Gravesham Local Plan Core Strategy

Examination – September 2013

Gravesham Borough Council

Response to Issues:

ISSUE 7: NORTHFLEET EMBANKMENT AND SWANSCOMBE PENINSULA EAST OPPORTUNITY AREA – POLICY CS03

Issue 7 Questions (i)-(ii)

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Issue 7 Northfleet Embankment and Swanscombe Peninsula East Opportunity Area – Policy CS03

i) **Is the policy and the proposals for growth and change in this area appropriate and justified, including in relation to the NPPF, and in terms of environmental, economic and social impact, including regarding flood risks and European wildlife sites?**

ii) **Are they clear and deliverable, including in respect of the associated transport and other infrastructure requirements?**

**Relevant Background Documents**

- **SCS-01** Proposed Submission Gravesham Local Plan Core Strategy December 2012
- **SCS-05** Proposed Submission Gravesham Local Plan Core Strategy – Representations Report May 2013
- **SCS-08** Conformity of the Submission Gravesham Local Plan Core Strategy with the National Planning Policy Framework and the Planning Policy for Traveller Sites May 2013
- **SCS-12** Habitats Regulations Assessment December 2012
- **SCS-14a** Proposed Submission Gravesham Local Plan Core Strategy Schedule of Proposed Minor Amendments May 2013
- **SCS-14b** Proposed Submission Gravesham Local Plan Core Strategy Document May 2013 (tracked changes version)
- **SCS-14c** Proposed Submission Gravesham Local Plan Core Strategy Appendices May 2013 (tracked changes version)
- **SCS-15** Correspondence with Respondents March 2013 to May 2013
- **PE-03** Northfleet Embankment East Position Statement May 2013
- **PE-04** Swanscombe Peninsula Position Statement May 2013
- **SLA-01** Strategic Land Availability Assessment October 2012
- **EMP-01** Economy and Employment Background Paper December 2012
- **EMP-01a** Corrections to Economy and Employment Background Paper EMP-01 August 2013
- **EMP-02** Gravesham Economy and Employment Space Study May 2009
- **INF-04** Green Infrastructure Assets Baseline Report December 2009
- **OTH-03** Minerals and Waste Position Statement October 2011
- **OCT11-07** Draft Strategic Land Availability Assessment October 2011
- **REG-01** Swanscombe and Northfleet Riverside Study March 2010
- **NAT-01** National Planning Policy Framework 2012

1. This matter statement answers both questions together rather than under separate headings.

**Consistency with NPPF**
2. The Council is of the view that the Core Strategy’s approach towards Northfleet Embankment and Swanscombe Peninsula East Opportunity Area is consistent with the NPPF (NAT-01).

3. The Conformity of the Submission Gravesham Local Plan Core Strategy with the National Planning Policy Framework and the Planning Policy for Traveller Sites May 2013 (SCS-08) sets out how the Core Strategy is consistent with each paragraph of the NPPF (NAT-01). The policies for the Opportunity Areas are consistent with a large number of policies in the NPPF. Paragraphs 7 and 21 of the NPPF are particularly relevant. This opportunity area contributes towards sustainable development by supporting economic growth and housing development. It also includes the identification of strategic sites to meet anticipated needs over the plan period.

**Economic and Social Impact**

4. There is no planning application or permission for development of Land East of Grove Road and Robins Creek Key Site (within sub-area 1.3). However, the Strategic Land Availability Assessment October 2012 (pages 81-83 of SLA-01) assesses the site as being developable towards the latter part of the plan period for 200 dwellings.

5. There is an outline planning application (reference GR/2009/0238) for a mixed use development of up to 532 dwellings and up to 46,000 sq m gross employment floorspace (use classes B1/B2/B8) as well as supporting uses covering the whole of the Old Northfleet Residential Extension Key Site (sub-area 1.4) and most of the Northfleet Cement Works Regeneration Area Key Site (sub-area 1.5). At its meetings in April and May 2011, the Council’s Regulatory Board resolved to approve the application in accordance with the draft planning conditions and the heads of terms for the section 106 legal agreement.

6. Planning permission was granted for a bulk aggregates import terminal by Kent County Council as the Minerals and Waste planning authority in February 2011 (reference GR/09/286) on part of the Northfleet Cement Works Regeneration Area Key Site (sub-area 1.5). This would use Wharf 42, a site proposed for safeguarding in the emerging Kent Minerals and Waste Core Strategy (see paragraph 4.6 and Figure 5 of the Minerals and Waste Position Statement October 2011 – OTH-03).

