

Application: 20250730

**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 Gareth Hawkins
71-75 Shelton Street
London
WC2H 9JQ**

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 Adjacent To
Thames Way
Northfleet
Gravesend
Kent
DA11 8HL**

and being **Installation of electricity infrastructure including a battery energy storage system, sub station and ancillary electrical infrastructure and creation of a new vehicular access to the A226**. Your application dated 14th August 2025 is permitted subject to the following:-

Standard Conditions

Time limit

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

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.

Approved Plans

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

Drawing no. SG-GRAVESEND-LND-PLN-120 rev C (site location plan)
Drawing no. SG-GRAVESEND-CIV-PLN-100 rev I (proposed site layout)
Drawing no. SG-GRAVESEND-LND-PLN-110 rev A (land ownership plan)
Drawing no. SG-GRAVESEND-ARC-DRG-208 (proposed grid compound elevation)
Drawing no. SG-GRAVESEND-ARC-DRG-207 (proposed CCTV and fence elevation)
Drawing no. SG-GRAVESEND-ARC-DRG-206 (proposed water tank plan and elevation)
Drawing no. SG-GRAVESEND-ARC-DRG-205 (proposed DNO cabin plan and elevations)

Drawing no. SG-GRAVESEND-ARC-DRG-204 (proposed aux transformer plan and elevations)
Drawing no. SG-GRAVESEND-ARC-DRG-203 (proposed LV room plan and elevations)
Drawing no. SG-GRAVESEND-ARC-DRG-202 (proposed switchroom plan and elevations)
Drawing no. SG-GRAVESEND-ARC-DRG-201 (proposed PCS and transformer plan and elevations)
Drawing no. SG-GRAVESEND-ARC-DRG-200 (proposed BESS plan and elevations)

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

Life of development

Life of development

3. The planning permission is limited to a period of 40 years commencing from the date energy is first stored at the site. At the end of this 40-year period the development shall be removed (excluding the approved landscaping and biodiversity works) and the land restored in accordance with the approved details (remove of development condition).

Reason: To ensure the timely removal of the development following the end of its operational life and the restoration of the site in the interests of visual amenity, landscape character, biodiversity and the proper planning of the area, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

Removal of development

4. No later than six months prior to the expiry of the planning permission, or within six months of the cessation of energy storage at the site, whichever is the sooner, a detailed scheme of works for the removal of the development shall first be submitted to and approved in writing by the local planning authority. The scheme of works shall include the following:
 - o A programme of works
 - o A method statement for the decommissioning and dismantling of all equipment and surfacing on the site
 - o Details of any items to be retained on site
 - o Timescale for the decommissioning, removal, and reinstatement of the land
 - o A method statement for the disposal/recycling of redundant equipment/structures.

The scheme of works shall be undertaken in accordance with the approved details and timescales.

Reason: To secure the orderly decommissioning, removal and disposal of the development and the reinstatement of the land following cessation of use, in the interests of visual amenity, biodiversity and the proper planning of the area, in accordance with Policies CS12, CS18, CS19 of the Gravesham Local Plan Core Strategy 2014.

Prior to commencement

Construction Environmental Management Plan

5. Prior to commencement of works (including site clearance), a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall make reference to cumulative highways impacts due to the construction phase of surrounding developments and include the following:

- (a) Routing of construction and delivery vehicles to / from site.
- (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
- (c) Timing of deliveries, avoiding network and school peaks where possible.
- (d) Provision of wheel washing facilities.
- (e) Measures to prevent the discharge of surface water onto the highway.
- (f) Temporary traffic management / signage.
- (g) Measures to protect the Public Rights of Way during construction.
- (h) Hours of work.

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

Reason: To ensure that the construction of the development are managed in a manner that protects highway safety, minimises disruption to the local highway network, prevents mud and debris being deposited on the public highway, and safeguards the amenities of nearby occupiers, in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraphs 115 and 135 of the National Planning Policy Framework.

Contaminated Water Discharge

6. No development shall commence until a scheme to ensure that no contaminated water is discharged from the site has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme and adhered to for the lifetime of the development.

Reason: To safeguard controlled waters and the wider environment from pollution and ensure appropriate drainage and containment measures are provided and maintained for the lifetime of the development, in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 187 of the National Planning Policy Framework.

Firewater containment scheme

7. The development hereby permitted shall not be commenced until such time as a scheme to contain water in the event of a fire has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

Land Contamination

8. No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
- a. 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; and
 - o potentially unacceptable risks arising from contamination at the site.
 - b. 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.

- c. 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.
- d. 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 (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

Surface Water Drainage

9. Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To ensure that satisfactory arrangements are made for the disposal of foul and surface water, to prevent flooding, pollution and adverse impacts on the water environment, and to ensure that adequate drainage infrastructure is available to serve the development, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraphs 180 and 187 of the National Planning Policy Framework.

