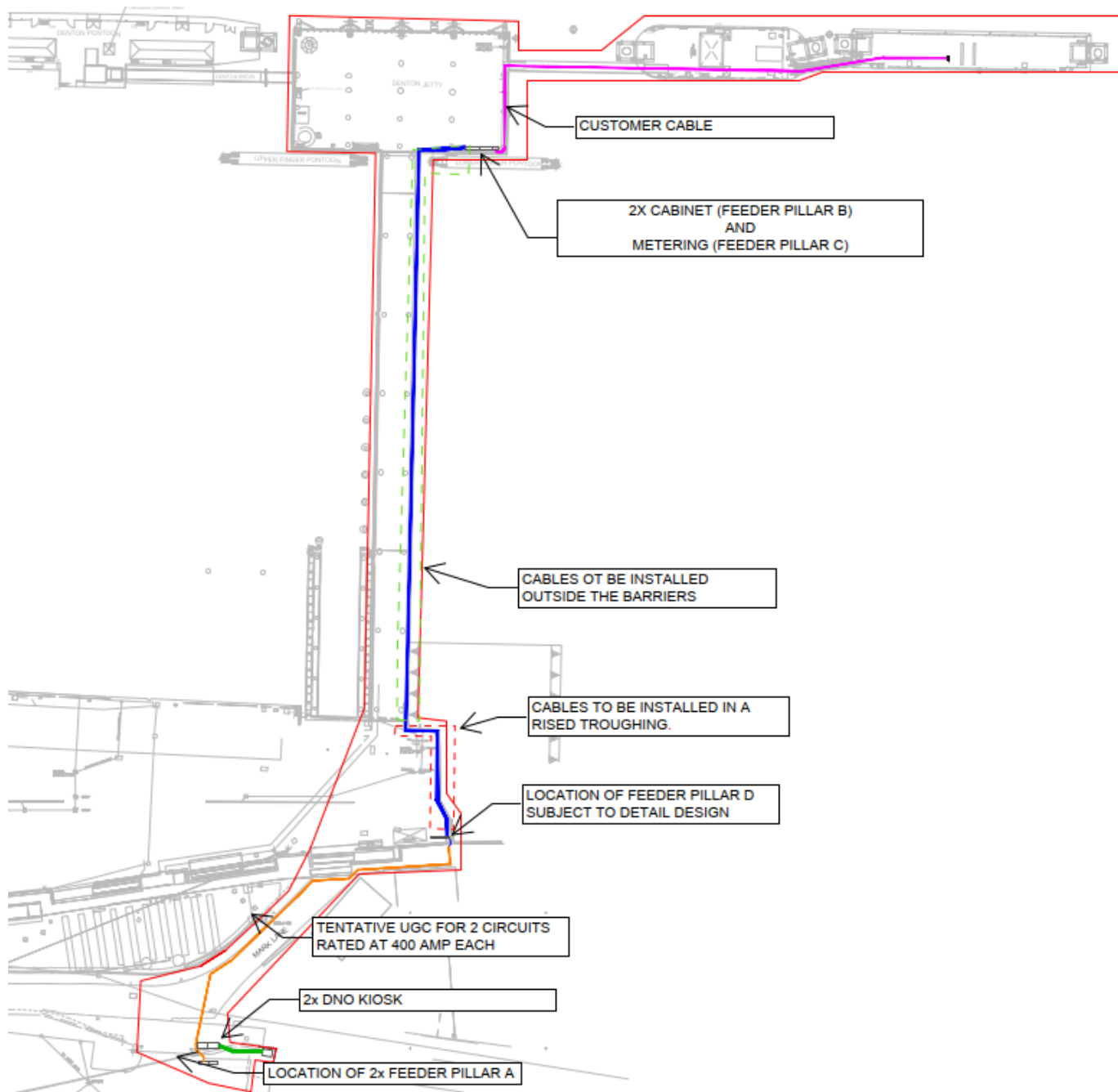
The site is in Flood Zone 3, the Gravesend Riverside East & North East Gravesend Opportunity Area and an Area of Archaeological Potential.

