

Delegated Report

Full Planning Application

Planning Application No:	20250763
Location:	Land at Dalefield Way (East) Gravesend Kent DA12 2FL
Description:	Change of use of the land for open storage (B8 use) primarily for equipment and operations related to Dalefield Way Industrial Park (B8 use) with associated installation of hardstanding/surface treatment, security fencing/gates, access, a soft landscaping mound, and erection of temporary office cabins.
Applicant:	O'Halloran & O'Brien
Site Visit Date:	5 August 2025

Submitted Documents/Plans

Application form
Drawing no. 00-0-00 (Existing Site Location Plan)
Air Quality Assessment (30 May 2025)
Design and Access Statement (June 2025)
Phase 1 Geo-Environmental Desktop Study (May 2025)
Preliminary Ecological Appraisal (ref. 1419)
Transport Statement (17 July 2025)
Planning Statement (July 2025)
Biodiversity Assessment (July 2025)
Grassland Habitat Type

Supplementary Information

Drawing no. 0-3-00 P1 (Proposed Site Layout)
Activity Noise Assessment (October 2025)
Archaeological Desk-based Assessment Version 2 (13 October 2025)
Flood Risk Assessment Note and Preliminary Drainage Strategy Rev. 03 (December 2025)
Shadow Habitats Regulations Assessment (April 2026)

Superseded

~~Flood Risk Assessment Note and Preliminary Drainage Strategy (July 2024)~~
~~Flood Risk Assessment Note and Preliminary Drainage Strategy Rev. 02 (October 2025)~~
~~Drawing no. 0-3-00 (Proposed Site Layout)~~

Relevant Planning History

The most relevant applications are as follows:

Reference	Description	Decision	Decision Date
20250596	Use of the land for open storage of construction related equipment and operations related to Dalefield Way	Permitted	23.01.2026

	Industrial Park (B8 use) with associated installation of hardstanding/surface treatment		
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.	Permitted	30.08.2024
20160802	Erection of security fencing on the site boundary to prevent unauthorised access on the site.	Permitted	13.10.2016
20160665	Outline application for industrial development within Classes B2 and B8 of the Town and Country Planning (Use Classes) Order 1987.	Permitted	04.10.2016
20160314	Erection of 3 industrial units (Use Class B1/B2 and B8) with site access, related parking and circulation space.	Permitted	14.09.2016
20150873	Application for approval of Reserved Matters pursuant to outline planning permission reference no. 20100436 for industrial development within classes B2 and B8 relating to appearance, landscaping, layout and scale, including details of land raising, vehicle parking, refuse storage and flood resilient construction techniques.	Permitted	14.01.2016
20130222	Application for renewal of outline planning permission reference number 20070678 for industrial development within classes B2 and B8 of the Town and Country Planning (Use Classes) Order 1987.	Permitted	14.06.2013
20100969	Application for approval of reserved matters following outline planning permission reference number 20070678 for industrial development within classes B2 and B8 relating to the means of access, layout of site, scale, design and external appearance and landscaping scheme.	Permitted	29.07.2011
20100436	Outline application for the use of land for industrial purposes (Use Class B2/B8) comprising 7,000 sq. metres floor space together with associated extension of Dalefield Way, new site access with related parking and circulation space, landscaping scheme and associated flood accommodation works.	Permitted	30.08.2013
20070678	Outline application for industrial development within classes B2 and B8 of the Town and Country Planning (Use Classes) Order 1987.	Permitted	23.10.2007
20040582	Application for the variation of condition 2 of outline planning permission reference number GR/2000/433 relating to outline application for industrial development within Use Classes B2 and B8 of the Town and Country Planning (Use Classes) Order 1987, to allow an additional two years for the submission of reserved matters.	Permitted	13.08.2004
20000433	Outline application for industrial development within Use Classes B2 and B8 of the Town & Country Planning (Use Classes) Order 1987.	Permitted	22.06.2001

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
- CS11 – Transport
- CS12 – Green Infrastructure

- CS18 – Climate Change
- CS19 – Design and Development Principle
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC7 – Other Archaeological Sites
- T1 – Impact of Development on Highway Network
- T5 – Access to the Identified Highway Network
- P3 – Vehicle Parking Standards

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 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

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 (2026), the Council will also seek to replace these.

National Planning Policy Framework 2026

- Section 3 – Decision-making policies
- Section 4 – Achieving sustainable development
- Section 5 – Meeting the challenge of climate change
- Section 12 – Making effective use of land
- Section 14 – Achieving well-designed places
- Section 15 – Promoting sustainable transport
- Section 17 – Pollution, public protection and security
- Section 18 – Managing flood risk and coastal change
- Section 19 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

Paragraph 3 of the National Planning Policy Framework 2026 makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan does not form part of the Development Plan. The NPPF, at Policy DM4, allows local planning authorities to give weight to relevant policies in emerging development plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the

weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Policy DM4) of the NPPF 2026.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage. The Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2026). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

External Consultees

North Kent Marshes Internal Drainage Board

The site is within the drainage district of the North Kent Marshes Internal Drainage Board (NKMIDB); should the local planning authority consider the tidal flood risk as a result of overtopping and breach be appropriate for the vulnerability and lifetime of the development, then the Board would like to make the following comments.

The Board has no objection in principle to new impermeable areas of asphalt/ concrete/ roofing connecting to the existing drainage ditches currently installed and discharging into the flood levee corridors. We understand this system allows runoff to freely discharge into the receiving open channel watercourses, with flows controlled downstream to approved Greenfield rates by existing devices previously installed north of the application site (adjacent to the railway line). We also understand from the FRA and Drainage Strategy that sufficient on-line attenuation has been provided.

