

Delegated Report

Householder Planning Application

Planning Application No: 20250138

Location: Britannia Metal Refinery and Premises Lower Road Northfleet Gravesend

Description: Erection of single storey building for storage of lead products.

Applicant: Mr Diego Garcia, Glencore UK

Site Visit Date: 29 May 2025

Submitted Documents/Plans

Application for Planning Permission form;
Drawing no. 16083-01 Rev. F Proposed ground floor layout;
Drawing no. 16083-06 Rev. C Proposed elevations;
Drawing no. 16083-30 Site location plan;
Drawing no. 16083-31 Existing block plan;
Drawing no. 16083-32 Proposed block plan;
Drawing no. BRM 08621 Rev B Flood gate location plan;
Ecological Statement 28 March 2025;
Flood Risk Assessment 19 September 2024;
Design and Access Statement;
Emergency Response Plan 04 May 2023;
Letter dated 28 July 2023 re Ground Investigation;
Piling Risk Assessment July 2024; and
Emergency Response Checklist.

Relevant Planning History

Reference	Description	Decision	Decision Date
20250161	Request for a scoping opinion in accordance with The Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 in respect of an EIA Scoping Opinion in respect of the proposed construction of 3x wind turbines at Britannia Refined Metals Ltd, Botany Road, Gravesend, Kent.	Observations sent	04.04.2025
20250030	Application for approval of condition 3, 4, 5 and 9 attached to planning permission reference number 20240234 relating to a strategy to deal with the potential risks associated with any contamination of the site, a construction management plan, An Asbestos Risk Assessment under the Control of Asbestos Regulations 2012 shall be undertaken and submitted, Piling or any other foundation designs using penetrative methods.	Permitted	28.05.2025
20240234	Erection of emissions management building consisting of a baghouse and stack.	Permitted	27.09.2024

20231309	KCC Re-consultation - Development of an enclosed electronic waste (E-Scrap) transfer facility.	Observations sent	12.01.2024
20230770	Application for Lawful Development Certificate for the proposed erection of a sample preparation plant building.	Certificate granted	29.11.2023
20230376	KCC Re-consultation - Development of an enclosed electronic waste (E-Scrap) transfer facility.	Observations sent	10.05.2023
20221087	KCC Consultation KCC/GR/0168/2022 - Development of an enclosed electronic waste (E-Scrap) transfer facility, involving shredding, sampling, sorting, and bulking up of electronic waste streams for onward transportation to recycling / management facilities. The proposed development includes construction of a new steel framed waste transfer building, firewater storage tank and associated plant, dust extraction unit, office and staff welfare building, new areas of concrete hard standing and footways, upgrade to site drainage, construction of a re-aligned access point off Manor Way and retention of vehicular access to the adjacent wharf	Observations sent	11.11.2022
20211588	KCC/SCR/GR/0250/2021 - Retrospective Request for a screening opinion in accordance with The Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 as to whether the proposed development of a facility to sample waste electronics material (also known as an E-Scrap facility) requires an Environmental Impact Assessment at Britannia Refined Metals (BRM) site, Botany Road, Northfleet, Kent DA11 9BG.	Permitted	23.12.2021
20221064	Outline planning application with all matters reserved, except for the primary means of access and road layout, for a phased mixed-use redevelopment involving the demolition of existing buildings and structures including site preparation / remediation works, and the development of residential units (Use Class C3), Class E uses including floorspace for retail Class E(a)), food/beverage and drinking establishments (Use Class E(b)), local services (Use Class E(c)), indoor sport/recreation/fitness (use Class E(d)), healthcare space (Use Class E(e)), creche/nursery uses (Use Class E(f)), office floorspace (Use Class E(g)(i)), a new multi-use stadium with associated business and leisure facilities (sui generis), hotel (Use Class C1), community uses floorspace (Use Class F2). The phased redevelopment will include other sui generis uses, delivery of open space and significant realignment of the road network including the A226 Galley Hill Road / Stonebridge Road / Lower Road with hard / soft landscaping, car and cycle parking provisions, infrastructure works, ancillary and associated works.	Appeal in progress	
20170325	Installation an above ground, 1000 cubic meter capacity, cylindrical drainage water storage tank on the BRM site. The proposed location for the tank currently comprises three unused storage bays covered in a clad lean-to structure, adjacent to a larger operations building. The existing bays and structure will be demolished in order to provide sufficient space for the tank. The tank will be epoxy or glass fused steel material and will likely be green in colour. The tank will be supported on a reinforced concrete base which will be founded on existing piles. The	Permitted	13.07.2017

