



Application: 20240312

**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: **Mr Will Tofts, Royal Society For The Protection Of Birds
RSPB Northward Hill
Bromhey Farm
Cooling
Rochester
Kent
ME3 8DS**

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 RSPB Shorne Marshes
Queens Farm Road
Shorne
Gravesend
Kent**

and being **Improvements and enhancements to Nature Reserve, including restoration of wetland grazing marsh and reedbed by creating hydrological features to enhance wetland habitat by creating pools, scrapes and rills.** Your application dated 10th April 2024 is permitted subject to the following:-

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

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

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

Application form;
Drawing ref. SEM/SLP/24_A (Site Location Plan);
Drawing ref. SEM/BP1/24_A (Block Plan 1);
Drawing ref. SEM/BP2a/24_A (Block Plan 2a);
Drawing ref. SEM/BP2b/24_A (Block Plan 2b);
Drawing ref. SEM/BP2c/24_A (Block Plan 2c);
Drawing ref. SEM/BP2d/24_A (Block Plan 2d);
Drawing ref. SEM/BP2e/24_A (Block Plan 2e);
Drawing ref. SEM/BP2f/24_A (Block Plan 2f);
Drawing ref. SEM/BP2g/24_A (Block Plan 2g);
Drawing ref. SEM/BP3a/24_A (Block Plan 3a);
Drawing ref. SEM/BP3b/24_A (Block Plan 3b);

Drawing ref. SEM/X1/24_A (Cross section drawings Shorne East North SEB1-6, SEC1-2);
 Drawing ref. SEM/X2/24_A (Cross section drawings Shorne East North SEC3-6, SED2);
 Drawing ref. SEM/X3/24_A (Cross section drawings Shorne East North SEC7, SED1);
 Drawing ref. SEM/X4/24_A (Cross section drawings Shorne East North SED3, SEDE1, SEP1.1a);
 Drawing ref. SEM/X5/24_A (Cross section drawings Shorne East North SEP1.1a-3);
 Drawing ref. SEM/X6/24_A (Cross section drawings Shorne East North SEP1.1c-1.2, 5, 7);
 Drawing ref. SEM/X7/24_A (Cross section drawings Shorne East North SEP4, 6, 8);
 Drawing ref. SEM/X8/24_A (Cross section drawings Shorne East North SEP9-10, SEI1-4);
 Drawing ref. SEM/X9/24_A (Cross section drawings Shorne East North SER** Generic);
 Drawing ref. SEM/X10/24_A (Cross section drawings Shorne East South SEC5b, 8, SED4, SEPW1, SEP11.1-13);
 Drawing ref. SEM/X11/24_A (Cross section drawings Shorne East South SEP14, 15);
 Drawing ref. SEM/X12/24_A (Cross section drawings Shorne Reedbed SRC1, SRP1-2, SR14-5, SRR1-4, SRBL1, 4a);
 Drawing ref. SEM/X13/24_A (Cross section drawings Shorne Reedbed SRP3-6, SRI13, SRR2, SRBL4a);
 Drawing ref. SEM/X14/24_A (Cross section drawings Shorne Reedbed SRP7-8.1, SRI1-4, 6-8, SRR4, SRBL1-3);
 Drawing ref. SEM/X15/24_A (Cross section drawings Shorne Reedbed SRP5, SRI9-12, SRR2, SRBL3);
 Drawing ref. SEM/DM1/24_A (Habitat Design Master - Summer Topography & Surface Water Extent);
 Drawing ref. SEM/DM2/24_A (Habitat Design Master - Winter Topography & Surface Water Extent);
 Drawing ref. SEM/DM3/24_A (Hard Infrastructure Design Master - Hydrological Controls & Access);
 Planning Statement;
 Design and Access Statement;
 Archaeological Desk-based Assessment (report no. 2023/142, October 2023);
 Archaeological Gazetteer;
 Construction Environmental Management Plan (Biodiversity);
 Ecological Site Assessment;
 Non-European Site Receptor Ecological Site Assessment;
 Detailed Unexploded Ordnance Threat and Risk Assessment;
 SSSI Citation;
 RAMSAR Citation;
 Line Searches;
 Kent Rare and Scarce Species Inventory;
 Invasive Non-native Species Inventory;
 Protected Species Inventory;
 Conservation Concern Species Inventory;
 Water Voles Site Surveys;
 Shorne Marshes & Higham Bight Management Plan Extension (1st April 2024 - 31st March 2025);
 Species Count;
 Habitat Map;
 Existing Site Topography;
 Breeding Birds Data;
 Kent Bird Records Summary;
 Bat Roost Locations Map;
 Priority Habitat Map;
 National Gas Transmission Letter (28 September 2023);
 Consent of Natural England;
 Masterplan Groundwork Schedule;

Additional documents:

Archaeological Watching Brief Written Scheme of Investigation (May 2024);

And pursuant to any conditions contained herein after and there shall be no deviation there from, save with the prior written consent of the Local Planning Authority.

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

3. The recommendations set out in the Construction Environmental Management Plan (Biodiversity) Higham Marshes shall be carried out as hereby approved.

Reason: In the interests of biodiversity and in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

4. The development hereby permitted shall be subject to archaeological watching briefs, to be undertaken in accordance with the approved Written Schemes of Investigation by Canterbury Archaeological Trust (1) Habitat Enhancement Project, Cooling and Cow Marsh, North of Cliffe Marshes, Hoo Peninsula, Kent (WB CM 22) and (2) Habitat Enhancement Project, Higham Marshes, North of Higham Village, Hoo Peninsula, Kent (WB HM 22). If there are any variations required to the approved Written Schemes of Investigation, these should first be submitted to and approved in writing by the Local Planning Authority and undertaken as approved thereafter.

Reason: To ensure that features of archaeological interest are properly examined and recorded and in accordance with Policy CS20 of the Gravesham Local Plan Core Strategy 2014.

5. Within 6 months of the date of this decision, a water level management and monitoring programme shall be submitted to and agreed in writing by the Local Planning Authority. The programme shall be carried out as approved and maintained thereafter.

Reason: To ensure that the abstraction regime does not 'dry out' any ditches with Water Vole and Great Crested Newt populations, in accordance with paragraph 180 of the National Planning Policy Framework 2023.

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 ENVIRONMENTAL FLOOD RISK ACTIVITY PERMIT

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal);
- on or within 8 metre of a flood defence structure or culverted main river (16 metres if tidal);
- on or within 16 metres of a sea defence;
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert;
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it is a tidal main river) and you do not already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> 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.

3 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 38 of the National Planning Policy Framework (NPPF) 2023, 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.

Dated: 9 July 2024

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.