7. Planning permission was granted on appeal for a 40,114 sq m gross distribution warehouse (use class B8) on part of the Northfleet Embankment East Regeneration Area Key Site (sub-area 1.8) in June 2007 (reference GR/2005/1110). This permission was subsequently renewed in June 2010 (reference GR/2010/0184) and there have been a number of changes to the scheme since. This is the part of the site under the control of Lidl UK and development has commenced on site. There is no planning application or permission for the remainder of this key site for the development identified in paragraph 4.4.36 of policy CS03. Most of it is owned by the Homes and Communities Agency, who took over responsibility when the South East England Development Agency was abolished. Figures 2 and 3 of the Northfleet Embankment East Position Statement May 2013 (PE-03) give details of the land ownership and current uses of the site. Section 7 of this Position Statement (PE-03) and Appendix 3 of the Draft Strategic Land Availability Assessment October 2011 (Oct11-07) give further details to support the approach to the parts of this
key site not under the control of Lidl UK. In their response on the Proposed Submission Core Strategy, the Homes and Communities Agency agreed that the broad estimates for employment development on the site are sound for planning purposes. They were also content that the parameters of development could be incorporated on this key regeneration site.

8. Paragraphs 4.4.32 – 4.4.36 of policy CS03 reflect the current planning applications, permissions and latest known status for the key sites (sub-areas 1.3, 1.4, 1.5 and 1.8) as set out in paragraphs 4-7 above. These figures are set out on pages 75-77 and 81-86 and of the Strategic Land Availability Assessment October 2012 (SLA-01). They have been adjusted to take on board the assumptions and gross/net floorspace ratios set out in pages 39-40 of the Economy and Employment Background Paper December 2012 (EMP-01).

9. The above paragraphs show that a high level of commitment is already in place to bring forward development on the key sites in this opportunity area. This is an environmentally degraded area with many previously developed vacant and under-used sites (see paragraph 4.4.1 of the Core Strategy). Its development will contribute to the wider regeneration of the area.

**Environmental Impact**

**Flood Risk**

10. The Core Strategy (paragraph 4.3.7) recognises that the opportunity areas lie within areas where there is a potential risk of flooding. This is a constraint on the type and form of development that can be accommodated. It cross refers to policy CS18 on Climate Change which sets out the relevant requirements for developments in areas at risk of flooding in accordance with the NPPF.

11. Paragraph 4.3.10 of the Core Strategy recognises the need to maintain, improve and replace tidal flood defences in line with the Thames Estuary 2100 plan in the Opportunity Areas located alongside the River Thames.

12. Mr King objects as the area is subject to flood risk and development in this area would be contrary to the NPPF sequential test. The Environment Agency have not made any comments in relation to flood risk issues in this Opportunity Area. It should be noted that the flood risk implications for development on key sites 1.4 and 1.5 were considered as part of the planning applications for those sites and the Environment Agency were consulted on these.

13. Paragraphs 100 – 104 of the NPPF (NAT-01) and the Technical Guidance to the National Planning Policy Framework March 2012 are relevant. Pages 5-6 of the Correspondence with respondents March 2013 to May 2013 (SCS-15) make clear that the approach in the Core Strategy derives from that agreed in the past with the Environment Agency in relation to Thames Gateway. This prioritises well defended previously developed land to secure the sustainable regeneration of the area and strategic site allocations have been informed by the SFRA.

14. In view of the above, the Council considers that the principle of development on two of the key sites (1.4 and 1.5) in this Opportunity Area has already been accepted. Development is justified on the other two key sites (1.3 and 1.8) by virtue of their longstanding role in securing the sustainable regeneration of the area.
European Wildlife Sites

15. The issue of the impact of development in the Borough on the SPA and Ramsar site is considered in further detail under Issue 5 (ii). Natural England have not objected to policy CS03. Kent Wildlife Trust originally objected to the policy on the basis of its impact on the European and Ramsar site network. The site does not form part of this network which lies to the east of Gravesend. Kent Wildlife Trust have withdrawn their objections on this matter on the basis of the proposed minor changes which have led to the inclusion of new paragraph 5.7.9a as recommended in the Habitats Regulations Assessment (see pages 18-26 of Correspondence with Respondents March 2013 to 20 May 2013 – SCS-15 and paragraph 4.25 of the Habitats Regulations Assessment December 2012 – SCS-12).

16. Paragraph 4.4.3 recognises the biodiversity interest of the Swanscombe Peninsula East Undeveloped Area (sub-area 1.1). Further details are contained in the Green Infrastructure Assets Baseline Report December 2009 (INF-04). Paragraph 4.4.29 of policy CS03 requires a comprehensive masterplan approach to be used for any future proposals in this area and, amongst other things, this should deal with biodiversity issues.