	tank will be 6m high and 17.5m diameter.		
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Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS03 – Northfleet Embankment and Swanscombe Peninsula East Opportunity Area
- CS07 – Economy, Employment and Skills
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC7 – Other Archaeological Sites

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 6 – Building a strong, competitive economy
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving Well-Designed Places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

GBC Environmental Protection Team (Regulatory Services)

It is understood that the proposed building will be for covered storage of raw materials and byproducts to prevent exposure/degradation by adverse weather. This has come about as a result of a change in the EA Permit for the site requiring more materials to be covered.

A ground investigation report has been undertaken by Evans & Langford (dated 28 July 2023). This included intrusive sampling from the made ground in the area of the proposed building. Elevated levels of lead were found at shallow depth (as expected bearing in mind the use of the site), with levels decreasing further deeper (at 0.9m and below) to be below C4SL levels. In terms of risk to human health, the site is a commercial/industrial use, and workers are regularly tested and wear appropriate protective clothing. The site will be hard surfaced so this will break the source-pathway-receptor linkage. No remediation works are therefore required, but appropriate off-site disposal will be needed for any excavated soils and WAC testing has been undertaken.

It's recommended that a watching brief condition for contamination is attached to any permission -see below.

Foundations are to be by driven precast piles as conventional foundations are not suitable due to soft clay/peat/alluvial material. There is no objection to this and bearing in mind the size of the building the number of piles likely to be needed and the location of the nearest residential premises, piling is unlikely to be an issue in terms of noise and vibration.

Watching Brief:

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

GBC Commercial Team (Regulatory Services)

No objections in principle. The following comments are made for the information of the applicant.

Health and Safety:

In these premises the Health and Safety Executive (HSE) will be the enforcing Authority for all health and safety matters. Should you require further advice and information check out the HSE website www.hse.gov.uk

KCC Biodiversity Officer

We have reviewed the information submitted and desk top information available to us (including satellite photos) and we are satisfied that no ecological surveys are required as part of this application.

We have taken this view as the satellite photos demonstrate that the site is within an existing industrial area and is hard standing or metal buildings which reduces the potential for protected/notable species to be present.

We note that an ecological statement has been submitted however we highlight that some of the information is incorrect within this statement. For example it details that there is no designated sites within the vicinity but Swanscombe Peninsula SSSI is within 200m of the site. However as we agree with the conclusion of the report we do not require the report to be updated.

Due to the proximity of the SSSI we have considered if the construction works will have a negative impact on the designated site. However as the proposal is within a working industrial site and surrounded by existing buildings we advise that it is unlikely. Regardless of this conclusion we advise that any construction works follow best construction practice to minimise any impacts from noise and dust.

This response was submitted following consideration of the following documents:

- Ecological Statement; RB Plant; March 2025
- Site Location Plan; Evans and Langford; January 2024

KCC - Flood & Water Management

Kent County Council as Lead Local Flood Authority have reviewed the application and regard the

development as low risk.

