



Application: 20250643

**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: **A C Goatham & Son Ltd
C/O Mr Thomas Ogden, Bloomfields
77 Commercial Road
Paddock Wood
Tonbridge
TN12 6DS**

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:

**New Green Farm
Lower Road
Shorne
Gravesend
Kent**

and being **Erection of a cold store building**. Your application dated 26th June 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
Supporting Planning Statement
Preliminary Ecological Appraisal (J24-021686, 29 January 2025)
Noise Assessment (Ref. 70093653, June 2025)
Biodiversity Gain Plan (Ref: J24-021686_BGP, 20 February 2025)
Drawing no. ACG&S-NGF-900 Rev. C (Location Plan)
Drawing no. ACG&S-NGF-901 Rev. C (Existing Block Plan)
Drawing no. ACG&S-NGF-902 Rev. E (Proposed Block Plan)
Drawing no. ACG&S-NGF-904 Rev. E (Proposed Floor Plan and Section)
Drawing no. ACG&S-NGF-905 Rev. E (Proposed External Elevations)
Drawing no. ACG&S-NGF-910 (Services and Plant Plan)
Drawing no. 072 Rev. B (Site Section B-B)
Landscape and Visual Appraisal (July 2025)
Appendix 1 Landscape and Visual Appraisal

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

CEMP

3. Prior to the commencement of any above ground works (including any site and/or vegetation clearance) a Construction Environmental Management Plan (CEMP), which contains full details of the measures outlined in section 6.4 of the Preliminary Ecological Appraisal (Greenspace Ecological Solutions, January 2025), shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and shall include the following:

- a) Retained tree and hedgerow protection measures in accordance with BS 5837:2012;
- b) Specific measures (which may be presented as a series of method statements) to avoid impacts to badgers, reptiles and nesting birds;
- c) The role and responsibilities of an Ecological Clerk of Works (ECoW) or similarly competent person(s); and
- d) Copies of any protected species mitigation licences issued by Natural England as required.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To protect biodiversity in accordance with paragraph 193 of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014, to avoid an offence under the Wildlife and Countryside Act 1981 (as amended) and with consideration for Species of Principal Importance under the Natural Environment and Rural Communities Act 2006.

DETAILED SURFACE WATER DRAINAGE SCHEME

4. Prior to the commencement of any above ground works, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the Drainage and SUDs Strategy prepared by RSPD, dated September 2025. The submitted scheme shall demonstrate compliance with the required technical standards 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 within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

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, in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

DRAINAGE VERIFICATION REPORT

5. Prior to the first occupation of the cold store hereby permitted, 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 paragraph 182 of the National Planning Policy Framework 2024 and Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

INFILTRATION

6. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework and Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

HMMP

7. Prior to the commencement of any above ground works, a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following components:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain the habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology (including frequency of submitting reports to the Local Planning Authority) in respect to the created or enhanced habitat.

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

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

HARD LANDSCAPING

8. Prior to the commencement of any above ground works, a plan shall be submitted to the Local Planning Authority for approval showing full details of any hard landscaping for the development, including details of any screening or boundary treatment, and any steps or retaining walls. The scheme shall be constructed in accordance with the approved details and completed, in its entirety, prior to the first occupation of the development hereby permitted.

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

SOFT LANDSCAPING

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

- Details of any trees to be retained and those to be removed.
- Details of additional native tree/hedgerow/shrub planting to include their quantity, size and arrangements for aftercare.
- 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.

PUBLIC RIGHTS OF WAY (PROW) SIGNAGE

10. Prior to the first use of the development hereby permitted, details of clear and permanent signage to indicate that NS156 is a pedestrian route shall be submitted to and approved in writing by the Local Planning Authority in consultation with Kent County Council's PROW Team. The signage shall be installed in accordance with the approved details and shall be maintained thereafter.

Reason: To ensure visibility and awareness for all site users and vehicle operators, in accordance with Policy CS11 of Gravesham Local Plan Core Strategy 2014.

LIGHTING

11. Prior to the first use of the development hereby permitted, 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. It must demonstrate that the lighting plan 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 and 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.

MATERIALS

12. All external facing materials used in the development hereby permitted shall be as set out in the application form and Supporting Planning Statement (June 2025).

Reason: To ensure a satisfactory standard of appearance upon the completion of the development, in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

NOISE

13. The development hereby permitted shall be carried out in full accordance with the details and recommendations in the Noise Assessment (Ref. 70093653, June 2025).

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

RESTRICTED USE

14. The building hereby permitted shall be used only for agricultural purposes and specifically as a cold store in connection with the agricultural operation set out in the approved plans/details accompanying this application.

Reason: In order that any other agricultural use of the building may be the subject of a separate planning application, which the Local Planning Authority would wish to consider on its merits, having regard to the development plan and any other material considerations, and to preserve the openness of the Green Belt and the landscape character of the area, in accordance with Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

REMOVAL OF PERMITTED DEVELOPEMENT RIGHTS

15. Notwithstanding the provisions of Article 3, Part 6, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification, no new agricultural building, no extension or alteration of the building hereby permitted and no excavation or engineering operations which are reasonably necessary for the purposes of agriculture, shall be carried out on the agricultural unit, without the prior written permission of the Local Planning Authority having been first obtained.

Reason: In order that any new building, the extension or alteration of the building hereby permitted or the carrying out of engineering works may be the subject of a separate planning application, which the Local Planning Authority would wish to consider on its merits, having regard to the Development Plan and any other material considerations, and to preserve the openness of the Green Belt and the landscape character of the area, in accordance with Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

REMOVAL WHEN REDUNDANT

16. If the building hereby permitted becomes redundant for the purposes of agriculture, it shall be removed from the site in its entirety and the site shall be restored to its former condition within three months of its removal.

Reason: That the building is only required for the purposes of agriculture and if that requirement ceases, then the building shall be removed to preserve the openness of the Green Belt and the landscape character of the area, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

2 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.

3 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].

4 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.

5 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.

6 PUBLIC RIGHTS OF WAY (PROW)

Public Right of Way NS156 runs to the north of the site and may be affected by the application.

No works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact the PROW office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then the office will deal on the basis that:

- o The applicant pays for the administration costs.

- o The duration of the closure is kept to a minimum.
- o Alternative routes will be provided for the duration of the closure.
- o A minimum of eight weeks' notice is required to process any applications for temporary closures.

Please be advised 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 the 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.

7 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission]. Please contact <https://www.stgbc.org.uk/> for further information and to make an application.

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 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.

Dated: 14 November 2025

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.