



Application: 20231313

**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: **Kate McGregor, National Grid
1-3 Strand
London
WC2N 5EH
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:

**Eastcourt Marshes Electricity Distribution Site
Mark Lane
Gravesend
Kent
DA12 2HN**

and being **Proposed construction of a new cable tunnel beneath the River Thames between Gravesend and Tilbury to provide additional transmission capacity. Above-ground infrastructure in the form of a new Cable Sealing End compound and a new head house building along with associated electricity infrastructure, access, parking, boundary treatment and two overhead gantry structures for future overhead lines. Temporary compound for the duration of the project to provide parking, staff welfare facilities, delivery vehicle parking, and equipment and machinery storage, including boundary treatment and lighting.** Your application dated 24th January 2024 is permitted subject to the following:-

Time Limit

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.

Approved Plans & Documents

2. The development hereby permitted shall be carried out in accordance with the following schedule of approved plans:
 - Drawing no. 30003364-BHK-XX-XX-DR-A-01400 Rev. P03 - Gravesend Headhouse- Planning - Site Plan;
 - Drawing no. 30003364-BHK-XX-XX-DR-A-01402 Rev. P03 - Gravesend Headhouse- Planning - Proposed Site Sections;
 - Drawing no. 30003364-BHK-XX-XX-DR-A-01403 Rev. P03 - Gravesend Headhouse- Planning - Proposed Ground Floor Plan;

- Drawing no. 30003364-BHK-XX-XX-DR-A-01405 Rev. P03 - Gravesend Headhouse - Planning - Proposed Roof Floor Plan;
- Drawing no. 30003364-BHK-XX-XX-DR-A-01406 Rev. P03 - Gravesend Headhouse- Planning - Proposed Elevations;
- Drawing no. 30003364-BHK-XX-XX-DR-A-01407 Rev. P03 - Gravesend Headhouse - Planning - Proposed Sections;
- Drawing no. 30003364-BHK-XX-XX-DR-A-01408 Rev. P01 - Gravesend Headhouse Compound Block Plan - Existing (Planning Drawing);
- Drawing no. 30003364-BHK-XX-XX-DR-A-01409 Rev. P01 - Gravesend Headhouse Compound Block Plan - Proposed (Planning Drawing);
- Pack with drawing no. TKRE/60677311 - Site Location Plan - Gravesend x4 and three un-numbered drawings;
- TKRE Drainage Management Plan Ref. 30003364-BHK-XX-XX-RP-C-02060_TKRE DRAINAGE MANAGEMENT PLAN, dated 11 June 2024, Revision P03;
- Design and Access Statement Gravesend, December 2023;
- Planning Statement - Gravesend, December 2023;
- Flood Risk Assessment, Ref. 30003364-BHK-XX-XX-RA-C-02002_FLOOD RISK ASSESSMENT, dated 23/07/2024, Revision P04;
- Arboricultural Impact Assessment (AIA) Part 1, December 2023;
- BNG Metric;
- Biodiversity Net Gain Assessment and Strategy Report (Revision 1), July 2024;
- Report to inform Habitats Regulations Assessment, December 2023;
- Outline Landscape and Ecological Management Plan, December 2023;
- Ecology Technical Note Revision 02 - Response to Ecological Points Raised in KCC Advice to Gravesham BC Dated 27 February 2024;
- Sustainability Statement, December 2023, Revision 1;
- BNG Clarification Letter dated 06 January 2025;

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

Construction Environmental Management Plan (CEMP)

3. No development approved by this permission shall be commenced until a comprehensive Construction Environmental Management Plan (CEMP) and all associated appendices covering all environmental impacts of this development is submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency, Local Highway Authority and GBC Environmental Protection. The development hereby permitted shall be carried out in accordance with the approved Construction Environmental Management Plan (CEMP). For the avoidance of doubt the Construction Environmental Management Plan (CEMP) shall, where practical, include but not exclusively cover the following:

Contaminated Land Strategy

4. Prior to shaft excavation works commencing a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - A) A preliminary risk assessment which has identified:
 - (i) all previous uses
 - (ii) potential contaminants associated with those uses
 - (iii) a conceptual model of the site indicating sources, pathways and receptors 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 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.