KCC - Highways & Transportation

It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

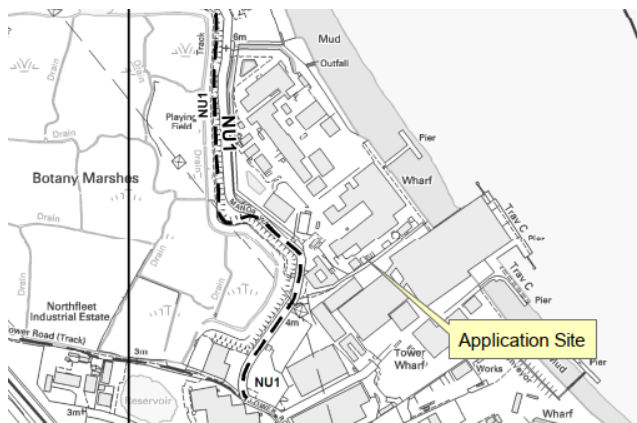
Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

I can confirm that I do not have any objections to the above planning application at Britannia Metal Refinery. Public Right of Way Footpath NU1 is the main access route to the site and will be unaffected by the application. I enclose a copy of the Public Rights of Way network map showing the line of the path for your information (extract below).

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.



We have no objection to subject to the following planning conditions being included in any permission granted.

This is in line with paragraph 187 of the National Planning Policy Framework and policy CS19 of the Gravesham Local Plan (2014).

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.

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 187 of the National Planning Policy Framework and policy CS19 of the Gravesham Local Plan (2014).

Condition 2: Surface water drainage

No drainage systems for the infiltration of surface water drainage into the ground is 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 that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 187 of the National Planning Policy Framework and policy CS19 of the Gravesham Local Plan (2014).

Informatives

Surface water drainage

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

Waste on-site

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

It should be noted that re-use of historic landfill materials (including capping materials) is not covered under DoWCoP.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK

Waste

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011 Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

Advice to the Applicant / Local Planning Authority

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

British Standard 85500 – Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

Flood risk issues not within our direct remit

The following issues are not within our direct remit or expertise, but nevertheless may be important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

Note to applicant

Planning advice service

Should you wish us to review any technical documents or want further advice to meet the requirements of the conditions recommended, we may do this as part of our charged for planning advice service.

Further engagement will provide you with certainty of our position as to what our response to your planning application will be. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms of our charged for service are available here.

If you would like more information on our planning advice service, including a cost estimate, please contact us at kslplanning@environment-agency.gov.uk

Note to LPA

Condition wording

If you wish to amend the wording of our requested conditions or if you wish to merge them with other Local Planning Authority conditions, please contact us to discuss the revised wording.

Decision notice

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Marine Management Organisation

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence <https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

- local planning authority name,
- planning officer name and contact details,
- planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/uksi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://www.gov.uk/guidance/make-a-marine-licence-application>

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions - including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play - particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link <https://www.gov.uk/topic/planning-development/marine-licences>

Port of London Authority

The PLA has no objection to the proposed development.

Within the submitted Design and Access Statement there is a reference to a sliding flood gate which can be deployed when required to prevent any outwash of lead particulates in the event of a flood, which will be designed and installed by a specialist flood control contractor. It is therefore recommended that as part of any forthcoming planning permission that an appropriately worded condition is added on the provision of further details of this gate as part of the development.

Ebbsfleet Development Corporation

No response received.

Dartford Borough Council

No objection.

Swanscombe and Greenhithe Town Council

No observations, please ensure all neighbouring properties are consulted prior to the decision of the application.

Kent Wildlife Trust

No response received.

Health And Safety Executive – Planning Advice

This application does not fall within any HSE consultation zones. There is therefore no need to consult the HSE Land Use Planning (LUP) team on this planning application and the HSE LUP team has no comment to make.

Health And Safety Executive - Hazardous Substance

No response received.

Neighbouring properties

The application was publicised by a site notice and to eight neighbouring properties by letter. No representations have been received.

Officer's Analysis

The proposal

The wider Britannia Refined Metals (BRM) site is a lead and silver refinery. Lead is processed and refined to produce refined lead, refined silver, lead alloys and by products. The site is operational 24 hours per day and over seven days per week.