The proposal is for the construction of Distribution Network Operator (DNO) kiosks, Low Voltage (LV) Cabinets and associated electrical equipment and cabling. The cabling is to connect the DNO kiosks and LV cabinets.

It is stated that the proposal is underpinned by the need to transition to net zero emissions and that by providing adequate grid connected electrical power services, marine operators in the future will be able to move away from burning diesel in generators (either onboard or temporary pier-side generators) to zero emissions at source. The current diesel generator is said to use 2,000 litres of diesel a week. It is stated that when operational the proposed new infrastructure will work to reduce local emissions by approx.. 5,400kg per week (280,800kg annually). The project is expected to displace a total of 7.2 tonnes of carbon dioxide over the course of its lifetime and has the capacity to deliver net zero operations for the next 30 years.

The DNO kiosks and LV cabinets are used to house the electrical supply and the cabling would run between to connect them.

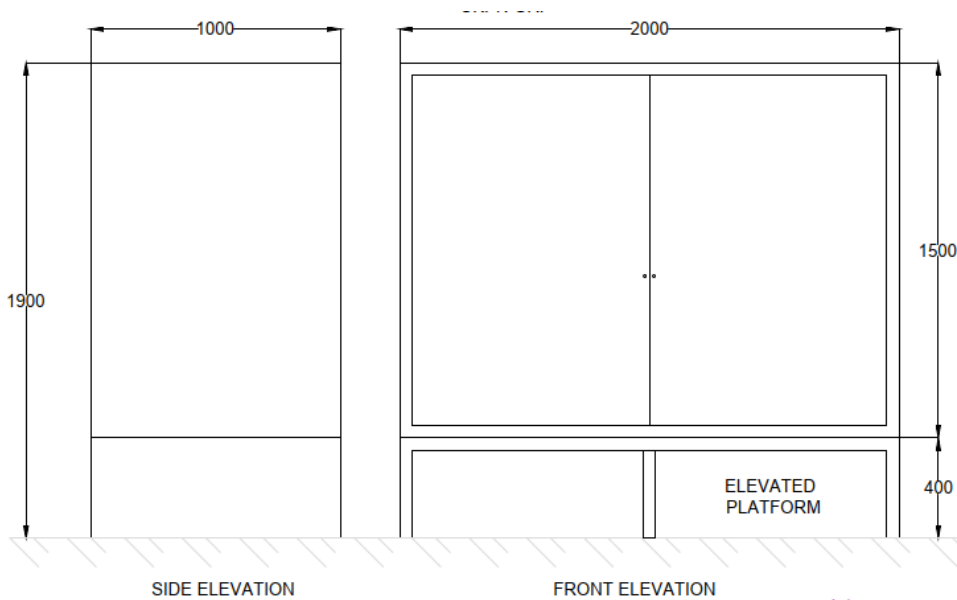
The location of the cabinets and cabling can be seen in the proposed plan:



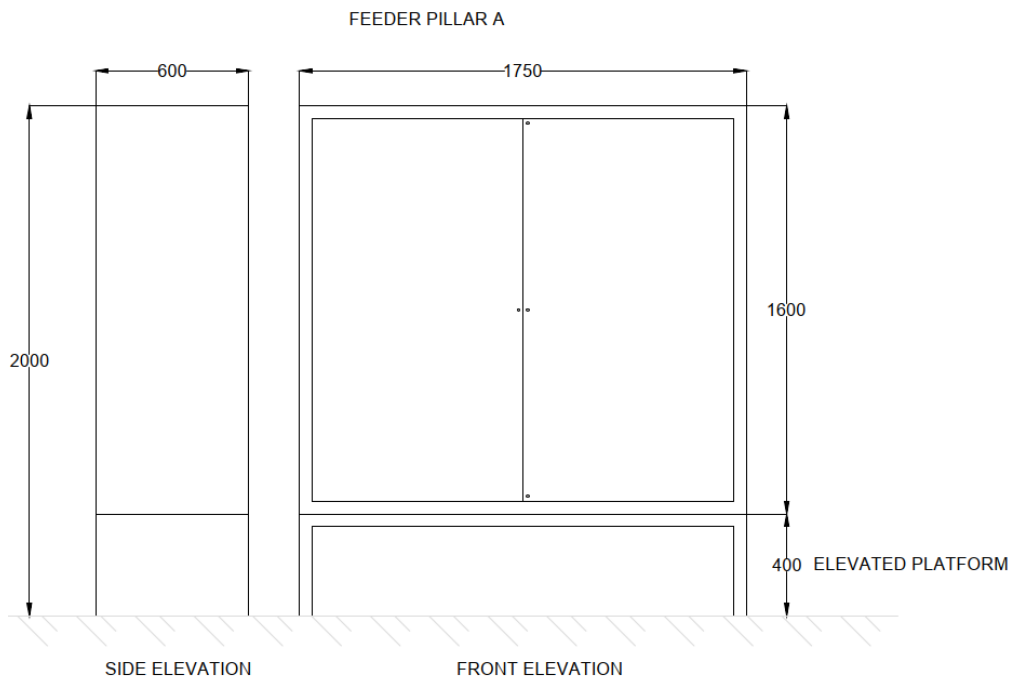
The two DNO cabinets would be located outside of the PLA's main entrance in Mark Lane and would be located just in front of the palisade fencing which will allow UK Power Networks 24 hour access. The location for the two cabinets can be seen below:



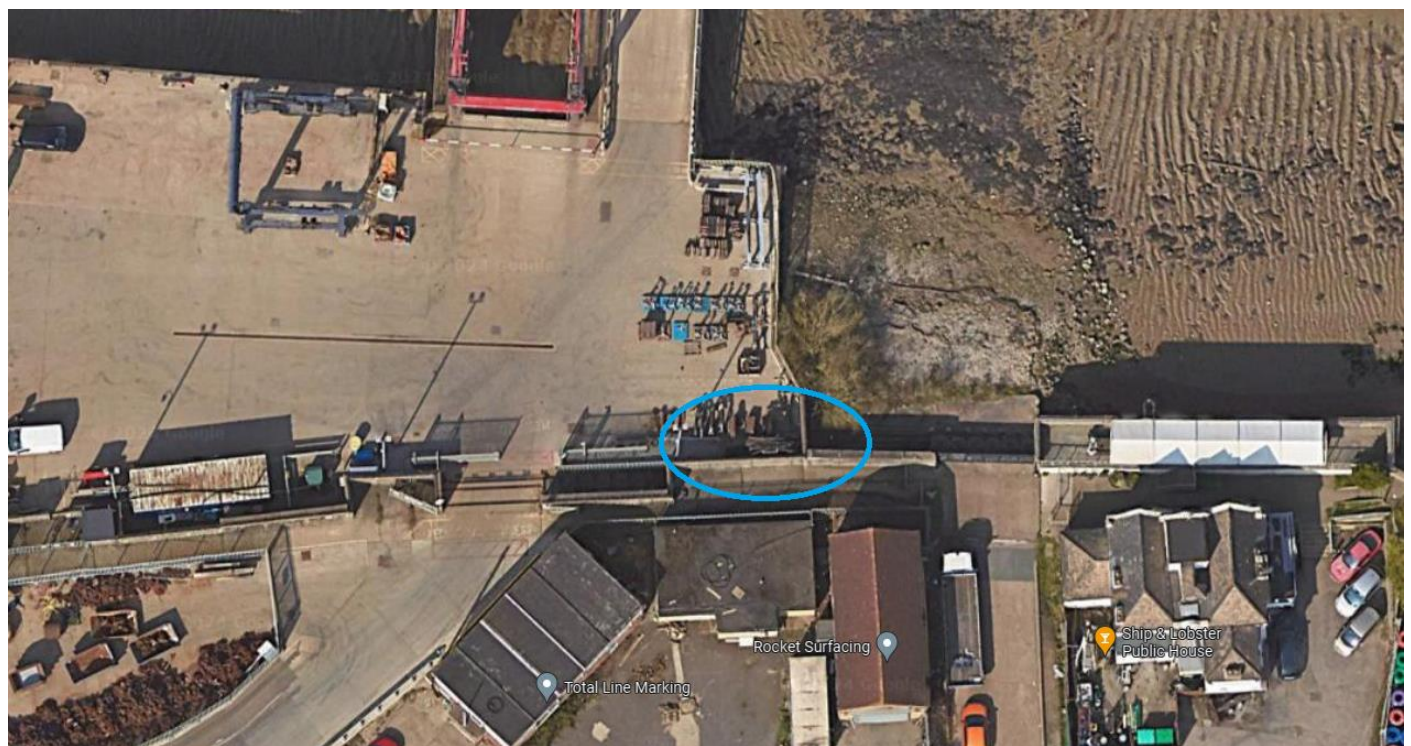
The cabinets would be 2m in width, 1m in depth and 1.9m in height and would look as follows:



