



Delegated Report

Approval of Conditions Application

Planning Application No: 20251288

Location: Kimberly Clark Ltd Northfleet Mill Crete Hall Road Northfleet

Description: Application for approval of condition 3 (a, b and c) and 5 attached to planning permission reference number 20250406 relating to Contamination and Construction Environment Management Plan

Applicant: Mr Craig Allison, HYRO Energy Ltd.

Submitted Documents/Plans

05135-RES-ACC-DR-PE-003 Rev 2 – Proposed Access Route and Construction Support Areas
05135-RES-LAY-DR-PT-010 Rev 1 – Site Location Plan
Risk Assessment Matrix
Ground Investigation Summary
Transport Statement
Construction Environment Management Plan
Cover Letter Pulp Laydown
Erda Site Investigation Report for Pulp Laydown Area
Method Statement Remediation
Email from Agent with Amended Description Confirmed

Relevant Planning History

Reference	Description	Decision	Decision Date
20250406	Development of a pulp laydown area and associated infrastructure.	Permitted	01.10.2025

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS03 – Northfleet Embankment and Swanscombe
- CS07 – Economy, Employment and Skills
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

KCC Highways

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

KCC Biodiversity

Condition 5 states: No development shall take place until a comprehensive Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall cover all environmental impacts from the clearance and construction phases of this development including details of the following, as well as any other measures deemed reasonably necessary:

- (a) Air quality and dust management
- (b) Noise management measures;
- (c) Details of vibration monitoring and mitigation during piling works;
- (d) Construction Drainage Design Plan;
- (e) Construction traffic management plan, including vehicle routing and signage;
- (f) Details of emergency access during any road closure;
- (g) Type and location of wheel washing facilities;
- (h) Measures to prevent contractor parking on local roads;
- (i) Measures to maximise sustainable import/export of goods and materials during construction, using the river where practicable;
- (j) Movement, storage and treatment of bulk materials and spoil;
- (k) Measures to avoid adverse impacts on ecology and biodiversity (the precautionary mitigation detailed in section 6.4 of the Preliminary Ecological Appraisal shall be included within this section);**
- (l) Details of temporary construction lighting;
- (m) The arrangements for public consultation and liaison during the construction works;
- and
- (n) Monitoring and review provisions with the Local Planning Authority.

Development shall be carried out in accordance with the approved document.

The following comments only relate to Point K

We are satisfied that the submitted Construction Management Plan has confirmed that the precautionary mitigation detailed within the Preliminary Ecological Appraisal Will be implemented during construction.

We remind the applicant that works can not commence on site until the Biodiversity Gain Plan submitted under application 20251115 has been discharged.

GBC Environmental Protection

Condition 3 – Contaminated Land

Remediation works are required to address the elevated levels of Dibenzo(a,h)anthracene and total PAH's at shallow depth around WS05. These include excavation and removal of the contaminated soils to 0.5m and re-instatement with clean, imported and certified fill. Verification testing will allow be undertaken.

The submitted documents address parts a) b) and c) of condition 3 which can be discharged. Parts d) and e) can't be discharged until evidence that the work has been satisfactorily completed and submitted for approval.

Condition 5 – CEMP

Parts (a), (b), (c), (d), (l) and (m) of the condition are relevant to Environmental Protection. Although the CEMP is not especially detailed, there is information to address the requirements of the above parts of the condition. There is no objection to these parts being discharged. Other teams/officer such as highways and ecology are better placed to address other parts of the condition.

Officer's Analysis

Condition 3 (Contaminated Land Assessment) of 20250406 states:

3. No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.

a) A site investigation, based on the findings of the submitted Phase 1 Geoenvironmental Desk Study by GVR Geoservices Ltd dated 10/02/25 (Report Ref G-22-049A Rev 1) shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

b) A 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 shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of

reports on the same, must be prepared and approved in writing by the local planning authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

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 pollution from previously unidentified contamination sources at the development site in line with paragraph 187 of the National Planning Policy Framework (NPPF), pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

Note only part 3 (a, b and c) is proposed for discharge via this application.