The proposed development comprises of the erection of a building to be used for the storage of both raw materials for processing and finished products that are awaiting dispatch to customers. The applicant advises that the building is necessary following changes to BRM's environmental permit that require more materials to be stored under cover. The proposed development would also incorporate flood protection gates.

The building would adjoin the main refinery and have a footprint of some 557 square metres with a maximum height of some 13.4 metres. The roof would be mono-pitched and incorporate solar panels. The building would be of steel frame construction, with reinforced concrete walls up to 5 metres height and above this, it would be clad in single sheet cladding (coloured Moorland Green). The roof would also be clad in single sheet cladding but in white.

There would be no alterations to the existing site access or car parking arrangements and the building would allow vehicles to pass through it (via roller shutter doors), in order to maintain an existing route through the site.

Principle of Development

Britannia Refined Metals (BRM) have been operating in this location for over 40 years and as a result of this, the wider application site is heavily developed. The BRM site is located in the Swanscombe Peninsula East Riverside Industrial Area or sub-area 1.2 of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, where Policy CS03 of the Gravesham Local Plan Core Strategy (2014) is relevant. This policy states that the Swanscombe Peninsula East Riverside Industrial Area will be retained in employment use and that proposals which expand and support its operation will be supported.

Policy CS07 of the Gravesham Local Plan Core Strategy (2014) is also relevant and sets out that support will be given to the refurbishment and upgrading of existing industrial and commercial premises.

Therefore, the principle of industrial development in this location is acceptable and is in line with Policies CS03 and CS07 of the Gravesham Local Plan Core Strategy (2014).

Design, Character and Appearance

The proposed development would be located within an existing industrial site and the design and proposed facing materials would match with those existing. Therefore, the proposal would be in keeping with its surroundings and be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

There are no residential properties in close proximity to the application site and as such, there would be no adverse impacts to residential amenity. It is noted that outline planning permission may be granted at Northfleet Harbourside (under reference 20221064) for a mixed use development including residential units. The application is currently subject to a call-in appeal.

The proposed development would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Parking and Highways

The proposed development would not involve any alterations to the existing parking arrangements at the application site and there would be no additional staff members or vehicle movements associated with the proposal. Part of the application site is currently used as an internal access route through the wider BRM

site. The proposed development includes two roller shutter doors, which would allow vehicles to pass through the building and ensure that the existing access route would be retained.

Although KCC Highways and Transportation have declined to comment on the application, they have provided advice which can be brought to the attention of the applicant via an informative attached to any planning permission granted.

Overall, the proposal would not have any adverse highways or parking impacts and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994.

Flood Zones and Groundwater

Paragraph 170 of the National Planning Policy Framework (NPPF 2024) states that inappropriate development in areas at risk of flooding should be avoided and where development is necessary in such areas, it should be made safe for its lifetime, without increasing flood risk elsewhere. Paragraphs 172-179 set out the requirements for a sequential approach to development (steering proposals to areas at lowest risk of flooding) and an exception test (which is applied where it is not possible for development to be located in a lower flood risk area). To meet the exception test, the development should demonstrate that its sustainability benefits to the community outweigh the flood risk and that it will be safe for its lifetime, taking into account the vulnerability of its users, without increasing flood risk elsewhere and where possible, reducing flood risk overall.

The application site is located adjacent to the River Thames, in various flood zones (including Flood Zone 3, which has a high probability of flooding) and within Groundwater Source Protection Zone 2 (which has medium-high groundwater vulnerability), therefore potential flooding impacts and impacts on groundwater must be carefully considered.

The application site is also located in sub-area 1.2 (Riverside Industrial Area) of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, where existing industrial and port related uses sit behind existing flood defences. Policy CS03 of the Gravesham Local Plan Core Strategy (2014) sets out that the Riverside Industrial Area of the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area will be retained in employment use and that the Council will support proposals which expand and support its operation.