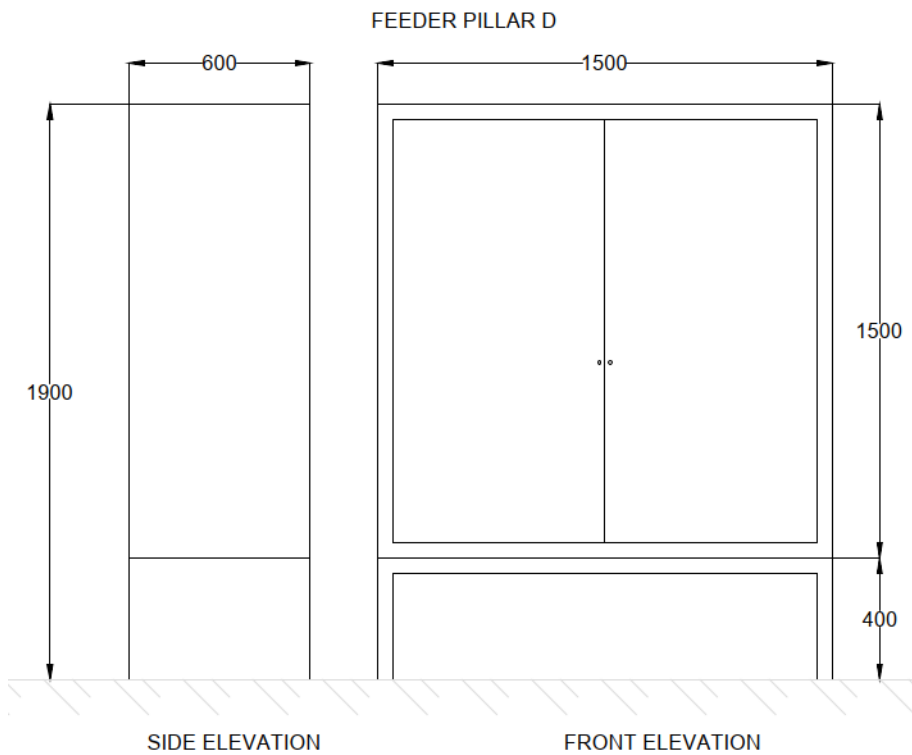
There would be two 'feeder pillar A' LV cabinets located just inside the PLA's compound behind the palisade fencing in the above image. They would be 1.7m in width, 600mm in depth and 2m in height and would look as follows:



