

HIGHAM AND SHORNE BOROUGH COUNCILLORS

Councillor Helen Ashenden, Councillor Jordan Meade, Councillor Leslie Pearton

Proudly standing up for Higham and Shorne on Gravesham Borough Council



CLLRS ASHENDEN, MEADE AND PEARTON

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18th August 2025

APPLICATION 20250721 - NURALITE INDUSTRIAL ESTATE

Dear Sir/Madam,

As the elected Ward Councillors for the beautiful villages of Higham and Shorne on Gravesham Borough Council, we are writing to formally register our objections to planning application **20250721**. The application that is currently under consideration, concerns the site of the **Nuralite Industrial Estate, Canal Road, Higham, Kent, ME3 7JA**.

Officers will recall that this application was last determined by the Planning Committee of Gravesham Borough Council back in January 2021, during what was a highly contentious meeting.

At that meeting, as Councillors, we spoke in strong opposition to the application that was then under consideration, a position that was backed by the community-at-large, and key external stakeholders such as Higham Parish Council. The arguments against the development of this site, that were put forward by us at that meeting, remain as valid today as they were then. Further still, the conditions that were imposed by the Committee and subsequently agreed through the delegated authority and the signing of a Section 106 Agreement, were put imposed to ensure that there were practical safeguards in place to provide adequate mitigation for a number of pressing concerns that had been raised by Councillors, the public and other stakeholders in the passing of the last application.

As Ward Councillors we feel that it is important to highlight our position on the application remains unchanged, however we were somewhat reassured by the conditions imposed and believe that they warranted an adequate compromise to address what are real and valid concerns about this site.

We are objecting to the application that is currently under consideration, as we fundamentally believe that planning conditions exist to make potentially harmful developments acceptable in planning terms. In the case of the conditions attached to this site, as Ward Councillors we believe that they are carefully considered safeguards that have been lawfully applied.

In short, we put it to officers that this application should be rejected on the following grounds:

- The original conditions remain entirely necessary, relevant, and proportionate to the site in question. The applicant has failed to provide any adequate material planning reasons that would warrant the removal of these conditions.
- As Ward Councillors, with our direct knowledge of the site and the community, we believe that the removal of these conditions would expose our village and the local environment to demonstrable harm.
- We further suggest that this significant alteration from the conditions agreed within the planning process, following what was a highly contentious meeting, and a decision of democratically elected members, would set a dangerous precedent in undermining the credibility and integrity of planning in Gravesham.

- We suggest that Condition 4 (passing places) should remain in place as we believe that it is absolutely essential for safe highway function. It is important to note that Canal Road is a very narrow, rural carriageway that is simply not designed to accommodate sustained levels of HGV traffic or high volumes of two-way traffic. The lack of sufficient widths, visibility splays and passing opportunities could force vehicles to make unsafe manoeuvres and we are gravely concerned that this will increase the risk of collision, verge damage and congestion throughout our village. Condition 4 was imposed as passing places were required specially to address road capacity and safety shortfalls. We put it to officers that the removal of this condition would reintroduce an unacceptable risk, particularly for emergency service vehicles, HGVs and agricultural vehicles. The request for this condition to be removed on the reasoning of “surveying and landowner access difficulties” is entirely inadequate, as it is our understanding that land ownership constraints do not negate the highway safety need. Our understanding of the planning system is that developer convenience is not a valid justification for the weakening, or removal of conditions previously imposed on grounds of critical safety concerns. We therefore ask officers to uphold this condition.
- Concerning Condition 6 – Traffic Signals, we believe this condition to be entirely proportionate to the development. The condition being temporary in nature was imposed to manage pinch points during construction and peak operational phases of this development. As Ward Councillors we are very concerned that the removal of this condition would create an unmanageable conflict between road users, which in turn would undermine the safety of the Highways and therefore falls contrary to the highways standards expected by the County Council.
- We strongly oppose the removal of Condition 12, as the site in question lies in an area of significant archaeological sensitivity. Given the proximity of the site to the River Thames and varied ancient settlements and transportation routes, as previously suggested this site has the strong potential for prehistoric, Roman, and medieval remains. Condition 12, which requires a site-wide archaeological scheme is not an optional extra — it is a core safeguard ensuring that the council is compliance with NPPF Paragraphs 205-208, which obligates us as the local planning authority to authorities to conserve heritage assets in a manner appropriate to their significance. Further to this CS20 of the Gravesham Core Strategy on heritage and the historic environments presses us in our responsibility to ensure that adequate safeguards are in place to ensure that heritage is protected. By removing Condition 12, we put it to officers that we would be working against the requirements of the NPPF and our own local planning policies, for the lifting of this condition would create a real risk of irreversible loss of archaeological evidence, without any valid justification as to why these established planning policies should not be implemented. – For once groundworks commence, buried heritage cannot be recovered. It is our fear as Councillors, that if we do not require the applicant to undertake the surveys imposed through Condition 12, that the Council could face significant reputational and legal risks for allowing heritage destruction through omission. We therefore ask the officers to impose Condition 12.
- We further call upon the Officers to consider fully how the removal of these conditions, would impact the amenity and quality of life of the residents that we represent in Higham. Without the traffic controls imposed by the conditions, we fear that we will see noise increase from HGV use, air quality deterioration from queuing traffic throughout our village and significantly increased safety risks for pedestrians and cyclists on a very rural lane (which has national designation as a defined cycling route) that was never designed for the intensified uses suggested throughout this planned development.
- Further still we ask officers to consider the grave risk to the environment by the removal of these conditions. – We know from our local knowledge that Canal Road’s verges and surrounding habitats are both significant in their value to the ecology of the marshes and vulnerable. We are very concerned that unmanaged and increased traffic will increase erosion and verge destruction which would cause damage to flora and fauna that is critical to the environment and biodiversity of the village and our protected marshlands. Such a threat is contrary to Paragraph 180 of the National Planning Policy Framework and indeed our own environmental commitments and standards as a borough council.
- We are further concerned by the precedent that allowing the removal of these conditions would create. If developers are allowed to escape archaeological and highway requirements here, other applicants will argue for similar concessions. This erodes planning credibility and sets a damaging precedent for the Borough. This is exaggerated in this case due to the fact that this was a highly contentious application, decided at a public meeting and residents will see this as the erosion of democratic input into the planning process.

Finally, as councillors we understand that the purpose of planning is to balance development ambitions with the public good. We believe that this balance has been previously achieved through the imposing of valid, sound and reasonable conditions to a highly problematic site, in a very sensitive area. We are therefore obligated as the democratically elected representatives of Higham to oppose this application as we believe that the removal of these conditions would tip the balance disproportionately in favour of private gain, at the expense of community safety, heritage, and environmental protection.

The National Planning Policy Framework sets out six tests for planning conditions and these are that they must be necessary, relevant to planning, relevant to the development, enforceable, precise, and reasonable. It is our view as Councillors, that the conditions imposed at the passing of the last application by officers through delegated authority, met all six of these tests and that they should therefore be imposed and upheld, rendering this application for rejection. There are significant examples whereby the Courts have repeatedly upheld that planning conditions exist to safeguard the public interest, not private convenience and we are therefore concerned that lifting these previously justified conditions would be legally unsound and expose Gravesham Borough Council and thus the taxpayer to significant risk of legal challenge.

On the grounds above, we therefore respectfully request that this application is rejected.

Yours sincerely,



Councillor Helen Ashenden



Councillor Jordan Meade



Councillor Leslie Pearton

Gravesham Borough Councillors for Higham and Shorne