17. Kent Wildlife Trust maintain their objection to development on Swanscombe Peninsula. They wish to enter into a Statement of Common Ground with Gravesham Borough Council and the owners of the site in relation to: appropriate surveys required; the need to undertake these surveys before master planning; and a commitment to consult with them before master planning commences (see pages 18-26 of Correspondence with Respondents March 2013 to 20 May 2013 – SCS-15). Gravesham Borough Council has contacted one of the main owners of the site, Lafarge Cement UK, (see pages 27-30 of SCS-15) with a view to producing such a Statement. This matter is currently under discussion.

Infrastructure

18. Pages xlvi – xlviii of the Infrastructure Delivery Schedule (IDS) reflect the planning permissions, negotiations on the section 106 agreement and responses from the infrastructure providers, including Kent Highways. Southern Water are concerned that there is insufficient sewerage capacity to serve the East of Grove Road and Robins Creek, Old Northfleet Residential Extension and Northfleet Embankment East Regeneration Area key sites. Page xvii of the IDS requires the developers to address this. For further information, see paragraphs 7-14 and 20-22 of the matter statement on issue 4i-ii.

Other Issues

Swanscombe Peninsula East Undeveloped Area (sub-area 1.1)

19. The following respondents considered that the Core Strategy should include a clearer policy for future development on the Swanscombe Peninsula East Undeveloped Area in the light of proposals for a large scale leisure use in this area (a proposed Paramount theme park):
   - Dartford Borough Council
   - Highways Agency
   - Kent County Council
20. In response, the Council produced the Swanscombe Peninsula Position Statement May 2013 (PE-04). Section 4 of this document sets out the details known by the Council about this proposal. To date, there has been no formal consultation on the proposal. No plans, layouts or additional technical supporting information have been provided to the Council by the developer, London Resort Company Holdings Ltd. The Council consulted the main landowner, Lafarge Cement UK, on the Proposed Submission Core Strategy and informally made the developer aware of this consultation. Neither of them responded in relation to this matter.

21. In the absence of any further information, the Council’s approach is to set out the constraints to development and to advocate the use of a comprehensive masterplan approach for any future development which comes forward in this area to deal with these issues (paragraphs 4.3.7, 4.4.3, 4.4.4 and 4.4.29 of the Core Strategy and section 6 of the Swanscombe Peninsula Position Statement May 2013 – PE-04). Without further information, it is not possible for an assessment of its impacts on the strategic and local road network, biodiversity, and employment and housing needs to be carried out, issues which were raised by the Highways Agency, Dartford Borough Council, Kent Wildlife Trust and Mr and Mrs Gibson respectively. A further proposed minor change is proposed to paragraph 5.1.32 of policy CS07 to provide clarity.

Land East of Grove Road and Robins Creek Key Site (within sub-area 1.3)

22. Lafarge Cement UK have raised a number of issues in relation to this key site including: flood risk (dealt with under paragraphs 8-12 above); the need for additional land for uses which support a new navigable harbour; the need to refer to waterside residential development to the south of Robin’s Creek; and its boundaries. The Swanscombe and Northfleet Riverside Study March 2010 (pages 12-13 of REG-01) identified the potential for the regeneration of Robin’s Creek and this informed the approach set out in paragraphs 4.4.7, 4.4.8, 4.4.31 and 4.4.33 of the Core Strategy. The strategy is intended to outline the principle of development and master planning work would be required to consider the issues in more detail. The boundaries of the key site are generally based on the land owned by Lafarge Cement UK but also reflect the presence of the West of Grove Road employment site in the eastern part of sub-area 1.3 and identified in the Gravesham Economy and Employment Space Study May 2009 (paragraph 5.7 and plan 5.1 of EMP-02).

Old Northfleet Residential Extension Key Site (sub-area 1.4)

23. The developer, Lafarge Cement UK, consider that the policy fails to fully capture the development potential of the former Northfleet Works and that the employment area should be identified for residential use. They suggest a number of changes and the Council has made some proposed minor changes to Figure 6 accordingly. The Council would like to see the proposed centre linked to the existing The Hive local centre and this is the reason for the location of the annotation in Figure 6. This is reflected in paragraphs 4.4.10, 4.4.34 and 5.2.29 of the Core Strategy. Only part of the existing employment area is owned by Lafarge Cement UK. In January 2009, the Council carried out a “call for sites” as
part of work on the Strategic Land Availability Assessment. Lafarge Cement UK included all of the land in their ownership in their response. The Council has not received any indication that the remaining area is likely to be available for development and this is the reason that it is proposed to be retained in the existing employment use. The Council does not consider that the continuation of existing employment uses in this location is incompatible with the aim of promoting mixed use development. A further change is proposed to paragraph 4.4.34 to correctly reflect the planning application and the figure used in the Strategic Land Availability Assessment October 2012 (pages 45 and 84-86 of SLA-01).