However, the Applicant should be aware that the proposed additional surface water discharge will require land drainage consent in line with the Board's Byelaws (specifically Byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy (available at https://lowermedwayidb.co.uk/wp-content/uploads/2024/04/WMA_Table_of_Charges_and_Fees-April_2024.pdf). The one-off Surface Water Development Contribution is due to the Board to cover the increased flow and volume in its maintained drainage network. The Applicant is advised to contact the Board with a finalised, approved scheme, including any new outfall headwall details. For information, the Board is currently reviewing its charging policy and is likely to be amending it in the coming months.

The Applicant should also be aware that the site is adjacent to a designated Main River, under the jurisdiction of the Environment Agency, and the EA should be approached prior to works commencing on site, as a Flood Risk Activity Permit may be required.

The Board would recommend that a planning condition be applied to any permission to ensure a full detailed scheme for surface water disposal, clearly showing how the new and existing systems link together (including details of attenuation), is submitted to and approved by the local planning authority.

KCC Biodiversity 23 December 2025

We have reviewed the submitted information and advise that additional information assessing the

impact on the SSSI is required to determine the planning application.

Protected/Notable Species

We advise that we are satisfied that the conclusions of the ecological reports is valid.

The site has detailed that the majority of the site is short grassland and the eastern boundary has the greatest interest. We understand that the vegetation along the ditch adjacent to the eastern boundary will be retained. The eastern boundary has potential to support roosting bats, reptiles, breeding birds and foraging/commuting bats.

However as the vegetation will be retained we are satisfied that further surveys are not required and instead the impact can be avoided with the submission of a precautionary mitigation strategy. We can provide further wording once the additional information on the SSSI has been provided.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have;
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We advise that we are satisfied that sufficient information has been provided to meet the requirements for mandatory BNG.

The submitted information has detailed that a BNG loss of 90% for habitats will occur due to the loss of all habitat on site and it has detailed that 1.74 units will be required to achieve a BNG of over 10%. We advise that the number of units required to achieve a BNG of over 10% may reduce if the site plan is amended as part of any mitigation required to avoid impacts on the adjacent SSSI.

Regardless of this off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units Further details of off site

habitat creation can be found at the end of the report. We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for off site habitat providers in Kent Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent.

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is referred to in decision notices in the form of an informative. The government's published Biodiversity Gain Plan (BGP) template should be used to discharge it: Biodiversity gain plan - GOV.UK. Please note that the submission of the finalised Statutory Biodiversity Metric/BGP is required by law prior to the commencement of any development.

We advise that as no habitat creation or enhancement is proposed it doesn't meet the requirements of on site significant habitat and therefore the site does not require monitoring reports to be submitted to the LPA.

Designated Sites

The site is adjacent to the South Thames Estuary and Marshes SSSI and the submitted information has not fully assessed the impact on the proposed development. Limited landscaping has been proposed to minimise the impact from the proposed development and the SSSI.

We advise that an update assessment and if necessary review of the proposed layout must be carried out.

We advise that the assessment on impact of the SSSI is required prior to determination of the planning application to ensure that GBC can fully understand the impact on the designated site.

OFF-SITE GAINS (NEEDS TO BE REGISTERED)

'Off-site' biodiversity gains are any BNG measures proposed outside of the red line boundary. The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any offsite units if these are used. BNG sites must be registered here: Register a biodiversity gain site - GOV.UK.

If off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register⁶⁹ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

If any off-site habitat creation/enhancement is proposed outside of the LPA boundary/National Character Area of the impact site these will be subject to spatial risk penalties.

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a 'habitat bank operator'⁷⁰), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory Service website. It is generally inappropriate to rely solely on conditions to secure off-site biodiversity net gain. The following needs to be secured as part of the off-site biodiversity net gain:

- The submission of a habitat management and monitoring plan (HMMP);
- Notice of HMMP implementation and completion of the habitat creation and enhancement works;

- Timescales for completion of habitat creation, and the submission of a completion report;
- Submission of a monitoring report;
- A habitat monitoring fee to be paid to the local planning authority on every habitat management monitoring event.

The HMMP shall be submitted when the general BNG condition is discharged and shall contain the following information:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Where off-site gains are to be secured through a 'habitat bank operator' (which has its own legal agreement and HMMP), no additional conditions or section 106 obligations are required, above a condition requiring biodiversity net gain to be delivered as set out in the planning application.

The submission of provisional/draft legal documents outlining the agreement between the applicant and the provider of any off-site gains are advisable prior to determination to confirm that the proposed route to delivering net gain is feasible, but this information is not required until submission of the pre-commencement Biodiversity Gain Plan.

KCC Biodiversity 23.07.2026

We have reviewed the submitted information and are advise that sufficient information has been provided to determine the planning application.

Protected/Notable Species

We advise that we are satisfied that the conclusions of the ecological reports is valid.

The site has detailed that the majority of the site is short grassland and the eastern boundary has the greatest interest. We understand that the vegetation along the ditch adjacent to the eastern boundary will be retained. The eastern boundary has potential to support roosting bats, reptiles, breeding birds and foraging/commuting bats.

