



Delegated Report

Condition Discharge Application

Planning Application No:	20260181
Location:	Land At Dalefield Way (West) Dalefield Way Gravesend Kent
Description:	Application for the approval of condition 2 (Construction Ecological Management Plan), condition 3 (Construction Environmental Management Plan), condition 9 (Landscape Proposals Buffer Zone) and condition 10 (Lighting Plan) attached to planning reference number 20250596.
Applicant:	OHalloran & OBrien
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

Application form
Covering letter dated 13/02/2026
Construction Ecological Management Plan (Ecological CEMP) (February 2026)
Construction Environmental Management Plan (V2 – 13/02/2026)
Construction Dust Management Plan (11 February 2026)
Drawing no. MTC191P01 Rev. 02 (Landscape Proposals)
5-Year Landscape Maintenance Plan (ref. MTC191R01, dated 13.02.26)
Wildlife Sensitive Lighting Strategy (February 2026)

Relevant Planning History

Reference	Description	Decision	Decision Date
20250596	Use of the land for open storage of construction related equipment and operations related to Dalefield Way Industrial Park (B8 use) with associated installation of hardstanding/surface treatment.	Permitted	23.01.2026

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 – Conserving and Enhancing the Natural Environment

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network

Consultations

External Consultees

Kent County Council Biodiversity

Deemed Condition- Biodiversity Net Gain

Application 20250596 is required to biodiversity net gain. Therefore prior to works commencing on site a biodiversity gain plan, appropriate plans and metric must be submitted to discharge the deemed condition.

Condition 2 states: *Within one month of the date of permission and prior to any ground works, site and/or vegetation clearance being undertaken, a construction ecological management plan (CEMP) which contains full details of ecological mitigation shall be 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.*

We have reviewed the submitted CEMP and highlight that the main points are:

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- The majority of the vegetation around the boundary will be retained and fenced off prior to works commencing
- A pre commencement breeding bird survey must be carried out prior to vegetation clearance if works commence between March and August
- Prior to any contractors/staff commencing on site they must receive a tool box talk.

We are satisfied that, as the ecological interest of the site is restricted to the site boundary, these measures are appropriate and the condition can be discharged.

Condition 9 states: *Within three months of the date of permission, a scheme for the provision and management of an 8-metre-wide buffer zone alongside the site boundaries with the watercourse/pond/wetland shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme within 6 months of the date of the approval of that scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority and carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting 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*

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

The submitted plans have confirmed that a native scrub buffer will be created around the boundary of the site and detailed that once established it will have limited management.

We advise that an ecological clerk of works is present when the landscaping works are being implemented to ensure they do not breach any wildlife legislation during the planting works.

We are satisfied that the condition can be discharged.

Condition 10 states: *Within three months of the date of permission, a detailed lighting plan must be 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.*

The submitted lighting information has detailed that only 4 downward facing lights will be installed within the site and they will be located within the SE corner of the site.

We advise that we are satisfied that the lighting has been designed to minimise impacts on ecology and the condition can be discharged.

Kent County Council Highways

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority for the Discharge of Condition 3 Construction Environmental Management Plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Internal Consultees

GBC Environmental Protection

Only Condition 3 (Construction Environmental Management Plan) is relevant to Environmental Protection.

The submitted CEMP and Dust Management Plan are acceptable. There is no objection to the condition being discharged.

Neighbouring properties

As this is an application for the discharge of conditions there is no requirement to consult neighbouring properties.

Officer's Analysis

Condition 2 (Construction Ecological Management Plan)

Condition 2 states as follows:

2. *Within one month of the date of permission and prior to any ground works, site and/or vegetation clearance being undertaken, a construction ecological management plan (CEMP) which contains full details of ecological mitigation shall be 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.

A Construction Ecological Management Plan (Ecological CEMP) (February 2026) has been submitted in relation to this condition. The document includes:

- Identification and mapping of biodiversity protection zones, including the 8-metre buffer along the northern and western boundaries;
- Details of protective fencing (sweet chestnut fencing) and exclusion measures;
- Method statements covering dust and pollution prevention, sensitive lighting, breeding birds, and site monitoring;
- Appointment and responsibilities of a suitably qualified Ecological Clerk of Works (ECoW);
- Toolbox talks and contractor communication protocols;
- Contingency procedures should protected species be encountered.

KCC Biodiversity have reviewed the submitted CEMP and highlight that the main points are:

- The majority of the vegetation around the boundary will be retained and fenced off prior to works commencing.
- A pre commencement breeding bird survey must be carried out prior to vegetation clearance if works commence between March and August.
- Prior to any contractors/staff commencing on site they must receive a tool box talk.

