

Delegated Report

Planning Application

Application no:	20230668
Location:	Eastcourt Marshes Electricity Substation Mark Lane Gravesend Kent
Description:	Request for a screening opinion in accordance with The Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 in respect of one new shaft headhouse and one new cable sealing end compound.
Applicant:	Kate McGregor
Site Visit Date:	Not required for a screening opinion application

Proposal

This application comprises a request for a screening opinion in respect of one new shaft headhouse and one new cable sealing end compound which is one part of the Tilbury to Grain and Tilbury to Kingsnorth (TKRE) Cable Tunnel Replacement Project.

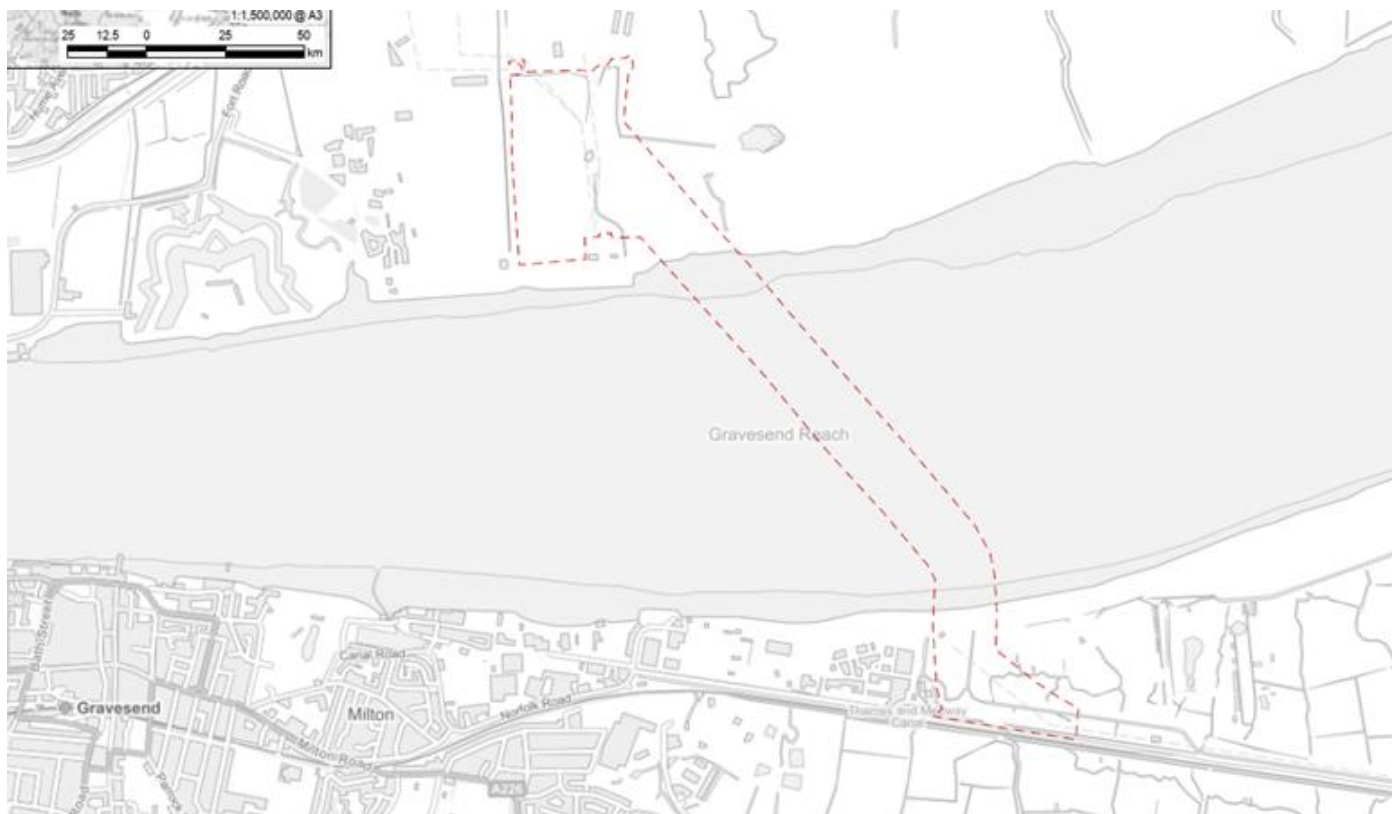
For the TKRE Cable Tunnel Replacement Project a new bored tunnel under the River Thames is proposed to house new cross linked polyethylene (XLPE) cables. In addition, associated new infrastructure is proposed either side of the River Thames in Tilbury and Gravesend comprising:

- Two new headhouses;
- Two Sealing End Compounds (SECs); and
- Overhead line re-stringing to connect the existing overhead lines to each of the new SECs.

Four individual EIA screening opinion requests have been submitted to the relevant authorities with respect to the elements of the TKRE Cable Tunnel Replacement Project which fall within their jurisdiction. For completeness, the relevant authorities and the relevant elements of the project within their jurisdiction comprises of:

- Gravesham Borough Council - EIA Screening under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for **one new shaft headhouse and one new cable sealing end compound**;
- Thurrock Council - EIA Screening under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for **one new shaft headhouse and one new cable sealing end compound**;
- Marine Management Organisation (MMO) - EIA Screening under The Marine Works (Environmental Impact Assessment) Regulations 2007 for **the new bored tunnel**; and
- Department for Energy Security and Net Zero (DESNZ) - EIA Screening under The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017 for **the overhead line modification works**.

The site location plan as shown in the Environmental Screening Report is as follows:



The EIA Screening Boundary as shown in the Environmental Screening Report is as follows and shows the development proposed:



LEGEND

- EIA Screening Boundary
- Existing Pylons to be Removed
- Existing Pylons to be Removed / Refurbished / Replaced
- Existing Pylons to be Retained
- Indicative Tunnel Alignment
- Existing Overhead Line to be Permanently Diverted
- New Overhead Line
- Permanent Development
- Temporary Working Area

It is stated in the submitted report that the area where the Gravesend Headhouse and SEC is to be located is on land owned by National Grid.

Submitted Documents/Plans

- Covering Letter from the National Grid dated 2 June 2023; and
- TKRE Cable Tunnel Replacement Project Environmental Screening Report, June 2023 prepared by AECOM Limited.

Consultations, Publicity and Representations

Consultees

Internal

GBC Environmental Protection

The EIA screening opinion has been reviewed with regards to the chapters that fall within the remit of Environmental Protection namely, noise and vibration, air quality and geology and hydrology covering contaminated land) and the impact on the Gravesham Borough Council area:

Noise and vibration:

It is anticipated that there will be an impact from noise and vibration during both the construction and operational phases unless appropriate mitigation measures are put in place. Sensitive receptors (daytime use only) are located close to the development site to the west with residential being much further away to the southeast, so not impacted as such. This will be set out in greater detail in the Environmental Report which will accompany the planning application with appropriate mitigation any impact will be minimised and not significant. This approach is acceptable.

Air Quality:

There are likely to be dust emissions during the construction phase which will impact on human health, local amenity, and also ecological receptors. Mitigation will be needed and guidance from the Institute of Air Quality Management (IAQM) has been referred to. There is unlikely to be any impact on air quality during the operational phase. The construction phase impacts relating to dust can be addressed by a suitably detailed Construction Environmental Management Plan (CEMP) which can be submitted with the full planning application (or placed as a condition on planning permission should it be granted). It is not considered that any further work on air quality impact per se is required.

Geology and Hydrology:

This section covers potentially contaminated land. There is the potential for contaminative uses to have been present in the area of the Gravesend site and as such further investigation is required. A staged approach to the investigation is proposed in section 3.8.21 (including an updated Phase 1 Desk Top Study with a risk assessment and conceptual site model). This is acceptable and in line with our usual requirements. The screening assessment advises that once the Phase 1 study is updated, it's likely that mitigation can be addressed via the CEMP.

GBC Highways

Fortunately, this proposal has most of the work being conducted from the Tilbury side of the river, with the spoil from one shaft and the tunnel being removed via the north portal. Similarly, materials for construction of the shaft and tunnel will arrive from the north as will the Tunnel Boring Machine.