However as the vegetation will be retained we are satisfied that further surveys are not required and instead the impact can be avoided with the submission of a precautionary mitigation strategy. We recommend the following wording:

Prior to works commencing within the site a precautionary mitigation approach will be submitted to the LPA for written approval. It must include the following:

- Updated Preliminary Ecological Appraisal – if over two years old
- Over view of the mitigation to be implemented
- Plans showing the areas where the mitigation is to be implemented
- Detailed methodology to implement the mitigation
- Timings of works

The plan must be implemented as approved.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We advise that we are satisfied that sufficient information has been provided to meet the requirements for mandatory BNG.

The submitted information has detailed that a BNG loss of 90% for habitats will occur due to the loss of all habitat on site and it has detailed that 1.74 units will be required to achieve a BNG of over 10%. We advise that the number of units required to achieve a BNG of over 10% may reduce if the site plan is amended as part of any mitigation required to avoid impacts on the adjacent SSSI.

Regardless of this off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units. Further details of off site habitat creation can be found at the end of the report. We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal.

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is referred to in decision notices in the form of an informative. The government's published Biodiversity Gain Plan (BGP) template should be used to discharge it: Biodiversity gain plan - GOV.UK. Please note that the submission of the finalised Statutory Biodiversity Metric/BGP is required by law prior to the commencement of any development.

We advise that as no habitat creation or enhancement is proposed it doesn't meet the requirements of on site significant habitat and therefore the site does not require monitoring reports to be submitted to the LPA.

Designated Sites

The site is adjacent to the South Thames Estuary and Marshes SSSI and when we previously commented we highlighted that the submitted information had not fully assessed the impact on the proposed development. Limited landscaping has been proposed to minimise the impact from the proposed development and the SSSI.

A Habitat Regulation Assessment has been submitted and it has included an assessment of impacts on the SSSI.

The report has detailed that the proposal could result in an impact from noise, dust, water pollution (through surface water run off), and lighting. It is our view that it can be addressed through the following conditions:

- lighting plan
- Construction Management Plan
- Sustainable drainage system.

We will defer to the LPA on the condition wording.

We are satisfied that no further information on this matter are required.

KCC Highways

This proposal for the area of land to be used for open storage, with no staffing, will have a small but acceptable impact on the local highway network. No objection is therefore raised on the highway impact of this application.

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.

In the absence of an adequate flood risk assessment (FRA), we **object** to this application as submitted and recommend that planning permission is refused.

Please refer to the following sections for our full response:

- Section 1: Reasons for, and how to overcome, our objection(s)
- Section 2: Advice to the Applicant / Local Planning Authority

Please be aware that we wish to be re-consulted on this planning application once the required information has been submitted. Please also note that our subsequent advice may concern other important environmental issues.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Section 1: Reasons for, and how to overcome, our objection(s)

Objection – Inadequate FRA

Reasons

The proposed development is located within Flood Zone 3 and adjacent River Darent. We object to the development on the basis that the submitted Flood Risk Assessment is inadequate. This is in line with paragraphs 178 and 181 of the National Planning Policy Framework and paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist. The FRA does not adequately assess whether the proposed development will increase flood risk elsewhere. Insufficient space has been provided between the hard-standing areas and the main river abutting the site to the east.

Overcoming our objection

We may be able to withdraw our objection if a revised proposal is submitted that clearly demonstrates that the development will not create any loss of flood storage capacity and flood flow routing and provides a clear minimum 8 metre horizontal offset relative to the top of the riverbank. A topographic survey and a series of photographs to define the existing situation are required including the line of the point where the riverbank meets general ground level.

Section 2: Advice to the Applicant / Local Planning Authority

Flood Risk Activities Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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

Biodiversity Net Gain (intertidal)

The Environment Act 2021 introduced a requirement for mandatory Biodiversity Net Gain (BNG) on most types of Town and Country Planning Act (TCPA) development. Biodiversity net gain offers an opportunity to promote and achieve our desired environmental outcomes – nature recovery, natural flood management, nature-based solutions and green and blue infrastructure.

Please note, for this application we have not reviewed any submitted BNG information in detail and our position on this application does not mean the biodiversity gain objective has been met. In line with the “Biodiversity Net Gain” section of the Planning Practice Guidance, it is the role of the Local Planning Authority role to decide if the BNG requirement for development in scope has been met.

Intertidal habitats should be recorded within the area unit module of the metric. Applicants should record areas of intertidal habitats which are above water at low tide and under water at high tide.

Further information, data and advice on our rivers and catchments can be found using the England | Catchment Data Explorer and River Basin Management Plans.

Note to applicant

Planning advice service

Should you wish us to review any technical documents or want further advice to address the environmental issues raised, we may do this as part of our charged for planning advice service.

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application. 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

Note to LPA

Presumption in favour of sustainable development

We are aware that your LPA may currently be subject to the ‘presumption in favour of sustainable development’. Given our outstanding objection on flood risk, we would like to highlight that in this case, as set out in NPPF footnote 7, the ‘presumption in favour of sustainable development’ should not apply as our objection provides a clear reason for refusal. If your LPA is not subject to the ‘presumption in favour of sustainable development’ you can disregard this paragraph. If our objection on flood risk is subsequently withdrawn, you can also disregard this paragraph.

Environment Agency 24 November 2025

In the absence of an adequate flood risk assessment, we object to this application as submitted and recommend that planning permission is refused.

