



Delegated Report

EDC Consultation Application

Planning Application No: 20230637

Location: Former Northfleet Cement Works The Shore Northfleet Gravesend

Description: EDC Consultation - Discharge of condition 18 (Contamination) pursuant to outline planning approval EDC/16/0004.

Applicant: Ebbsfleet Development Corporation

Introduction

This is an application submitted to the Ebbsfleet Development Corporation (EDC) as the determining authority (EDC ref EDC/23/0104) and is a consultation in respect for the discharge of condition 18 attached to outline planning permission reference no. EDC/16/0004 relating to contamination.

The application is submitted by Savills on behalf of NMW Properties Limited.

The Borough Council is a consultee and has been invited to comment in a letter dated 14th June 2023 from the EDC with an original target date of 5th July 2023 to respond by.

Submitted Documents/Plans

The following details have been provided to EDC (joint determining authority) (see below):

	Date Published ²	Document Type ²	Description ²	View
☐	16 Jun 2023	Consultation Responses	KCC HIGHWAYS	View
☐	12 Jun 2023	Application Form	APPLICATIONFORMREDACTED	View
☐	12 Jun 2023	Supporting Documents	CONTAMINATED LAND ASSESSMENT JUNE 2020 (PAGES 1-150 PART 1 OF 3)	View
☐	12 Jun 2023	Supporting Documents	CONTAMINATED LAND ASSESSMENT JUNE 2020 (PAGES 150-300 PART 2 OF 3)	View
☐	12 Jun 2023	Supporting Documents	CONTAMINATED LAND ASSESSMENT JUNE 2020 (PAGES 300-450 PART 3 OF 3)	View
☐	12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 1	View
☐	12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 2	View
☐	12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 3	View
☐	12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 4	View
☐	12 Jun 2023	Supporting Documents	REMEDATION METHOD STATEMENT SEPTEMBER 2020 REV A	View
☐	12 Jun 2023	Supporting Documents	SUPERSEDED - CONDITION 18 COVERING LETTER - EMPLOYMENT LAND	View
☐	12 Jun 2023	Supporting Documents	REVISED - CONDITION 18 COVERING LETTER - EMPLOYMENT LAND	View
☐	12 Jun 2023	Supporting Documents	EARTHWORKS SPECIFICATION AND REMEDIATION METHOD STATEMENT REV A	View
☐	12 Jun 2023	Supporting Documents	GEO-ENVIRONMENTAL ASSESSMENT - TRIANGLE SITE	View
☐	12 Jun 2023	Supporting Documents	GEO-ENVIRONMENTAL ASSESSMENT - CHURCH PATH PIT	View

Relevant Planning History

Reference	Description	Decision	Decision Date
-----------	-------------	----------	---------------

20230639	EDC Reconsultation - Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land east of College Road (Phase 2) comprising the erection of 130no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy and schedule of public open spaces (condition 9), renewable energy, water conservation and carbon reduction technologies (condition 11), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15) and scheme for the re-interpretation of the College Road flint wall (condition 40(ii)).	Under Consideration	
20230638	EDC Consultation - Application for the Partial Discharge of Condition 28 (Vineyard Pit Road Re-Alignment) Attached to Planning Permission Ref: EDC/16/0004.	Under Consideration	
20230528	EDC Consultation - Application for the discharge of condition 7 attached to outline planning permission reference no. EDC/16/0004 relating to a detailed Phasing and Implementation Plan.	Observations Sent	14.06.23
20230511	Application for the approval of condition 4 attached to planning permission reference number EDC/22/0015 relating to contamination pursuant to reserved matters approval.	No Objections	09.06.2023
20230352	Application for approval of condition 11 attached to planning permission reference number 20220078 relating to details of the form, appearance, and materials to be used for the cycle and bin stores to all houses within the development	Approval of Details	09.06.2023
20230495	EDC Consultation Letter - Discharge of condition 9 (Street Lighting) pursuant to reserved matters approval EDC/22/0015.	No Objections	31.05.2023
20230375	EDC Consultation - Discharge of Condition 13 (Parking Management Plan) pursuant to reserved matters approval EDC/21/0081.	Observations Sent	04.05.2023
20230374	EDC Consultation - Discharge of Condition 11 (Cycle and Bin Stores) pursuant to reserved matters approval EDC/22/0015.	No Objections	03.05.2023
20221268	Application for the approval of condition 5 attached to planning permission reference number 20220226 relating to details of hard and soft landscaping	Approval of Details	28.04.2023
20221152	Application for approval of condition 6 attached to planning permission reference number 20220226 relating to details of a non-native species removal plan.	Approval of Details	20.12.2022
20221222	EDC Consultation - Installation of a 33/11kV primary electricity sub station with associated vehicular access and boundary fencing	Observations Sent	28.11.2022
20221120	EDC Reconsultation - Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land east of College Road (Phase 2) comprising the erection of 133no. dwellings together with associated infrastructure including details	Observations Sent	08.12.2022

	relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy and schedule of public open spaces (condition 9), renewable energy, water conservation and carbon reduction technologies (condition 11), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15).		
20221033	EDC Consultation EDC/22/0133 - Reserved Matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land east of Grove Road and west of Granby Road comprising the Fastrack route together with associated infrastructure including details relating to site levels, ecological mitigation and enhancement strategy, and public open space (condition 9), design and maintenance of the public realm (condition 15).	Observations Sent	11.10.2022
20221032	EDC Consultation EDC/22/0132 - Partial discharge of condition 8 attached to planning permission reference number EDC/16/0004, relating to a detailed masterplan for the fastrack route and adjacent land within the non-residential land.	Observations Sent	10.10.2022
20220857	EDC Re-Consultation EDC/21/0206 - Reserved matters pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north and east of College Road to create a Sustainable Urban Drainage System (SuDS) details relating to site levels, ecological mitigation and enhancement strategy, details of design and maintenance of public realm (Condition 9), surface materials palette, furniture, lighting strategy, soft landscaping and boundary treatments, public art and heritage interpretation including timescales for provision (Condition 15)	Observations Sent	19.08.2022
20220844	Highways improvement works including road widening at The Shore/Granby Road to accommodate two-way running of the eastern extent of the Fastrack route.	Pending Consideration	
20220529	EDC Consultation EDC/22/0058 - Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land east of College Road (Phase 2) comprising the erection of 133no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy and schedule of public open spaces condition 9), renewable energy, water conservation and carbon reduction technologies (condition 11), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15).	Observations Sent	08.06.2022
20220226	Temporary Access and associated landscaping and parking for the sales suite at Northfleet Embankment	Permission	05.10.22

	West site		
20220078	Erection of 3 dwellings together with associated infrastructure including details relating to parking and landscaping and the reconfiguration of parking to a consented dwelling approved under permission Ref: EDC/21/0081. Former Northfleet Cement Works, The Shore, Northfleet, Gravesend, Kent, DA11 9AN	Pending Consideration	
20220015	Reserved matters pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north east of College Road to create a Sustainable Urban Drainage System (SuDS) details relating to site levels, ecological mitigation and enhancement strategy, details of design and maintenance of public realm (condition 9), surface materials palette, furniture, lighting strategy, soft landscaping and boundary treatments, public art and heritage interpretation including timescales for provision (condition 15).	No objections	31.01.2022
20211271	**14 DAY CONSULTATION** EDC Consultation EDC/21/0081 -Reserved matters application (access, layout, scale, appearance and landscaping) Pursuant of condition 2 of outline planning permission reference no. EDC/16/0004 for Land North of Hive Lane (Phase 1B). Comprising the erection of 120 no. dwellings together with associated infrastructure including details relating to finish floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy and schedule of public open spaces (Condition 9) renewable energy, water conservation and carbon reduction technologies (Condition 11), design and maintenance of the public realm and other areas with public amenity function, provision of, and timetable for installation of public art and heritage interpretation (Condition 15).	Observations Sent	02.11.2021
20211227	EDC Consultation EDC/21/0173 - Continued use of land for external storage, vehicle parking and stationing of a welfare cabin in connection with the approved Mixed Aggregates Plant Facility for a temporary period.	Observations Sent	20.10.2021
20211018	** RECONSULTATION DOCUMENT** EDC Consultation EDC/21/0081 -Reserved matters application (access, layout, scale, appearance and landscaping) pursuant to condition 2 of outline planning permission reference no. EDC/16/0004 for land north of Hive Lane (Phase 1B) comprising the erection of 122no. dwellings together with associated infrastructure including details relating to finished floor and site levels, noise attenuation measures, ecological mitigation and enhancement strategy, and schedule of public open spaces condition 9), renewable energy, water conservation and carbon reduction technologies (Condition 11), design and maintenance of the public realm and other areas with a public amenity function, provision of and timetable for installation of public art and heritage interpretation (condition 15).	Observations Sent	21.10.2021
20210654	EDC Consultation - EDC/21/0078 - Partial discharge of condition 16 (Construction Environmental Management	Observations Sent	09.06.2021