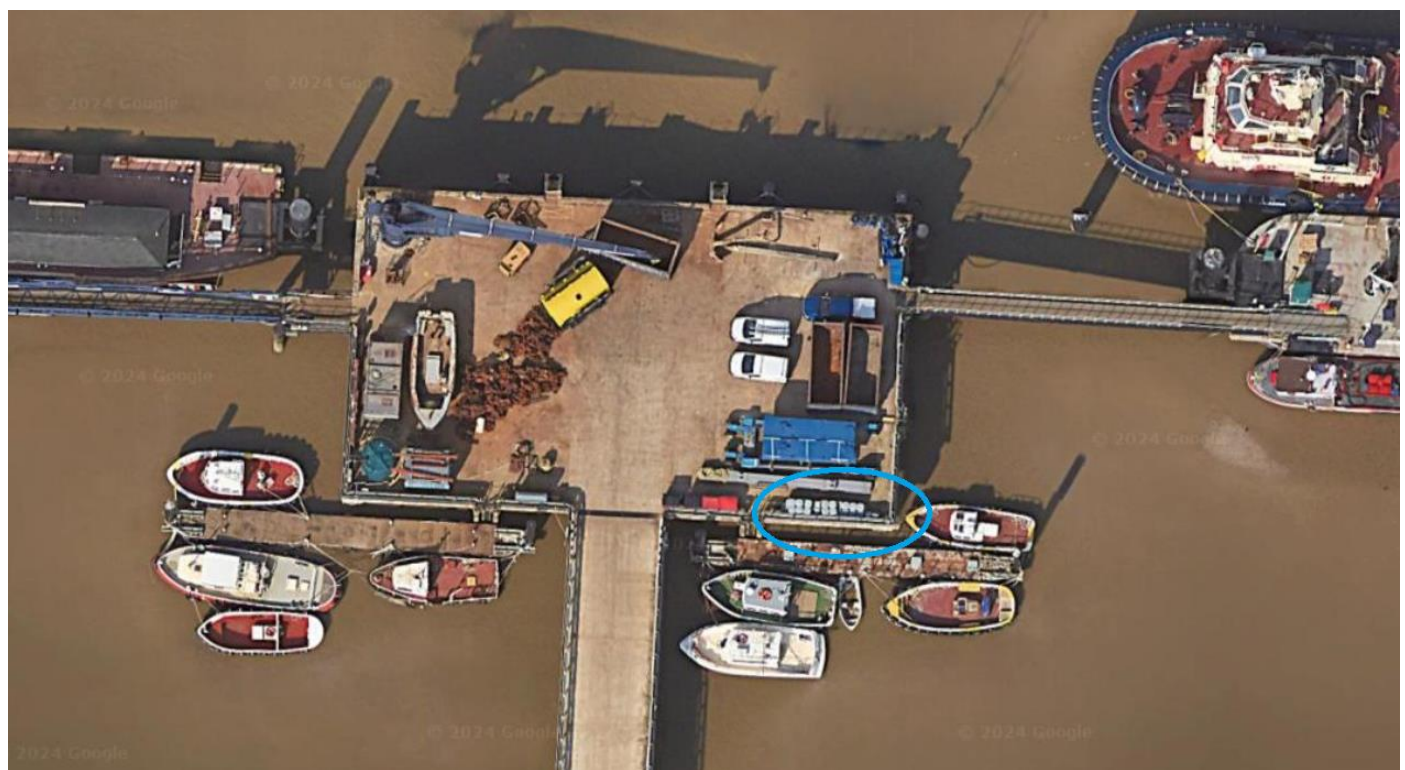
There would be one 'feeder pillar D' LV cabinet located at the beginning of the pier opposite as marked below:



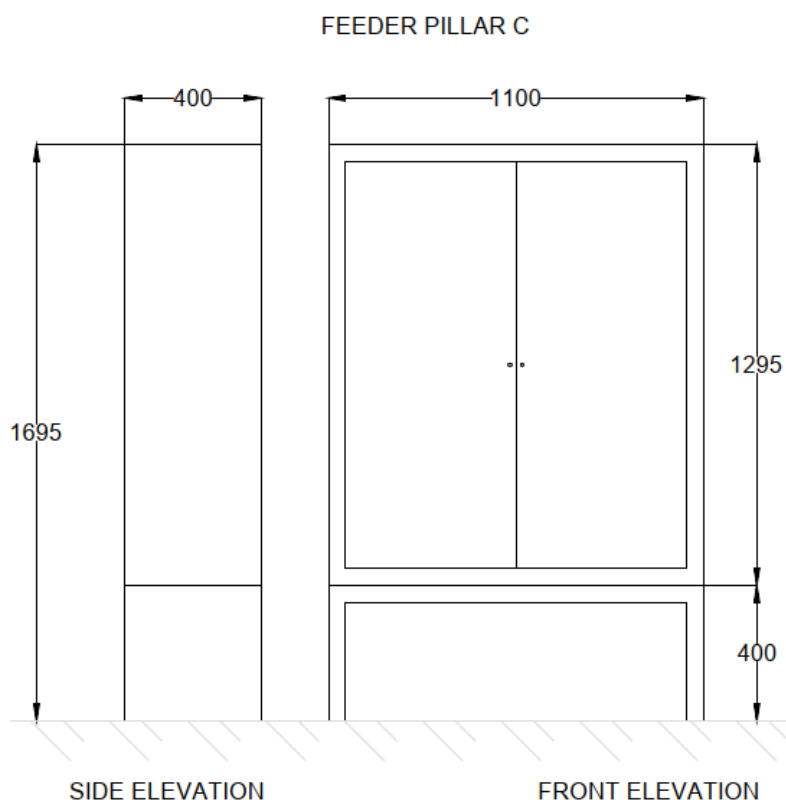
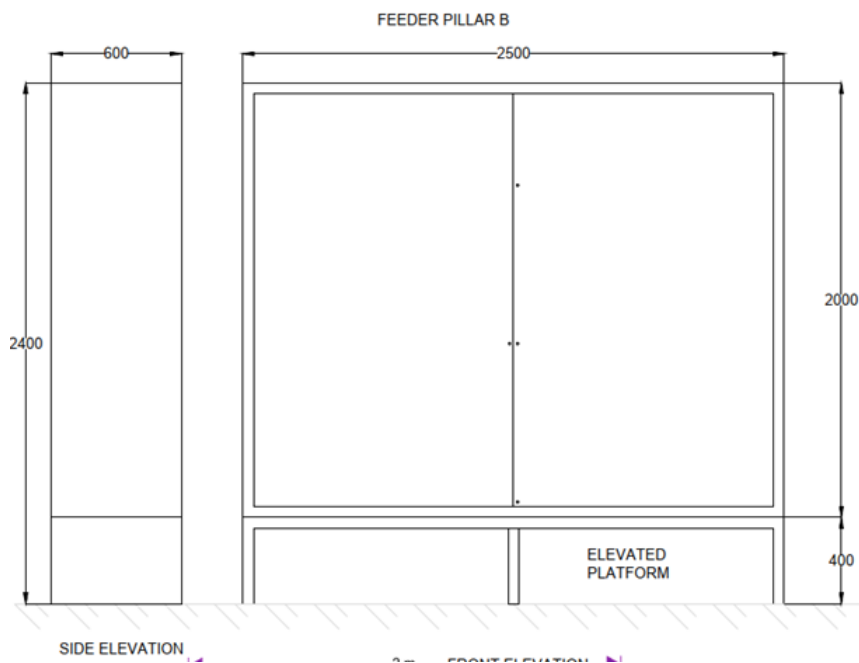
The 'feeder pillar D' LV cabinet would be 1.5m in width, 600mm in depth and 1.9m in height and would look as follows:



There would then be cabling installed along the pier leading to two cabinets – 1x feeder pillar B and 1x feeder pillar C. They would be located at the end of the pier in the south-east corner of the Denson Jetty as follows:



The feeder pillar B cabinet would be 2.5m in width, 600mm in depth and 2.4m in height. The feeder pillar C cabinet would be 1.1m in width, 400mm in depth and 1.695m in height and would appear as follows:



Principle

The site is located in the Gravesend Riverside East & North East Gravesend Opportunity Area and specific area 2.3 'Riverside Industrial Area East of Canal Basin & Metropolitan Police Site. Policy CS04 (LPCS) states amongst other things that the Riverside Industrial Area East of Canal Basin will be retained in employment use and that the Council will support proposals which improve their operation and quality of their environment and that the Council will support proposals that retain and increase marine related activity making active use of the River Thames. This proposal for a new electrical infrastructure would achieve this

and as such the proposal is in accordance with the policy for the area, Policy CS04 (LPCS).