Please refer to the following sections for our full response:

- Section 1: Reasons for, and how to overcome, our objection(s)
- Section 2: Advice to the Applicant / Local Planning Authority

Please be aware that we wish to be re-consulted on this planning application once the required information has been submitted. Please also note that our subsequent advice may concern other important environmental issues.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Section 1: Reasons for, and how to overcome, our objection(s)

Objection – Inadequate FRA

Reasons

The proposed development is located within Flood Zone 3 and adjacent River Darent. We have reviewed the submitted updated FRA and maintain our objection on the basis that the FRA is inadequate. This is in line with paragraphs 178 and 181 of the National Planning Policy Framework and paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist.

While a topographic survey has been submitted in the FRA, it does not show the line of the top of the riverbank, nor have any photographs of the riverbank been submitted. We are therefore unable to assess whether there is clear 8m minimum offset between the development and the riverbank, or if the scheme will create any loss of flood storage capacity and flood flow routing.

Overcoming our objection

We may be able to withdraw our objection if a revised proposal is submitted that clearly demonstrates that the development will not create any loss of flood storage capacity and flood flow routing and provides a clear minimum 8-metre horizontal offset relative to the top of the riverbank. A topographic survey and a series of photographs to define the existing situation are required including the line of the point where the riverbank meets general ground level.

Further comments

Additionally, the proposed development is located adjacent to SSSI/Ramsar designated sites. The requested 8-metre (or greater) buffer zone to the main river is therefore also required to ensure that the use of the land does not affect areas of ecological sensitivity. It might also help wildlife adapt to climate change and will help restore the watercourses to a more natural state as required by the river basin management plan.

Section 2: Advice to the Applicant / Local Planning Authority

Flood Risk Activities Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote

defence) or culvert

- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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

Biodiversity Net Gain (intertidal)

The Environment Act 2021 introduced a requirement for mandatory Biodiversity Net Gain (BNG) on most types of Town and Country Planning Act (TCPA) development. Biodiversity net gain offers an opportunity to promote and achieve our desired environmental outcomes – nature recovery, natural flood management, nature-based solutions and green and blue infrastructure.

Please note, for this application we have not reviewed any submitted BNG information in detail and our position on this application does not mean the biodiversity gain objective has been met. In line with the "Biodiversity Net Gain" section of the Planning Practice Guidance, it is the role of the Local Planning Authority role to decide if the BNG requirement for development in scope has been met.

Intertidal habitats should be recorded within the area unit module of the metric. Applicants should record areas of intertidal habitats which are above water at low tide and under water at high tide.

Further information, data and advice on our rivers and catchments can be found using the England | Catchment Data Explorer and River Basin Management Plans.

Note to applicant

Planning advice service

Should you wish us to review any technical documents or want further advice to address the environmental issues raised, we may do this as part of our charged for planning advice service.

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application. 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

Note to LPA

Presumption in favour of sustainable development

We are aware that your LPA may currently be subject to the 'presumption in favour of sustainable development'. Given our outstanding objection on flood risk, we would like to highlight that in this case, as set out in NPPF footnote 7, the 'presumption in favour of sustainable development' should not apply as our objection provides a clear reason for refusal. If your LPA is not subject to the 'presumption in favour of sustainable development' you can disregard this paragraph. If our objection on flood risk is subsequently withdrawn, you can also disregard this paragraph.

Environment Agency 29 May 2026

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

Please refer to the following sections for our full response:

- Section 1: Technical comments
- Section 2: Conditions and informatives
- Section 3: Advice to the Local Planning Authority and Applicant

Section 1: Technical comments

Flood Risk

Following the submission of the revised FRA, we have no further objection to the proposal. The applicant will however need to apply for a Flood Risk Activity Permit in order to carry out the works.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](#) or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Fisheries, Biodiversity and Geomorphology

We would advise caution with this form of development so close to designated sites (SSSI/Ramsar). It will therefore require robust ecological buffer zones to ensure that the use of the land does not affect areas of ecological sensitivity. The proposal will lead to a loss or negative biodiversity net gain (BNG) and seeks to mitigate with 'off site' units. Whilst the availability to do this is recommended where no biodiversity gains are envisaged or feasible, the proposal could do more to ensure that BNG is achieved especially with regards to protecting the 8m (or greater) buffer zone to the water course.

Development that encroaches on watercourses can have a potentially severe impact on their ecological value. Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan.

The proposed development will therefore be acceptable if a planning condition is included requiring a scheme to be agreed to protect an 8-metre wide or greater buffer zone around the watercourse.

We would strongly advise contacting Natural England to help with consultation.

Drainage

No discharges to ground are proposed, therefore we have no comments from a groundwater protection perspective.

Land Contamination

The Phase 1 Geo-Environmental Desktop Study has been carried out in line with relevant guidance. The recommendations for further investigations at the site to determine any required appropriate remediation works should be carried out and relevant proposals agreed with the LPA before any site clean-up works are commenced.

The relevant planning conditions should not be discharged until such time as all relevant works are complete and a closure report submitted and approved by the LPA. Any construction on site should not commence until this approval has been granted.

The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework 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.

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.

Condition 1 (Undeveloped buffer zone for watercourse, pond or wetland)

No development shall take place until a scheme for the provision and management of an 8m metre (or greater) wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- details of any proposed footpaths, fencing, lighting, etc
- details of additional enhancement to fulfil BNG
- details of SuDS (sustainable urban drainage) schemes

Reason: Land alongside watercourses are particularly valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning

permission should be refused.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

Condition 2 (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 local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. 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.
3. 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.
4. 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.

Reason: 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 National Planning Policy Framework.

Condition 3 (Verification Report)

Prior to any part of the permitted development being 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 local planning authority. 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: 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 National Planning Policy Framework.