The only traffic generation in Gravesend will be in the construction of the southern shaft and the necessary buildings and pylons to receive the cables and connect to the overhead wire system in Gravesend. Plus, the removal of the Tunnel Boring Machine. This level of traffic would not be considered significant, but could involve some abnormal loads which will require careful management.

Given the anticipated time of construction, there could be conflict with the redevelopment at the Canal Basin and Albion Waterside. (Application 20210270), as well as the Lower Thames Crossing and the applicant will need to carefully manage the development and its deliveries and waste removal to minimise any adverse impacts that may be caused by delays outside his control.

It would be desirable that no HGV movements should take place during school arrival and leaving times at Chantry Community Academy due to the age of the children, and parental parking.

External

KCC Biodiversity

We have reviewed the submitted information in regard to determining if an environmental impact assessment (EIA) will need to be carried out and advise there are likely to be significant impacts. Therefore, an EIA for ecology is required.

Schedule 1

Under the Town and Country Planning (EIA) Regulations 2017, developments falling within Schedule 1 always require an EIA and are referred to as 'Schedule 1' developments.

EIA Screening

If the development falls within the selection criteria for a 'schedule 2' development of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, then it needs to be determined whether the proposal is situated within a 'sensitive area' and/or whether it is likely to have significant effects on the environment. Sensitive areas (as identified under Section 2(1), include the following ecologically designated sites: Site of Special Scientific Interest (SSSI), European Sites (Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar Sites)). If the proposed development is located in, partly in, or has the potential to have any negative effect on these sites, then an assessment will be required. The regulations also include World Heritage Sites, schedule monuments, Areas of Outstanding Natural Beauty (AONB) and National Parks, which are not dealt with in these comments.

The site is within 50m of the Thames Estuary & Marshes Ramsar Site and SPA and the submitted information has detailed that the nearby foreshore habitat is potentially suitable to support the species for which the Thames Estuary and Marshes Ramsar and SPA are designated. Grassland habitat adjacent to the site provides suitable habitat for notable overwintering bird species. Therefore the proposal may have an adverse impact on the SPA and Ramsar site.

To consider if the development will have significant effect on the environment, we have considered the selection criteria under 'Schedule 3' (EIA Regulations 2017). The site is within Canal and Grazing Marsh, Higham LWS and there is suitable habitat within adjacent to the site for breeding birds, reptiles, water voles, otter, GCN and foraging/commuting/roosting bats. Due to the fact that the site is within a LWS and the impact on species likely to be present we advise that a significant impact on the environment can not be ruled out.

Based on the above conclusions we advise that for this development an EIA for Ecology is required.

KCC Flood & Water Management

The LLFA understand that the proposed Tunnel Headhouse and SEC at the Gravesend site would have a gross impermeable area of 5000m². This will therefore have the potential to greatly increase surface water runoff compared to the existing greenfield scenario. Statement 3.9.15 within the report highlights that a drainage scheme will be developed to serve this area and a subsequent Drainage Strategy report compiled. The LLFA acknowledge this approach and should ensure that surface water runoff (post construction) is appropriately considered.

With the increase of impermeable areas and the nature of the site post construction, there is the concern around water quality to the receiving watercourses. It is noted in statement 3.9.32 that SuDS or proprietary treatment features will be incorporated into the future drainage scheme serving the site. The LLFA would request that the measures employed to treat water is clearly demonstrated within the future drainage strategy report.

KCC Heritage

The site lies within an area of multi-period archaeological potential adjacent to the Thames. The site is underlain by alluvial deposits which have the potential to contain, or overlie, nationally important, waterlogged archaeological remains from the late glacial to the post-medieval period. The site also includes the western end of the non-designated 19th century Milton Rifle Range. The range consists of a succession of low earthen mound firing points, a target mound and markers' gallery, as well as a weather shelter. The butts were modified in the 1890s and perhaps afterwards and part of the range is still in use today. The range saw continuous use and was used intensively for rifle practice during the First and Second World Wars and mortar firing practice was also carried out. Although the formation of the Metropolitan Police Training Facility has involved some further modifications to the southern end of the butts and to some of the firing points, there are substantial survivals of the original range structures.