Design, Character and Appearance

The area that Denton Wharf is located is predominantly industrial in nature. The PLA's main site which contains Marine House etc. is surrounded by palisade fencing. The two proposed DNO cabinets which would be located outside of the PLA's main entrance just in front of the palisade fencing would not appear intrusive or incongruous in the context of the surroundings and would be modest in size. Similarly, the two 'feeder pillar A' LV cabinets behind would be more concealed and would also not have any harmful impact on the streetscene. The other 3 cabinets would be located at the beginning of the pier and on the jetty and again due to the character of the area as a working wharf they are not considered to be out of keeping with the surrounding area and they are of modest size. As stated the area is very heavily industrial in character and a working wharf and the cabinets are of modest size and of standard electrical cabinet design and appearance. Overall it is considered that the cabinets would not appear harmful to the character of the surrounding area or streetscene and in regard to design, character and appearance the proposal is compliant with Policy CS19 (LPCS).

Neighbouring Amenity

The site is in an industrial area with no neighbouring properties close to where the cabinets and cabling are proposed. Due to the scale and location of the development and the distance from the nearest neighbouring dwellings there would be no impact on neighbouring properties amenity. GBC Environmental Protection advise that they have no objections to the proposal as it appears there will not be much groundbreaking works associated with proposal and there is no residential in the area. They do recommend an informative on the Code of Practice on Construction and Demolition, as such a condition for a full Construction Environmental Management Plan is not considered to be necessary. In respect of neighbouring amenity it is considered the proposal would cause no harm and would be compliant with Policy CS19 (LPCS).

Flood Risk

The site is in Flood Zone 3, a Flood Risk Assessment (FRA) has been submitted with the application which states that the proposal will not increase flood risk on or off the site. The Environment Agency have been consulted on the proposal and they advise that they have no objections. As such it is considered that in respect of flood risk the proposal is compliant with Policy CS18 (LPCS).

Biodiversity

The proposal involves the installation of new electrical infrastructure at the PLA's main compound and on the pier and jetty itself. The development would take place the hard surfacing in the compound and on the pier and jetty. KCC Biodiversity have been consulted on the proposal and advise that no ecological information is required and that as the proposal is to replace an existing diesel generator with electrical power services noise levels from the pier would be reduced. They note that all work is to take place on existing hardstanding/wharf and that no piling works are proposed in the River Thames and that as long as the works are carried out following best practice construction measures to minimise noise/dust/dirt impacting/entering the Thames then they are satisfied that any ecological impact will be minimal. As such it is considered there would be no material harm caused to biodiversity and in this respect the proposal is compliant with Policy CS12 (LPCS). Should permission be forthcoming an informative could be added regarding the works being carried out following best practice construction measures.

Archaeology

The site is in an Area of Archaeological Potential however KCC Heritage advise that based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, they would not have a significant archaeological impact. In respect of archaeology the proposal is therefore considered compliant with saved Policy TC7 (LPFR).

Land Contamination

GBC Environmental Protection as stated above note how there will not be much groundbreaking works associated with the proposal and recommend a condition for a watching brief on land contamination. Subject to this it is considered that in respect of land contamination the proposal would cause no harm and would be compliant with Policy CS19 (LPCS).

Public Right of Way (PROW)

The proposed cabling works will cross over Public Right of Way NG1, which would entail the surface of NG1 being dug up to accommodate the new cabling. KCC PROW advise that the applicant will need to apply for a Traffic Restriction Order (TRO) will need to be applied for to close/divert the footpath and if permission is forthcoming this can be added as an informative.

Climate Change

Policy CS18 (LPCS) states that the Council will seek to reduce the overall carbon footprint of the Borough and promote zero carbon development. The proposal would fully adhere to these principles as it is for replacement of existing diesel generators with a new electrical infrastructure which would reduce local emissions by approx. 5,400kg per week (280,800kg annually) and the project is expected to displace a total of 7.2 tonnes of carbon dioxide over the course of its lifetime and has the capacity to deliver net zero operations for the next 30 years. As such the proposal is considered compliant with Policy CS18 (LPCS).

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The proposal subject to conditions and informatives would be acceptable in principle and protect the Gravesend Riverside East & North East Gravesend Opportunity Area, be acceptable in respect of design, character and appearance, neighbouring amenity, flood risk, biodiversity, archaeology, land contamination public right of way and would actively have the benefit of reducing carbon emissions and delivering net zero targets.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	9th August 2024	Dated:	12 August 2024