

Application: 20250550

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Bellway Homes Limited (Thames Gateway)
C/O Mr Gregory Evans, Savills
33 Margaret Street
London
W1G 0JD
United Kingdom**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**Land To The North West Of Factory Road
Northfleet
Gravesend
Kent
DA11 9HH**

and being **Erection of a workshop (Use Class E(g)(iii)), access, parking, and associated landscaping**. Your application dated 4th June 2025 is permitted subject to the following:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Drawing No. MRT-BPTW-S01-00-DR-A-0101 rev C02 (Site Location Plan);
Drawing No. MRT-BPTW-S01-ZZ-DR-A-1002 rev C04 (Proposed Site Layout - First Floor Plan);
Drawing No. MRT-BPTW-S01-ZZ-DR-A-1001 rev C05 (Proposed Site Layout - Second Floor Plan);
Drawing No. MTW-BPTW-H01-ZZ-DR-A-2001 rev C03 (Proposed Elevations);
Drawing No. 2408/01/7000 (Levels Strategy); and
Drawing No. 13281-LUC-TW-XX-DR-L-1001 rev P06 (Landscape Proposals GA).

Reason: For avoidance of doubt and to ensure a satisfactory form of development.

3. No development shall take place until a strategy to deal with the potential risks associated with any contamination in relation to the site has been submitted to and

approved in writing by the Local Planning Authority. This strategy will include the following components:

- i). A preliminary risk assessment which has identified:
 - o all previous uses;
 - o potential contaminants associated with those uses;
 - o a conceptual model of the site indicating sources, pathways and receptors; and
 - o potentially unacceptable risks arising from contamination at the site.
- ii). A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii). The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv). A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

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.

4. No development shall take place until a detailed surface water drainage scheme for the site, together with a drainage management plan, based on the 2408/01/3000 (Drainage Layout) and 'Flooding and Drainage Proposals' Technical Note (RLT, ref 240802 rev A) has been submitted to and approved in writing by the Local Planning Authority. The details 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 without increase to flood risk on or off-site; that appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered and demonstrated within the drainage management plan; and that no pollution risk to receiving waters will occur as a result of the development.

The drainage scheme shall be implemented in accordance with the approved details prior to first occupation of the development and maintained thereafter in accordance with the approved drainage management plan.

Reason: The surface water drainage strategy proposes the use of a deep bore soakaway and the Environment Agency have required full contamination investigation as pre-commencement, the results of which may dictate the drainage design so that development does not exacerbate the risk of on/off site flooding and does not contribute to, or put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. In line in accordance with Gravesham Local Plan Core Strategy Policies CS18 and CS19 and National Planning Policy Framework paragraphs 170, 181, 196, 197, 198.

Informative : The final surface water drainage scheme is expected to be designed taking account of the results of the contamination investigation under condition 3 and any EA requirements related to the drainage design.

5. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include as a minimum:
- a) Construction phasing;
 - b) Routing of construction and delivery vehicles to / from site;
 - c) Parking and turning areas for construction and delivery vehicles and site personnel

- d) Temporary traffic management / signage
- e) Permitted construction traffic arrival and departure times
- f) Timing of construction related deliveries
- g) Provision of wheel washing facilities
- h) Proposed root protection measures for any retained trees within the site
- i) Temporary construction lighting
- j) Site clearance method in a way as to protect wildlife;
- k) Removal of nesting habitat outside of breeding season;
- l) Stop work if protected species found.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details or any subsequent variations that may be approved in writing by the Local Planning Authority pursuant to this condition.

Reason: To mitigate any adverse impact from construction on the local highway networks and protected species and biodiversity, in accordance with DfT Circular 01/2022, Gravesham Local Plan Core Strategy Policies CS11, CS12 and CS19 and of the National Planning Policy Framework paragraphs 115,197 and 198.

- 6. No development shall take place above foundation level until details and samples (where relevant) of all materials and finishes to be used in the external faces of the building (external facing brick, roof tiles, rainwater goods, windows and doors) have been submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visually attractive development which preserves and enhances the character of the area in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).

- 7. The development hereby approved shall not commence operation until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, in accordance with paragraph 187 of the National Planning Policy Framework.

