

Application: 20250721

**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
--

To: **Mr Simon Hughes**
C/O Mr Chris Lee, Praxis Sustainability Consulting
51 Wyvern Way
Burgess Hill
West Sussex
RH15 0GA

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:

Nuralite Industrial Estate
Canal Road
Higham
Rochester
Kent
ME3 7JA

and being **Application for removal of conditions 4 and 12 and variation of condition 7 attached to 20190290** - The proposal is for the systematic redevelopment of the existing Nuralite site. This includes the importation of inert materials to cap, and landscape the historic asbestos landfill, thus containing its contamination risk. To demolish the existing buildings of the Nuralite industrial estate, deal with existing contamination, both through capping and removal of areas of hydrocarbon pollution, the laying of new service and utility infrastructure and the construction of 11 new purpose built light industrial type units and a site office; to allow removal of passing places, Archaeological works and implementation of a TRO for all traffic. Your application dated 17th July 2025 is permitted subject to the following:-

Approved Plans

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

Drawing No. 23/171/14 - Proposed Retaining Wall;
Drawing No.18/171/01 - Ordnance Survey Plan;
Drawing No.18/171/02 - Site Over Plan;
Drawing No.18/171/03 - Plans and Elevations;
Drawing No.18/171/04 - Warehouse Plans and Elevations;
Drawing No.18/17113 - Warehouse (B) Plans and Elevations;
Drawing No.1-01 - Proposed Contour Plan;
Drawing No.1-03 - Proposed Sections 'AA-DD';
Drawing No.1-04 - Proposed Section 'EE'; and
Drawing No.1-02 - Proposed Contour Plan.

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

Pre-Commencement Conditions

Highway Improvements

2. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall) no development approved by this permission (including demolition and engineering operations) shall commence until full details of the road improvements works at the Canal Road / Chequers Street / Church Street /Lower Rochester Road junction generally in accordance with RSK drawing ref.661792/02A are submitted to, and approved in writing by the Local Planning Authority. The approved details shall then be implemented prior to any works commencing on site (except in relation to the road improvement works to the extent they occur on the site and in relation to the works shown on Drawing No.23/171/14 - Nuralite Retaining Wall. For the avoidance of doubt this shall include details of construction and surface finishes for roads, footpaths, cycle-ways, car parking areas and passing bays and the development shall be completed in accordance with the approved details.

Reason: To ensure adequate highway improvement works are provided in a timely manner to ensure no adverse impact to the safe and free flow of traffic on the highway network; to ensure that the final external appearance of the public highway is acceptable and built to appropriate and recognised safety standards and in accordance Policy CS11 of Gravesham Local Plan: Core Strategy (September 2014).

Road User Safety Measures

- 3 Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall), no development approved by this permission (including demolition and engineering operations) shall commence until a highway condition survey to identify safety issues including where applicable highway safety matters in the vicinity of the junctions with Lillechurch Road/B2000 and Lower Rochester Road/B2000 shall be submitted to the Local Planning Authority. The approved details shall form part of the TRO application (Where applicable) which is to be submitted to the relevant Highways Authorities.

Reason: To ensure adequate highway improvement works are provided in a timely manner to ensure no adverse impact to the safe and free flow of traffic on the highway network; to ensure that the final external appearance of the public highway is acceptable and built to appropriate and recognised safety standards and in accordance Policy CS11 of Gravesham Local Plan: Core Strategy (September 2014).

Cessation of development should Traffic Regulation Order not be in operation

4. The Traffic Regulation Order (TRO) approved under Condition 7 shall be maintained in full legal force and physical effect throughout the duration of the construction period. In the event that the Traffic Regulation Order expires, is rescinded, or otherwise ceases to be enforceable, all development activity on-site shall cease immediately, with the exception of works required to make the site safe.

Development shall not resume until:

1. A new or extended TRO has been legally secured.
2. Written confirmation has been provided by the Local Planning Authority that the routing strategy is once again operational.

Reason: To ensure adequate highway improvement works are provided in a timely manner to ensure no adverse impact to the safe and free flow of traffic on the highway network; to ensure that the final external appearance of the public highway is acceptable and built to appropriate and recognised safety standards and in accordance Policy CS11 of Gravesham Local Plan: Core Strategy (September 2014).