Protection of Sewers

10. The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewers.

Reason: To safeguard existing public sewerage infrastructure and ensure the continued safe and effective operation of the sewer network, in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework.

Ecological mitigation strategy

11. Prior to works commencing (including vegetation clearance) within the site a detailed ecological mitigation strategy must be submitted to the LPA for written approval. The plan must include the following:

- o Preliminary Ecological Appraisal of the development site and receptor sites
 - o Recommended species surveys
 - o Overview of the mitigation required
 - o Detailed methodology to implement the mitigation.
 - o Timing of the works.
 - o Plans demonstrating where the works will be carried out.
 - o Details of who will carry out the works.
 - o Details of any fencing to protect any retained habitat on site.
- The plan must be implemented as approved.

Reason: To safeguard ecology and biodiversity in accordance with policy CS12 of the Gravesham Core Strategy 2014 and paragraph 187 of the National Planning Policy Framework 2024.

Habitat Management and Monitoring Plan

12. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan (submitted as part of the deemed condition discharge application), and based on the most up-to-date and/or relevant ecology surveys as determined by a suitably qualified ecologist, has been submitted to, and approved in writing by, the local planning authority. The Plan shall include:
- a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat retention, creation and enhancement works (including detailed landscaping plan(s) and planting schedule(s)) 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 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 and frequency in respect of the retained, created or enhanced habitat to be submitted to the local planning authority;

The retained, created and/or enhanced habitat specified in the approved HMMP shall be implemented, managed, maintained and monitored in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To safeguard ecology and biodiversity in accordance with policy CS12 of the Gravesham Core Strategy 2014 and paragraph 187 of the National Planning Policy Framework 2024.

Archaeology

13. No development shall take place until:
- a) A detailed archaeological and geoarchaeological desk-based assessment has been submitted to and approved in writing by the Local Planning Authority.
 - b) Where the approved desk-based assessment identifies heritage assets of archaeological interest that may be affected by the development, a Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall be prepared by a suitably qualified archaeological contractor or organisation and its scope shall be informed by the findings of the approved desk-based assessment and the nature and extent of the proposed groundworks. The WSI shall provide for, as a minimum, a programme of archaeological field evaluation, which may include test pits, boreholes and/or trial trenching.
 - c) The development shall thereafter be carried out in accordance with the approved WSI and any archaeological mitigation measures identified through the approved WSI.

Reason: To safeguard archaeological and geoarchaeological interests that may be affected by the development and to ensure appropriate investigation, recording and mitigation of any heritage assets, in accordance with the National Planning Policy Framework and Policy CS20 of the Gravesham Local Plan Core Strategy.

Battery Safety Management

14. No development shall commence until a Battery Safety Management Plan (BSMP) has been submitted to and approved in writing by the Local Planning Authority, following consultation with the Health and Safety Executive and Kent Fire and Rescue Service.

The BSMP shall set out measures to ensure safety during the construction, operation and decommissioning of the development, including arrangements for the transportation, handling, storage, replacement and disposal of battery cells and associated equipment. The BSMP shall accord with the principles set out in the approved Outline Battery Safety Management Plan.

The development shall thereafter be carried out and operated in accordance with the approved BSMP.

Reason: To ensure that appropriate measures are in place to prevent, manage and mitigate risks to public safety, property and the environment arising from the construction, operation and decommissioning of the Battery Energy Storage System, and to secure an effective response to any emergency incident, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework

Prior to Installation

Construction Details

15. Prior to their installation on site full details of the final location, design, and materials of construction (including colour finish) to be used for the:

- o Battery clusters
- o BESS transformers
- o BESS switchrooms
- o Site welfare / low voltage (LV) switchroom
- o 132/33kV substation switchrooms
- o Water tanks

shall first be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details and permanently maintained for the lifetime of the development as approved.

Reason: To ensure that the final appearance, siting and external finish of the battery storage infrastructure, associated electrical equipment and ancillary buildings are of a high quality design that integrates satisfactorily with the character and appearance of the surrounding area, and to safeguard visual amenity, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 139 of the National Planning Policy Framework.

Hard Landscaping Scheme

16. No hard landscaping shall be installed on the site until a hard landscaping scheme has first been submitted to and approved in writing by the local planning authority. Any hard landscaping shall be installed in accordance with the approved details and subsequently maintained for the lifetime of the development.

Reason: To ensure that hard landscaping associated with the development is of a high quality design, is appropriate to its setting, and contributes positively to the character and appearance of the site and surrounding area, in the interests of visual amenity, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraphs 135 and 139 of the National Planning Policy Framework.