The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers) from potential pollutants associated with current and previous land uses in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraphs 187, 196 and 197 of the National Planning Policy Framework (2024), the EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 - A6, J1 - J7 and N7.

Groundwater Monitoring and Maintenance Plan - Contamination

5. No development approved by this permission shall take place until a groundwater monitoring and maintenance plan in respect of contamination, including a timetable of monitoring (pre-, during and post-construction) and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 187 of the National Planning Policy Framework (2024).

Construction Traffic Management Plan

6. Prior to the commencement of the development hereby permitted a comprehensive Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority). The plan shall include as a minimum:
- a. routing of construction and delivery vehicles to and from site,
 - b. parking and turning areas for construction and delivery vehicles and site personnel,
 - c. timing of deliveries,
 - d. wheel washing facilities,
 - e. temporary traffic management/signage,
 - f. a pre-condition survey of the local roads to be used,
 - g. a Sustainable Travel Plan to reduce the number of employees traveling by private car and parking in nearby public roads,
 - h. timings of HGV movements to cause minimum disruption,
 - i. liaison with the Lower Thames Crossing Team,
 - j. loading/unloading areas within the site compound,
 - k. waiting areas to avoid conflicting HGV movements,
 - l. particularly on the Thames and Medway Canal Road;
 - m. safe pedestrian access to the site;
 - n. the impact on highway trees and shrubs of the abnormal loads,

- o. construction phasing,
- p. construction routing plans and
- q. permitted construction traffic arrival and departure times.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure the development would have no adverse impact to the safe and free flow of traffic on the highway network in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and section 9 of the National Planning Policy Framework (2024).

Archaeology

7. To evaluate and mitigate the impacts of development on heritage assets with archaeological and palaeo-environmental interest:

A) Prior to any development ground works the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a Specification and written timetable which has been submitted to and approved in writing by the Local Planning Authority.

B) Following completion of archaeological field evaluation works, no development groundworks shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or archaeological mitigation excavation and recording in accordance with a Specification and timetable which has been submitted to and approved by the local planning authority.

C) The archaeological safeguarding measures, mitigation excavation and recording shall be completed in accordance with the agreed Specification and timetable.

D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:

- i. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
- ii. an Updated Project Design outlining measures to analyse, report and disseminate the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
- iii. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To ensure that features of archaeological and palaeo-environmental interest are properly examined and recorded in accordance with saved Policy TC7 of the Gravesham Local Plan First Review (1994) and section 16 of the National Planning Policy Framework (2024).

Sustainable Surface Water Drainage

8. No above-ground permanent development approved by this permission shall take place until a detailed sustainable surface water drainage scheme for the site operation has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based where practical upon the TKRE Drainage Management Plan prepared by Baker Hicks dated 11.06.2024 and 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.

The drainage scheme shall also demonstrate (with reference to published guidance):

- a. that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- b. appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014) and section 14 of the National Planning Policy Framework (2024).

Foul Water Drainage

9. No above-ground permanent development approved by this permission shall take place until a strategy to deal with foul water drainage during operation is submitted to, and approved in writing by, 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 in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 187 of the National Planning Policy Framework (2024).

Construction Ecological Management Strategy (CEMS) - Biodiversity/Biodiversity Method Statement