Phasing Plan

5. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall) no development approved by this permission (including demolition and engineering operations) shall commence until full details of the phasing of the development are submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The Local Planning Authority needs to be satisfied that the development of the site is undertaken in a coherent and comprehensive manner and to ensure compliance with Policies CS05, CS12, CS19 and CS20 of Gravesham Local Plan: Core Strategy (September 2014).

Traffic Controls

6. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall) no development approved by this permission (including demolition and engineering operations) shall commence until full details of the traffic signal control (including location and the duration of signal controls) along Canal Road to enable one-way working are submitted to, and approved in writing by the Local Planning Authority. The approved details shall then be implemented prior to any works (other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall) commencing on site.

Reason: To ensure adequate highway improvement works are provided in a timely manner to ensure no adverse impact to the safe and free flow of traffic on the highway network; to ensure that the final external appearance of the public highway is acceptable and built to appropriate and recognised safety standards and in accordance Policy CS11 of Gravesham Local Plan: Core Strategy (September 2014).

Traffic Regulation Order

7. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall), no development approved by this permission (including demolition and engineering operations) shall commence until a Traffic Regulation Order has been enacted to introduce a one-way routing strategy requiring all vehicles travelling westbound to use Lower Rochester Road and Gore Green Road/Lillechurch Road for travelling eastbound during the construction of the development. Details of physical signage specifications and location of one way signage shall be submitted to the Local Planning Authority. For the avoidance of doubt, the Local Planning Authority would expect the Traffic Regulation Order to only be in place for a temporary period.

Reason: To ensure adequate highway improvement works are provided in a timely manner to ensure no adverse impact to the safe and free flow of traffic on the highway network; to ensure that the final external appearance of the public highway is acceptable and built to appropriate and recognised safety standards and in accordance Policy CS11 of Gravesham Local Plan: Core Strategy (September 2014).

Demolition and Construction Logistics Plan

8. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall) no development approved by this permission (including demolition and engineering operations) shall commence until a comprehensive Demolition and Construction Logistics Plan covering all environmental impacts of this development or the relevant phase of development during the demolition and construction phase is submitted for approval to the Local Planning Authority in consultation with the Local Highway Authority..

The report shall include assessment of the impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts, and make reference to British Standard BS5228:2009, for Deconstruction and Construction Sites (and arrangements for liaison set out therein).

For the avoidance of doubt the Demolition and Construction Logistics Plan shall include, but not exclusively cover the following:

- a) Parking of vehicles of site personnel and visitors;
- b) Storage of plant and materials;
- c) Dust management controls;
- d) Location and height of cranes and scaffolding;
- e) Measures of minimising the impact of noise and vibration arising from demolition and construction activities;
- f) Predicted noise and vibration levels for demolition and construction using methodologies and at locations agreed with the Local Planning Authority;
- g) Scheme for monitoring noise and vibration levels using methodologies and at points agreed with the Local Planning Authority;
- h) Scheme for location and appearance security fencing/hoardings, depicting a readily visible 24-hour contact number for queries, complaints or emergencies;
- i) Details of disposal of waste arising from the construction programme, including final disposal points (the burning of waste on the site at any time is specifically precluded);
- j) Hours of operation;
- k) Smoke management controls;
- l) Odour controls;
- m) Any other matters relevant to this particular site.

The development hereby permitted shall be carried out in accordance with the approved Demolition and Construction Logistics Plan.

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Construction Traffic Management Plan

9. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall) no development approved by this permission (including demolition and engineering operations) shall commence until a full Construction Traffic Management Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The Plan is to include the following elements;
- a) Maximum HGV numbers both daily and hourly and HGV routing together with a requirement for a GPS tracking system covering all construction vehicles.
 - b) Detailed work programme / timetable.
 - c) Site HGV delivery / removal hours.
 - d) Detailed routeing for demolition, excavation and construction traffic and abnormal loads.
 - e) Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors.
 - f) Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.
 - g) Breakdown of number, type, size and weight of vehicles over the demolition & construction period.
 - h) Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management.

- i) Details of public impact and protection to include road, footway, cycleway and PRow. Details of TROs and road/footway/cycleway/PRow closures and re-routeings as well as signage, barriers and remediation.
- j) Public liaison position, name, contact details and details of public consultation/liaison.
- k) Route details as required covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays.
- l) To also include the removal of TROs, temporary signage, barriers and diversions.
- m) Details of temporary construction accesses and their remediation post project.
- n) Provision for emergency vehicles.
- o) Road cleaning and wheel washing facilities.

Development shall thereafter proceed only in full compliance with the approved CTMP.

