



Delegated Report

Discharge of condition

Planning Application No: 20240702

Location: Unit C Imperial Retail Park Thames Way Gravesend

Description: Application for the approval of condition 4 attached to planning permission reference number 20231078 relating to the Travel Plan

Applicant: Box+III Gravesend Limited

Site Visit Date: None (desktop assessment only)

Submitted Documents/Plans

Application form for approval of details reserved by condition;
Travel Plan August 2024;
Travel Plan Travel Pack June 2024;
Letter from agent dated 26 July 2024; and
Copy of planning permission reference 20231078.

Superseded Documents/Plans

Travel Plan July 2024.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240592	Application for the approval of condition 11 attached to planning permission reference number 20231078 relating to full details of all fixed building services/mechanical plant/equipment (to include technical specifications and location plans).	Approved	23.08.2024
20240288	Application for the approval of condition 3 attached to planning permission reference number 20231078 relating to details of secure, covered cycle parking facilities for a minimum of 10 cycles.	Approved	28.05.2024
20231078	Change of use of ground floor from non-food retail to retail sale of food and ancillary non-food goods and installation of plant.	Permitted	18.01.2024

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure

- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on Highway Network

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 9 – Promoting Sustainable Transport

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- SPG 4 - KCC Parking Standards (2006);

Other Relevant Guidance

- None

Consultations, Publicity and Representations

KCC Highways & Transportation

Initial response:

Our Travel Plan specialist has now had the chance to look at the documents submitted and has made the following comments:

2.8 Please Insert a link to the bus provider for destination, Frequency and Ticketing Information.

2.9 – Please insert a link to the train provider for destination, frequency and ticketing information.

3.8 – I would like to see the Launch of the Travel Plan upon opening to ensure best travel habits from the start.

I would also like to see more information with regards to how much cycle parking is available on site, with regards to staff parking how is this managed if the main car park has a maximum 5 hour stay?

If these minor amendments are made to the submitted documents then I would raise no objection on highway grounds to the discharge of this condition.

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 response:

No highway objection to the discharge of this condition.

Reiterates the above information for developers.

Officer's Analysis

Planning permission reference 20231078 was granted for the change of use of the ground floor from non-food retail, to the retail sale of food and ancillary non-food goods and the installation of plant, at the application site. This application seeks to discharge condition 4 of that permission.

Condition 4 reads as follows;

4. *Within six months of the commencement of the development, a completed Travel Plan (covering both staff and customers) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, amongst other things, the appointment of a*

Travel Plan Co-ordinator and the plan shall be monitored at yearly intervals. The measures approved in the Travel Plan shall be implemented in accordance with the approved details or any changes subsequently made under its monitoring review process.

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

The application details include Travel Plan (which was updated following the receipt of the initial comments from KCC Highways & Transportation) and a Travel Plan Travel Pack (which will be distributed to Farm Foods staff).

The submitted details provide information and encouragement for staff and customers to utilise alternative transport options to the private car. KCC Highways & Transportation have not raised any objection. Therefore, the submission is acceptable and in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policy T1 of the Gravesham Local Plan First Review (1994).

Conclusion & Recommendation

The travel plan details submitted in relation to planning permission reference 20231078 are acceptable and as such, condition 4 can be discharged.

(For detailed informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	19th September 2024	Dated:	19 September 2024