

Application: 20240856

**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: **BP Oil UK Ltd
C/O Kathryn McCain, Rapleys LLP
66 St James's Street
London
SW1A 1NE
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:

**Former Tollgate Hotel
Watling Street
Gravesend
Kent**

and being **Demolition of existing buildings to provide an EV charging hub and petrol filling station, including 24 charging bays and supporting electrical infrastructure (12 charging upstands, three substations and two network cabinets), six pump islands with canopy above, a forecourt shop/amenity building, customer parking, two air and water spaces and associated hardstanding and landscaping, accessed from the Wrotham Road/eastbound A2 roundabout junction.** Your application dated 16th October 2024 is permitted subject to the following:-

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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

2. Plans

The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans and details, unless alternative details are approved pursuant to the conditions imposed on this decision notice:

Covering letter

Planning Statement by Rapleys

Planning Policy Update Note - NPPF (December 2024) - Grey Belt dated 13 May 2025

External Lighting Environmental Impact Assessment by Graham White Lighting

Consultancy

Lighting Layout by Graham White Lighting Consultancy

Illuminance layout drawing by Graham White Lighting Consultancy
Air Quality Assessment by Wardell Armstrong
Arboricultural Impact Assessment and Method Statement by Owen Allpress
Environmental Noise Report by Sharps Redmore
Ecological Impact Assessment by Eco Tech September 2024
Bat Survey Report by SLR
Bat Surveys Preliminary Roost Appraisal by SLR (March 2024)
BNG Metric
Archaeological Assessment by edp
Heritage Statement by edp
Landscape and Visual Appraisal by Huskisson Brown Associates
Photomontages (Viewpoint A and B) by Huskisson Brown Associates
Photomontages (Viewpoint C and D) by Huskisson Brown Associates
Photo sheets 1 - 11 by Huskisson Brown Associates
Landscape Extracts (Figures 1-4) by Huskisson Brown Associates
Appendix 1 - LVA Methodology by Huskisson Brown Associates
Landscape Strategy Masterplan by Huskisson Brown Associates
Figures 5 and 6 by Huskisson Brown Associates
BNG Strategy by Huskisson Brown Associates
Transport Assessment by Markides Associates
Transport Assessment Appendix I by Markides Associates
Transport Assessment Appendix C by Markides Associates
Transport Assessment Addendum Appendix E - committed development flows by Markides Associates
Transport Assessment Addendum by Markides Associates
Transport Assessment Addendum Appendix J - A227 Wrotham Road/A2 Westbound Slip Road Roundabout Arcady Report by Markides Associates
Technical Note Response to KCC Highways and Transportation and National Highways by Markides Associates (March 2025)
Technical Note Response to KCC Highways and Transportation and National Highways Appendix H - A227 Wrotham Road/A2 Eastbound Slip Road/Site Access Roundabout Equal Lane Usage Arcady Model by Markides Associates by Markides Associates (March 2025)
Road Safety Audit Stage 1 by Markides Associates
Stage 1 Road Safety Audit - Designers Response by Markides Associates
Appendix 3 - existing site layout areas
Appendix 4 - Planning history schedule
Appendix 5 - 20160215 Committee Report
Appendix 6 - letter from Rapleys dated 17 December 2020
Appendix 7 - pre-app letter from Rapleys dated 27 May 2022 (first pre-app), site location plan
Appendix 8 - pre-app letter from Rapleys dated 11 July 2023 (Second pre-app), site location plan, second pre-app drawings, response letter
Appendix 9 - pre-app response from JSJV, KCC Ecology (14.08.24 and 06.08.24),
Appendix 10 - public consultation letter and plan
Appendix 11 - notice of public consultation on proposed electric vehicle charging hub
Appendix 12 - public exhibition details
Appendix 13 - full report of questionnaire responses and summary
Appendix 14 - operational development of bp pulse EV hubs and business rationale
Appendix 15 - electric vehicle need assessment by Graham and Sibbald
Appendix 16 - report on structure condition of Tollgate Hotel (5 December 2022 and 23 April 2024)
Appendix 17 - existing site layout, volume calculations, site area calculations
Appendix 18 - hotel needs assessment report
Appendix 19 - adopted option
Appendix 20 - new build option C
Infiltration Test Report by Subadra
Proposed Scope of Works to Inform Revised Hydro-geological Risk Assessment by Subadra
Appraisal of Risk Associated with new Fuel Tank Installation by Subadra
Geo-Environmental Investigation Report by Subadra
Flood Risk and Drainage by Weetwood