**Northfleet Cement Works Regeneration Area Key Site (sub-area 1.5)**

24. Lafarge Cement UK state that some changes are required to correctly reflect the current situation and emerging proposals for the site. They suggest a number of changes and the Council has made some proposed minor changes to paragraph 4.4.12 and Figure 7 accordingly. Further changes are proposed to paragraph 4.4.35 to correctly reflect the gross floorspace figure used in the planning application and the job figures in the Economy and Employment Background Paper December 2012 and Corrections August 2013 (page 39 of EMP-01 and pages 3-4 of EMP-01a).

**Northfleet Embankment East Regeneration Area (sub-area 1.8) including Red Lion Wharf**

25. The Homes and Communities Agency own much of the site. In their response on the Proposed Submission Core Strategy, they stated that they are still exploring opportunities to create a truly multi-modal B Use Class employment site underpinned by a logistics facility predicated on a heavy rail connection with links to the North Kent line and HS1 that also benefits from deep water wharfage and water based transport as well as good access to the trunk road network. As stated in paragraph 7 above, they agree with the broad estimates and parameters of development set out for this site. It is noted that Urban Gravesham consider that the site should be used for high quality residential development but the Council considers that its significant contribution towards jobs provision is important to achieve an improved balance between housing and jobs in the Borough (paragraph 4.4.21 of the Core Strategy). The reasons for the Council’s approach are explained in further detail in sections 7-9 of the Northfleet Embankment East Position Statement May 2013 (PE-03).

26. The Council notes that there are a number of objections to this policy on the basis of the Council’s approach towards wharves. The issue of the protection of wharves, in particular Red Lion Wharf, is considered under issue 4vi.

**Conclusion**

27. The Council considers that its approach towards the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, including the proposed further changes to the supporting text and policy CS03, is positively prepared, justified, effective and consistent with national policy. It also considers that the transport and other infrastructure requirements are deliverable given the responses from infrastructure providers and negotiations on the planning permissions.

**Further Proposed Minor Changes**
28. The Council considers that the housing and employment figures should be corrected so that they are consistent with the Strategic Land Availability Assessment October 2012 (SLA-01), the Economy and Employment Background Paper December 2012 (EMP-01), the Corrections to the Economy and Employment Background Paper EMP-01 August 2013 (EMP-01a) and tables 3 and 6 of the Core Strategy. Therefore, further proposed minor changes are suggested and shown in blue as follows:

4.4.24 The Council supports the principle of development likely to come forward as a result of the existing planning permissions and the emerging masterplan. Current estimates are that this could comprise around 240-245 new dwellings and approximately 75,000-74,414 square metres (NIA) of B1, B2 and B8 employment floorspace. This area is identified as a Key Site.

4.4.32 Development of the Key Sites will lead to the provision of approximately 970-977 dwellings and 114,000 (NIA) sq.m to 133,546 sq.m gross (113,514 sq.m NIA) employment floorspace providing around 2,269 new jobs. Development on the Key Sites will be in accordance with the principles set out below.

4.4.34 This will provide a residential development of approximately 530 up to 532 dwellings, open space, an extension and improvements to the Hive local centre and provision of community facilities.

4.4.35 This will provide an employment development of approximately 39,000 (NIA) sq.m up to 46,000 sq.m gross (39,100 sq.m NIA) new employment floorspace comprising business, industrial, and storage and distribution facilities (use classes B1, B2 and B8) and a Bulk Aggregates Import Terminal providing around 1,330-1,334 new jobs. Such development will be required to satisfactorily relocate Bevan’s War Memorial.

4.4.36 This will provide an employment led development of approximately 75,000 sq.m to 87,546 sq.m gross (74,414 sq.m NIA) new employment floorspace including a major multimodal industrial and warehousing development (use classes B1, B2 and B8) to provide around 935 new jobs industrial and warehousing development (use classes B1, B2 and B8) with multimodal access to provide around 935 new jobs, subject to masterplanning and overcoming constraints identified in paragraph 4.4.21. It will also provide approximately 240-245 dwellings at the eastern end of the site which will reinforce the existing adjacent residential areas. A buffer zone comprising open space, landscaping and business development (use class B1) will be required between the residential development and the industrial and warehousing development. Such development should seek to restore the listed remains of Rosherville Pier and maintain an east-west route for public transport and general traffic accessing the Imperial Business and Retail Estate and Gravesend town centre. Proposals will also be expected to maintain capacity for the transhipment of minerals by water and other sustainable means, if justified, through appropriate alternative provision.

5.1.32 The Council will work with its partners and landowners to examine the potential of at Swanscombe Peninsula East to deliver additional employment led mixed use development subject to a comprehensive masterplan approach.