	Plan) relating to development on the residential element of the site pursuant to outline planning permission EDC/16/0004.		
20210598	EDC Consultation -EDC/21/0086 - Partial discharge of condition 27 (Local Employment and Training Plan) relating to development on the residential element of the site pursuant to outline planning permission EDC/16/0004.	Observations Sent	25.05.2021
20210445	EDC/21/0068 EDC consultation - Partial discharge of condition 45 (Method and measures to minimise vibration), relating to land at Factory Road (Phase 1a) only, pursuant to outline planning permission EDC/16/0004.	Observations Sent	26.04.2021
20210434	EDC Consultation - EDC/21/0067 - Partial discharge of condition 26 (Community Development Strategy) relating to development on the residential land pursuant to outline planning permission EDC/16/0004.	Observations Sent	27.04.2021
20210281	EDC Consultation - EDC/21/0019 - Application for the partial discharge of condition 16 attached to outline permission reference no. EDC/16/0004 relating to a Construction Environmental Management Plan for development on land at Factory Road (Phase 1a) only.	Observations Sent	30.03.2021
20210262	EDC Consultation EDC/21/0031 - Application for the discharge of condition 22 and condition 40 (i) attached to outline permission reference no EDC/16/0004 relating to a programme of building recording for the site and historic building record of the College Road flint boundary wall.	Observations Sent	09.04.2021
20201223	EDC Consultation EDC/20/0083 - *Duplicate* Application for the discharge of condition 7 attached to planning permission reference no. EDC/16/0004 relating to the Phasing and Implementation Plan.	Observations Sent	10.12.2020
20201070	EDC Consultation EDC/20/0080 - Application for the partial discharge of condition 8 attached to planning permission reference no. EDC/16/0004 relating to a detailed Masterplan for the residential land.	Observations Sent	06.11.2020
20201069	EDC Consultation EDC/20/0079 - Application for the discharge of condition 7 attached to outline planning permission reference no. EDC/16/0004 relating to a detailed Phasing and Implementation Plan.	Observations Sent	06.11.2020
20200926	EDC Consultation EDC/20/0080 - Application for the partial discharge of condition 8 attached to planning permission reference no. EDC/16/0004 relating to a detailed Masterplan for the residential land.	Observations Sent	09.10.2020
20200925	EDC Consultation EDC/20/0075 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to alter the wording of condition 40 in respect of the College Road flint wall.	Observations Sent	09.10.2020
20200924	EDC Consultation - EDC/20/0077 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to allow for the relocation of the community facility involving (i) change to description of development, (ii) changes to the wording of condition 4 to replace the Land Use and Development Framework Parameter Plans and (iii) changes to wording of condition 14.	Observations Sent	09.10.2020