Drawing no. EN 20129/30 (enabling work survey drawing)
 Drawing no. EV005-PS-LAY-000-GB00015044-0010-001 rev B01 (vehicle tracking cars)
 Drawing no. EV005-PS-LAY-000-GB00015044-0007-001 rev B01 (surfacing site layout)
 Drawing no. EV005-PS-LAY-000-GB00015044-0009-001 rev B01 (vehicle tracking HGV)
 Drawing no. EV005-PS-LAY-000-GB00015044-0005-001 rev B01 (proposed site layout)
 Drawing no. EV005-PS-LAY-000-GB00015044-0004-001 rev B01 (proposed site elevations)
 Drawing no. EV005-PS-LAY-000-GB00015044-0003-002 rev B01 (existing site layout)
 Drawing no. EV005-PS-LAY-000-GB00015044-0005-002 rev B01 (proposed site layout)
 Drawing no. EV005-PS-LAY-000-GB00015044 (existing site layout)
 Drawing no. EV005-PS-GAS-000-GB00015044-0002-001 rev B01 (equipment details sheet)
 Drawing no. EV005-PS-LAY-000-GB00015044 (proposed site layout area calcs)
 Drawing no. EV005-PS-GAS-000-GB00015044-0001-001 rev B01 (proposed building details)
 Drawing no. EV005-PS-LAY-000-GB00015044-0001-001 rev B01 (OS location plan)
 Drawing no. EV005-PS-LAY-000-GB00015044-0003-001 rev B01 (existing site layout)

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

3. Materials

Notwithstanding the details shown in the approved drawings full details and samples of the external facing materials for all the buildings including roof materials (sedum roof and canopy), and all surface treatments together with the details of the location and finishes of any flues or extraction equipment or any other plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development; the development shall be carried out in accordance with the approved details prior to first occupation of the premises as a petrol filling station.

Reason: To ensure the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy CS19 of the Gravesham Local Core Strategy 2014.

4. Restrictions on Additional Development

Notwithstanding the provisions of Article 3 of and Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, or any provision equivalent to that order in any order revoking or re-enacting that order with or without modification, the buildings hereby permitted shall not be subsequently altered or extended, or any external plant or equipment located on any part of the buildings and no additional hard surfacing constructed on the site unless the specific grant of planning permission has been given by the Local Planning Authority; for the avoidance of doubt the applicants are advised that the permission hereby granted does not give approval to or convey any agreement to the location of any advertisement matter that may be shown on the approved elevations of the buildings or on the site and that such matter shall be the subject of separate advertisement consent under the Town and Country Planning (Control of Advertisements) Regulations 2007.

Reason: In the interests of local and visual amenity, highway safety and having regard to the location of the site within the Green Belt and in accordance with Policy CS19 of the Gravesham Local Core Strategy 2014.

5. Restriction on the Use of the Petrol Filling Station Sales Building

The sales building hereby permitted shall be used only for retail sales, customer toilets, staff facilities and refuse storage ancillary to the use of the site for a mixed EV charging station and petrol filling station and for no other purpose.

Reason: In order that any other uses of the building may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to issues of amenity, traffic safety and the prevailing planning policies.

6. Hard Landscaping

No development shall take place (except the proposed demolition works), until a scheme of hard landscaping, to include details of surface and boundary treatments and any retaining structures or other means of enclosure, has been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping scheme shall thereafter be carried out in full prior to first use of the development hereby approved.

Reason: In order to ensure a satisfactory standard of development upon completion, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

7. Soft Landscaping

No development shall take place (except the proposed demolition works), until details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. The approved scheme shall be carried out in full during the first available planting season following first use of the development hereby approved. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the soft landscaping scheme is implemented shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development and the wider area, in accordance with Policy CS19 of the Gravesham Local Core Strategy 2014.

8. Retained Trees

In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: To safeguard the existing trees in accordance with Policy CS12 of the Gravesham Core Strategy 2014.

9. Surface water drainage

Development, excepting demolition, shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk and Drainage Assessment prepared by Weetwood (September 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):

- no infiltration unless it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- 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 that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 187 of the National Planning Policy Framework 2024. 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. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

10. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be brought into use until 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 paragraph 175 of the National Planning Policy Framework 2024.

11. Contamination

No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

A preliminary risk assessment which has identified:

- all previous uses;

- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

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.

The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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 line with paragraph 187 of the National Planning Policy Framework 2024.

12. Verification Report

Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the National Planning Policy Framework 2024.

13. Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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

14. Pollution Management Plan

No occupation of any part of the permitted development shall take place until a Pollution Management Plan is submitted to and approved, in writing, by the local planning authority.