A ground Investigation Report was submitted to discharge these details. It details the testing that was undertaken, the location of exploratory holes, and the lab results along with recommended remedial measures. It identifies that remediation works are required to address the elevated levels of Dibenz(a,h)anthracene and total PAH's at shallow depth around WS05. These include excavation and removal of the contaminated soils to 0.5m and re-instatement with clean, imported and certified fill.

GBC Environmental Protection comment that a, b and c have been satisfactorily addressed but part d and e could not be discharged until evidence that the works have been satisfactorily completed are submitted. The Agent has agreed with this approach and the description was amended accordingly, to enable parts a,b and c to be discharged.

Condition 5 (Construction Environmental Management Plan) of 20250406 states:

5. *No development shall take place until a comprehensive Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall cover all environmental impacts from the clearance and construction phases of this development including details of the following, as well as any other measures deemed reasonably necessary:*
- (a) Air quality and dust management*
 - (b) Noise management measures;*
 - (c) Details of vibration monitoring and mitigation during piling works;*
 - (d) Construction Drainage Design Plan;*
 - (e) Construction traffic management plan, including vehicle routing and signage;*
 - (f) Details of emergency access during any road closure;*
 - (g) Type and location of wheel washing facilities;*
 - (h) Measures to prevent contractor parking on local roads;*
 - (i) Measures to maximise sustainable import/export of goods and materials during construction, using the river where practicable;*
 - (j) Movement, storage and treatment of bulk materials and spoil;*
 - (k) Measures to avoid adverse impacts on ecology and biodiversity (the precautionary mitigation detailed in section 6.4 of the Preliminary Ecological Appraisal shall be included within this section);*
 - (l) Details of temporary construction lighting;*
 - (m) The arrangements for public consultation and liaison during the construction works; and*
 - (n) Monitoring and review provisions with the Local Planning Authority.*

Development shall be carried out in accordance with the approved document.

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 pollution from previously unidentified contamination sources at the development site in line with paragraph 196 of the National Planning Policy Framework (NPPF) or risks to ecology in line with paragraph 187 of the National Planning Policy Framework (NPPF), pursuant to

Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

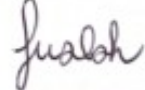
A Construction Environmental Management Plan has been submitted to discharge this condition. It details the location of temporary on site construction facilities, the location of construction traffic in the northern end of the papermill site, how deliveries will be undertaken and where they will be offloaded, confirmation of locally imported materials, and that river deliveries were explored as an option but found to be unsafe due to unknown load restrictions of the existing wharf and docking area. The transport statement identifies the wider access routes, and proposed construction traffic routes. It also details statutory health and safety signage displayed at the site entrance and that existing security measures for the operational papermill are considered appropriate for the work areas. Any temporary lighting would be downward facing and switched off during daylight hours. During construction mud prevention measures will be put in place including regular inspection and sweeping of the public highway. Wheel washing facilities will be used during construction along with dust management methods. It is noted that residents are some distance from this industrial site but noise management methods shall be put into place and noise complaints referred to the site manager. Recycling and waste management details are also provided. Surface Water Management details are also included along with confirmation of ecological measures. Finally a community Liason Officer would be provided during the construction.

KCC Highways have raised no objections to the details submitted. GBC Environmental protection raised no objection to parts (a), (b), (c), (d), (l) and (m) of the condition being discharged. KCC Biodiversity have commented advising that the details submitted are compliant with part (k). However, they note works cannot commence on site until the Biodiversity Gain Plan submitted under application 20251115 has been discharged.

Conclusion & Recommendation

The details provided address the relevant conditions, meeting the purposes of the inclusion of the conditions. As such the recommendation is to discharge condition 3 (a, b and c) and 5 of planning reference 20250406

(see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	16th March 2026	Dated:	16 March 2026