20200923	EDC Consultation - EDC/20/0079 - Application for the discharge of condition 7 attached to outline planning permission reference no. EDC/16/0004 relating to a detailed Phasing and Implementation Plan.	Observations Sent	09.10.2020
20200557	EDC Consultation - EDC/20/0080- Application for the partial discharge of condition 8 attached to planning permission reference no. EDC/16/0004 relating to a detailed Masterplan for the residential land	Observations Sent	07.08.2020
20200556	EDC Consultation - EDC/20/0076 - Application for approval of reserved matters (relating to access, layout, scale, appearance and landscaping) pursuant to outline planning permission reference no. EDC/16/0004 for Phase 1a comprising the erection of 3no. dwellings together with associated infrastructure including details relating to parking, energy and sustainability, finished site and floor levels, noise attenuation and mitigation measures and ecological enhancement.	Observations Sent	31.07.2020
20200531	EDC Consultation EDC/20/0079: Application for the discharge of condition 7 attached to outline planning permission reference no. EDC/16/0004 relating to a detailed Phasing and Implementation Plan.	Observations Sent	31.07.2020
20200534	EDC consultation EDC/20/0078 - Application for a non-material amendment to condition 4 of outline planning permission reference no. EDC/16/0004 to replace the Building Heights Parameter Plan to allow for an increase in the maximum height of buildings in one location within the residential part of the site from 3 storeys to 4 storeys.	Observations Sent	31.07.2020
20200533	EDC consultation EDC/20/0077 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to allow for the relocation of the community facility involving (i) change to description of development, (ii) changes to the wording of condition 4 to replace the Land Use and Development Framework Parameter Plans and (iii) changes to wording of condition 14.	Observations Sent	31.08.2020
20200532	EDC consultation EDC/20/0077 - Application for non-material amendment to outline planning permission reference no. EDC/16/0004 to allow for the relocation of the community facility involving (i) change to description of development, (ii) changes to the wording of condition 4 to replace the Land Use and Development Framework Parameter Plans and (iii) changes to wording of condition 14.	Observations Sent	17.07.2020
20200180	EDC Re-consultation EDC/19/0201 - Application for the discharge of condition 6(a) attached to outline permission reference no. EDC/16/0004 relating to a site-wide Heritage Management Plan.	Observations Sent	11.03.2020
20191324	EDC Consultation EDC/19/0201 - Application for the discharge of condition 6(a) attached to outline permission reference no. EDC/16/0004 relating to a site-wide Heritage Management Plan.	Observations Sent	24.01.2020
20191170	EDC Consultation EDC/19/0177 - Request under Section 106A of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation in respect of use of the access tunnels to serve the residential and mixed use areas of the development approved by Outline	Observations Sent	22.11.2019

	planning permission reference EDC/16/0004.		
EDC/16/0004 (GBC ref. 20160962; previously when originally submitted to GBC, ref 20090238)	Outline application for mixed development and comprising: • Up to 532 Homes, related car parking and landscaping (C3); • Up to 46,000 sq. m Employment Floorspace, related car parking, servicing and landscaping (B1/B2/B8); • Mixed Use Neighbourhood Centre comprising mix of: up to 850 sq. m retail/cafe/takeaway floor space (A1/A2/A3/A5); residential uses (C3); community centre (D1) and related car parking and landscaping; • Riverside Food and Drink Uses comprising up to 500 sq. m of pub or food and drink uses (A3/A4); • Public Open Space including riverside promenade, public park with equipped play areas and playing field with shared public/school use, multi-use games area and wildlife corridors; • Fastrack Link to provide a segregated link across the site along with Fastrack stops • Street and Footpath Network to provide access to development and maintain and enhance existing public rights of way, including a bridge link between Hive Lane and Factory Road; • Access Improvement to Grove Road/The Creek and The Shore/Crete Hall Road and associated highway improvements; • Supporting Services and Infrastructure including new utilities, enhanced flood defences and providing for access to cliffs and tunnels; • Ground re-grading to create efficient development and open space platforms and to raise land to address flood risk; and • Other Minor Works and development ancillary to the main proposals including the demolition of existing buildings and the retention of tunnels and facing walls adjacent to Lawn Road.	Permission	08.06.2018 s106 signed concurrently

Internal Consultations

GBC – Environmental Protection

As per the consultation arrangements in place with EDC, the Environmental Protection Team will not be commenting on the documents submitted by the applicant to discharge condition 18 relating to contaminated land. Instead, it is expected, as per the arrangement, that EDC employ their own consultants eg Leap, to assess the submission producing a technical note. This service should then be consulted on the content of the Technical Note relating to the application.