- 8. The use hereby approved shall not commence, other than for the purposes of the required survey, until a Validation Noise Survey demonstrating a representative full-capacity weekday operation, with all plant and equipment in normal operation, has been undertaken at the site following the installation of all noise mitigation measures within Noise Impact Assessment (Stantec Ltd, Project Ref. 332612492 Rev 05, dated 28 August 2025, as updated by the Technical Note (Stantec Ltd, Project No. 332612492, dated 28th January 2026), and the Validation Noise Report from the survey results have been submitted to and approved in writing by the Local Planning Authority.

The report shall demonstrate that the noise emissions from manufacturing equipment do not exceed the representative LA90,T background sound levels reported within submitted Technical Note 332612492 (dated 28th January 2026 by Stantec Ltd.), inclusive of any applicable noise rating penalty as determined in accordance with Section 9 of BS 4142:2014+A1:2019.

In the event that the Validation Noise Report does not demonstrate the above compliance, the use hereby approved shall not commence until a scheme of additional noise mitigation measures, including a timetable for implementation, has been submitted

to and approved in writing by the Local Planning Authority. The additional mitigation measures shall be fully implemented in accordance with the approved details, before the use commences and shall be thereafter retained, maintained, and operated in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the development does not prejudice the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

9. Notwithstanding Section 4.4 (Calculation Parameters) of Noise Impact Assessment (Stantec Ltd, Project Ref. 332612492 Rev 05, dated 28 August 2025) the use hereby approved shall not commence, other than for the purposes of the required Validation Noise Survey, until an Operational Management Plan has been submitted to and agreed in writing with the Local Planning Authority.

The Operational Management Plan shall include, as a minimum:

- A requirement that all external doors, windows and roller shutter doors to buildings containing manufacturing plant and machinery shall be kept closed at all times when such plant and machinery are in operation, except for the purposes of access and egress;
- Details of loading and unloading operations, including designated areas, hours of operation, and measures to minimise noise from vehicle movements, reversing alarms, and handling of materials;
- Details of external lighting, including hours of operation, confirming that all non-essential external lighting shall be switched off outside approved operating hours;
- A scheme for the logging, investigation, and resolution of noise complaints, including details of how complaints will be recorded, the timescales for response, and the corrective actions to be implemented;
- Details of site management procedures, including the identification of a responsible person for implementation of the OMP and measures to ensure all staff and operatives are made aware of, and adhere to, its requirements.

All measures set out in the approved Operational Management Plan shall be fully implemented prior to the commencement of the use and shall thereafter be complied with, monitored, and maintained for the lifetime of the development.

Reason: To ensure that the development does not prejudice the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

Informative : It would be useful to refer to the various operational details listed within the Stantec NIA August 2025 version (rev 5).

10. Notwithstanding the submitted details, the development hereby approved shall not commence operation until final planting details, based on the soft landscaping works detailed on drawing XX13281-LUC-TW-XX-DR-L-1001 rev P06 (Landscaping Proposals GA) and the measures outlined in the Preliminary Ecological Appraisal (AAe, April 25) and the Biodiversity Net Gain (BNG) report and Metric (AAe, May 25) have been submitted to and agreed in writing with the Local Planning Authority. The details shall include:

- a. a full planting schedule utilising primarily native species including the numbers of all trees, hedges and shrubs to be planted; a planting schedule providing tree sizes, pot sizes, heights, spreads; densities and total quantities of individual species.
- b. the planting details plan should include details of any underground services, drainage, lighting, visibility splays and any root barriers and below ground root cells.
- c. details (specifications and locations) of the incorporation of biodiversity enhancement features (e.g. bird and bat boxes) as recommended within the PEA (AAe, April 25)
- d. details of measures for planting implementation, management and maintenance
- e. Details of responsible persons for installation, management and maintenance.

The approved scheme shall thereafter be implemented within the first planting season following first occupation of the development and shall thereafter be managed and maintained in accordance with the approved details. If any trees or shrubs die, are damaged, or diseased within 5 years of planting, they must be replaced in the next available planting season with others of similar size and species.

Reason: To ensure effective and functional landscaping within the habitat street scene and bounding the Heritage Park open space and to protect and enhance biodiversity, in accordance with Policy CS19 of Gravesham Local Plan Core Strategy and paragraphs 135, 187, 192 and 193 of the National Planning Policy Framework.