Informative

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work

- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
 - dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
 - diverting or impounding the flow of water or changing the level of water in a main river
 - quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
 - any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
 - any activity within 16 metres of a sea defence structure
 - activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)
- For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](#) or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Section 3: Advice to the Local Planning Authority and Applicant

Advice to LPA

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

Advice to applicant

Biodiversity net gain (rivers metric)

The Environment Act 2021 introduced a requirement for mandatory Biodiversity Net Gain (BNG) on most types of Town and Country Planning Act (TCPA) development. Biodiversity net gain offers an opportunity to promote and achieve our desired environmental outcomes – nature recovery, natural flood management, nature-based solutions and green and blue infrastructure.

Please note, for this application we have not reviewed any submitted BNG information in detail and our position on this application does not mean the biodiversity gain objective has been met. In line with the “[Biodiversity Net Gain](#)” section of the Planning Practice Guidance, it is the role of the Local Planning Authority role to decide if the BNG requirement for development in scope has been met.

Applications subject to statutory BNG require completion of the Watercourse Unit Module by a competent person if:

- a watercourse is onsite,
- the watercourse bank top is within 10m of the redline boundary (i.e. the red line boundary intersects the riparian zone).
- For ditches, the Watercourse Unit Module is applied where the bank top is located within 5m of the red line boundary.
- a culvert lies within the red line boundary.

We recommend that you refer to the following to assist your assessment of the watercourse metric: [Watercourse Metric \(within the Biodiversity Metric\) - checklist to aid the reviewer.pdf \(local.gov.uk\)](#)

Further information, data and advice on our rivers and catchments can be found using the [England | Catchment Data Explorer](#) and [River Basin Management Plans](#).

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 £119.37 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

KCC Biodiversity 23 December 2025

We have reviewed the submitted information and are advise that additional information assessing the impact on the SSSI is required to determine the planning application.

Protected/Notable Species

We advise that we are satisfied that the conclusions of the ecological reports is valid.

The site has detailed that the majority of the site is short grassland and the eastern boundary has the greatest interest. We understand that the vegetation along the ditch adjacent to the eastern boundary will be retained. The eastern boundary has potential to support roosting bats, reptiles, breeding birds and foraging/commuting bats.

However as the vegetation will be retained we are satisfied that further surveys are not required and instead the impact can be avoided with the submission of a precautionary mitigation strategy. We can provide further wording once the additional information on the SSSI has been provided.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum¹:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have;
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We advise that we are satisfied that sufficient information has been provided to meet the requirements for mandatory BNG.

The submitted information has detailed that a BNG loss of 90% for habitats will occur due to the loss of all habitat on site and it has detailed that 1.74 units will be required to achieve a BNG of over 10%. We advise that the number of units required to achieve a BNG of over 10% may reduce if the site plan is amended as part of any mitigation required to avoid impacts on the adjacent SSSI.

Regardless of this off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units Further details of off site habitat creation can be found at the end of the report. We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for off site habitat providers in Kent Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent.

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is referred to in decision notices in the form of an informative. The government's published Biodiversity Gain Plan (BGP) template should be used to discharge it: Biodiversity gain plan - GOV.UK. Please note that the submission of the finalised Statutory Biodiversity Metric/BGP is required by law prior to the commencement of any development.

We advise that as no habitat creation or enhancement is proposed it doesn't meet the requirements of on site significant habitat and therefore the site does not require monitoring reports to be submitted to the LPA.

Designated Sites

The site is adjacent to the South Thames Estuary and Marshes SSSI and the submitted information has not fully assessed the impact on the proposed development. Limited landscaping has been proposed to minimise the impact from the proposed development and the SSSI.

We advise that an update assessment and if necessary review of the proposed layout must be carried out.

We advise that the assessment on impact of the SSSI is required prior to determination of the planning application to ensure that GBC can fully understand the impact on the designated site.

KCC Flood and Water Management 22 August 2025

Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment Note and Preliminary Drainage Strategy prepared O'Halloran and O'Brien Ltd.

The surface water management strategy proposes to connect into the existing drainage regime, implemented as part of the previous industrial development within the blue line boundary. The existing drainage network comprises a number of open channels which inter-connect with a wider network of watercourse drains and flood levee corridors, ultimately discharging to the north into the "Shorne and Higham Marshes" watercourse via culverts beneath the railway line and disused canal.

The drainage proposals as part of the previous applications included 'flood levees' with a storage provided of 1905m³ (for the residential scheme to the south of Dalefield Way) and 1500m³ (for the industrial scheme) together with watercourse improvements and flood compensation areas.

A series of reports are appended to the Flood Risk Assessment, setting out proposals from the previous planning applications in the area. One of the key matters therefore is to consider whether the previous drainage strategies made allowance for the impermeable areas / run-off generated by the proposals now being considered. We would note that:

1. The planning application area occupies a 10m landscape buffer from the watercourse and green space proposed with planning reference 20100436, and reserved matters application 20150873. Maintaining adequate offset from watercourses is essential for maintenance access and ecological reasons.
2. No information, such as impermeable area or discharge rate allowances, is provided for this site. It appears that the area for this application did not comprise of any significant impermeable areas contributing to the drainage system within the original development proposals under 20100436.
3. The proposals involve direct discharge to the watercourse, and it is not proposed to drain via flood levees that provide attenuation storage.