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Hours of Construction/Demolition

10. No construction (including demolition) activities in connection with the redevelopment of the site including any preparatory earthworks shall take place on site except between the following times:

07.30 a.m. and 6.00 p.m. on weekdays
08.00 a.m. and 1.00 p.m. on Saturdays.

No construction activities shall take place at any other time including Sundays, Bank or Public Holidays.

Reason: In the interests of residential amenity and pursuant to Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Prior to works commencing on a new phase

Site Wide Ecological Mitigation Strategy and Habitat Creation Plan

11. Prior to works (Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall) commencing on a new phase (Including the first phase) an updated preliminary ecological appraisal and review and of the site wide mitigation strategy must be carried out and shall be provided by the applicant and submitted for approval to the Local Planning Authority in consultation with Natural England, Environment Agency and Kent County Council. The development shall thereafter be carried out in accordance with the most recent version of the Ecological Mitigation Strategy. For the avoidance of doubt the submitted information shall include, but not exclusively cover the following:
- a) A preliminary ecological appraisal - less than one year old.
 - b) Review of existing survey data and updates of any surveys required.
 - c) Review of and update of existing mitigation plans.
 - d) Detailed methodology to implement mitigation.
 - e) Details of habitat creation required for ecological mitigation and habitat creation areas.
 - f) Methodology to implement habitat creation.
 - g) Timings of proposed works for ecological mitigation and habitat creation areas.
 - h) Maps showing the following:
 - 1) Existing habitat plan;
 - 2) Proposed mitigation areas;
 - 3) Habitat Creation Areas.
 - i) Details of who will carry out the works.
 - j) Interim management plan for mitigation/habitat creation works.
 - k) Update on what works have already been carried out on site.

l) Letter from the applicants ecologist confirming why they are satisfied that the currently site wide mitigation strategy and habitat creation plan is still valid OR
Updated site wide mitigation strategy and habitat creation plan informed by required, updated species or habitat surveys.

Reason: In the interests of biodiversity net gain and pursuant to Policies CS12 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Contaminated Land Strategy

12. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall no development approved by this permission (including demolition and engineering operations) or any phase of development shall commence until a strategy to deal with the potential risks associated with any contamination of the site or the relevant phase has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
- a) 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.
 - b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development or phase of development shall thereafter be carried out only in full accordance with the approved Strategy unless otherwise agreed in writing by the Local Planning Authority.

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 174 of the National Planning Policy Framework (2021)

Asbestos Plan of Works

13. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall no phase of development approved by this permission (including demolition and engineering operations) shall commence until an asbestos survey of buildings to be demolished in that phase has been submitted to and approved in writing by the Local Planning Authority in consultation with Health and Safety Executive. The relevant phase of development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors and in the interests of residential amenity and pursuant to Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Historical Survey of Existing Buildings

14. Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall no development or phase of development approved by this permission (including demolition and engineering operations) shall commence until an appropriate programme of historic building recording and analysis to Historic England Building Recording Level 3 for the development or the relevant phase of development has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development or phase of development shall be carried out at all times in strict accordance with the approved scheme.

Reason: No such details have been provided at this stage and in accordance with Policies CS19 and CS20 Gravesham Local Plan: Core Strategy (September 2014) and Saved Policy TC3 of the Gravesham Local Plan First Review 1994.

Prior to above ground works

Foul Drainage Strategy

15. Notwithstanding the details shown on the approved plans and application form, before any above ground construction in any phase commence a foul drainage strategy for that phase detailing how the developer intends to ensure that appropriate foul drainage is implemented must be submitted to and approved by, the Local Planning Authority in consultation with the Environment Agency. The development shall be constructed in line with the agreed detailed design and recommendations of the strategy. No occupation of any buildings in any phase can take place until the installed scheme for that phase is confirmed as meeting the agreed specifications.

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 174 of the National Planning Policy Framework (2021).

Surface Drainage Water

16. Notwithstanding the details shown on the approved plans and application form, before any above ground construction in a phase of development commence a scheme to connect all plots to appropriate surface water drainage for that phase shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies within a sensitive habitat receptor area and in line with our guiding principles and statutory duties drainage must be pollution free and pursuant to Gravesham Local Plan Core Strategy Policy CS19 of Gravesham Local Plan: Core Strategy (September 2014).