With the exception of previously developed sites along the Thames Riverside (including sites within the area covered by Policy CS03) and other regeneration sites which have already been evaluated in accordance with the sequential and exception tests, Policy CS18 of the Gravesham Local Plan Core Strategy (2014) directs development sequentially to those areas at least risk of flooding. The policy requires proposals in areas at risk of flooding, to be accompanied by a flood risk assessment and a flood risk management plan (if required) to demonstrate that they are adequately defended and safe over their lifetime.

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires the design and layout of new development to take advantage of opportunities to build in resilience to the effects of climate change, including protection against flood risk.

As the application site is within the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area, it has already passed the sequential and exception tests. The application details include a flood risk assessment which concludes that the primary flood risk is from the tidally influenced reach of the River Thames and that the site benefits from tidal flood defences protecting against events up to a 1 in 1000-year (0.1% AEP) event. It highlights that infrastructure failure could pose significant risks to personnel, but that the BRM facility has a series of on-site flood gates and emergency procedures to protect employee work areas, ensuring safe refuge. The facility is regularly staffed and defences are routinely monitored for defects, making the likelihood of breach failure relatively low. This, the document states, suitably mitigates the remaining risk.

KCC Flood & Water Management regard the proposed development as being low risk and the Environment Agency (EA) have not raised an objection, provided that various conditions and informatives are attached to any planning permission granted. These relate to contamination, surface water drainage and waste disposal. The EA also recommends the use of flood resistance and resilience measures, such as physical barriers, raised electrical fittings and special construction materials as part of the proposal.

Various documents have been submitted (which are already in use at the application site) highlighting the application site's emergency response to flooding. It is noted that the Building Regulations process would also cover building level resistance to flooding. Therefore, provided that a condition requiring the development to be undertaken in accordance with the submitted emergency response documents, is attached to any planning permission granted, then the proposal would adequately mitigate the potential flood risk.

Furthermore, the proposal includes two new flood gates and supporting slabs, the details of which are yet to be confirmed. As such, any planning permission granted should be conditioned to require these details to be submitted and approved, prior to the first use of the building.

The application site is located within an operational industrial site, which is protected by existing flood defences and benefits from flood risk management. Furthermore, two new flood gates are proposed. The proposed development would be built on existing hardstanding and would drain into the established surface water drainage system. It would not include any offices, accommodation or staff facilities, would not lead to additional surface water run-off and would not take land out of the floodplain. Therefore, the proposal would mitigate any potential flood risk and as such, would be in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 14 of the NPPF 2024.

Ecological impacts and biodiversity

The application site is located in close proximity to the Swanscombe Peninsula Site of Special Scientific Interest (SSSI), the Botany Marshes Landscape Character Area (LCA), the Botany Marshes Local Wildlife Site (LWS) and a Biodiversity Opportunity Area (BOA).

Due to the application site being entirely surfaced with concrete (i.e. it would impact on less than 25 square metres of on-site habitat), the proposal would be below the threshold for Biodiversity Net Gain.

The proposed development would provide a storage building for lead products. The application is accompanied by an Ecological Statement which concludes that the construction of the building would cause minimal ecological impacts due to the industrial nature of the application site. However, there is no reference to the impacts of the operation of the proposed building in the ecological report.

Natural England have stated that the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites and it is noted that KCC Biodiversity has not raised an objection to the proposal.

The proposed storage building would be located within an existing industrial site and by virtue of it enclosing existing external storage, it is likely that the proposal would reduce adverse ecological impacts.

External lighting can have adverse impacts on wildlife and biodiversity. Therefore, in order to ensure that this does not occur, a condition can be attached to any planning permission granted, to control the extent of the illumination of the proposed development.