Planning Assessment/Comments

This application is an EDC consultation EDC/23/0104: Application for the discharge of condition 18 attached to outline planning permission reference no EDC/16/0004 relating to Contamination.

Condition 18 attached to planning permission reference no. EDC/16/0004 relating to Contamination:

18. No development, including earthworks, shall take place on any particular phase of the development hereby approved until a contaminated land assessment (in accordance with the CLEA guidelines and CLR 11 methodology) and, if necessary, an associated remedial strategy, together with a timetable of works, for that particular phase has been submitted to and approved in writing by the Local Planning Authority for that phase. The scheme shall comprise the following components:

- (a) A desk study detailing previous uses of the site, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors as well as potentially unacceptable risks arising from contamination at the site;
- (b) A site investigation strategy based on the relevant information discovered by the desk study, including relevant soil, soil gas, surface and groundwater sampling, to be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology;
- (c) The results of the site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy, including the need for long term monitoring and maintenance. The works shall be of such a nature so as to render harmless any identified contamination given the proposed end-use of the site and surrounding environment, including any controlled waters.

The development shall be carried out in accordance with the requirements and details of the approved scheme.

Reason - To ensure adequate assessment has been undertaken to confirm whether remediation is required to prevent any adverse effects of soil contamination to the public, environment and underlying protected groundwater.

The following details have been provided to EDC (joint determining authority) (see below):

Date Published	Document Type	Description	View
☐ 16 Jun 2023	Consultation Responses	KCC HIGHWAYS	
☐ 12 Jun 2023	Application Form	APPLICATIONFORMREDACTED	
☐ 12 Jun 2023	Supporting Documents	CONTAMINATED LAND ASSESSMENT JUNE 2020 (PAGES 1-150 PART 1 OF 3)	
☐ 12 Jun 2023	Supporting Documents	CONTAMINATED LAND ASSESSMENT JUNE 2020 (PAGES 150-300 PART 2 OF 3)	
☐ 12 Jun 2023	Supporting Documents	CONTAMINATED LAND ASSESSMENT JUNE 2020 (PAGES 300-450 PART 3 OF 3)	
☐ 12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 1	
☐ 12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 2	
☐ 12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 3	
☐ 12 Jun 2023	Supporting Documents	REMEDATION IMPLEMENTATION PLAN DEC 2020_PART 4	
☐ 12 Jun 2023	Supporting Documents	REMEDATION METHOD STATEMENT SEPTEMBER 2020 REV A	
☐ 12 Jun 2023	Supporting Documents	SUPERSEDED - CONDITION 18 COVERING LETTER - EMPLOYMENT LAND	
☐ 12 Jun 2023	Supporting Documents	REVISED - CONDITION 18 COVERING LETTER - EMPLOYMENT LAND	
☐ 12 Jun 2023	Supporting Documents	EARTHWORKS SPECIFICATION AND REMEDIATION METHOD STATEMENT REV A	
☐ 12 Jun 2023	Supporting Documents	GEO-ENVIRONMENTAL ASSESSMENT - TRIANGLE SITE	
☐ 12 Jun 2023	Supporting Documents	GEO-ENVIRONMENTAL ASSESSMENT - CHURCH PATH PIT	

GBC – Environmental Protection provided the following comments;

As per the consultation arrangements in place with EDC, the Environmental Protection Team will not be commenting on the documents submitted by the applicant to discharge condition 18 relating to contaminated land. Instead, it is expected, as per the arrangement, that EDC employ their own consultants eg Leap, to assess the submission producing a technical note. This service should then be consulted on the content of the Technical Note relating to the application.

Conclusion & Recommendation

The EDC is asked to consider the comments received from other statutory consultees and their own consultants as per consultation arrangements with both Gravesham Borough Council and EDC.

The EDC is thanked for consulting the Borough Council.

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:	<i>A Grout</i>	Signed:	<i>R Hart</i>
Dated:	3rd July 2023	Dated:	3rd July 2023