10. No development approved by this permission shall take place (including any site/vegetation clearance) before a construction ecological management strategy (CEMS - biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMS - biodiversity shall be based on the avoidance, mitigation and compensation measures indicated within the ecological information submitted with the planning application. The CEMS - biodiversity shall include the following:
 - a. Risk assessment of potentially damaging construction activities;
 - b. The identification of biodiversity protection zones and the use of protective fences, exclusion barriers and warning signs. This shall include a suitable buffer zone(s) (as set out by a suitably qualified ecologist) for relevant protected and priority species;
 - c. Extent and location of proposed works shown on appropriate scale maps and plans for all relevant species and habitats;
 - d. Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of species or habitat-specific method statements);
 - e. The location and timing of sensitive works to avoid harm to biodiversity features;
 - f. Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - g. The times during construction when specialist ecologists need to be present on site to oversee works;
 - h. Details of any necessary protected species licences or reference to other relevant documents as required (e.g., Arboricultural Method Statement/ updated species survey reports/ecological design strategy);
 - i. Responsible persons and lines of communication; and
 - j. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMS - biodiversity will be adhered to and implemented throughout the construction period (and beyond if required) in accordance with the approved details.

Reason: To ensure that construction of the development does not cause harm to biodiversity or ecology including protected species in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and section 15 of the National Planning Policy Framework (2024).

Landscape Ecological Management Plan (LEMP)

11. No development approved by this permission shall take place until a Landscape Ecological Management Plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all wetland and ditch habitats has been submitted to, and approved in writing by, the Local Planning Authority.

The LEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The LEMP shall include the following:

- a. Details of treatment of operational site boundaries and/or buffers around water bodies; an adequate buffer zone extent (i.e. to provide good forage and shelter for water voles) to be identified and demarked on a scaled map;
- b. Details demonstrating how the buffer zone will be protected during development;
- c. Details of how any permanent proposed footpaths, fencing, lighting, and other aspects of the development may interact with the wetland or ditch habitats; the applicant should note that artificial light spill should be directed away from ecological receptors, sensitive lighting design guidance can be accessed via the Bat Conservation Trust;
- d. No light spill from permanent external artificial lighting into the watercourse or adjacent river corridor habitat. To achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 8.5 metres of the top of bank of the watercourse are maintained at background level (background levels are considered to be a Lux level of 0-2);
- e. Details of maintenance regimes; including specific treatment of the ditch buffer zone and new wetland habitats;
- f. Details of any new wetland and ditch habitat created on-site, including any proposed planting scheme should be provided. Planting schemes should use native species, suited to the catchment character and management responsibilities should be provided.

Reason: To ensure the protection of wildlife and the supporting habitat and to secure opportunities for enhancing the site's nature conservation value, promoting positive conservation status for water vole in the area and to complement achievement of the proposed Biodiversity Net Gain ambition in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy (2014) and section 15 of the National Planning Policy Framework (2024).

Ecological Design Strategy

12. No development approved by this permission shall take place (including any site/vegetation clearance) before an Ecological Design Strategy (EDS) has been submitted to and approved in writing by, the Local Planning Authority. The EDS shall ensure that on-site compensatory habitat is provided for relevant protected and priority species (as determined by a suitably qualified ecologist). The EDS shall ensure that both on and off-site compensatory habitat is provided for the projected permanent and temporary loss of reptile habitat (as identified in the AECOM Technical Note: Response to Ecological Points Raised in KCC Advice to Gravesham BC Dated 27th February 2024 (24th July 2024 Rev02). The EDS shall ensure the mitigation and compensation measures with regards to habitat improvements proposed, and the area of land required,

are based on available scientific research and government standing advice. If the proposed compensation site already has an existing population of the relevant species and/or is already proposed as compensation for other development, evidence shall be provided to demonstrate that the measures proposed are additional. The EDS shall include where practical the following:

- a. Up-to-date survey data carried out in accordance with best practice for the both the development site and the proposed off-site compensation site(s);
- b. Purpose and conservation objectives for the proposed works;
- c. Review of site potential and constraints;
- d. Description and evaluation of features to be managed;
- e. Detailed design(s) and/or working method(s) to achieve stated objectives. This shall include a detailed methodology for the movement of reptiles and measures to prevent reptiles returning to the site prior to and during the development. This shall also include details of how any receptor sites will be enhanced and be in a suitable condition to support the likely number of animals which will be moved, prior to any animals being moved, and details of the management of the compensation site(s) in perpetuity.
- f. Full details of soft landscape works, to include species, size and location of new habitats (e.g., trees, shrubs, hedges and grassed areas to be planted) with the extent and location/area of proposed works shown on appropriate scaled maps and plans;
- g. Full details of the proposed ecological features. For habitat boxes details shall include numbers, make and model, locations to include height, aspect and mounting location shown on scaled landscaping plans suitable for construction. For log piles and hibernacula details shall include materials, size, shape and construction methodology. Locations shall be shown on scaled landscaping plans suitable for construction;
- h. Extent and location/area of proposed works on appropriate scale maps and plans;
- i. Full details of the extent of appropriate buffers (as set out by a suitably qualified ecologist) for protected and priority species;
- j. Type and source of building materials to be used where appropriate, e.g. native species of local provenance;
- k. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- l. Details of the body or organisation(s) responsible for implementing the EDS and the mechanisms for securing the mitigation/compensation land and its management for the lifetime of the development;
- m. Details of initial aftercare and appropriate management prescriptions for relevant protected and priority species and habitats (as identified by a suitably qualified ecologist and in accordance with information submitted as part of the application) for the lifetime of the development within a Landscape and Ecological Management Plan;
- n. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- o. Details for monitoring (to be undertaken by a suitably qualified ecologist(s)) and remedial measures.

The EDS shall be implemented in accordance with the approved details. All features shall be retained as approved thereafter, unless remedial measures are required. Approval for any remedial measures shall be sought from the Local Planning Authority in writing and thereafter implemented as approved.

Reason: To ensure that construction of the development does not cause harm to species including protected species and their habitat in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and section 15 of the National Planning Policy Framework (2024).

External Facing Materials

13. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any permanent above ground works commence details and samples of all the external facing materials to be used in the construction of the development hereby permitted 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 use of the development.

Reason: In the interests of visual amenity and to protect the character and appearance of the area in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and section 12 of the National Planning Policy Framework (2024).

Hard Surface Treatments & Boundary Treatments

14. Prior to permanent above ground works, a scheme detailing the proposed hard surface treatments and boundary treatments including fencing shall be submitted to and approved, in writing, by the Local Planning Authority. This information shall include the means for surfacing and drainage. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first use of the development. Thereafter the surfacing and boundary treatments shall be retained and not subsequently altered.

Reason: To ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 of Gravesham Local Plan Core strategy (2014) and section 12 of the National Planning Policy Framework (2024).

Verification Report – Surface Water Drainage

15. Prior to first use of the development hereby permitted a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 182 of the National Planning Policy Framework (2024).

Off-site Biodiversity Measures

16. Prior to first use of development a mechanism shall be secured for the provision of ecological enhancements on land outside of the red line boundary based upon the approved Biodiversity Net Gain Assessment and Strategy Report (revision 1 July 2024) the mechanism shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be carried out in accordance with the approved details.

Reason: To ensure the development provides sufficient off-site biodiversity measures so that there is no net loss of biodiversity in the Borough in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy (2014) and section 15 of the National Planning Policy Framework (2024).

Flood Risk

17. Prior to commencing operation, a scheme to show that the development is appropriately resilient to flooding shall be submitted to, and approved in writing, by the Local Planning Authority in consultation with the Environment Agency. The submitted scheme shall include:-
- a. Details and drawings of the proposed headhouses showing all openings through which flood water could flow including threshold levels, dimensions and any closures at such openings.
 - b. Plans and drawings should be based on the 1:1000-year breach flood event, using the latest data available from the Environment Agency.
 - c. A technical assessment detailing the flood risk reduction measures including the freeboard applied relative to the modelled flood level for each opening. Justification for the inclusion and adequacy of any active flood measures such as flood doors should be provided together with explanation why it is not possible to achieve full passive flood protection.
 - d. An operation and maintenance plan for any active flood risk reduction features such as flood doors. This should include details of when and how the active measures will be triggered. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure the power supply infrastructure remains operational and safe for users in times of flood including in the event of a breach failure of the Thames Tidal Flood Defences in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy (2014) and section 14 of the National Planning Policy Framework (2024).

