



Application: 20230454

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
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 Steve Chappell, Vineyard Farms Ltd
C/O Mr John Collins, DHA Planning
Eclipse House Eclipse Park
Sittingbourne Road
Maidstone
Kent
ME14 3EN**

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:-

**Brookers Farm
Luddesdown Road
Luddesdown
Gravesend
Kent
DA13 0XE**

and being **application for retrospective temporary consent for the erection of 41 wine fermentation and storage tanks**. Your application dated 3rd May 2023 is permitted subject to the following:-

1. The development hereby permitted is granted for a three year limited period only from the date of this decision. On or before **22nd June 2026** the storage/fermentation tanks shall be removed from the site in their entirety.

Reason: The tanks are viewed as a temporary measure and the temporary permission allows for alternative proposals for new winery facilities to be investigated; in order to minimise the impact on the Green Belt, Area of Outstanding Natural Beauty and the Luddesdown Down Landscape Character Assessment, in accordance with Policies CS02 (Scale & Distribution of Development) and CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy (2014), section 13 and para. 176 of the National Planning Policy Framework 2021.

2. The development hereby permitted shall be retained in precise accordance with the following schedule of approved plans and details and pursuant to any conditions contained hereinafter:

Application form;
Planning Statement;
Site Location Plan;
External layout of tanks drawing;
DIS.012-2020 Rev3_MPD.M8 (storage tank plan);
Drawing no. 059-2022-02 rev 0 (storage tank plan 4);
Drawing no. 059-2022-01 rev 0 (storage tank plan 3);
Drawing no. 059-2022-03 rev 0 (storage tank plan 2).

Reason: To provide certainty and in the interest of proper planning.

INFORMATIVES:-

1 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) 2021, 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: 22 June 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.