Reason: To prevent pollution of controlled waters and comply with the National Planning Policy Framework 2024. The plan must outline what monitoring and surveillance procedures

are in place to mitigate the risks to the environment from fuel spillages at the site, and what provisions are available on site to deal with a spillage (e.g. spill kits etc.).

15. Noise

The rating level of fixed plant, when assessed in accordance with requirements of BS 4142:2014+A1:2019 serving the proposed development shall not exceed 41 dB during day (0700 - 2300 hours) and 40 dB during nighttime period (2300 - 0700 hours) at nearest noise sensitive receptors.

Reason: To safeguard conditions of amenity in accordance with Policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2024.

16. Piling

Piling or any other foundation designs 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 by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

17. Preliminary Roost Assessment

If the proposed development is not commenced within one year of the date of this decision notice an updated Preliminary Roost Assessment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The building is deteriorating and new access points are forming and therefore the PRA will need to be updated to comply with paragraph 187 of the National Planning Policy Framework 2024.

18. Habitat Creation and Management Plan

Within 3 months of works commencing above ground (and excluding demolition) a habitat creation and management plan must be submitted to the LPA for written approval. The plan must include the following:

- Details of habitats currently on site
- Aims and objectives of the creation and management plan
- Plan of the habitats to be created
- Management requirements to create/enhance habitats on site.
- Overview of long term management requirements
- Rolling 5 year timetable to implement long term management
- Details of who will be responsible for implementing long term management
- Details of how it will be funded.

The plan must be implemented as approved.

Reason: To enhance biodiversity in accordance with Policy CS12 of the Gravesham Core Strategy 2014 and paragraph 187 of the National Planning Policy Framework 2024.

19. Biodiversity Enhancements

Within three months of works commencing above ground (and excluding demolition), detailed plans showing how the development will enhance and maintain biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include details of integrated bat and bird bricks and/or durable boxes, log piles, hibernacula, and hedgehog homes and holes in close board fencing. The approved measures will be implemented and retained thereafter.

Reason: To enhance biodiversity in accordance with Policy CS12 of the Gravesham Core Strategy 2014 and paragraph 187 of the National Planning Policy Framework 2024.

20. Archaeology

No development (including demolition of existing buildings) shall take place until the applicant, or their agents or successors in title, has secured the implementation of

- i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

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

21. Reserved Parking

Prior to the bringing into use of the development herein approved, the vehicle parking areas shown on the approved plans shall be formed, surfaced and drained. Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, no development shall be carried out on the site in such a manner or in such a position as to preclude the use or access to the approved vehicle parking areas.

Reason: To ensure sufficient on-site car parking provision to serve the development, in accordance with policy CS11 of the Gravesham Core Strategy 2014.

22. EV Charging

The 24 electric vehicle charging spaces are to be provided with ultra-rapid electric vehicle charging infrastructure.

Reason: In accordance with the submitted plans and Policy CS18 of the Gravesham Core Strategy 2014 and paragraph 161 of the National Planning Policy Framework 2024.

23. Cycle Storage

The cycle storage facilities shown on the submitted plans herein approved shall be provided prior to the bringing into use of the development. At least one of the spaces shall be provided for adapted bikes, which requires 1.5m between stands to allow for dismounting. The cycle storage shall be provided and maintained for such purposes for the lifetime of the development.

Reason: In order to encourage sustainable travel in accordance with policy CS19 of the CS and saved Policy P3 of Gravesham Local Plan 1994.

24. Pedestrian and Cycle Routes

In accordance with drawing EV005-PS-LAY-000-GB00015044-0005-002 B01 / 14170-22-1 Rev G, a 3m shared pedestrian cycle route to be provided through the site between the existing routes at the A2 Eastbound onslip and the pedestrian/cycle route to the north of the site (NCR 177), upon first occupation and permanently maintained.

Reason: To ensure accessibility in accordance with paragraph 115 of the National Planning Policy Framework 2024.

25. Visibility Splays

Prior to the bringing into use of the development hereby permitted, the visibility splays shown within Appendix B of the 'Technical Note Response to KCC Highways and Transportation and National Highways' by Markides Associates shall be provided and no obstruction of sight more than 0.6 metres above carriageway level shall be permitted within the splays thereafter.

Reason: To preserve highway safety in accordance with policy CS11 of the Gravesham Core Strategy 2014.

26. A227 Wrotham Road/A2 Roundabout (westbound off-slip) Mitigation

Prior to the occupation of the development hereby permitted, the improvement scheme identified for the A227 Wrotham Road/A2 Roundabout (westbound off-slip) as shown in approved drawing ref: 22052-MA-XX-DR-C-0102 P07 in the Stage 1 Road Safety Audit Response Report (29 August 2025), shall be completed and open to traffic.