Bird/Bat Nesting Opportunities

17. Notwithstanding the details shown on the approved plans and application form, before any above ground construction commences on any phase of development a building dependent bird/ bat species site plan including details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/ dwelling and type for that phase shall be submitted for approval. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated. The artificial bird/ bat boxes shall be incorporated into those individual buildings during the construction of those individual dwellings identified on the submitted plan and be made available for use before each such building is occupied and thereafter

retained. The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of biodiversity net gain and accordance with Policies CS12 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Sustainable Surface Water Drainage

18. Notwithstanding the details shown on the approved plans and application form, before any above ground construction for a phase of development commences details for sustainable surface water drainage for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The detailed drainage scheme submitted shall include the following:
- (i) demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted to that of the existing site during any rainfall event (up to and including the climate change adjusted 100yr critical storm)
 - (ii) demonstrate that the existing on-site surface water flow-routes and accumulation points will not be altered in such a way that the development places property at risk from flooding during any rainfall event, up to and including the climate change adjusted critical 100yr storm,
 - (iii) demonstrate that infiltration features are not located on parts of the site where contamination might be present
 - (iii) include a timetable for its implementation on a phase by phase basis , and
 - (iv) include a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

The approved sustainable surface water drainage scheme shall thereafter be implemented in full prior to first occupation of the relevant phase of development and thereafter maintained and managed in accordance with the approved scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with policies CS18 and CS19 of Gravesham Local Plan: Core Strategy (September 2014).

Crime Prevention Measures

19. Notwithstanding the details shown on the approved plans and application form, before any above ground construction in a phase of development commences details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the relevant phase of development is occupied and thereafter retained.

Reason: To ensure the development protects the environment of the site and its locality generally, in the interest of security, crime prevention and community safety and is in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

External Facing Materials

20. Notwithstanding the details shown on the approved plans and application form, before any above ground construction in a phase of development commences details (and samples where requested by the Local Planning Authority) of all the external facing materials to be used in the construction of the relevant phase of development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The relevant phase of development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the visual amenities of the building and the surrounding area and to preserve the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 Gravesham Local Plan: Core Strategy (September 2014).

Details of Private Water Supply to Serve the Development

21. Notwithstanding the details shown on the approved plans and application form, before any above ground construction in a phase of development commences details of private water supply to serve that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the amenity of future occupiers in accordance with Policies CS11 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Review of Site Wide Mitigation Strategy and Habitat Creation Plan

22. Prior to works (Other than the works shown on [Drawing No.23/171/14 - Nuralite Retaining Wall]) commencing on a new phase an updated preliminary ecological appraisal and review, and where necessary update, of the site wide mitigation strategy and habitat plan must be carried out and shall be provided by the applicant and submitted for approval to the Local Planning Authority in consultation with Natural England, Environment Agency and Kent County Council. The development shall thereafter be carried out in accordance with the approved Ecological Mitigation Strategy. For the avoidance of doubt the submitted information shall include, but not exclusively cover the following:

- Preliminary Ecological Appraisal.
- Update on what works have already been carried out on site.
- Letter from the applicants ecologist confirming why they are satisfied that the currently site wide mitigation strategy and habitat creation plan is still valid. or
- Updated site wide mitigation strategy and habitat creation plan informed by required, updated species or habitat surveys.

Reason: In the interests of biodiversity net gain and accordance with Policies CS12 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Prior to occupation/use

Verification Report Submitted Confirming Effectiveness of Remediation Strategy

23. Prior to any phase of the development being occupied or used, 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 174 of the National Planning Policy Framework (2021).

Hard Surface and Boundary Treatments

24. Prior to any phase of the development being occupied or used, and notwithstanding the details shown on the approved plans, a scheme of hard landscaping for that phase shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include but not be limited to the following:

- proposed boundary treatments,
- delivery /drop off areas;
- extent of and hard surface finishes to the vehicle loading, turning and parking spaces / areas
- pedestrian accesses and amenity areas;
- details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures
- details of the pedestrian access and circulation areas;

The approved works shall be completed in accordance with the approved details prior to the completion of the development.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policies CS12 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Soft Landscaping Scheme

25. Prior to any phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form, a scheme detailing the proposed soft landscaping for that phase 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. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the relevant phase of development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season. For the avoidance of doubt this shall take into account the Mitigation Strategy and Habitat Creation Plan for the site.

