

Gravesham Borough Council
Planning Department,
Civic Centre,
Gravesend,
DA12 1AU

Please ask for: Janine Mustafa
Email address: janine@langleyscs.co.uk
Tel: 020 8298 1707
Our Ref: DW/0325
Your Ref:
Date: 17th March 2025

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
S.73 PLANNING APPLICATION – VARIATION OF PLANNING CONDITION 2

SITE: Dering Industrial Estate, Dering Way, Gravesend, Kent, DA12 2FP

On behalf of our client, Cowland Limited (the Part Owner/Applicant), please find enclosed a S.73 Planning Application seeking to vary **Condition 2 (approved plans)** of planning permission **20160114** for the Application Site, Dering Industrial Estate, Dering Way, Gravesend, Kent, DA12 2FP (formerly Land between Comma Oil and Southern Water Treatment Works, Dering Way, Gravesend, Gravesham; Easting: 566542, Northing: 173942). This is in order to allow for:

1. changes to the scale and siting of the approved B8 use class Plots (A, B, C, D and E), which are in part retrospective and informed by the current layouts of occupied Plots A and B;
2. Re-siting the approved shared central roadway via the existing security gate adjacent to Plot B. The central roadway would now be shared solely by Plots B, C, D and E with Plot A retaining independent gated access from the approved access road, as built.

And simultaneously allow for following variations shown on the drawings that may be considered as ‘minor’:

3. Some changes to the siting of installations within each plot (e.g. septic tank, refuse points, noticeboards) to better suit the proposed layout;

4. Some changes to the siting of slot drains and storm water attenuation sites to better suit the proposed layout;

We therefore propose that the following Approved Drawings should be superseded by the following New Drawings:

Approved Drawing	Replacement Drawing
1. DRAW/DW/0216/PLP Proposed Site Layout Plan	DRAW/DW/0325/001 Proposed Site Layout Plan
2. DRAW/DW/0216/DET Detailed Proposed Site Plan	DRAW/DW/0325/002 Proposed Detailed Layout and Installation Plan
3. DRAW/DW/0216/SWDP Surface Water Dispersal Plan	DRAW/DW/0325/003 Proposed Surface Water Management Plan
4. DRAW/DW/0216/AR Access Road Technical Drawing	DRAW/DW/0325/004 Access Road Technical Drawing

The following Approved Drawings need not be superseded:

1. **DRAW/ DW/0216/GLP** - Existing Ground Level Plan
2. **SLP/DW/0216** – Site Location Plan (HM Land Registry)

P.T.O

Relevant Planning Background

Relevant Planning and Development Background

Consent 20160114 and related conditions application/s

Application 20160114 was submitted in February 2016 and proposed the ‘*Change of use of land to Use Class B8 Storage and Distribution together with formation of new access road*’. It was effectively a resubmission of preceding consent 20110473 (approved 21st January 2013). An application was submitted to discharge all pre-commencement conditions relating to that consent in October 2015 (ref. 20151078), however the implementation timescale for 20160114 lapsed before it could be decided requiring submission of a new *Full* application.

Application 20160114 allowed the following B8 industrial uses on the land as detailed in the Planning Statement (PS/DW/0216) and plan drawings (see DRAW/DW/2016/PLP):

Use Class	Operation	Plot/s
B8	Storage of vehicles for sales	A
	Builders merchant yard	B
	General storage	C
	Articulated HGV parking, storage and maintenance	D
		E

It also allowed the construction of an access road linking the land to Dering Way in replacement of the pre-existing old dirt track.

The application was conditionally approved on 19th July 2017.

Planning Application 20180988 ‘*Application for approval of condition 11 attached to planning permission reference no. 20160114 relating to the details of the sustainable surface water drainage scheme for the site*’ was subsequently permitted on 1st November 2018.

Development and site tenancies to date

Groundworks in preparation of the development commenced in the late 2018 and the site was marketed for the occupation of the approved plots the same year. The land was cleared and levelled per approved documents SD.02/DW/0216, and a Phase 3 Power supply installed for the benefit of future occupiers.