11. Notwithstanding the boundary fence detailed on drawing XX13281-LUC-TW-XX-DR-L-1001 rev P06 (Landscaping Proposals GA) the development hereby approved shall not commence operation until details of an alternate fence, to be installed on the northern and western boundaries, including design, materials, height, colour and finish have been submitted to and approved in writing by the Local Planning Authority. The fence shall be installed in accordance with the approved details prior to the site becoming operational and shall be maintained as such thereafter.

Reason : To secure the satisfactory appearance of the development within this area in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

Informative - The metal fence indicated on the approved plans has not formed part of the planning description and as such shall not be of a height requiring planning permission. A metal palisade fence is not acceptable for this development adjacent to the Heritage Park. The installation of a mesh style fence at the boundaries with the Heritage Park is required in place of the palisade style fence.

12. Within twelve months of first use of the development hereby approved, photographic evidence of the implementation of such habitat creation and biodiversity enhancement measures as are required by condition 10 (Soft Landscaping condition) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be thereafter retained.

Reason: To protect and enhance biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

13. No external lighting, whether temporary or permanent, shall be installed on the site unless details have first been submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate accordance with the Bat Conservation Trust/Institute of Lighting Professionals 'Guidance Note 08/23: Bats and Artificial Lighting at Night' and shall include an assessment demonstrating that the proposed lighting will not adversely affect bat foraging/commuting activity. The details shall include, as a minimum, a layout plan showing the location and beam orientation of all lighting, a specification and schedule of all light equipment (including luminaire type; mounting height; aiming angles, shielding, and luminaire profiles), and an ISO lux contour plan demonstrating predicted light spill levels (in lux) across the site and at its boundaries. All external lighting shall be installed in full accordance with the approved details prior to first use and shall thereafter be retained, maintained, and operated only in accordance with the approved scheme for the lifetime of the development. No additional or replacement lighting shall be installed unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To limit the impact of light pollution from artificial light in accordance with the NPPF 2024, paragraph 198(c). With consideration for bats and other nocturnal wildlife in accordance with the NPPF 2024, paragraph 187(d).

14. The development hereby approved shall not commence operation until the hard landscaping works detailed on drawing XX13281-LUC-TW-XX-DR-L-1001 rev P06 (Landscaping Proposals GA), including the repair of the end elevation of the Lawn Road/Factory Road 'existing flint wall', have been completed, excluding the highway works and the boundary fencing subject to condition 11, have been completed and shall be retained as such thereafter.

Reason: To secure high-quality design and detailing and to ensure that materials will make an acceptable contextual response, resulting in the satisfactory appearance of the development in accordance with Policy CS19 of Gravesham Local Plan Core Strategy and paragraphs 131, 135, 138 and 139 of the National Planning Policy Framework.

15. The development hereby approved shall not commence operation until the vehicle parking and turning areas shown on the approved plans have been formed, surfaced, drained and marked out. 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, no development beyond that approved by this decision 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 approved vehicle parking and turning areas.

Reason: To ensure sufficient off-street car parking provision to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy and saved Local Plan First Review Policy P3

16. The development hereby approved shall not commence operation until one active and one passive electric vehicle charging point has been installed and are operational. The electric vehicle charging infrastructure shall thereafter be retained, maintained, and kept available for use for the lifetime of the development.

Reason: In support of the Council's commitment to become carbon neutral by 2030 in accordance with Policy CS18 of the Core Strategy 2014.

17. The development hereby approved shall not commence operation until the vehicle visibility splays set out in the Plan 011 Rev 003 (within Transport Technical Note 2, Stantec, 24th July 2025) have been provided and shall thereafter be kept clear of obstructions exceeding 1.05m in height above carriageway level at all times.

Reason: In the interest of highway and pedestrian safety, in accordance with adopted Policy CS11 of the Gravesham Local Plan Core Strategy.

18. The development hereby approved shall not commence operation until the pedestrian visibility splays shown on Plan 011 Rev 003 (within Transport Technical Note 2, dated 24 July 2025) have been implemented with no obstructions over 0.6m within the splay and shall be retained as such thereafter.

Reason - In the interest of highway and pedestrian safety, in accordance with adopted Policy CS11 of the Gravesham Local Plan Core Strategy.

19. The use hereby permitted shall not commence until a minimum of two cycle parking spaces have been provided and a minimum of two cycle parking spaces shall be retained for the lifetime of the development.