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

Broadband

26. Prior to any part of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form a fibre to premises (FTTP) Statement shall have been submitted to and approved by the local planning authority in writing for the installation of a high speed wholly FTTP connection to the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence

of FTTP). Thereafter, the infrastructure shall be laid out in accordance with the approved details and be available for use for a commercial unit on the first occupation of any of that commercial unit hereby approved.

Reason: To ensure that the new development in Gravesham is provided with high quality broadband services enhancing Gravesham as an attractive location in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Formation of Parking Spaces

27. Prior to any phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form the vehicle parking areas shown on the approved plans in relation to that phase shall be formed, surfaced, drained and marked out in accordance with a scheme first to be submitted to and approved in writing by the Local Planning Authority.

Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

Reason: To ensure sufficient vehicle provision is available to serve the development, in accordance with Policy CS11 Gravesham Local Plan: Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

Allocation, Management and Safeguarding of Car Parking Spaces

28. Prior to any phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form a strategy for the allocation, management and safeguarding of car parking spaces for the occupiers of that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy and measures to safeguard the use of the spaces shall be implemented and maintained thereafter.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

External Lighting

29. Prior to any phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form a Lighting Design Strategy for Biodiversity for that phase shall be submitted to and approved in writing by the local planning authority. The Strategy shall include the following:

a) Identify those areas/features on site that are particularly sensitive for and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging, and;

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications: so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall thereafter be installed and maintained in accordance with the approved Strategy thereafter.

Reason: In order to ensure the development does not cause harm to residential amenity and the adjacent RAMSAR/SSSI site by reason of the installation of intrusive lighting and the development makes a contribution towards a net gain in biodiversity and in accordance Policies CS12 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Cycle Storage

30. Prior to any phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form details of the proposed cycle storage facilities for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to first occupation of the relevant phase of development and thereafter be retained for such purposes at all times.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

Details of Waste Management and Refuse

31. Prior to any phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the waste management and refuse arrangements for storage and disposal of refuse/waste including excess packaging for both the business units, storage yards and security office in that phase shall be submitted for the approval of the Local Planning Authority; the relevant phase of development shall be carried out in accordance with the approved details before the first occupation of that phase and thereafter retained.

Reason: In the interests of visual amenity and to ensure a high quality of design in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Commercial Delivery Service Vehicle Management Plan

32. Prior to any phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of a Commercial Delivery Service Vehicle Management Plan (DSMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The DSMP shall include the timing management and control of deliveries for that phase of the development. Any measures described in the DSMP shall be implemented within the time period identified within the DSMP and maintained thereafter in accordance with the approved details.

Reason: In order to protect the residential amenity of nearby residents pursuant to Gravesham Local Plan Core Strategy Policies CS11 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Electric Vehicle Charging Points

33. Prior to any phase of the development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details for the provision and permanent retention of charging points for electric vehicles for that phase of development shall be submitted to and approved in writing by the Local Planning Authority; such provision shall include active charging points and provision of cabling to enable future charging facilities to be installed; each charging point should be able to accommodate a useable supply of 7kW; such provision shall be implemented

prior to the first occupation of the relevant phase of development hereby permitted and therefore permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policies CS11, CS18 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Heritage Interpretation Details

34. Prior to the relevant phase of the development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form, full details of an heritage interpretation / information point located in that phase (setting out the history of the site) including an installation timetable shall be submitted to and approved in writing by the Local Planning Authority. The approved point details shall be implemented in accordance with the approval details and maintained thereafter.

Reason: To ensure that future visitors understand the historic nature of the site and in accordance with Policies CS19 and CS20 of the Gravesham Local Plan: Core Strategy (September 2014).

On-going

Piling or Penetrative Methods for Foundations

35. Piling or any other foundation designs using penetrative methods shall not be permitted unless such details have been submitted to and approved in writing by the Local Planning Authority, which may only 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, if so 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 caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework (2021).

Watching Brief (Contamination)

36. If, during a phase of development, contamination not previously identified is found to be present at the site then no further development of that phase (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 174 of the National Planning Policy Framework (2021).

Loudspeakers

37. Save for the case of emergencies, external loudspeakers shall not be used on the site without the prior written approval of the Local Planning Authority having first been obtained.

Reason: In order to protect the residential amenity of nearby residents and pursuant to Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Noise from Plant or Equipment

38. The rating level of the noise emitted from any plant or equipment associated with the proposed use shall not exceed existing background level (LA90) at nearest noise sensitive premises when assessed in accordance with BS4142:2014.