The application for a Screening Opinion has been made with a Historic Environment Desk Based Assessment (Aecom, 2023) which usefully records the presently known heritage and archaeological data for the site and immediate surrounding area. The Historic Environment DBA recognises the important palaeoenvironmental potential, and the need for geoarchaeological field evaluation as a next step in understanding the archaeological potential of the site and to allow an appropriate assessment of the impact of the proposals. I am not in agreement, however, with statements in Section 7.2.2 of the DBA, that the site contains no non-designated heritage assets, nor that the Milton Rifle Range lies immediately east of the site boundary. In my opinion, the Milton Rifle Range should be considered as a non-designated heritage asset and the development site boundary lies within the western end of the original range, as is illustrated in the DBA figure 11.

The development has the potential to impact on significant, potentially nationally important, below-ground archaeological remains, as well, potentially having a significant negative impact on the non-designated Milton Rifle Range. The project should, in my opinion, be subject to EIA and the impact assessment process should include the use of purposive field evaluation data to investigate the below-ground archaeological potential and a detailed assessment of the full extent of the historic rifle range and the impact of the proposed development.

KCC Highways

A full Transport Assessment covering the impact on the nearby local highway network should be submitted in support of any application so that it may be assessed by the Local Highway Authority.

KCC Public Rights of Way

I can confirm that I do not have any objections to the above planning application at Eastcourt Marshes Electricity Substation. Public Right of Way Footpaths NG1 and NH2 lay to the north and south of the proposed site respectively. I enclose a copy of the Public Rights of Way network map showing the line of the paths for your information.

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:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six 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.

Environment Agency

We no longer respond to screening opinions and so have no comments to make.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

It is Natural England's advice, on the basis of the material supplied with the consultation, that there are potential likely significant effects on statutorily designated nature conservation sites or landscapes and further assessment is required.

Schedule 3(2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 requires consideration of the selection criteria for Schedule 2 EIA development and identification of

'environmental sensitivity'.

The proposed development is located within/partly within or has the potential for adverse effects on the following designated nature conservation sites or designated landscapes:

- South Thames Estuary & Marshes Site of Special Scientific Interest (SSSI)
- Mucking Flats & Marshes Site of Special Scientific Interest (SSSI)
- Halling to Trottscliffe Escarpment Site of Special Scientific Interest (SSSI)
- North Kent Marshes Functional Land
- North Downs Woodlands Special Area of Conservation (SAC),
- Thames Estuary & Marshes Special Protection Area (SPA)
- Thames Estuary & Marshes Ramsar Site

Methodology (provided within our overarching advice letter). Without this information Natural England will not be in a position to comment on the significance of the impacts. For large scale developments, Natural England may provide advice on a cost recovery basis through our **Discretionary advice service**.

All queries in relation to the application of this methodology to specific applications or development of strategic solutions will be treated as pre-application advice and therefore subject to chargeable services.

Natural England has not assessed the significance of any impacts on these designated sites or landscapes. The proposed development may therefore be likely to have significant effects on the interest features for which these sites are notified or the purposes of designation and we advise you to consider further whether an Environmental Impact Assessment (EIA) is required.

Should you decide that an EIA is not required, Natural England advises that sufficient information on the potential impacts of this proposal upon these designated sites/areas is submitted with any subsequent planning application. We would be pleased to discuss this further with the applicant through our **Discretionary Advice Service**.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect protected species to such an extent as to require an Environmental Impact Assessment (EIA). The developer must provide sufficient information for your authority to assess whether protected species are likely to be affected and, if so, whether appropriate avoidance, mitigation or compensation measures can be put in place. Further information is included in Natural England's **standing advice** on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission **standing advice**.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Port of London Authority

The proposed development relates to one new shaft headhouse and one new cable sealing end compound in Gravesham as one element of the TKRE Cable Tunnel Replacement Project. The project relates to a new bored tunnel under the River Thames constructed to house new cross linked polyethylene (XLPE) cables with associated new infrastructure proposed either side of the River Thames in Tilbury and Gravesend. On the tunnel itself table 2.1 (New Bored Cable Tunnel – Summary of Key Characteristics) states that the depth of the tunnel will be approximately 50m with a width of 4m. This will unlikely affect the river channel above it. However if for any reason the proposed depth cannot be achieved or maintained

then the PLA must be reconsulted to establish that the Tidal Thames remains unaffected.

