



Application: 20250596

**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: **OHalloran & OBrien
C/O Mr Richard Conroy, Total Planning
37 Beresford Avenue
Hanwell
London
W7 3AJ**

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

**Land At Dalefield Way (West
Gravesend
Kent
DA12 2FL**

and being **Use of the land for open storage of construction related equipment and operations related to Dalefield Way Industrial Park (B8 use) with associated installation of hardstanding/surface treatment.** Your application dated 2nd July 2025 is permitted subject to the following:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Application form
Drawing no. 00-0-00 (Existing Site Location Plan)
Drawing no. 0-3-00 Rev. P2 (Proposed Site Layout)
Biodiversity Assessment (July 2025)
BNG Metric Calculator
Grassland Habitat Type
Urban Habitat Type
Activity Noise Assessment (October 2025)
Air Quality Assessment (30 May 2025)
Design and Access Statement (June 2025)
Flood Risk Assessment Note and Preliminary Drainage Strategy (December 2025)
Phase 1 Geo-Environmental Desktop Study (May 2025)
Planning Statement (June 2025)
Preliminary Ecological Appraisal (ref. 1419)
Transport Statement (30 May 2025)

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

2. Within one month of the date of permission and prior to any ground works, site and/or vegetation clearance being undertaken, a construction ecological management plan (CEMP) which contains full details of ecological mitigation shall be submitted to and approved in writing by the Local Planning Authority, together with a timetable of works. The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and include the following:

- o Measures to avoid impacts to the retained habitats including identification of a construction exclusion zone (and the use of protective fences, exclusion barriers and warning signs);
- o Extent and location of proposed construction and mitigation works, shown on appropriate scale maps and plans;
- o Specific measures (which may be presented as a series of method statements) to avoid impacts to protected/notable species and a timetable for implementation of the measures;
- o Persons responsible for implementing the measures, including times during construction when specialist ecologists need to be present on-site;
- o The role and responsibilities of an Ecological Clerk of Works (ECoW) or similarly competent person(s);
- o Contingency plans should a protected species be encountered.

The construction of the development shall be carried out in accordance with the approved CEMP and timetable of works.

Reason: In the interest of ecology, in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

3. Within one month of the date of permission and prior to any ground works, site and/or vegetation clearance being undertaken, a Construction Environmental Management Plan (CEMP) shall be submitted to and approval in writing by the Local Planning Authority, together with a timetable of works. This must include a Dust Management Plan in accordance with the details in Appendix D of the Air Quality Assessment (30 May 2025). The construction of the development shall be carried out in accordance with the approved CEMP and timetable of works. Reference should be made to guidance including the BS5228 Noise Vibration and Control on Construction and Open Sites, the Control of dust from construction sites (BRE DTi Feb 2003) and Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction Version 2.2 January 2024 (or subsequent updated guidance).

Reason: To minimise the impact on local residents, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Within one month of the date of permission and prior to any ground works, site and/or vegetation clearance being undertaken, a contaminated land assessment (in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance) and if necessary an associated remedial strategy, together with a timetable of works, shall be submitted to and approved in writing by the Local Planning Authority:

- a) A site investigation, based on the findings of the submitted 'Phase 1 Geo Environmental Desktop Study' by Manhire Associated dated May 2025 (Report Ref: 24054 Rev00) shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

- c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.
- d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority. The development must be carried out in complete accordance with the approved timetable of works.

Reason: In the interest of ground conditions and pollution, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

- 5. 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 further investigation and 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, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site, in line with paragraph 187 of the National Planning Policy Framework 2024.

- 6. No drainage systems for the infiltration of surface water to the ground are permitted unless proposals for such systems have been supported by an assessment of the risks to controlled waters. The assessment should be submitted to and approved in writing by the Local Planning Authority, and the development should be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, in line with paragraph 187 of the National Planning Policy Framework 2024.