Reason: In order to protect the residential amenity of nearby residents and pursuant to Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Business Units - Use Restriction to B2 and B8

39. Notwithstanding the provisions of Class I, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or in any provision equivalent to those Classes in any Order amending, revoking or re-enacting that Order with or without modification) or any subsequent provision permitting a change of use from B2 / B8 use to another use, the business units hereby permitted (shown on Drawing no.18/171/02) shall be built for and used only for purposes within Classes B2 or B8, namely as light industrial, general industrial and storage and distribution, as defined within the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended (or in any provision equivalent to those Classes in any Order amending, revoking or re-enacting that Order with or without modification).

Reason: In accordance with the details submitted within the application and pursuant to Gravesham Local Plan Core Strategy Policies CS07 of the Gravesham Local Plan Core Strategy (September 2014).

Use Restrictions on Security/Office Building

40. Notwithstanding the provisions of Classes O, P and T, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or in any provision equivalent to those Classes in any Order amending, revoking or re-enacting that Order with or without modification) or any subsequent provision permitting a change of use from office (as shown on Drawing No.18/171/03) use to another use, the building hereby permitted shall be used as B1(a) only offices and not for any other use including any other use within Class B1 of the Town & Country Planning (Use Classes) Order 1987 as amended [or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order].

Reason: To enable the Local Planning Authority to maintain proper control of the premises as certain other forms B1 users for these premises could adversely affect the amenities of the locality and in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Extensions

41. Notwithstanding the provisions Classes F, G, H, I, J, K, of Schedule 2 Part 7 to the Town and 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, no enlargements to the buildings shall occur.

Reason: To enable the Local Planning Authority to maintain proper control over the site and in accordance with Policies C202, CS07, CS11, CS12 and C19 of the Gravesham Local Plan: Core Strategy (September 2014).

Permitted Development Restrictions

42. Notwithstanding the provisions Classes I, O, P, T of Part 4 of Schedule 2 Part 3 to the Town and Country Planning (General Permitted Development) Order 2015, as amended or any provisions equivalent to those Classes in any statutory instrument replacing, revoking or re-enacting that Order with or without modification the buildings hereby permitted as Class B1(a) offices, B2 (General Industrial) or B8 (Storage or distribution) shall not be subsequently used any other use unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In order that any other alternative use of the buildings be the subject of a separate planning application that the Local Planning Authority could wish to determine on its individual merits having regard to issues of amenity, traffic safety and the prevailing planning policies.

Restrictions on Hours of Use

43. The B2 (General Industrial) / B8 (Storage or Distribution) business units and associated storage yards / curtilages shall operate only during the following hours:

07:00 a.m. to 20:00 p.m. Monday to Saturday

10:00 a.m. to 16:00 p.m. Sunday, Bank and Public Holidays.

Reason: In order to safeguard local residential amenity and pursuant to Gravesham Local Plan: Core Strategy Policy CS19:

Restriction on External Storage

44. No external storage of goods or materials in connection with the operation of the site shall take place at any time within the open parts of the site including the customer/staff car parks.

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and in the interest of visual amenity and pursuant to Policy CS19 of Gravesham Local Plan: Core Strategy (September 2014).

No Additional Hardstandings to be formed

45. No additional hardstanding areas, parking areas or hard surfaced areas, other than as shown in the approved drawings or submitted pursuant to any condition in this permission, shall be formed or provided unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Open Storage

46. The use hereby permitted shall be for the open storage of goods and materials falling within Use Classes B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), and the site shall not at any time be used as a haulage yard or car breakers yard.

Reason: In order that any alternative use of the site may be the subject of a separate planning application that the Local Planning Authority would wish to determine on its individual merits having regard to issues of amenity, traffic safety and pursuant to Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Additional Structures

47. Except in relation to where required for the demolition or construction of the development hereby approved, no further buildings, structures, portable buildings or other built development, whether of a temporary nature or not, beyond the approved development, shall be erected or placed on the land without the prior written permission of the Local Planning Authority having first been obtained.

Reason: In the interest of protecting amenity of the nearby residential properties and protecting the open landscape nature of the site and pursuant to Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Open Storage Height

48. No goods or materials shall be stored or stacked on the site greater than 6 metres in height.

Reason: In the interest of protecting amenity of the nearby residential properties and protecting the open landscape nature of the site and pursuant to Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Retail

49. No retail use or wholesale sales use shall take place from the site at any time.

Reason: In order to restrict the level of traffic generated by the use; in the interests of highway safety and pursuant to Policy CS11 of the Gravesham Local Plan: Core Strategy (September 2014).