The approved access road connecting the site with Dering Way was constructed by April 2019 to the satisfaction of KCC who issued the required Section 278 Certificates by January 2020. Around the same time, two access points into the site from this were created; the original entrance leading directly into the enlarged Plot A, and another leading to the rest of the plots, both secured with heavy duty security gates. This variation is now sought to be regularised by the current application.

In April 2019 the southern portion of the site, encompassing Plot A, part of the original internal roadway and lower part of Plot C, was separated from the title plan and sold. This larger area is referred to as the new 'Plot A'. All owners of that site have been notified of the submission of this application by letter.

Since 2019 the land has been consistently used for the operations/land uses consented to under 20160114 despite alterations to the plot sizes, which is again sought to be regularised by this application. Plot A (as enlarged) and Plot B have been consistently used for storage since March 2020. Plot A was sold in 2019. It is occupied by **Optimus Access Limited** and is used to store scaffolding. Plot B is currently occupied by **Storage Cow**, a small storage container site for personal and business use. Both have independent secure gated access from the access road.

A central roadway to the middle of the site has been left open in accordance with the permitted layout. Plots B, C, D and E are all accessed via the same gate.

Impact of proposed variations

The plots are in roughly the same position as before and are not significantly bigger or smaller than their previous footprints, as is the case for the access road.

I do not consider any part of the proposed variation to have any particular deleterious impact on neighbouring sites. The use classification of the land remains as approved, as are all proposed installations associated with those uses on each plot. The proposals set out in each of the approved documents such as the SuD(S) plan and planting strategy have been upheld. The application is therefore simply to regularise the current layout on site and inform the future formal development of Plots C, D and E.

I therefore consider the amendment to be acceptable.

P.T.O

Sections of the approved documents that will effectively be superseded

Application 20160114 was comprehensive and comprised several detailed documents listed under Condition 2. Some parts/sections of these will therefore be superseded by the variation. I have detailed the parts that will be changed below. This Cover Letter may therefore function as an addendum to each document.

1. PS/DW/0216 – PLANNING STATEMENT by Langleys Chartered Surveyors, Dated 5th February 2016

- a. Part 3.1, page 5, lists the specific B8 uses planned for each plot. Plot A is proposed to be used for *'storage of vehicles for sales'*, and Plot B, a *'builders' merchants yard'*. As previously mentioned, Plots A and B are let and are in use as storage type B8 operations with Plot A being used as a scaffold storage yard and Plot B holding 52 6x2.5m storage containers rented out for personal and small business use. Both are therefore being used for B8 'general storage'. The types of B8 uses proposed for Plots C ('general storage'), D and E ('articulated HGV parking, storage and maintenance') are still proposed.
- b. Figure 3, page 6 is superseded by new Drawing 001.
- c. All other details remain correct.

2. FRA/DW/0216 – FLOOD RISK ASSESSMENT, by Langleys Chartered Surveyors, Dated 3rd February 2016

- a. Part 5.2.8 states: *'Our revised drainage scheme, which is assessed in detail in Supporting Document 02 (SD.02/DW/0216) and the Surface Water Dispersal Plan (DRAW/DW/0216/SDWP) proposes that the site will be hard surfaced entirely with a series of slot drains installed that will direct all surface water to the existing ditches.'* This is correct but does not make note of the attenuation tank installations in each plot as approved under the **Flood Risk Assessment by UK Flood Risk Consultants, Dated 17th March 2017** and as depicted in new Drawing 003.
- b. All other details remain correct.

3. SD.01/DW/0216 - SITE INVESTIGATION REPORT, by YourEnvironment, Dated January 2016

- a. Appendix 1 is superseded by new Drawing 002 (**DRAW/DW/0325/002 - Proposed Detailed Layout and Installation Plan**).
- b. All other details remain correct.

4. SD.02/DW/0216 – SURFACE WATER DRAINAGE STATEMENT by Langleys Chartered Surveyors, Dated 3rd February 2016

- a. Parts 4.19 – 4.22 ‘*Containment of Other Polluting Substances, with General Health and Safety Measures*’ (page 9) refer to the use of Plot B as a builders’ merchant type use and Plot C as ‘general open storage’ and goes on to recommend the provision of refuse storage zones for hazardous or flammable materials that may be present on those sites. I am advised that the current occupier of Plot B does not permit users of the containers to store flammable and/or hazardous materials within them or the plot at all. Nevertheless, storage zones for flammable/hazardous materials are plotted on Drawing 002 that may inform the layout of future B8 tenancies that require such areas.
- b. All other details remain correct.

