



Application: 20240199

**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: **Mr Aaron McConnell, Keady Construction Ltd
C/O Mr Gary Colleran, Leach Rhodes Walker
Office 215
The Frames
1 Phipp Street
London
EC2A 4PS**

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:

**Dalefield Industrial Park
Dalefield Way
Gravesend
Kent**

and being **Erection of a new three storey office building, for use Class E and installation of solar panels to roof. Erection of a single storey storage building with integral roof lights, for use Class B8 and associated parking and landscaping.** Your application dated 18th March 2024 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Application Form;

Location Plan;

8352-LRW-ZZ-ZZ-DR-A-00-100 Revision P10 - Proposed Ground Floor Plan;

8352-LRW-ZZ-ZZ-DR-A-00-101 Revision P09 - Proposed First Floor Plan;

8352-LRW-ZZ-ZZ-DR-A-00-102 Revision P08 - Proposed Second Floor Plan;

8352-LRW-ZZ-ZZ-DR-A-00-106 Revision P08 - Proposed Office Site Plan;

8352-LRW-ZZ-ZZ-DR-A-00-108 Revision P07 - Proposed Roof Plan;

8352-LRW-ZZ-ZZ-DR-A-00-111 Revision P04 - Existing Block Plan;

8352-LRW-ZZ-ZZ-DR-A-00-112 Revision P07 - Proposed Block Plan;

8352-LRW-ZZ-ZZ-DR-A-00-113 Revision P06 - Proposed Storage Site Plan;

8352-LRW-ZZ-ZZ-DR-A-00-116 Revision P05 - Proposed Block Plan (Colour)

8352-LRW-ZZ-ZZ-DR-A-00-118 Revision P02 - Proposed Storage Ground Floor Plan;

8352-LRW-ZZ-ZZ-DR-A-00-209 Revision P06 - Proposed Office Elevations;
 8352-LRW-ZZ-ZZ-DR-A-00-210 Revision P03 - Proposed Elevations Storage Unit;
 8352-LRW-ZZ-ZZ-DR-A-00-302 Revision P05 - Site Sections;
 8352-LRW-ZZ-ZZ-DR-A-00-304 Revision P07 - Proposed Office East-West Section;
 8352-LRW-ZZ-ZZ-DR-A-00-305 Revision P07 - Proposed Office North-South Section;
 1414-LAM-XX-EX-DR-E-1001 Rev P01 - Proposed External Lighting Layout;
 PSK800 Rev 00 - Preliminary Drainage Strategy Office Building;
 PSK801 Rev 00 - Preliminary Drainage Strategy Storage Unit;
 23052_WP01 Rev 00 - Flood Risk Assessment Note and Preliminary Drainage Strategy;
 6609-LLB-RP-EC-0001 Rev P01 - Ecological Mitigation Statement;
 Design and Access Statement ;
 Construction Methodology; and
 Rev 1 - Proposed TMP.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details shown on the application form, drawing no's. 8352-LRW-ZZ-ZZ-DR-A-00-209 Revision P06 - Proposed Office Elevations and, 8352-LRW-ZZ-ZZ-DR-A-00-210 Revision P03 - Proposed Elevations Storage Unit and the Design and Access Statement.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

4. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall cover all environmental impacts from the clearance and construction phases of this development including details of the following, as well as any other measures deemed reasonably necessary:

(a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery.

(b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery.

(c) A Construction Traffic Management Plan covering:

- Means of direct access to the site from the adjoining maintainable public highway
- Surface treatment of the access to avoid spill of migratory material on to the maintainable public highway.
- Details of numbers and routing of construction and delivery vehicles to / from site
- Timing of deliveries and waste movement.
- Loading and unloading of plant and materials away from the maintainable public highway.
- Parking and turning areas for construction and delivery vehicles and site personnel.
- Type and location of wheel washing and chassis cleaning facilities.
- Temporary traffic management / signage.

(d) Details of the location of the proposed construction compound.

(e) Details of security fencing and other site security measures, exclusion barriers or warning signs to be utilised.

(f) Details of stockpile areas for building materials or for fill or removed topsoil.

(g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage.

(h) Ecological mitigation measures.

(i) Measures to be undertaken to protect any public sewers and water apparatus.

(j) Details of vibration monitoring and mitigation during any necessary piling works.

- (k) Details of the location, form and visual appearance of any site hoardings along road frontages and footpaths including decorative displays and facilities for public viewing, where appropriate.
- (l) Details of pest control.
- (m) Details of temporary construction or security lighting; and
- (n) Monitoring and review provisions with the Local Planning Authority.
- (o) A Community Engagement Strategy covering how local residents, community groups and businesses will be kept informed about the development and construction timetable and works taking place, until completion of the development.
- (P) a risk assessment of potentially damaging construction activities
- (Q) details of any construction exclusion 'buffer' zones to be implemented on site;
- (R) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (S) the location and timing of sensitive works to avoid harm to the adjacent SSSI;
- (T) responsible persons and lines of communication

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable programme of all works is set out from the commencement of development, to demonstrate that the free flow of traffic on the highway and to minimise the impact on local residents and businesses and the SSSI, in accordance with policies CS11, CS12 and CS19 of the Gravesham's Local Plan: Core Strategy (2014).

5. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of
 - i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
 - ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

6. No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 - (a) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 and
 - potentially unacceptable risks arising from contamination at the site.
 - (b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (c) The results of the site investigation and the detailed risk assessment referred to in (2) 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.
 - (d) 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 (3) 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.

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 in accordance with paragraph 180 of the National Planning Policy Framework.

7. Prior to above ground works, a scheme detailing the provision for additional secure and covered cycle parking spaces shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the cycle parking shall be retained.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, and CS19: Development and Design Principles and the adopted vehicle parking standards.

8. The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

Reason: In order to contribute towards the Borough Council's objective in reducing traffic generation by new development and the use of modes of transport other than the private car and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport.

9. Prior to the first occupation of any part of the development hereby permitted or in accordance with a timetable to be first agreed in writing by the Local Planning Authority, the area shown on the Proposed Block Plan (Drawing No 8352-LRW-ZZ-ZZ-DR-A-00-112 Revision P07 - Proposed Block Plan) as enlarged and altered vehicle parking area's shall be formed, surface drained and marked out, with any necessary resurfacing and draining undertaken, and thereafter shall be kept available at all times for such use, and no development whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to that Class in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, shall be carried out on that area of land or in such a position as to preclude the use of or access to the reserved vehicle parking and turning area.

Reason: In the interests of the visual amenity of the site, to avoid indiscriminate car parking or to avoid hazards to highway safety by virtue of vehicles parked on the public highway and having regard to Gravesham Local Plan Core Strategy Policy CS11: Transport, the adopted vehicle parking standards (SPG 4 published in 2003 and adopted in 2006) and Gravesham Local Plan First Review saved policy P3.

10. Prior to any part of the permitted development being occupied 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 180 of the National Planning Policy Framework.

11. Prior to the first use of the buildings as hereby permitted, full details of the refuse storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The details as approved pursuant to this condition shall be provided/put in place prior to the first use of the buildings and shall thereafter be maintained in accordance with the details approved pursuant to this condition.

Reason: To safeguard the amenities of occupiers of adjoining and nearby residential properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

12. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason: In order to protect individuals using the site and adjacent from potential contamination impacts, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

13. The development shall be constructed in accordance with the details of all external lighting as shown in drawing no. 1414-LAM-XX-EX-DR-E-1001 Rev P01 (Proposed External Lighting Layout); the development thereafter shall be carried out and maintained in accordance with the approved details.

Reason: In the interests of visual and residential amenity and in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

14. Should any plant or equipment be installed (including. A/C, ASHP. condensers, extract fans, the rating noise from any fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014.

Reason: In the interests of residential amenity in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

15. Within three months of the completion of the development hereby approved, photographic evidence of the incorporation of the below enhancement measures for biodiversity, as outlined in the Ecological Mitigation Plan (Lloydbore, February 2024) associated with this application, shall be submitted to and approved by the Local Planning Authority. This shall include:

- provision of artificial bird boxes integrated into or installed external to the workshop building present within the wider site; and

- soft landscaping in the form of a garden area consisting of grassland, trees, mixed shrubs, perennials, herbs and bulbs.

The approved plan will be implemented in accordance with the approved details and retained for the lifetime of the development.

Reason: to minimise impacts on and provide net gains for biodiversity in line with the NPPF 2023 180(d).

16. The development shall be carried out in accordance with the submitted flood risk assessment and the following mitigation measure it details:
The finished floor levels for the development shall be no lower than 3.39 m Above Ordnance Datum.

This shall be fully implemented prior to occupation. The measure detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

17. Piling or any other foundation designs using penetrative methods are not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. 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 accordance with paragraph 180 of the National Planning Policy Framework.

INFORMATIVES:-

1 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

3 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 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.

5 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 30/08/24 to the inclusion of the following pre-commencement conditions.

Condition 4, 5 and 6

6 PILING AND WASTE (ENVIRONMENT AGENCY COMMENTS)

- 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 Environment Agency 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".

- 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:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the Environment Agency
- 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.

It should be noted that re-use of historic landfill materials (including capping materials) is not covered under DoWCoP.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;

- The Environmental regulations page on GOV.UK

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:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- 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 ODOUR ASSESSMENT (SOUTHERN WATER COMMENTs)

Due to the potential odour nuisance from a Wastewater Treatment Works, no sensitive development should be located within the 1.5 OdU odour contour of the WWTW. An Odour Assessment will need to be carried out by a specialist consultant employed by the developer to a specification that will need to be agreed in advance with Southern Water to identify and agree the 1.5 OdU contour. The service Southern Water provide to review the assessment and/or complete a site survey is chargeable, more information regarding the fees can be found on their website; Connection charging arrangements (Connecting Charging Arrangements - Southern Water).

Dated: 30 August 2024

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DA12 1AU

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

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>

- 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.