Boundary Treatment

17. Notwithstanding the details hereby approved, no boundary treatment shall be installed until full details of all boundary treatments, including the acoustic fencing shown on drawing No. SG-GRAVESEND-CIV-PLN-100 of the site, have been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall demonstrate that the design, specification, siting and method of installation of all boundary treatments have taken account of the approved Flood Risk Assessment and will not impede surface water flows, obstruct exceedance flow routes, reduce flood storage capacity, or otherwise increase flood risk within the site or elsewhere.

The boundary treatments shall thereafter be installed in accordance with the approved details and shall be retained and maintained as approved for the lifetime of the development.

Reason: To ensure that appropriate boundary treatments, including noise attenuation measures, are provided in the interests of the visual amenities of the area and to safeguard the living conditions of nearby occupiers from noise impacts arising from the development, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 135 of the National Planning Policy Framework.

Battery Safety Management Plan (BSMP)

18. Prior to the installation of any electrical equipment or battery unit, a Battery Safety Management Plan (BSMP), incorporating a Risk Reduction Strategy (RRS) and prepared in consultation with Kent Fire and Rescue Service, shall first be submitted to and approved in writing by the Local Planning Authority. The BSMP shall include details of measures for fire prevention, detection, suppression, emergency response procedures, and ongoing monitoring and maintenance of the battery energy storage system. The development shall be installed, operated, maintained and, where necessary, decommissioned in full accordance with the approved BSMP (including the RRS) for the lifetime of the development.

Reason: To ensure that the Battery Energy Storage System (BESS) is designed, installed and operated in a safe manner, incorporating appropriate risk mitigation measures to minimise the risk of fire, thermal runaway and other hazards, thereby safeguarding public safety, the environment and surrounding land uses, in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 187 of the National Planning Policy Framework.

Emergency Response Plan (ERP)

19. Prior to the installation of any electrical equipment or battery unit a Emergency Response Plan (ERP) has first been submitted to and approved in writing by the local planning authority. The development shall be implemented and operated in accordance with the approved ERP for the lifetime of the development.

Reason: To ensure that appropriate procedures are in place to respond effectively to any emergency or incident associated with the operation of the Battery Energy Storage System, in the interests of public safety, environmental protection and the protection of nearby land uses and occupiers, in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 187 of the National Planning Policy Framework.

Supporting Structures

20. Prior to their installation the design details of any supporting structure(s) (including construction materials and colour finish(es)) shall first be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and permanently maintained for the lifetime of the development as approved.

Reason: To ensure that the final appearance, siting and external finish of the battery storage infrastructure, associated electrical equipment and ancillary buildings are of a high quality design that integrates satisfactorily with the character and appearance of the surrounding area, and to safeguard visual amenity, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 139 of the National Planning Policy Framework.

BESS spares container

21. Any required BESS spares container shall not be provided on site until design details have first been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and permanently maintained for the lifetime of the development as approved.

Reason: To ensure that any Battery Energy Storage System (BESS) spares container is appropriately designed and integrated with the approved development, and to safeguard the character and appearance of the area and visual amenities of the locality, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 139 of the National Planning Policy Framework.

Cabling

22. Any cabling associated with BESS infrastructure shall be installed underground, except where it is connected to the BESS infrastructure on the supporting structure(s) and has been installed in accordance with a precise scheme of cable management to prevent visual detriment, which has first been submitted to and approved in writing by the local planning authority. The cabling associated with the BESS infrastructure shall be installed in accordance with the approved details and maintained as such for the lifetime of the development.

Reason: To minimise visual clutter and ensure that the appearance of the Battery Energy Storage System (BESS) development, including associated infrastructure and cabling, does not detract from the character and appearance of the area, thereby safeguarding visual amenity and securing a high standard of design, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraphs 135 and 139 of the National Planning Policy Framework.

External Lighting

23. No external lighting, including any lighting for the construction and decommissioning phases of the development, shall be installed on the site unless a lighting strategy, designed for the protection of biodiversity and including a timetable for implementation and operation, has first been submitted to and approved in writing by the local planning

authority. Any external lighting installed on site shall be installed in accordance with the approved lighting strategies.

Reason: To protect the character and appearance of the area, the amenities of nearby occupiers, and biodiversity interests from inappropriate lighting, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework.

Monitoring

24. Notice in writing shall be given to the Council when the HMMP works have started.

Reason: To safeguard ecology and biodiversity in accordance with policy CS12 of the Gravesham Core Strategy 2014 and paragraph 187 of the National Planning Policy Framework 2024.

Biodiversity gain plan

25. The Biodiversity Gain Plan shall be prepared in accordance with the baseline information within the Biodiversity Net Gain Assessment and prepared by Ecology and Land Management;

Reason: To safeguard ecology and biodiversity in accordance with policy CS12 of the Gravesham Core Strategy 2014 and paragraph 187 of the National Planning Policy Framework 2024.