5. SD.03/DW/0216 – ECOLOGICAL SCOPING SURVEY by PJC Ecology, Dated December 2011

- a. All details remain correct.
- b. The hedgerow species suggested in ‘Ecological Enhancements’ (para. 4.10 / 4.12) have been incorporated into the revised plans and are listed in Drawing 002, including a mix of hazel (*corylus acellana*), wayfaring tree (*viburnum lantana*), blackthorn (*prunus spinosa*) and dogwood (*cornus sanguinea*).

6. SD.05/DW/0216 – HOURS OF USE by Langleys Chartered Surveyors, Dated 3rd February 2016

- a. Part 2.1 (page 2) makes reference to the use of Plot A as ‘storage of vehicles for sales’, and Plot B as a ‘builders’ merchant yard’. As previously mentioned, Plot A is now used as a scaffold storage yard and Plot B as a small storage container site (both general B8 storage uses).
- b. All other details remain correct.

7. SUD(S) REPORT by UK Flood Risk Consultants), Dated 17th March 2017

- a. Appendix D is superseded by new Drawing 003 (**DRAW/DW/0325/003 - Proposed Surface Water Management Plan**).
- b. All other details remain correct.

8. TP/DW/0216 – TRAVEL PLAN by Langleys Chartered Surveyors, Dated 26th October 2015

- a. Table A of Part 2.1.3 ‘Plot Uses Onsite’ (page 2) and Table D ‘Baseline Survey’ (page 3) again refers to the use of Plot A as ‘storage of vehicles for sales’, and Plot B as a ‘builders’ merchant yard’. As previously mentioned, Plot A is now used as a scaffold storage yard and Plot B as a small storage container site (both general B8 storage uses).
- b. While the scale of the plots have been altered and the type of B8 storage uses to Plots A and B different to those outlined, the original change of use did not condition the specific type of B8 operation to be carried out in each plot. The businesses currently operating in Plots A and B function in a similar fashion to the types initially set out and, insofar as their impact on trips to and from the site, will have a negligible impact on highway activity. I therefore consider that the findings of the Travel Plan are unlikely to be affected by this and that no further revisions are necessary.

The following Approved Documents need not be superseded:

1. **Flood Risk Assessment** by UK Flood Risk Consultants, Dated 17th March 2017
2. **SD.03/DW/0216 – ECOLOGICAL SCOPING SURVEY** by PJC Ecology, Dated December 2011
3. **SD.04/DW/0216 – BIODIVERSITY STRATEGY** by Langleys Chartered Surveyors, Dated 2nd February 2016
4. **SD.06/DW/0216 – REFUSE MANAGEMENT PLAN** by Langleys Chartered Surveyors, Dated 2nd February 2016
5. **SD.07/DW/0216 – ACCESS ROAD STATEMENT** by Langleys Chartered Surveyors, Dated 2nd February 2016
6. **SD.08/DW/0216 – STRATEGY FOR LIGHTING AND ILLUMINATION** by Langleys Chartered Surveyors, Dated 4th February 2016
7. **TS/DW/0216 – TRANSPORT STATEMENT** by Langleys Chartered Surveyors, Dated 3rd February 2016

All supporting planning application documents have been submitted online via the Planning Portal, ref. **PP – 13 83 38 26**. A list of all of the documents and drawings comprising the submission is provided in the Submission Schedule (SUBSC/DW/0325). The requisite planning fee will be paid directly by the Applicant.

I request for the Local Planning Authority to willingly and reasonably liaise with myself or our offices as this application runs. Should any fault be found with the proposal itself or documents provided, we ask that they make us aware of this at their earliest convenience and allow us the opportunity to make amendments or provide further or improved detail, thereby acting positively and proactively in determining this application.

I trust that you will find all of the drawings to be in order and look forward to receiving your confirmation of validation.

In the meantime, should you require any further information please do not hesitate to contact either myself or the Applicant.

Yours faithfully,



Janine Mustafa, BSc (Hons)

Urban Planning & Design Consultant for Langleys Chartered Surveyors

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