



Delegated Report

Submission of Details Application

Planning Application No: 20240858

Location: Dalefield Industrial Park Dalefield Way Gravesend Kent

Description: Application for the approval of conditions 4, 6, 7 and 17 attached to planning permission reference number 20240199 relating to Construction Environmental Management Plan (4), Remedial Action Plan & Watching Brief (6), Cycling Parking Scheme (7) and Piling Risk Assessment (17).

Applicant: Keady Construction Ltd

Submitted Documents/Plans

Application Form
8352-LRW-XX-XX-DR-A-34-100 Rev P01 – Cycle Shelter Layout
Phase 2 Piling Risk Assessment
Remedial Action Plan and Watching Brief Report
Construction Environmental Management Plan

Relevant Planning History

Reference	Description	Decision	Decision Date
20240199	Erection of a new three storey office building, for use Class E and installation of solar panels to roof. Erection of a single storey storage building with integral roof lights, for use Class B8 and associated parking and landscaping.	30.08.24	Permitted

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS04 – Gravesend Riverside East and North-East Gravesend Opportunity Area
- CS07 – Economy, Employment and Skills
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design and Development Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 6 – Building a strong, competitive economy
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

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

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

Condition 4 – CEMP

Matters relevant to Environmental Protection have been adequately addressed. There is no objection to this condition being discharged. However, some parts of the condition fall within the Highways Officer's jurisdiction so feedback from them is recommended.

Condition 6 – Contaminated Land

In respect of contaminated land, Environmental Protection requested a watching brief condition and the submitted document details how this will be undertaken. The is fine, but this part of the condition cannot be discharged until the development has taken place and the required watching brief completed satisfactorily. However, looking at the original application, a full contaminated land investigation was requested by the Environment Agency due to concern with ground water pollution. In this respect, the EA should be contacted regarding the submitted information and any recommendation to discharge the condition. The submitted document includes a Ground Investigation Report, however this dates back to 2016, so I would consider this to be out of date now, but the EA may be happy with this.

Condition 7 – Cycling parking scheme

This does not fall within Environmental Protection's remit.

Condition 17 – Piling risk assessment:

This condition was requested by the Environmental Agency. It is recommended that the EA are contacted regarding the submitted information.

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 to the discharge of Conditions 4 and 7, The other Conditions, 6 & 17 have no highway implications.

Environment Agency

Further Comments received 06/11/24:

We have reviewed the provided correspondence and would also recommend the approval of part d of condition 6 for this application.

Comments received 04/10/24:

We have no objections to the discharge of planning condition 17 and parts a, b and c of planning condition 6.

Groundwater and Contaminated Land

Planning Condition 6

We have reviewed the provided Remedial Action Plan & Watching Brief Report produced by Manhire Associates Consulting Engineers (Ref: 23052, dated February 2024) and understand from section 4.1.4 that elevated concentrations were identified as part of the Ground Investigation Report produced by GES Limited (Ref: GE15338GAR, dated March 2016). It is noted that the report concluded that "Elevated concentrations are likely to be from surrounding sources including the River Thames, the water treatment works, historical landfill and commercial businesses". In March 2016 the site was an open field and as such it is considered acceptable that this contamination was sourced from off-site sources.

It is understood from section 5.0 of the report that "no remediation of the site is warranted" and that a suitable Watching Brief and Discovery Strategy are to be conducted on site to identify and assess any previously unidentified contamination. This is considered acceptable in principle and we would consider the provided report to suitably address parts a, b and c of condition 6 for this application.

Planning Condition 17

We have reviewed the Piling Risk Assessment produced by Manhire Associates (Ref: 23052, dated 12th September 2024) and understand that Continuous Flight Auger piling is proposed to mitigate the potential for the migration of contaminants into the underlying groundwater. This is considered acceptable in principle and we would recommend the discharge of condition 17 for this application.

Officer's Analysis

Condition 4 of 20240199 is:

Construction Environmental Management Plan

No development shall take place until a 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) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery.*
- (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery.*
- (c) A Construction Traffic Management Plan covering:*
 - Means of direct access to the site from the adjoining maintainable public highway*
 - Surface treatment of the access to avoid spill of migratory material on to the maintainable public highway.*
 - Details of numbers and routeing of construction and delivery vehicles to / from site*
 - Timing of deliveries and waste movement.*
 - Loading and unloading of plant and materials away from the maintainable public highway.*
 - Parking and turning areas for construction and delivery vehicles and site personnel.*
 - Type and location of wheel washing and chassis cleaning facilities.*
 - Temporary traffic management / signage.*