Flood-resistant and flood-resilient design measures

26. No electrical substation, battery unit, transformer, switchgear, control building or other operational electrical infrastructure shall be installed until a scheme of flood-resistant and flood-resilient design measures for the development has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be prepared by a suitably qualified and experienced person, having regard to:

- a) the approved Flood Risk Assessment and any associated flood modelling;
- b) the predicted design flood levels, including an appropriate allowance for climate change;
- c) the vulnerability and operational requirements of the electrical infrastructure;
- d) Energy Networks Association Engineering Technical Report 138, or any subsequent replacement guidance; and
- e) the outcome of consultation with the relevant Building Control Body and, where appropriate, the Lead Local Flood Authority.

The submitted scheme shall include:

- 1. details of the design flood level and the proposed flood-resilience level for all critical electrical infrastructure;
- 2. finished floor levels and the proposed heights of all electrical plant, equipment, controls, auxiliary power supplies and other flood-sensitive infrastructure;
- 3. details of waterproof or water-resistant enclosures, sealed cable ducts, protective ducts or tunnels, proprietary duct-sealing systems and measures to prevent water ingress into buildings, chambers and electrical equipment;
- 4. details of any flood walls, retaining walls, bunds, flood gates, flood doors, demountable barriers or flood planks, including their locations, heights, construction, operation and maintenance;
- 5. details of any alarms, remote monitoring systems and procedures for identifying the failure, removal or opening of any flood-protection measure;

6. details of measures to prevent backflow through surface water, foul water and other drainage systems, including non-return valves where necessary;
7. details of any permanent or temporary pumping arrangements, including the location and flood resilience of the associated power supply and control equipment;
8. details of perimeter storage features, dry ditches, moats, bunds or other flood-water storage measures, together with details of their capacity, outfall and method of operation;
9. details of safe access, inspection, deployment and maintenance arrangements for all permanent and temporary flood-protection measures;
10. hydraulic modelling and supporting calculations demonstrating that the proposed measures would not impede flood flows, displace floodwater, reduce floodplain storage or increase flood risk on the site or elsewhere; and
11. a timetable for implementation and a management and maintenance plan identifying the person or body responsible for the inspection, operation, deployment, repair and replacement of the approved measures.

The approved flood-resistant and flood-resilient design measures shall be fully implemented before the first operation of the development and shall thereafter be retained, inspected, operated and maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To safeguard critical battery and electrical infrastructure from flood risk, minimise the potential for flood-related damage and associated safety risks, including fire and environmental hazards, and to ensure that flood mitigation measures do not increase flood risk elsewhere, in accordance with the National Planning Policy Framework and Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Prior to use

Verification Report

27. Prior to any part of the permitted development 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 site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the National Planning Policy Framework.

Soft Landscaping Scheme

28. Prior to the first use of the development hereby approved, details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. The approved scheme shall be carried out in full during the first available planting season following first use of the development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the soft landscaping scheme is implemented shall be replaced with a species of a similar size and species during the next available planting season. For the avoidance of doubt of soft landscaping scheme shall take into account public apparatus in use by Southern Water and the existing soft landscaping front along Thames Way shall be retained where practical.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development and the wider area, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

On-going Conditions

Watching Brief

29. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 187 of the National Planning Policy Framework.

Infiltration of surface water

30. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 187 of the National Planning Policy Framework.

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 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].

3 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.

4 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 the Local Planning Authority has agreed in writing with the applicant on 17 July 2026 to the inclusion of the following pre-commencement conditions:

Condition 5 - Construction Environment Management Plan

Condition 6 - Contaminated Water Discharge

Condition 7 - Firewater Containment Scheme

Condition 8 - Land Contamination

Condition 9 - Surface Water Drainage

Condition 10 - Protection of Sewers

Condition 11 - Ecological Mitigation Strategy

Condition 12 - Habitat Management and Monitoring Plan

Condition 13 - Archaeology

Condition 14 - Battery Safety Management

5 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.

6 ENVIRONMENT AGENCY COMMENTS

Please note that the Environment Agency have provided comments on the proposed scheme and have included informatives and advice that the applicant should be aware of. The full response can be found here:

https://docs.gravesham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=CC66E1CC58054334B4BDA78CDC9E4922

7 PUBLIC RIGHTS OF WAY

Please note the granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that 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 this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this 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.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

8 SOUTHERN WATER ADVISORY NOTE

S106 Connection application

Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

Please note that, where there are separate systems available, Southern Water will not allow surface water to connect into the public foul sewer. If this is not possible, please provide evidence that all other options have been explored.

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction work, an investigation of the sewer will be required to ascertain its ownership before any work commences on site. If this happens, please call our Customer Service Desk on 0330 303 0119

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

9 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.

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 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.

Dated: 20 July 2026

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## **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.