- 7. Prior to the addition of the final surfacing, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the design principles detailed within the Flood Risk Assessment (24054_WP01- Revision 3). The submitted scheme shall demonstrate compliance with the required technical standards at the time of submission 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):

- o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- o 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 2014.

8. Within one month of the date of approval of the details submitted under Condition 7, a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, shall be 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 paragraph 182 of the National Planning Policy Framework 2024.

9. Within three months of the date of permission, a scheme for the provision and management of an 8-metre-wide buffer zone alongside the site boundaries with the watercourse/pond/wetland shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme within 6 months of the date of the approval of that scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority and carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting and formal landscaping. The scheme shall include:

- o plans showing the extent and layout of the buffer zone
- o details of any proposed planting scheme (for example, native species)
- o details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- o details of any proposed footpaths, fencing, lighting, etc

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 180 and 186 of the National Planning Policy Framework 2024, which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided,

adequately mitigated, or as a last resort compensated for, planning permission should be refused. This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. In addition the site is located near a SSSI and the applicant will need to liaise with Natural England to gain an assent for the works. The Assent will determine whether the proposal is ecologically acceptable to the features within the designation.

10. Within three months of the date of permission, a detailed lighting plan must be submitted to and approved in writing by the Local Planning Authority, showing the location and types of lighting (downward facing and on motion sensors) and details of light spill. The details must include a lux contour plan extended over a map of the area. Lighting should not extend beyond the boundary of the site. The lighting plan must demonstrate that lighting has been designed in accordance with Bat Conservation Trust's 'Guidance Note 08/23 Bats and Artificial Lighting at Night' guidelines (or subsequent editions/updates). The plan must be implemented as approved within 6 months of the date of the approved plan and the lighting shall be maintained thereafter.

Reason: In order to limit the impact of the lighting on bats, with regard to Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

11. Within three months of the date of permission details of acoustic fencing to be installed along the Dalefield Way frontage shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented as approved within 6 months of the date of the approved details and retained thereafter.

Reason: In the interests of residential amenity, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

12. The development hereby permitted shall operate between the hours of 08:00 to 18:00 Mondays to Fridays, 08:00 to 13:00 Saturdays and at no time on Sundays or Public Holidays. This shall include deliveries to and dispatches from the site.

Reason: In the interests of residential amenity, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 SURFACE WATER DRAINAGE (ENVIRONMENT AGENCY)

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

2 WASTE ON SITE (ENVIRONMENT AGENCY)

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to the waste management page on GOV.UK.

We will consider any queries in relation to the use of Definition of Waste: Development Industry Code of Practice (DoWCoP) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

3 WASTE OFF-SITE (ENVIRONMENT AGENCY)

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

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental Permitting (England and Wales) Regulations 2016
- o The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

4 LAND DRAINAGE CONSENT (NORTH KENT MARSHES INTERNAL DRAINAGE BOARD)

Any proposed additional surface water discharge will require land drainage consent in line with the Board's Byelaws (specifically Byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy (available at https://lowermedwayidb.co.uk/wp-content/uploads/2024/04/WMA_Table_of_Charges_and_Fees-April_2024.pdf). The one-off Surface Water Development Contribution is due to the Board to cover the increased flow and volume in its maintained drainage network. The Applicant is advised to contact the Board with a finalised scheme, including any new outfall headwall details. For information, the Board is currently reviewing its charging policy and is likely to be amending it in the coming months.

5 KCC HIGHWAYS

It is important to note that Local Planning Authority permission does not convey any approval to carry out works on or affecting the public highway.

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 LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, 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 and near the highway 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 pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:
<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>

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. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, 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.

Further 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.

6 KENT POLICE

You should be aware of the recommendations made in Kent Police's consultation letter dated 11 July 2025 in relation to the layout and design of the scheme.

7 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].

8 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.

Dated: 23 January 2026

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## NOTIFICATION TO APPLICANT

### APPEALS TO THE SECRETARY OF STATE

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

### **\*Householder applications**

These are:

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

but does **not** include –

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

### PURCHASE NOTICES

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

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