



Application: 20240661

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Miss & Mrs A and L White and Johns
C/O Mr Jonathan Bolton
Synergy
The Office, The Larches
Higham
Rochester
ME3 7NQ
United Kingdom**

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

**Land On East Side Of
Church Street
Higham
Rochester
Kent**

being **Change of use to dog exercise and training area and alterations to fencing**. Your application dated 5th August 2024 is permitted subject to the following:-

1. The use as a dog walking/exercising field hereby permitted shall be for a limited period of two years only ending on 7th February 2027. After that period the use of the shall revert to its previously permitted use, and all the boundary treatment erected for the purposes of this application and any other paraphernalia shall be removed.

Reason: In order that the use can be reviewed at the end of the period hereby granted, having regard to impacts on the amenity of surrounding occupiers and highway safety and in accordance with Policies CS11, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review 1994.

2. The development hereby permitted shall be retained in accordance with the following approved plans:

Application Form
24/447/01 A - Proposed Fencing
Noise Management Plan
Response to Environmental Protection Comments
Planning Statement
Email containing photographs of site at Foxy Fields

If the use ceases it shall revert to the previous agricultural use and all the boundary treatment erected for the purposes of this application and any other paraphernalia shall be removed.

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

3. The use of the site shall be for dog walking and exercising only and for no other purpose whether permitted by the Town & Country Planning (General Permitted Development) Order 2015 (as amended) or any provision equivalent to it in any statutory instrument revoking and re-enacting or replacing that Order or otherwise.

Reason: In the interests of protecting the character and appearance of the area as well as residential amenity, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Notwithstanding the details shown on the approved plans, submitted documents and application form, within 3 months from the date of this decision, full details of all boundary treatments, including their location, design, height and materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied and thereafter maintained.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for residents in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2024.

5. Notwithstanding the details shown on the approved plans, submitted documents and application form, within 3 months from the date of this decision, full details of CCTV and entrance signage, including their location, design, height and materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied and thereafter maintained.

Reason: To protect and enhance the visual amenity and the character of the area and in the interests of highway safety in accordance with Policy CS11 and of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2024.

6. The hours of operation shall be limited to:

Summer months (Between 1 May and 30 September)
Monday to Friday 07:00 to 19:30
Saturday and Sunday 08:00 to 18:00

Winter months (Between 1 October and 30 April)
Monday to Friday 07:00 to 16:45
Saturday Sunday 08:00 to 16:45

Reason: To preserve the landscape character and amenity of this rural location given the site's location within the Landscape Character Area and Green Belt and to protect the amenities of neighbouring properties in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014, and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2024.

7. All users of the field shall book a slot of no more than one hour and there shall be a 15 minute interval between each slot to allow for change over.

Reason: To protect the amenities of surrounding properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

8. No more than eight dogs shall be on site at any one time.

Reason: To protect the amenities of surrounding properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014

9. No paraphernalia including dog training equipment shall be stored on site. Any equipment shall be removed after use and taken away from site.

Reason: To preserve the landscape character and amenity of this rural location given the site's location within the Landscape Character Area and Green Belt in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014, and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2024.

10. Waste shall be removed from site at least once a day when the site is in use.

Reason: To protect the amenities of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014

11. The dog exercise field, entrance area and booking system shall be operated and managed at all times in accordance with the details contained in the 'Noise Management Plan' dated 16/12/2024 by JG Acoustics (Report Ref: BPH-001A) and the 'Response to Environmental Protection Comments'.

Reason: To ensure a satisfactory environment for residents in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2024.

12. No external lighting shall be installed.

Reason: To preserve the landscape character and amenity of this rural location given the site's location within the Kent Downs Area of Outstanding Natural Beauty and Green Belt in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Strategy 2014, and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2024.

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.

i. 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.

ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

iii. 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.

iv. 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 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: 7 February 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

Your attention is drawn to the following notes.

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.