The potential construction effects section (paragraph 3.8.16) states that there is the potential for construction to affect human and controlled waters receptors and for the ground conditions to impact on the design of the proposed development. Potential impacts listed include possible dewatering of the tunnel or the spoil during construction, and the discharge of water from dewatering to surface watercourses. To note if any new outfall to the tidal Thames is required as part of the works a River Works Licence (RWL) will be required with the PLA and the PLA's Statutory Consents and Compliance Team should be contacted at lic.app@pla.co.uk. Further information on this will be required in the forthcoming Drainage Strategy as part of any forthcoming planning application.

A key issue highlighted in the report is the requirement for the permanent disposal of the material/spoil removed from the tunnel during construction. Within the report it is highlighted that it is the applicant's preference that tunnel spoil will be removed by barge on the River Thames to reduce the number of HGVs on the wider road network, and that this will be reviewed further as part of the Environmental Appraisal Report (EAR). Paragraphs 2.3.12 and 3.9.29 of the report also state that some discussion has been held with the RSPB with regard to using excavated material in the formation of wetlands at RSPB Cliffe Pools to contribute to the creation of new habitat, or to support other habitat restoration and wetland projects in the Tilbury area. In principle this preference is supported. Paragraph 3.2.1 also states that it is the applicant's preference to remove the tunnel spoil from the construction site at Tilbury to and from existing jetty structures only. As part of the forthcoming planning application further detail will be required on this preference within the EAR, as well as the Transport Assessment and Construction Environmental Management Plan (CEMP) particularly with regard to maximising the use of the river as part of the construction stage, rather than by road. This should include details on any communication with operators/owners of existing river structures that may be utilised for the proposed development and any implications of barge movements on marine traffic. Furthermore it is noted in paragraph 3.7.12 that potential vessel emissions will also be considered in the forthcoming Air Quality Assessment, this is supported.

On other environmental matters, within the noise and vibration chapter it is noted that this does not specifically consider non-human sensitive receptors. Given the location in relation to various European designated sites it is considered that this must be addressed as part of the forthcoming planning application. It is noted that there are references elsewhere in the report on noise, for example paragraph 3.2.26 on underwater sound disturbance effects to marine mammals and fish, states that based on information available at this stage the applicant considers it unlikely that the proposed activities will generate sufficient underwater sound to exceed ambient levels - however, once full design details are available the impact pathway will be subject to further assessment to confirm that this. The PLA in principle support this approach.

Table 3.1 (Key Ecological Receptors) outlines the geographical scale of biodiversity for various receptors. Within this table the following amendments are required:

- Wintering and wading birds: As these are designated features of the Thames Estuary and Marshes Ramsar and Special Protection Area (SPA), it is considered that this would make them of international importance
- Breeding birds: As these are designated features of the associated Site of Special Scientific importance (SSSI), it is considered that this would make them of national importance

In addition to highlight that the most significant issue relating to birds is that of disturbance because of construction activities, including any potential effects of the noise and vibrations tunnelling activities on underwater feeding waterfowl and marine mammals. This must form a key consideration in the Habitats Regulations Assessment (HRA) as part of the forthcoming planning application. Furthermore to note that depending on the location, any mitigation/compensation identified in the HRA may have additional implications for the PLA.

Finally paragraphs 2.3.38 – 2.3.39 include some information on the decommissioning of existing assets, stating that decommissioning of the existing tunnel and associated infrastructure does not form part of this project. However the report also states that it is expected that the existing cables and cable joints within the existing tunnel will be purged of their oil and sent for recycling and that further tunnel inspection work will be required to assess this. To confirm the PLA consider that, if the existing tunnel is no longer going to be used, the existing tunnel and infrastructure should be removed from the river bed.