Reason: In order to encourage sustainable travel and protect amenity, in accordance with Gravesham Local Plan Core Strategy Policy CS19 and CS11 and saved Local Plan First Review Policy P3

Informative - it is noted that the applicant's intention initially is for cycle parking provision to be internal to the building.

20. No additional noise-generating mechanical/manufacturing equipment associated with the development shall be operated, beyond that considered within submitted Technical Note 332612492 dated 28th January 2026, which would result in noise levels exceeding the representative LA90,T background sound levels at the façade of the nearest sensitive receptor locations when assessed in accordance with BS 4142:2014+A1:2019.

Reason: To ensure that the development does not prejudice the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

21. Notwithstanding Section 5 (Plant Noise Emission Criteria) of Noise Impact Assessment (Stantec Ltd, Project Ref. 332612492 Rev 05, dated 28 August 2025) no noise-generating non-manufacturing equipment, including air conditioning, MVHR and dust extraction plant, shall be installed and operated unless achieving a rating level of the noise emitted from fixed plant on the site of no greater than 5dB below the representative LA90,T background sound levels, when assessed in accordance with BS 4142:2014+A1:2019, at any time.

Reason: To ensure that the development does not prejudice the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

Informative : Please note that external fixed plant may require planning permission.

22. The use hereby permitted shall operate only between the hours 07:30 to 18:00 Monday to Friday inclusive and between 7:30 and 13:00 hours on a Saturday and not at all on Sundays and Public Holidays. No goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart or be allowed to park at the site outside of these operational hours.

Reason: To ensure that the development does not prejudice the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

23. Operational activity associated with the workshop Angle Grinder shall be limited to weekday (Monday to Friday) use only and at no other times, in accordance with the submitted Technical Note 332612492 dated 14th November 2025.

Reason: To ensure that the development does not prejudice the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy.

24. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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 from previously unidentified contamination sources at the development site in line with paragraph 187 of the National Planning Policy Framework.

25. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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 caused by mobilised contaminants in line with paragraph 187 of the National Planning Policy Framework.

26. The Biodiversity Gain Plan shall be prepared in accordance with the baseline information within the Biodiversity Net Gain metric (AAe, May 25).

Reason: To ensure the proposals are in accordance with details submitted and considered as part of the planning application, in accordance with Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 (as amended), and Schedule 14 of the Environment Act 2021.

27. At no time shall any external storage, including bins, be located forward of the building line of the building hereby approved.

Reason: To secure the satisfactory appearance of the development within this area in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

28. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) and the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order amending, revoking and re-enacting that Order with or without modification) the commercial unit hereby approved shall not be occupied other than for the specified uses falling within Class E(g)(iii) (Light industrial).

Reason: To enable the Local Planning Authority to control such development in the interests of the supply of shortage employment floorspace and to ensure sufficient on-site parking is provided in accordance with Policy CS03 and CS07 of the Gravesham Local Plan Core Strategy.

INFORMATIVES:-

1 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, 4 and 5 (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. The reason for this is to avoid water pollution and flood, as well as to mitigate any adverse impact from construction on the local highway networks and protected species and biodiversity. Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing

2 BIODIVERSITY NET GAIN - PRE-COMMENCEMENT REQUIREMENT

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- o a Biodiversity Gain Plan has been submitted to the Local Planning Authority, and
- o the Local Planning Authority has approved the plan.

The Local Planning Authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be the Ebbsfleet Development Corporation.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. However, based on the information available this permission

is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

It is noted that biodiversity gains will be provided off site in this case through a habitat bank operator. Please note the KCC Ecology comments dated 16th May 2025 highlighting the following points that must be addressed within the Biodiversity Gain Plan and off site biodiversity gains following planning permission being granted. The following needs to be secured as part of the off-site biodiversity net gain:

- o The submission of a habitat management and monitoring plan (HMMP);
- o Notice of HMMP implementation and completion of the habitat creation and enhancement works;
- o Timescales for completion of habitat creation, and the submission of a completion report;
- o Submission of a monitoring report; and
- o A habitat monitoring fee to be paid to the local planning authority on every habitat management monitoring event.