Archaeological Working Brief

50. An archaeological watching brief shall be carried out during any groundworks. If archaeological remains are found on site then works shall cease, and shall not recommence, until such time that the developer has received written approval from the Local Planning Authority to a programme of archaeological work to be carried out in accordance with a written specification and a timetable, and having regard to the significance of the identified archaeology.

Reason: To ensure that any identified features of archaeological interest are properly examined and recorded and pursuant to Policies CS19 and CS20 of the Gravesham Local Plan: Core Strategy (September 2014).

INFORMATIVES:-

1 EXTENT OF THE PERMISSION

For the avoidance of doubt this permission has been granted under section 73 of the Town and Country Planning Act 1990 to vary the conditions and amend the permission relating to the original grant of planning permission granted under reference to 20190290. Either the amended planning permission or the original planning permission for the development or any other amended applications that may also have been granted permission may be implemented but the conditions on the permission chosen to be implemented must be fully complied with.

2 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.

3 BUILDING REGULATIONS AND PARTY WALL ACT

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

4 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

5 SURFACE WATER DRAINAGE

Discharges of surface run-off to ground or surface waters may require a consent, however the following should always be taken into account:

- a) All reasonable steps are taken to ensure that the discharge will not result in pollution of the water environment, including installation of suitable pollution prevention measures such as oil interceptors and silt traps. All elements must be designed in accordance with industry design guides for the specific setting and proposed use. These must be maintained in good repair.
- b) The discharge should not contain any trade effluent and will not result in visible discolouration, iridescence, foaming or sewage fungus in the water environment.
- c) The discharge does not contain any run-off from any of the following areas:-
fuel delivery areas and areas where vehicles, plant and equipment are refuelled or serviced;
vehicle loading or unloading bays where potentially polluting matter is handled; oil and chemical storage, handling and delivery areas.

Any surface water drainage should have an oil interceptor and silt buster.

Operation of sites should ensure that no oils, paint thinners, pesticides, detergents, disinfectants or other pollutants are disposed of into surface water drainage systems. Sealed gullies should ensure that accidental release is avoided.

6 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".

Contaminated materials or 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:

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

If materials are to be imported as soils under the definition of waste code of practice this may be acceptable providing that the Definition of Waste Code of Practice (DoWCoP) is followed in full and there is formal Environment Agency agreement to source sites. We have no objections in principle to materials re-use if work is undertaken fully in accordance with our position statement (J8 in the Environment Agency's approach to groundwater protection).

A declaration must be submitted by a Qualified Person registered with CL:AIRE before any use of materials on site or transfer is permitted. A verification report is required to be completed at the end of the project and a copy submitted to CL:AIRE.

Please note:

materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability materials not used in accordance with the DoWCoP process in full may be deemed waste and will require a relevant permit for deposit.

The decision to use the DoWCoP is the responsibility of the holder of the materials. The project manager should collate all relevant documents such as permissions, site reports, Materials Management Plan and consult with an independent QP to confirm that the site meets the requirements and tests for use of the DoWCoP.

7 PUBLIC RIGHTS OF WAY

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

8 ASBESTOS - HEALTH AND SAFETY

The applicant's attention is drawn to the following information on Asbestos published online at <https://www.hse.gov.uk/asbestos/index.htm>

9 HEALTH AND SAFETY

Depending on the final use of the warehouses the Health and Safety Executive (HSE) or Gravesham Borough Council (GBC) Environmental Health will be the enforcing authority. The applicant must ensure that these premises comply fully with the Health and Safety at Work (etc) Act 1974 and all relevant regulations made there under. For information and advice on health and safety matters check out the HSE website www.hse.gov.uk or contact the Environmental Health team on commercialhealth.admin@gravesham.gov.uk or 01474 337 000.

The warehouses will be immediately subject to the requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. Particular attention should be made to the following requirements.

- Regulation 6 requires that effective and suitable provision shall be made to ensure that every enclosed workplace is ventilated by a sufficient quantity of fresh or purified air.
- Regulation 14 requires that every window or other transparent or translucent
- Regulation 20 requires that suitable and sufficient sanitary conveniences shall be provided at readily accessible places. Where between 6 and 25 persons are employed a minimum of 2 water closets must be provided.

Dated: 17th April 2026

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

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

but does **not** include –

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

PURCHASE NOTICES

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

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