Long Term Monitoring & Maintenance Plan - Contamination

18. Prior to first operation of the development a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers) from potential pollutants associated with current and previous land uses in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraphs 187, 196 and 197 of the National Planning Policy Framework (2024), the EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 - A6, J1 - J7 and N7.

Wildlife Sensitive Lighting

19. Prior to first use of the development hereby permitted, a lighting design plan for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:
- a. The identification of areas/features on-site where disturbance could occur to bat and invertebrate roosting/nesting/sheltering sites and/or foraging/commuting routes;

- b. The provision of an appropriate plan(s) to show how and where external lighting will be installed;
- c. The provision of technical specifications for the external lighting;
- d. The provision of lighting contour plans to show expected lux levels, so that it can be clearly demonstrated that areas to be lit will not disturb bat/invertebrate activity.

All external lighting shall be installed prior to first operation of the development in accordance with the specifications and locations set out in the plan, and these shall be maintained thereafter in accordance with the plan.

Reason: To ensure there is no harm caused to biodiversity from lighting in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy (2014) and section 15 of the National Planning Policy Framework (2024).

Verification Report – Land Contamination

20. Prior to first use of the development hereby permitted a verification report demonstrating completion of works set out in the approved remediation strategy (Condition 4 - Land Contamination) 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers) from potential pollutants associated with current and previous land uses in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraphs 187, 196 and 197 of the National Planning Policy Framework (2024), the EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 - A6, J1 - J7 and N7.

Watching Brief

21. 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 the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers) from potential pollutants associated with current and previous land uses in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraphs 187, 196 and 197 of the National Planning Policy Framework (2024), the EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 - A6, J1 - J7 and N7.

Piling/Penetrative Ground Improvement Methods

22. Piling and tunnel shaft construction using penetrative methods shall 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 that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or other penetrative ground improvement methods can increase the risk to the water environment by introducing preferential pathways for the movement of contamination into the underlying aquifer and/or impacting surface water quality therefore to avoid any harm to the water environment in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and section 15 of the National Planning Policy Framework (2024).

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 condition nos. 3, 5, 6,7,10,11 and 12 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 reasons for this are to ensure the proposed development does not harm the free flow of traffic on the highway, the environment or the amenity of residents and businesses, protect and prevent the pollution of the water environment from potential pollutants, to ensure that the site does not pose any further risk to the water environment, to ensure the construction impacts from the development including construction dust, site plant and equipment emissions and onsite construction power emissions would not impact on air quality or the amenity of local residents and businesses, to ensure that features of archaeological and palaeo-environmental interest are properly examined and recorded, to ensure the power supply infrastructure remains operational and safe for users in times of flood, to ensure that the structure of the flood defences are not impacted upon by the proposed work, 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, to ensure that construction of the development does not cause harm to biodiversity or ecology, to ensure the protection of wildlife and the supporting habitat and to secure opportunities for enhancing the site's nature conservation value, in order to ensure that construction of the development does not cause harm to species including protected species and their habitat and to ensure the development provides sufficient on-site biodiversity measures so that there is no net loss of biodiversity in the Borough. Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing

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 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.

4 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

5 ENVIRONMENTAL PERMITTING REGULATIONS - FLOOD RISK ACTIVITIES

The applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. Application forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit where one is required, is breaking the law.

6 KCC HIGHWAYS

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

7 KENT FIRE & RESCUE

Applicants should be aware that the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

8 MARINE MANAGEMENT ORGANISATION

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark <https://www.gov.uk/guidance/make-a-marine-licence-application>

The surface water discharge to a watercourse will require land drainage consent in line with the Board's Byelaws (specifically Byelaw 3 available at https://lowermedwayidb.co.uk/wp-content/uploads/2023/02/NKMIDB_Byelaws_DEFRA-approved.pdf).

10 UK POWER NETWORKS

Please note there are HV underground cables on the site 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: 4 March 2025

Civic Centre
Windmill Street
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DA12 1AU

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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>
<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.