In terms of the drainage proposals on the site itself, we would make the following additional comments:

4. The report notes permeable hardstanding would be provided, but this is inconsistent with other drawings which suggest the hardstanding would be in concrete.
5. The on-site drainage provision is limited channel drains and fuel/oil interceptor. No assessment is made that this would provide sufficient treatment of run-off prior to discharge to the watercourse.
6. No calculations have been submitted for the proposed drainage system to demonstrate the operational performance of the on-site network.

With the lack of evidence to the contrary, we consider that the impermeable area generated by this development are unlikely to have been considered within the strategic drainage provision.

No on-site SuDS are proposed to control flow rates and reduce volumes of runoff, and provide multifunctional benefits including ensuring water quality downstream would not be adversely affected by the proposed site use.

Due to the above, we would object to the proposals. The reason for this is that information currently submitted does not demonstrate that flood risk is not increased elsewhere (contrary to paragraph 181 of the National Planning Policy Framework), and that insufficient consideration has been given to the incorporation of on-site SuDS (contrary to paragraph 181 (part c) and 182 of the National Planning Policy Framework).

KCC Flood and Water Management 19 November 2025

A revised flood risk assessment dated October 2025 has been submitted. The main alteration in the document, in terms of surface water management, is the proposal to provide attenuation for surface water within the site boundary. This follows the concerns we raised previously that the strategic development provision was not sized for this new impermeable area.

The proposals involve a conventional drainage system with channel drains, below-ground storage, a petrol interceptor, and flow control prior to discharge to the watercourse alongside the site boundary. We have the following comments regarding the revised details:

- 3 As highlighted in our letter dated 22nd August 2025, the proposed drainage system is conventional in nature and includes no SuDS features to control the volume of run-off. In the revised proposal, only control of outflow rate is considered. The discharge rate selected appears to be based on previous strategies in the area for the existing development (7 l/s/ha); however, this does not reflect current guidance. The National Standards for Sustainable Drainage Systems (referred to hereafter as the national standards) include the following requirements:

3.18 The peak allowable discharge rate from the development to surface waters or sewers for the 50% AEP event shall be limited to the equivalent 50% AEP greenfield runoff rate, or 3 l/s/ha, whichever is greater.

3.19 Where the volume of runoff discharged from the development to surface waters or sewers for the 1% AEP, 6-hour rainfall event is greater than the volume of greenfield runoff for the same rainfall event, the peak allowable discharge rate from the development for the 1% AEP event shall be limited to the 50% AEP greenfield runoff rate or 3 l/s/ha, whichever is greater.

The greenfield rates for the site have not been calculated; therefore, we are unable to determine whether the proposed 6.5 l/s discharge rate is appropriate. No features are proposed which provide interception of the first 5 mm of rainfall. As such, we consider that, as submitted, this proposal does not meet the requirements of standards 2 and 3 of the national standards.

- 4 Limited pollution control is provided, and no assessment has been made to demonstrate that the pollution interceptor is appropriate for the treatment of run-off from the site use and nature of materials stored, as highlighted in our letter dated 22nd August 2025. The proposals as submitted

therefore are not considered to meet the requirements of Standard 4 of the national standards.

- 5 We highlighted in our previous letter dated 22nd August 2025 that the planning application area occupies a 10 m landscape buffer from the watercourse and green space proposed under planning reference 20100436 and reserved matters application 20150873. Maintaining adequate offset from watercourses is essential for maintenance access and ecological reasons. We note the Environment Agency has objected to the proposals, highlighting insufficient offset from the adjacent watercourse, which is designated a 'main river'. There does not appear to be any consideration of this within the flood risk assessment.

Whilst revised details have been provided, for the reasons above we remain of the view that the information currently submitted does not demonstrate that flood risk is not increased elsewhere (contrary to paragraph 181 of the National Planning Policy Framework), and that insufficient consideration has been given to the incorporation of on-site SuDS (contrary to paragraph 181(c) and 182 of the National Planning Policy Framework). We would therefore maintain an objection to the development as currently proposed.

KCC Flood and Water Management 26 May 2026

A revised Flood Risk Assessment and Preliminary Drainage Strategy (Rev 03, December 2025) has been submitted to address the comments raised in our previous letter dated 19 November 2025.

The surface water drainage strategy is now based on the use of permeable tarmac with a 400 mm thick permeable sub-base across the extent of the storage area. The area of surfacing has been reduced to allow an 8 m buffer from the watercourse. Previous correspondence from the Environment Agency indicates that this represents a minimum offset. However, this would still encroach upon the 10 m landscape buffer from the watercourse secured under previous applications for the wider development. We therefore recommend that the Local Planning Authority (LPA) considers whether the proposed 8 m offset is sufficient in this context.

The use of the permeable surface, together with a revised surface water discharge rate, would address the previous reasons for objection from the Lead Local Flood Authority (LLFA). This is because the proposed lower discharge rate of 2.1 l/s is considered acceptable, and the permeable tarmac hardstanding would provide interception and treatment of surface water runoff prior to discharge to the watercourse.

It should be noted that there is an inconsistency between the text and calculations (which propose a 2.1 l/s outflow from the site) and the drawing in Appendix E (which indicates a 3.75 l/s outflow). The permissible discharge rate shall be 2.1 l/s, based on the limiting value of 3 l/s/ha outlined in the national standards.

Should the Authority be minded to grant permission for the development, we recommend that conditions be attached to secure the detailed surface water drainage arrangements, ensure post-construction verification that the drainage proposals are implemented in accordance with the approved details, and confirm that appropriate maintenance arrangements are in place, as set out below:

Condition:

Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment and Preliminary Drainage Strategy (Rev 03, December 2025). The submitted scheme shall demonstrate compliance with the National Standards for SuDS at the time of submission and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of at a rate not exceeding 2.1 litres per second and without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no

pollution risk to receiving waters.

- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, pursuant to Paragraph 182 of the National Planning Policy Framework and the National standards for sustainable drainage systems (SuDS). These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition:

The development hereby permitted shall not be brought into use until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 182 of the National Planning Policy Framework.

KCC Heritage 15 September 2025

The site lies within an area of multi-period archaeological potential, especially for later prehistoric archaeology associated with the formation of the Westcourt Marsh wetlands.

The application has been made without any Archaeological Desk-Based Assessment and should not be determined until such an assessment has been undertaken and submitted. This is in accordance with NPPF policy.

The assessment should include any relevant ground investigation data for the site and take account of the archaeological field evaluation that was undertaken in 2016 on land to the west.

KCC Heritage 24 October 2025

My predecessor Casper Johnson has previously commented via email on this application (15/09/2025) highlighting the requirement for an Archaeological Desk-Based Assessment to provide information on any decision in accordance with NPPF policy.

The site lies within an area of multi-period archaeological potential, especially for later prehistoric archaeology associated with the formation of the Westcourt Marsh wetlands.

Iron age and Romano-British dated features are within noted within c.150-300m to the south and southwest of the proposed development.

In the absence of a DBA, I would recommend the following condition is placed on any forthcoming consent:

AR4 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local

Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

KCC Heritage 21 November 2025

Thank you for your letter consulting us on the above planning application. In this instance I suggest that no archaeological measures are required.

Natural England

Thank you for your consultation on the above dated 22 July 2026 which was received by Natural England on the same date.

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.

Further information on when to consult Natural England on planning proposals is here- Planning and transport authorities: get environmental advice on planning - GOV.UK (www.gov.uk)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here- Protected sites and areas: how to review planning applications - GOV.UK (www.gov.uk)

Further guidance is also set out in Planning Practice Guidance on the natural environment Natural environment - GOV.UK (www.gov.uk) and on Habitats Regulations Assessment Appropriate assessment - GOV.UK (www.gov.uk)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Internal Consultees

GBC Environmental Protection 28 August 2025

The comments are much the same as for the recent application for Dalefield Way (West). The following to be considered:

Contaminated Land

The submitted Phase 1 Desk Top Study has been reviewed. The report recommends a Phase II intrusive assessment of both soil and groundwater. This can be addressed by way of the following condition:

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

- a) A site investigation, based on the findings of the submitted 'Phase 1 Geo Environmental Desktop Study' by Manhire Associated dated May 2025 (Report Ref: 24054 Rev00) shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
- c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.
- d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the local planning authority.

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

Air Quality

The air quality assessment looks at both construction and operational impacts and has followed appropriate guidance. For the construction phase, with the implementation of the dust mitigation measures given in Appendix D, the impact will be 'not significant'. which can be included in the CEMP.

Operational impact is not considered to be an issue as it's been advised that there will not be a change on traffic levels to the site as the storage space will be used by vehicles currently using existing storage area

on the wider site area.

Noise Control

I can't see any information regarding hours of use of the storage area? Whilst it's appreciated that the site will be used for storage currently taking place elsewhere on the wider site, this is a new use to the houses nearby so there may be an impact in terms of noise as this area has previously been unused/vacant. Can hours be clarified with the applicant/agent please

Although the submitted information infers that this is the rear of the housing development and is mainly brick built areas, this is not the case. There are a significant number of windows overlooking the road and the site including some balcony/external amenity areas. Some of the houses at this end also have the front façade overlooking the proposed site. In addition, this part of the site is closer to the houses than the area to the west.

We need to ensure that the proposal will not result in a detrimental impact in terms of noise. In this respect, a noise impact assessment is required and this should look at noise from vehicles as they come and go from site and move about on site, noise of material being unloaded/loaded or moved about, use of any plant/equipment such as forklifts, diggers, dumpers, telehandlers etc, reversing beepers and so forth. Ideally this needs to be submitted pre-determination in case any mitigation measures or changes to hours are needed.

There are no buildings planned for the site, so it does not seem that any plant or equipment is to be installed (A/C, ASHP, condensers, extract fans etc). However, if this is not the case, the rating noise from any fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014.

GBC Environmental Protection 4 November 2025

A similar noise assessment has been submitted for this application as for the storage area to the west of the site under reference 20250596. The same methodology has been used and the same principles and conclusions drawn in the report. Comments are therefore much the same as for that application, although the exceedance over existing background is greater on this site being + 6dB compared to the western area which is +3dB over background.

The hours of use in the report are cited as being 08:00 to 18:00, although it does not specify what days of the week this relates to. Noise from the HGV's and telehandlers has been assessed. Based on the BS4142 assessment noise levels at the nearest dwellings are predicted to be 6dB above the background noise levels. The report cites that the local authority requirement is for noise levels to be equal to the existing background levels. This is not the criteria we work to which is that the rating noise from any new plant/equipment shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014.

However, it is agreed that the BS4142 assessment is based on a worst-case scenario of an HGV engine running and 2 telehandlers operating continuously for an hour, which is unlikely. Use is likely to be for shorter periods of time and more intermittently. In addition, due to the existing ambient noise levels during the day, it's unlikely that the noise from the site will be particularly evident/audible at the houses.

