

Application: 20240521

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

APPROVAL OF DETAILED PLANS AND PARTICULARS

To: **FM Conway Limited
C/O Mr George Massingham, PDE Consulting Limited
6 Forbes Business Centre
Kempson Way
Bury St Edmunds
Suffolk
IP32 7AR**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, has **APPROVED** detailed plans and particulars submitted on 11th June 2024 in accordance with conditions 4, 7 and 13 of the Notification of Grant of Planning Permission reference 20220733 to Develop Land dated 11 September 2023 in respect of:-

The installation of two additional bitumen tanks, load out gantry and the installation of a bitumen emulsion plant and alternative car parking.

at: **FM Conway
Imperial Wharf
Clifton Marine Parade
Gravesend
Kent
DA11 0DY**

and being **Application for the approval of conditions 4, 7 and 13 attached to planning permission reference number 20220733 relating to Condition (4) - Surface Water Drainage Strategy, Condition (7) Hard Landscaping Scheme and Condition (13) Biodiversity Enhancement.**

subject to the following Informatives:-

Your attention is drawn to the following informatives

INFORMATIVES:-

1 APPROVED DRAWINGS AND DOCUMENTS

For the avoidance of doubt the approved drawings/documents are:

Application Form - dated 10 June 2024;
Covering Letter from PDE Consulting Ltd (dated 10 June 2024);
Surface Water Drainage Discharge Details by Meridian Civil Engineering Consultancy (dated May 2024);
Hard Landscaping and Biodiversity Enhancement Details by KEDD Ltd. (dated May 2024).

2 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 38 of the National Planning Policy Framework (NPPF) 2023, 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.

3 DRAINAGE NETWORK

The drainage network proposed to be connected to does not appear on the apparatus location plan supplied by Southern Water. Should it be determined that the existing sewer network is not a Southern Water sewer and is actually a highway drainage network please be advised that any connection / outfall into assets under the control of the highway authority can only do so by entering into a s.115 agreement between the Highway Authority and Statutory Sewerage Undertaker under the Water Industry Act 1991. For this to be possible, the on-site drainage networks must be adopted by a Statutory Sewerage Undertaker - connections from privately maintained drainage systems are not accepted. The developer must demonstrate that the highway drainage system discharges via a positive outfall (i.e. into a watercourse or public sewer) and that the proposed flows do not result in an increased flood risk to the public highway or elsewhere. Any necessary upgrades to the drainage network will be the developer's responsibility to deliver prior to any discharge of surface water taking place. Please contact drainageta@kent.gov.uk with any queries or for further information.

4 AVOIDANCE OF DOUBT

For the avoidance of doubt the approved conditions for this application relating to planning permission reference 20220733 is:

Condition 4 - Surface water drainage
Condition 7 - Hard landscaping scheme
Condition 13 - Biodiversity enhancement

Dated: 16 October 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

NOTES:

This permission is confined to permission under the Town and Country Planning Acts and the Town and Country Planning (Development Management Procedure) (England) Order 2015 and does not obviate the necessity of compliance with any other enactment, bye-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

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**.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- 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.