- (d) Details of the location of the proposed construction compound.
- (e) Details of security fencing and other site security measures, exclusion barriers or warning signs to be utilised.
- (f) Details of stockpile areas for building materials or for fill or removed topsoil.
- (g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage.
- (h) Ecological mitigation measures.
- (i) Measures to be undertaken to protect any public sewers and water apparatus.
- (j) Details of vibration monitoring and mitigation during any necessary piling works.
- (k) Details of the location, form and visual appearance of any site hoardings along road frontages and footpaths including decorative displays and facilities for public viewing, where appropriate.
- (l) Details of pest control.
- (m) Details of temporary construction or security lighting; and
- (n) Monitoring and review provisions with the Local Planning Authority.
- (o) A Community Engagement Strategy covering how local residents, community groups and businesses will be kept informed about the development and construction timetable and works taking place, until completion of the development.
- (P) a risk assessment of potentially damaging construction activities
- (Q) details of any construction exclusion 'buffer' zones to be implemented on site;
- (R) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (S) the location and timing of sensitive works to avoid harm to the adjacent SSSI;
- (T) responsible persons and lines of communication

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable programme of all works is set out from the commencement of development, to demonstrate that the free flow of traffic on the highway and to minimise the impact on local residents and businesses and the SSSI, in accordance with policies CS11, CS12 and CS19 of the Gravesham's Local Plan: Core Strategy (2014).

In order to discharge this condition, a Construction Environmental Management Plan was submitted, which covers the details required by the condition. It covers; Access to and From Site, Site Establishment, Environmental and Ground related issues and Neighbours and Commercial Occupiers. Both the Environmental Protection Team and KCC Highways have raised no objections to the discharge of this condition. It would meet the requirements of the condition and ensure that a suitable programme of all works is set out from the commencement of development, to demonstrate that the free flow of traffic on the highway and to minimise the impact on local residents and businesses and the SSSI.

Condition 6 of 20240199 is:

Contamination

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 (3) 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.

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 in accordance with paragraph 180 of the National Planning Policy Framework.

In order to discharge this condition, a Remedial Action Plan and Watching Brief Report were submitted with this application. The report details that contaminant testing previously undertaken, confirmed contaminants of the site were not identified. A discovery Strategy and Watching Brief would be adopted, to ensure that unexpected contamination on the site is reported. The report also details measures to ensure prevention of pollution during construction. It states that no remediation on the site is warranted. Originally the environment Agency advised that they had no objection to the discharge of parts a, b and c of the condition. Further clarification was sought on comments regarding part d of the condition. The Environment Agency then clarified that they had no objections to part d. The details submitted are considered to address the condition fully and would 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.

Condition 7 of 20240199 is:

Cycle Provision

Prior to above ground works, a scheme detailing the provision for additional secure and covered cycle parking spaces shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the cycle parking shall be retained.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, and CS19: Development and Design Principles and the adopted vehicle parking standards.

To discharge this condition; drawing no. 8352-LRW-XX-XX-DR-A-34-100 (Cycle Shelter Layout), was submitted. This details the location and design of 3no. Sheffield stands which would provide spaces for 6 cycles to be stored, in total. KCC Highways have no objected to the discharge of this condition. It is considered that the provision of these cycle storage spaces will encourage the use of sustainable and environmentally acceptable modes of transport, in accordance with the reason for this condition.

Condition 17 of 20240199 is:

Piling

Piling or any other foundation designs using penetrative methods are not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. 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

accordance with paragraph 180 of the National Planning Policy Framework.

A Piling Risk Assessment was submitted with this application which include; Borehole Logs, Standpipe records, laboratory results, exploratory Hole Location Plan and Planning Policy Appendices. The report details that the building would be founded on bearing piles with Continuous Flight Auger. The CFA piles would be at approximate toe levels of between 21.9m OD and 26m OD, within the Lewes Nodular Chalk Formation, Seaford Chalk Formation and Newhaven Chalk Formation. The report concludes that 'all of the results of the contamination testing from the site investigation were found to be below the relevant trigger concentrations for commercial land use and no asbestos was detected in the investigations. Based on the investigations, no remediation of the site is warranted.' It also notes that a Discovery Strategy and Watching Brief is being adopted on site to that any unexpected contamination identified on the site is reported. Environment Agency raised no objection to the discharge of this condition. The details submitted are considered to be appropriate 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.

Conclusion & Recommendation

The details provided to discharge this conditions is considered to be acceptable and therefore the recommendation is that conditions 4, 6, 7 and 17 of planning approval reference 20240199 is discharged. .

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	11 th November 2024	Dated:	11th November 2024