3 The following documents have been considered in the assessment of this planning application:

- o Application form (separate Certificate B ownership page)
- o 2408/01/3000 (Drainage Layout)
- o Design and Access Statement (BPTW, ref: MRT-BPTW-XX-XX-DO-A-0601 rev C03, dated May 2025)
- o 'Flooding and Drainage Proposals' Technical Note (RLT, ref 240802 rev A)
- o Preliminary Ecological Appraisal (AAe, Ref 253092, dated April 2025)
- o Transport Technical Note (Stantec, Project 332612492 dated 6 May 2025)
- o Utilities Appraisal (Stantec, Project 332612492 dated 8 May 2025)
- o Planning Statement
- o Biodiversity Net Gain Technical Note (AAe, ref 253092, dated May 2025)
- o Arboricultural Implications report (SJA Trees, ref 25265-01a, dated June 2025)
- o Cover letter (Savills, dated 22 May 2025)
- o BNG Small Sites Metric (July 2024)
- o Cover letter (Savills 30 July 2025)
- o Contaminated Land Assessment (IDOM, ref L-17855cz-2.4.2.21-72-CBJ rev A, dated 7 May 2021)
- o Contaminated Land Assessment (IDOM, ref L-17855cz-2.4.2.21-72-CBJ rev C, dated 26 May 2021)
- o Infrastructure Assessment (Stantec, project 332612492, dated 28 July 2025)
- o Noise Impact Assessment rev 05 (Stantec, project 332612492, dated 28 August 2025)
- o Technical Note (Noise) (Stantec, 14 November 2025)
- o Transport Technical Note 2 (Stantec, project 332612492, dated 24 July 2025)
- o Technical Note (Noise) (Stantec, 14 October 2025)
- o Technical Note (Noise) (Stantec, 28 January 2026)

4 SURFACE WATER DRAINAGE

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.

5 PILING

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA 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".

6 WASTE TO BE TAKEN OFF SITE

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental Permitting (England and Wales) Regulations 2010
- o The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' 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. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

7 WASTE ON-SITE

The CLAIRE 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 are waste or have ceased to be waste. Under the Code of Practice:

- o 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
- o treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA
- o 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:

- o the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- o The Environmental regulations page on GOV.UK

8 HIGHWAY WORKS APPLICATION

Please note that while the plans annotations state "lighting column to be retained", KCC is likely to require its relocation, which would be at the applicant's expense. KCC is also likely to require confirmation from the adjacent [telegraph] pole's asset owner, that they agree to its retention and placement on a dropped kerb.

9 PROTECTED SPECIES

- i. Habitats shall remain managed in their current condition up until the commencement of development to prevent increased suitability for protected species. i
- li. Any required clearance of tall/dense vegetation with potential to support reptiles should be undertaken in two stages, with a first cut to 150mm, followed by a second cut several days later to ground level
- lii. If at anytime a protected species is discovered within the works area all works must stop while a suitably qualified ecologist and/or Natural England are consulted. Works shall not resume until any required surveys and/or mitigation are completed.

10 NESTING BIRDS

Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or

damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

11 HEDGEHOGS AND FOXES

- i. Brash, rubble and log piles to be relocated shall be dismantled by hand. Where these are suitable for hibernating reptiles/hedgehog, removal shall be conducted outside of the hibernation period (November - February);
- ii. Backfilling of trenches and other excavations shall be undertaken before nightfall, or a ramp shall be left to allow any animals to easily exit
- iii. All excavations and trenches shall be checked each morning throughout the construction period and prior to infilling;
- iv. All temporarily stored building materials (that might act as temporary resting places) shall be isolated within hardstanding areas and raised off the ground, e.g. on pallets.

12 WORKS IN VICINITY OF TREES

Any trees to be retained, including its roots, shall be protected from damage in line with The British Standard "Trees in Relation to Design, Demolition and Construction to Construction - Recommendations" (BS 5837) (2012).;

13 STATEMENT OF POSITIVE AND PROACTIVE APPROACH 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.

14 UK POWER NETWORK INFORMATIVE

Please note there are LV underground cables 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](#)

Dated: 29 May 2026

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

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**NOTIFICATION TO APPLICANT**

## **APPEALS TO THE SECRETARY OF STATE**

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application\*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**  
<https://www.gov.uk/appeal-householder-planning-decision>  
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

### **\*Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

## **PURCHASE NOTICES**

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