KCC Biodiversity are satisfied that, as the ecological interest of the site is restricted to the site boundary, these measures are appropriate and the condition can be discharged.

It is therefore considered that sufficient detail has been provided to satisfactorily discharge condition 2. The details accord with Policy CS12 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 2.

Condition 3 (Construction Environmental Management Plan)

Condition 3 states as follows:

3. *Within one month of the date of permission and prior to any ground works, site and/or vegetation clearance being undertaken, a Construction Environmental Management Plan (CEMP) shall be 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 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).

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

A Construction Environmental Management Plan (V2 – 13/02/2026) and Construction Dust Management Plan (11 February 2026) have been submitted in relation to this condition. The documentation includes:

- Site establishment procedures;
- Traffic management and delivery controls;
- Noise and vibration management (with reference to BS5228);
- Working hours compliant with the planning condition;
- Pollution prevention and environmental controls;
- Communication and complaints procedures.
- Dust-generating activities (earthworks and trackout);
- Sensitive receptors including residential properties approximately 40m from site;
- IAQM-compliant mitigation measures;
- Water suppression, daily visual inspections, record keeping and complaints procedures; and
- Compliance with IAQM Guidance (2024).

KCC Highways have considered the development proposals and the effect on the highway network, and raise no objection to the submitted details. GBC Environmental Protection has stated that the submitted CEMP and Dust Management Plan are acceptable.

It is therefore considered that sufficient detail has been provided to satisfactorily discharge condition 3. The details accord with Policy CS19 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 3.

Condition 9 (Landscape Proposals Buffer Zone)

Condition 9 states as follows:

9. *three months of the date of permission, a scheme for the provision and management of an 8-metre-wide buffer zone alongside the site boundaries with the watercourse/pond/wetland shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme within 6 months of the date of the approval of that scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority and carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting 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*

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 180 and 186 of the National Planning Policy Framework 2024, 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. In addition the site is located near a SSSI and the applicant will need to liaise with Natural England to gain an assent for the works. The Assent will determine whether the proposal is ecologically acceptable to the features within the designation.

Drawing no. MTC191P01 Rev. 02 (Landscape Proposals) and a 5-Year Landscape Maintenance Plan (ref. MTC191R01, dated 13.02.26) have been submitted in relation to this condition. The scheme:

- Retains existing ground flora where present;
- Introduces native planting mixes (M1 and M2) comprising locally appropriate tree, shrub and wetland species;
- Specifies planting densities and stock sizes;
- Provides timber chestnut fencing (900mm high) to protect the buffer during construction;
- Excludes built development, lighting and formal landscaping from within the buffer zone;
- Sets out ongoing maintenance operations, replacement of failed planting, management responsibilities and establishment and long-term biodiversity objectives.

KCC Biodiversity have commented that the submitted plans have confirmed that a native scrub buffer will be created around the boundary of the site and detailed that once established it will have limited management.

They advise that an ecological clerk of works is present when the landscaping works are being implemented to ensure they do not breach any wildlife legislation during the planting works. This can be added as an informative.

On this basis, it is considered that sufficient detail has been provided to satisfactorily discharge condition 9. The details accord with the NPPF 2024, and the reason for condition 9.

Condition 10 (Lighting Plan)

Condition 10 states as follows:

10. *Within three months of the date of permission, a detailed lighting plan must be 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.

A Wildlife Sensitive Lighting Strategy (February 2026) has been submitted in relation to this condition, which provides:

- Location plan showing lighting positions;
- Specifications for downward-facing, low-level, motion-sensor controlled lighting;
- Identification of retained dark corridors adjacent to marshland habitats;
- Compliance with Institution of Lighting Professionals Guidance Note 08/23;
- Confirmation that lighting does not extend beyond site boundaries; and
- Ongoing monitoring and remedial measures.

The lighting information has detailed that only 4 downward facing lights will be installed within the site and

which will be located within the south-east corner of the site.

KCC Biodiversity advise they are satisfied that the lighting has been designed to minimise impacts on ecology.

On this basis, it is considered that sufficient detail has been provided to satisfactorily discharge condition 10. The details accord with Policy CS12 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 10.

Conclusion

The Local Planning Authority is satisfied with the details submitted in relation to planning permission 20250596 for the use of the land for open storage of construction related equipment and operations. It is considered that conditions 2, 3, 9 and 10 can be discharged.

There remains one outstanding condition with details still to be submitted against this permission (condition 8 – verification report). An informative will be included to remind the applicant of this.

Case Officer:	Mrs Katherine Parkin	Team Leader:	Mrs Faye Walsh
Signed:	<i>K. Parkin</i>	Signed:	<i>F Walsh</i>
Dated:	30th April 2026	Dated:	30 April 2026