

Application: 20250763

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

**Land At Dalefield Way (East)
Gravesend
Kent
DA12 2FL**

and being **Change of use of the land for open storage (B8 use) primarily for equipment and operations related to Dalefield Way Industrial Park (B8 use) with associated installation of hardstanding/surface treatment, security fencing/gates, access, a soft landscaping mound, and erection of temporary office cabins.** Your application dated 4th August 2025 is permitted subject to the following:-

1. The development hereby permitted shall be begun not later than 3 years following the date of this permission.

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

Application form
Drawing no. 00-0-00 (Existing Site Location Plan)
Air Quality Assessment (30 May 2025)
Design and Access Statement (June 2025)
Phase 1 Geo-Environmental Desktop Study (May 2025)
Preliminary Ecological Appraisal (ref. 1419)
Transport Statement (17 July 2025)
Planning Statement (July 2025)
Biodiversity Assessment (July 2025)
Grassland Habitat Type

Supplementary Information

Drawing no. 0-3-00 P1 (Proposed Site Layout)

Activity Noise Assessment (October 2025)

Archaeological Desk-based Assessment Version 2 (13 October 2025)

Flood Risk Assessment Note and Preliminary Drainage Strategy Rev. 03 (December 2025)

Shadow Habitats Regulations Assessment (April 2026)

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

3. No development shall take place until a scheme for the provision and management of an 8m metre (or greater) wide buffer zone alongside the watercourse has been submitted to and approved in writing by the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

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

The development shall be carried out in accordance with the approved scheme and shall be maintained thereafter.

Reason: Land alongside watercourses are particularly valuable for wildlife and it is essential this is protected. This approach is supported by Policy N2 of the National Planning Policy Framework 2026 which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

4. No development shall take place including any ground works, site and/or vegetation clearance being undertaken, until a construction ecological management plan (CEMP) which contains full details of ecological mitigation has been submitted to and approved in writing by the Local Planning Authority, together with a timetable of works. The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and include the following:

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

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

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

5. No development shall take place, including any ground works, site and/or vegetation clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to and approval in writing by the Local Planning Authority, together with a timetable of works. This must include a Dust Management Plan in accordance with the details in Appendix D of the Air Quality Assessment (30 May 2025). The construction of the development shall be carried out in accordance with the approved CEMP and timetable of works. Reference should be made to relevant guidance including the BS5228 Noise Vibration and Control on Construction and Open Sites, the Control of dust from Construction Sites (BRE DTi Feb 2003) and Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction Version 2.2 January 2024 (or subsequent updated guidance as relevant).

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

6. No development shall take place until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - o all previous uses
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o potentially unacceptable risks arising from contamination at the site
2. 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.
3. 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.
4. 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 scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with Policy P1 of the National Planning Policy Framework 2026.

7. Prior to any part of the development hereby permitted being brought into use, 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 development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with Policy P1 of the National Planning Policy Framework 2026.

8. No development shall take place 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 Assessment and Preliminary Drainage Strategy (Rev 03, December 2025). The submitted scheme shall demonstrate compliance with the National Standards for SuDS at the time of submission and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of at a rate not exceeding 2.1 litres per second and without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- o appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, pursuant to Section 18 of the National Planning Policy Framework 2026 and the National standards for sustainable drainage systems (SuDS).

9. Prior to any part of the development hereby permitted being brought into use, a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, shall be submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Section 18 of the National Planning Policy Framework 2026.

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

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

11. Prior to any part of the development hereby permitted being brought into use, details of any fencing and gates, including acoustic fencing to be installed along the Dalefield Way frontage, shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented as approved within 6 months of the date of the approved details and retained thereafter.

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

12. Prior to the first use of the development hereby permitted, a soft landscaping scheme to include tree/shrub/hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority, detailing the following:

- o Details of any trees to be retained and those to be removed.
- o Details of additional native tree/hedgerow/shrub planting to include their quantity, size and arrangements for aftercare.
- o Details of the landscaped mound to the southern extent of the site.
- o Implementation programme.

Any identified trees or plants that die, are damaged, removed or become diseased within five years from the first occupation of the dwelling hereby permitted shall be replaced with a species of a similar size and species during the next available planting season. The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use, in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of appearance upon the completion of the development and to ensure no net loss of biodiversity in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

13. Prior to the commencement of any above ground works, full details of the temporary office cabins hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed in accordance with the approved details and completed prior to the first occupation of the development hereby permitted.

Reason: In the interest of the appearance and character of the site and locality in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

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

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

INFORMATIVES:-

1 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 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)

In accordance with The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance: Use of Planning Conditions the Local Planning Authority has agreed in writing with the applicant on 18 August 2026 to the inclusion of the following pre-commencement conditions: 3, 4, 5, 6 and 8.

3 KCC HIGHWAYS

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

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

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

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

4 FLOOD RISK ACTIVITY PERMIT

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- o erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- o altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- o building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- o dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- o diverting or impounding the flow of water or changing the level of water in a main river
- o quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- o any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- o any activity within 16 metres of a sea defence structure
- o activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact the Environment Agency's National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and the EA advises them to consult with the EA at the earliest opportunity.

5 BIODIVERSITY NET GAIN (RIVERS METRIC)

Environment Agency Advice to Applicant

The Environment Act 2021 introduced a requirement for mandatory Biodiversity Net Gain (BNG) on most types of Town and Country Planning Act (TCPA) development. Biodiversity net gain offers an opportunity to promote and achieve our desired environmental outcomes - nature recovery, natural flood management, nature-based solutions and green and blue infrastructure.

Please note, for this application we have not reviewed any submitted BNG information in detail and our position on this application does not mean the biodiversity gain objective has been met. In line with the "Biodiversity Net Gain" section of the Planning Practice Guidance, it is the role of the Local Planning Authority role to decide if the BNG requirement for development in scope has been met.

Applications subject to statutory BNG require completion of the Watercourse Unit Module by a competent person if:

- o a watercourse is onsite,
- o the watercourse bank top is within 10m of the redline boundary (i.e. the red line boundary intersects the riparian zone).
- o For ditches, the Watercourse Unit Module is applied where the bank top is located within 5m of the red line boundary.
- o a culvert lies within the red line boundary.

We recommend that you refer to the following to assist your assessment of the watercourse metric: Watercourse Metric (within the Biodiversity Metric) - [checklist to aid the reviewer.pdf](#) (local.gov.uk)

Further information, data and advice on our rivers and catchments can be found using the England | Catchment Data Explorer and River Basin Management Plans.

Planning advice service

Should you wish us to review any technical documents or want further advice to meet the requirements of the conditions recommended, we may do this as part of our charged for planning advice service.

Further engagement will provide you with certainty of our position as to what our response to your planning application will be. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £119.37 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. If you would like more information on our planning advice service, including a cost estimate, please contact us at kslplanning@environment-agency.gov.uk

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

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

7 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.

8 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and Policy DM3(1)(a) of the National Planning Policy Framework (NPPF) 2026, the Local Planning Authority (LPA) has approached the assessment and determination of this application in a positive and proactive manner. Where necessary the LPA has worked with the applicant to seek solutions to problems arising from initial proposal, ensuring a timely decision that is in accordance with the Development Plan for the area.

Dated: 19 August 2026

Civic Centre
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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.