

Adeoye Lawal
Gravesham Borough Council

Our ref: KT/2026/133213/01-L01
Your ref: 20251233

Sent by email

Date: 23 January 2026

Dear Adeoye

Outline planning application for the demolition of 64 Downs Road and erection of up to 154No. residential dwellings (including affordable housing), with all matters reserved except for access. Creation of a new access from Downs Road.

Land At Rose Farm, Downs Road, Istead Rise, Gravesend, Kent

Thank you for consulting us on the above application which we received on 5 January 2026. As part of this consultation, we have reviewed the following documents:

- Application form, ref. PP-14468593, dated 3 December 2025
- Site location plan, ref. 22628B/01, dated August 2025, by Clague Architects
- Flood Risk Assessment & Drainage Strategy, ref. 2500920-ACE-XX-XX-RP-C-0301, dated 1 December 2025, by Ardent Consulting Engineers
- Drainage layout, ref. 2500920-ACE-XX-XX-DR-C-0701 and 0702, dated 18 November 2025, by Ardent Consulting Engineers
- Phase 1 Desk Study, ref. DS-25046-25-77, dated 28 November 2025, by IDOM

Environment Agency position

We have **no objection** to the proposed development **subject to the following planning conditions** being included in any permission granted. Without these conditions we would object to the proposed development due to its adverse impact on the environment.

Please refer to the following sections for our full response:

- Section 1: Technical comments
- Section 2: Conditions and informatives
- Section 3: Note to the applicant

Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the application, please reconsult us.

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application, paragraph 019](#)), please notify us by email within two weeks of a decision being made or application withdrawn.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.

Should you have any queries regarding this response, please contact me.

Yours sincerely,

Gabrielle Delorme
Sustainable Places Planning Specialist
E-mail kslplanning@environment-agency.gov.uk

Section 1: Technical comments

This site is located above Secondary (undifferentiated) and Principal Aquifers, and WFD groundwater body. It is located in Source Protection Zones (SPZ) 1, 2, and 3. The site is considered to be of high environmental sensitivity and could present potential pollutant linkages to controlled waters. Consideration for the risk posed by surface water drainage and foundations will need to be undertaken.

We have reviewed the Phase 1 Desk Study and agree with the conclusion that a Tier 2 generic quantitative risk assessment should be undertaken including intrusive site investigation. We request that planning conditions, securing remediation strategy, verification report, groundwater monitoring and piling details, as set out in Section 2 of this letter, are included in any permission granted. Without these conditions we would object to the proposed development in line with paragraph 187 of the National Planning Policy Framework (NPPF).

We have reviewed the Flood Risk Assessment & Drainage Strategy. Infiltration features would only be acceptable if the supporting risk assessments show that Sustainable Drainage Systems (SuDS) schemes in SPZ1 will not pose an unacceptable risk to the drinking water abstraction. Infiltration systems have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. Intrusive site investigation is required to demonstrate this, otherwise infiltration drainage must not take place on the site.

The proposed drainage layout incorporates deep infiltration features. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. Deep infiltration systems are not appropriate in areas where groundwater constitutes a significant resource, and we would only agree where it is demonstrated that [Groundwater Protection Position Statements](#) are applicable (Position Statement G9 of particular relevance).

Please see our SuDS informative at the end of this letter and note all points must be satisfied.

The previous use of the proposed development site presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters.

In light of the environmental sensitivity of this site, we do not believe that the use of infiltration SuDS is appropriate in this location.