Reason: To mitigate the impact of the development on the A2, in accordance with paragraph 116 of the NPPF (December 2024) and paragraph 40 of the DfT Circular 01/2022.

27. Construction Environmental Management Plan (CEMP)

No works shall commence on the site hereby permitted (including site clearance or preparation) until the details of a Construction Environmental Management Plan, to include a Dust Management Plan and the inclusion of the mitigation measures listed in section 5.3 of the Ecological Impact Assessment (Eco Tech Ecological Consultancy, September 2024), which covers the precautionary measures for Breeding Birds and hedgehogs, have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways). Thereafter the construction of the development shall proceed in strict accordance with the approved Construction Environmental Management Plan unless otherwise agreed in writing by the local planning authority (who shall consult National Highways).

Reason: To ensure that the A2 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and ecology of the site.

28. Wheel Washing

Wheel washing facility proposals for the construction of the development hereby permitted shall be submitted to and approved by the Local Planning Authority prior to any construction work commencing and shall be employed and maintained in working order throughout the duration of the construction of the development.

Reason: To ensure the development does not result in debris being deposited on the road during construction of the development protects the environment of the site and its locality generally, does not result in detriment to highway safety and is compliant with Policy CS19 of the Gravesham Core Strategy 2014.

29. Geotech

Prior to the commencement of any excavation works and landscaping works, proposals for managing geotechnical risk in accordance with Design Manual for Roads and Bridges (DMRB) CD622 shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with the Highway Authority for the A2). No works covered by the Geotechnical Design Report should be commenced until the relevant certification for that part of the works has been completed.

Reason: To mitigate any adverse impact from the development on the A2 in accordance with Department for Transport (DfT) Circular 01/2022.

30. Drainage

No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network. No drainage connections from any part of development hereby permitted may be made to any Strategic Road Network drainage systems.

Reason: In the interest of the safe and efficient operation of the A2, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

31. Lighting

Prior to the occupation of the development hereby permitted, the external lighting, as shown in drawing ref: BP186.1, shall be constructed and remain in a downwards facing position at all times and maintained in perpetuity accordingly. Any changes to the lighting plan must be submitted and approved in writing to the LPA.

Reason: To mitigate any adverse impact from the development on the A2 and to satisfy the reasonable requirements of road safety and ecology.

32. Signage

Prior to the first operation of the development hereby permitted, full details of the signage strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved signage strategy shall be implemented in accordance with the approved plans.

Reason: To ensure that the A2 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

33. Refuse and Storage

Full details of all the storage and enclosed refuse areas, to include measures for managing litter in the form of a litter clearance plan for the site and entrance, for the development hereby permitted shall be submitted to and be approved by the Local Planning Authority within three months of above ground works commencing; the development shall be implemented in accordance with the approved details prior to the first use of the premises as a petrol filling station and the storage and enclosed refuse

areas shall thereafter be used for such purposes in accordance with the details approved pursuant to this condition. No open storage of bins, refuse or other goods shall take place on the site at any time.

Reason: To ensure that the development does not harm local visual amenity, to provide satisfactory screening, having regard to the location of the site within an open part of the Green Belt and pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

INFORMATIVES:-

1 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].

2 BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Gravesham Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

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]. Please contact <https://www.stgbc.org.uk/> for further information and to make an application.

4 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 2/2/2026 to the inclusion of the following pre-commencement conditions.

Condition 3 - Materials
Condition 6 - Hard Landscaping
Condition 7 - Soft Landscaping
Condition 9 - Surface Water Drainage
Condition 11 - Contamination
Condition 20 - Archaeology
Condition 27 - CEMP
Condition 28 - Wheel Washing

5 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 conditions 3, 6, 7, 9, 11, 20, 27 and 28 (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. Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing

6 DRAINAGE

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.

7 PILING

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

8 WASTE ON SITE

The CLAIRE Definition of Waste: Development Industry Code of Practice (DoWCoP version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

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

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

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

The Environment Agency recommends that developers should refer to:

- o the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK

9 WASTE

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

- o Duty of Care Regulations 1991

- o Hazardous Waste (England and Wales) Regulations 2005

- o Environmental Permitting (England and Wales) Regulations 2010

- 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 waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

10 STORAGE OF OILS, FUELS OR CHEMICALS

Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.

All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

11 HIGHWAYS

It is important to note that Local Planning Authority (LPA) 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.

12 CEMP

The CEMP shall include details (text, maps, and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include but is not limited to: site hours of operation; sheeting of loose loads; and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

Dated: 9 February 2026

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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Head of Planning
Planning Service

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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.