Historic England

Our primary remit would be the impact of the development upon the significance of designated assets either through physical impacts or through a development within their setting. This would be either highly graded listed buildings or scheduled monuments.

We confirm that the report is detailed, thorough and adequate for the purposes of this assessment, and we acknowledge there are limited numbers of designated heritage assets affected. We also confirm we broadly support the assessment, the list of the key receptors, cumulative impacts and summary of effects as set out in the Historic Environment section.

We are however mindful of the potential for non-designated heritage assets and archaeological matters within the red line boundary. Specifically, in this case it is the likelihood of archaeological and palaeo environmental remains associated with the Thames foreshore and the former marshlands.

We note this potential has been identified in the report but in our view these deposits should be ascribed a high-value because of the potential provide information on a range of indices, specifically things like climate change, the evolution of the Thames as well as human interaction with that landscape. Although this would not change the need for further assessment and the need for an appropriate approach to mitigation, we do consider the values and assessment of impacts are amended to reflect the significance of these deposits.

Overall, we agree that the historic environment represents a potentially significant issue in EIA terms. We note the applicant has confirmed the historic environment would be fully assessed which is appropriate and which we would support.

Please note however that the setting of heritage assets is not just restricted to visual impacts and other factors would also need to be considered. Noise, light, traffic and landscape assessments for example. Cultural heritage assessment would also need to be cross-referenced against other studies and impacts recorded accordingly

We strongly recommend that the applicant involve the county's specialist advisers on archaeological matters. We recognise that they are best placed to provide advice on non-designated heritage assets and to give advice on how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment. They should also be asked to advise on mitigation and on any opportunities for securing wider benefits for the future conservation and management of heritage assets.

Likewise, the LPA's Conservation Officer will need to be consulted in relation to the Grade II listed buildings. Advice on these assets is broadly outside of the remit of Historic England.

Any assessment would also need to be carried out in accordance with established policy and guidance, including the National Policy Statements and National Planning Policy Framework, Planning Practice Guidance on heritage and we highly recommend as stated above use is made of the advice set out in GPA3 when considered the setting of heritage assets.

Whilst standardised EIA matrices are considered in some planning practices to be useful tools, we consider the analysis of setting (and the impact upon it) as a matter of qualitative and expert judgement which cannot be achieved solely by use of systematic matrices or scoring systems.

Historic England therefore recommends that these should be seen as material only to support a clearly expressed and non-technical narrative argument of harm and benefit, which is set out within the cultural heritage chapter. The ES should therefore address ideas of benefit, harm and loss (as described in NPPF) to set out 'what matters and why' in terms of the heritage assets' significance and setting, together with the effects of the development upon them.

We would also be looking for appropriate mitigation for any impacts and this could include actions that enhance the situation of any affected designate heritage assets or would provide an improved understanding of heritage matters.

Recommendation

We support the approach taken to compile this report and agree that the historic environment is an

important consideration. We recommend it is scoped into any further assessment in order to fully address the impact on the historic environment.

No response from:

- Marine Management Organisation

Publicity

Not required for a screening opinion application.

Analysis

The relevant regulations to consider the screening request against is the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (herein after referred to as the Regulations, 2017).

The Council needs to consider if the proposed development is either Schedule 1 or Schedule 2 development and if so whether the development of a new shaft headhouse and one new cable sealing end compound is likely to have a significant effect on the environment and therefore requires an assessment.

Schedule 1

The proposal does not fall within Schedule 1 of the Regulations (2017) that would require mandatory Environmental Impact Assessment (EIA).

Schedule 2

Schedule 2 development" as defined in the Regulations (2017) is

Development of a description mentioned in Column 1 of the table in Schedule 2 1where:

- a. any part of that development is to be carried out in a sensitive area²; or
- b. any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met.