Overall, due to the design and proposed storage use of the proposed building and its industrial location, there would also be no adverse impacts on the Botany Marshes LCA, the Botany Marshes LWS or the BOA. As such, the proposed development would not be detrimental to ecology or biodiversity and would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Noise/Dust Impacts

The proposed development would be in close proximity to the Swanscombe Peninsula SSSI, the Botany

Marshes LWS and a BOA but it would be located within a large, operational industrial site and be used for storage purposes. As such, the proposed building would not cause noise impacts above the existing background noise levels from the wider site. It is noted that the GBC Environmental Protection Team (Regulatory Services) has not raised an objection to the proposal.

KCC Biodiversity advise that any construction works should follow best construction practice to minimise any adverse impacts from noise and dust. As such, any planning permission granted should include the code of construction practice informative.

Overall, the proposed development would not result in any increased noise/dust disturbance over and above the current activities at the application site. As such, the proposal would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Air Quality Impacts

The application site is located within the area that was formerly the Northfleet Industrial Area Air Quality Management Area and is in close proximity to the Swanscombe Peninsula SSSI, the Botany Marshes LWS and a BOA. However, the building would be located within a large, operational industrial site and be used for storage purposes. It is noted that the GBC Environmental Protection Team (Regulatory Services) has not raised an objection to the proposal.

Overall, the proposed development would not result in any increased air quality impacts over and above the current activities at the application site. As such, the proposal would have no adverse impacts on air quality and would be in line with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Contamination impacts

The application site is located within Groundwater Source Protection Zone 2 (which has medium-high groundwater vulnerability). The application site is also located within the buffer zone for the Botany Road historic landfill site and the site is known to be contaminated due to its historical and current uses.

The GBC Environmental Protection Team (Regulatory Services) has not raised an objection to the proposal and advise that a watching brief condition for contamination is attached to any planning permission granted.

The Environment Agency raise no contamination objection to the proposal subject to the imposition of various contamination conditions and informatives.

The proposal includes the provision of two sliding flood gates, located in front of the proposed roller shutter doors, which the applicant advises, can be deployed in the event of a flood to prevent the outwash of lead particulates. As the details of these gates are not provided, they should be the subject of a condition attached to any planning permission granted.

The foundations for the proposed development include piling, which could cause adverse contamination impacts in themselves. A piling risk assessment has been submitted, which concludes that the proposed piling works would not result in unacceptable risk to controlled waters.

Overall, subject to the imposition of appropriate conditions and informatives, the proposed development would have no adverse contamination impacts and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Archaeological Impacts

KCC Heritage Conservation have previously advised that the application site is located in an area of palaeo-environmental and industrial archaeological potential and because the wider BRM site is subject to an ongoing a programme of geoarchaeological evaluation and reporting, that this would provide geoarchaeological mitigation for the wider site.

Due to the limited nature of the proposed development and because mitigation is already in place, the proposal would not have any adverse archaeological impacts and would be in line with Policy CS20 of the

Gravesham Local Plan Core Strategy (2014) and Saved Policy TC7 of the Gravesham Local Plan First Review (1994).

Public Right of Way

The application site is located in close proximity to a public footpath (reference NU1), however due to the location of the proposed development, there would be no adverse impacts to the alignment or to the use of the Public Right of Way. The KCC West Kent Public Rights of Way Officer has not raised an objection to the proposal but provides some information which can be brought to the attention of the applicant by way of an informative attached to any planning permission granted.

Any Other Material Planning Considerations

The proposed development would include solar panels on the roof, which would be a renewable energy source and be beneficial in climate change terms. As such the proposal would be in line with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

The comments of the Marine Management Organisation and the GBC Commercial Team, set out in the consultees section above, can be brought to the attention of the applicant by way of an informative attached to any planning permission granted.

It is noted that the Port of London Authority, Dartford Borough Council and the Swanscombe and Greenhithe Town Council do not raise any objections to the proposed development.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Prior to first use, details of sliding flood gate

Unsuspected contamination

Surface water drainage

Materials to match existing

No external lighting

Operation in accordance with flood risk mitigation documents

Conclusion

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Recommendation

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	11 June 2025	Dated:	19th June 2025