We therefore request that a planning condition for surface water drainage as set out on Section 2 of this letter is included as part of any permission granted. Without this condition we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

We recommend that developers should:

- Refer to our '[Groundwater Protection](#)' website
- Follow the risk management framework provided in [Land Contamination: Risk Management](#), when dealing with land affected by contamination. This guidance describes the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health.
- Refer to the [contaminated land](#) pages on gov.uk for more information
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to '[Definition of Waste: Development Industry Code of Practice](#)'
- Refer to British Standards BS 5930:1999 A2:2010 Code of practice for site investigations and BS10175:2011 A1: 2013 *Investigation of potentially contaminated sites – code of practice*
- Follow the risk management framework in the Environment Agency/ CL:AIRE [piling guidance](#) especially when dealing with land affected by contamination and/or if the proposed piles extend to the Chalk within the saturated zone in Source Protection Zone 1 for public waters supply.
- Refer to our '[Good Practice for Decommissioning Boreholes and Wells](#)'.
- Refer to our '[Dewatering building sites and other excavations: environmental permits](#)' guidance when temporary dewatering is proposed

Section 2: Conditions and informatives

Note to the LPA: Condition wording

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

As you are aware, the discharge and enforcement of planning conditions rests with your authority. You must therefore be satisfied that the proposed conditions meet the requirements of the 6 tests in paragraph 57 of the NPPF.

Please notify us immediately if you are unable to apply our suggested conditions, to allow further consideration and advice.

Condition 1 (Remediation strategy)

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason(s): To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF. To ensure the development will contribute to and enhance the natural and local environment by remediating and

mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the NPPF.

Condition 2 (Verification report)

Prior to any part of the permitted development being occupied/brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason(s): To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Condition 3 (Groundwater monitoring)

The development hereby permitted may not commence until such time as a detailed scheme for groundwater monitoring in respect of contamination has been submitted to, and approved in writing by, the LPA.

The scheme shall, where necessary, be supported by:

- detailed sampling and analytical schedules
- programme for future maintenance and decommissioning
- schedule for submission of interim and final monitoring reports
- contingency action plan including the list of potential mitigation measures that will be implemented, should unexpectedly changes in groundwater quality be noted as a result of decommissioning or redevelopment works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason(s): To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 187 of the NPPF.

Condition 4 (Unsuspected contamination)

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 LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason(s): To ensure that the development does not contribute to, and 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. This is in line with paragraph 187 of the NPPF.

Condition 5 (Infiltration of surface water)

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the LPA. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason(s): To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 187 of the NPPF.

Condition 6 (Piling)

Piling and other foundation designs using penetrative method hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA.

The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- Foundation Works Risk Assessment
- A conceptual site model
- Specification of the type, number and depth of proposed piles/ foundations/ dimensions of shaft/tunnel/ design of heating and cooling system
- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning piling and other foundation design works.
- Timing/phasing arrangements.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason(s): To ensure that the proposed piling and other foundation design works does not harm groundwater resources in line with paragraph 187 of the NPPF and Position Statement N7 of [The Environment Agency's approach to groundwater protection](#).

Piling and other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising

contamination, drilling through different aquifers and creating preferential pathways. In light of the environmental sensitivity of the site, the proposed development will only be acceptable if a planning condition controlling disturbance of the aquifer is imposed.

Informative 1 (Sustainable Drainage Systems)

For further information on our requirements with regard to Sustainable Drainage Systems (SuDS) see our National Standards for SuDS guidance (2025), available at: <https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems>

1. Infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
2. Infiltration SuDS have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. They would only be acceptable if a phased site investigation showed the presence of no significant contamination.
3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.
4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.
5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction).
6. SuDS should be constructed in line with good practice and guidance documents which include the SuDS Manual ([CIRIA C753](#), 2015) and the [Susdrain website](#). While SuDS can negate the need for oil interceptors this is not necessarily always the case. As such the customer may need to install an oil separator (interceptor) or other device to remove oil from water draining off hard surfaces (e.g., roads and car parks, or loading areas). Typically, a separator is needed for any site with a risk of oil contamination, such as:
 - Car parks larger than 800m² in area or for 50 or more car parking spaces.
 - Smaller car parks discharging to a sensitive environment, such as a marsh that has been designated as a nature reserve.
 - Vehicle maintenance areas.

- Roads
- Refuelling facilities.

For further information on our requirements with regard to SuDS see our Groundwater protection position statements (2018), in particular Position Statements G1 and G9 – G13 available at:

<https://www.gov.uk/government/publications/groundwater-protection-position-statements>

Section 3: Note to the 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 £115 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