In this case, the proposed development subject of this screening request falls most closely within Schedule 2 by reason of Part 10(b)(i) in Column 1 for 'Urban development projects' and would exceed the threshold set in column 2 as it would consist of more than 1 hectare of development (at approximately 1.1 hectares (ha)) which is not dwellinghouse development. The proposal therefore now needs to be screened to determine whether significant effects on the environment are likely and whether an EIA is required.

Sensitive areas are defined in Regulation 2 of the 2011 Regulations as any of the following -

- (a) a site of special scientific interest (SSSI);
- (b) a National Park;
- (c) the Broads;
- (d) a property appearing on the World Heritage List;
- (e) a scheduled monument;
- (f) an area of outstanding natural beauty;
- (g) a European site within the meaning of regulation 8 of the Conservation of Habitats and Species Regulations 2010.

The site itself is not within a sensitive area but the screening report submitted with the application states the proximity of the following sensitive areas to the Gravesend site:

- The Thames Estuary and Marshes Special Protection Area and Ramsar Site is located in close proximity to both the south and east of the site. At its closest point it is approximately 50m from an existing pylon where restringing will occur. The headhouse and main works area is approximately 100m from the SPA/Ramsar;
- The foreshore areas adjoining the River Thames to the north of the Gravesend site are also considered to be suitable to support the species for which the Ramsar/SPA are designated;
- The Gravesend site is located within the Canal and Grazing Marsh, Higham Local Wildlife Site (LWS) a non-statutory designated site for nature conservation. The site is designated on the basis of remnant grazing marsh habitat which has been found to support a range of notable plant species;

- Other designated sites nearby include South Thames Estuary and Marshes SSSI, approximately 500m south, Mucking Flats and Marshes SSSI, approximately 2km north-east and Tilbury Marshes LWS approximately 2km north-west;
- The majority of the site consists of horse grazed semi-improved grassland with occasional scattered scrub and trees. In addition, a wet ditch directly adjoins the eastern and southern boundaries of the site. These habitats are potentially suitable to support notable plant species such as those listed on Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006, as amended);
- The habitats at the Gravesend site have suitability to support several protected species. The grassland and scrub have suitability to support foraging bats, widespread species of reptile, notable bird species, badgers, hedgehogs, eels and notable invertebrates. The ditches are potentially suitable to support great crested newt, water vole and otter; and
- A single tree in close proximity to the proposed SEC was identified as having high suitability for roosting bats due to the multiple bark fissures, woodpecker holes and callous rolls in its trunk. There are invasive non-native plant species on site.

In addition Natural England advise the site is within/partly within or has the potential for adverse effects on the following designated nature conservation sites or designated landscapes:

- Halling to Trottiscliffe Escarpment Site of Special Scientific Interest (SSSI)
- North Kent Marshes Functional Land
- North Downs Woodlands Special Area of Conservation (SAC),

Schedule 3 Screening Criteria

Schedule 3 of the Regulations (2017) sets out the selection criteria for screening which are:

Characteristics of development

1. The characteristics of development must be considered with particular regard to—

- (a) the size and design of the whole development;
- (b) cumulation with other existing development and/or approved development;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
- (g) the risks to human health (for example, due to water contamination or air pollution).

Location of development

2.—(1) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) European sites and other areas classified or protected under national legislation;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

Types and characteristics of the potential impact

3. The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

To ensure this is all carefully considered, where relevant, the Government provide an Environmental impact assessment screening checklist which they state can be used when screening for EIA although there is no obligation. This has been completed and can be found in Appendix 1 of this report.

Conclusion

Having assessed the available evidence it is the Local Planning Authority's opinion that the proposal is EIA development and that accordingly an Environmental Statement is required to accompany a planning application, please refer to the Screening Matrix in Appendix 1 for full details.

Given the nature of the development, the location and sensitivity of the area and the likely potential impact outlined in respect of biodiversity and ecology, geology and hydrology, noise and vibration, heritage and archaeology, landscape/townscape and visual effects, transport and access and cumulative impacts, it is considered that the proposal would be likely to have a significant impact on the environment. Gravesham Borough Council therefore concludes that the development is EIA development and that an EIA is therefore required.

Recommendation:

EIA Is Required.

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	3rd August 2023	Dated:	03 August 2023