There is no mention of any fencing around the site as far as I can see. It may be beneficial to erect an acoustic fence along the Dalefield Way façade of the site in order to minimise the potential for any noise or noise complaints. Fencing of a minimum mass of 10kg/m² is advised.

In addition, use of the site should be restricted by condition to the following hours

Monday to Friday 08:00 to 18:00

Saturday 08:00 to 13:00

No access/operation on Sunday or Bank Holiday.

Neighbouring properties

The application has been advertised by individual neighbour letters to 22 properties. The overall consultation period expired on 29 May 2026.

Two letters of representation have been received from neighbouring properties. These raise concerns regarding:

- Inadequate environmental buffer along designated RAMSAR site watercourse on east boundary, which was approved under previous applications.
- Presence of Kingfisher species recorded on the site, which are protected.
- Preliminary drainage scheme as proposed allows surface water collected over a large impermeable area to discharge into the RAMSAR site watercourse and ultimately into the River Thames. Such discharge will damage banks through water flooding and erosion.
- Flows in the watercourse will be altered and ecology will be disrupted.
- Development will be unsightly and cause major noise, disturbance, and obstruct views.
- The new entry will cause major disturbance due to continuous vehicles entering and leaving the site, and will remove parking space.
- Disturbance during construction.
- Development will de-value property.

Local Ward Councillors were also consulted but no responses were received.

Officer's Analysis

Proposal

This application seeks permission for the change of use of the land for open storage (B8 use) primarily for equipment and operations related to the Dalefield Way Industrial Park (B8 use) with associated installation of hardstanding/surface treatment, security fencing/gates, access, a soft landscaping mound, and erection of temporary office cabins.

The site is enclosed and secured by existing boundary treatment and an entrance gate:

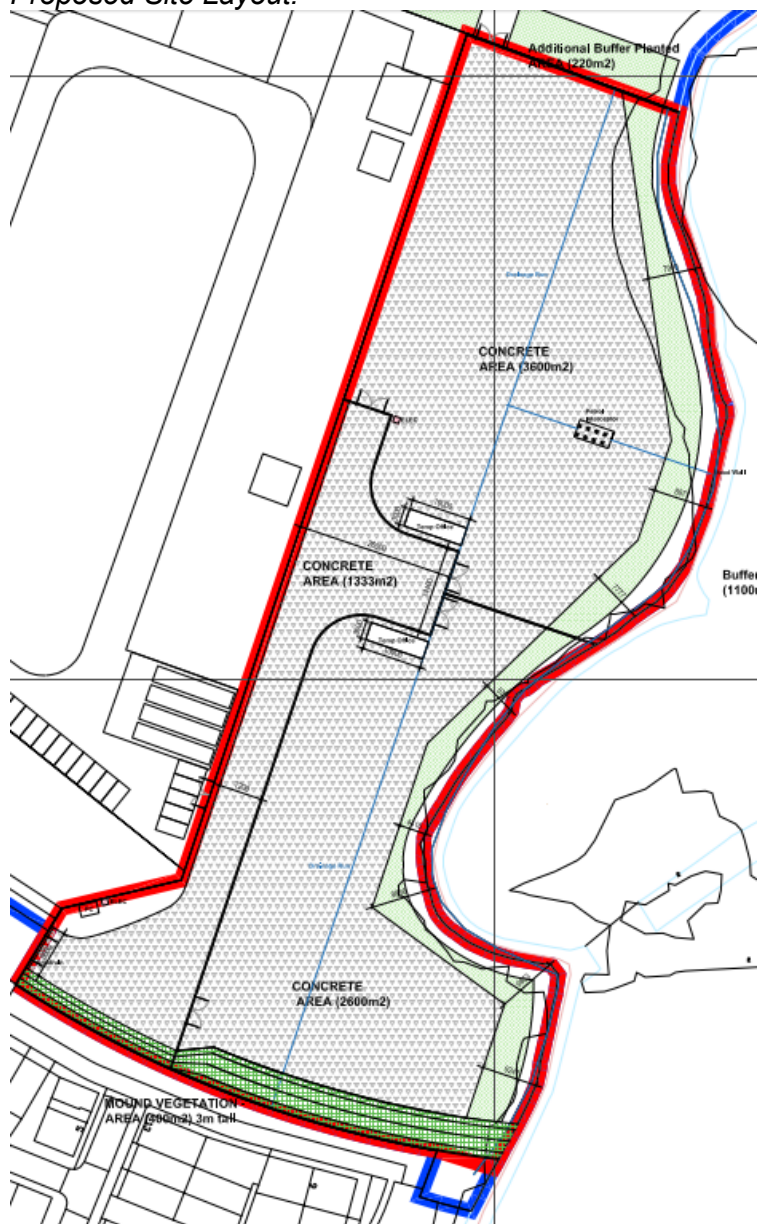


It will include the installation of hardstanding across most of the site, which will be split into two areas, one

to the north and one to the south, by further fencing and gates. There will also be two temporary office cabins positioned centrally on the site, which will be similar in appearance to shipping containers.

The additional storage areas are required due to the construction of the previously approved 20240199 scheme, which has resulted in the loss of existing yard space; hence the reason for the submission of the current application.

Proposed Site Layout:



The proposed site layout has been revised through the application process to address Environment Agency, KCC Biodiversity and KCC Flood and Water comments. As part of this, the extent of the tarmac area has been reduced along the eastern boundary and a planted buffer area has been increased.

There will be security fencing/gates to match the existing.

The application is similar in nature to the recently approved application for the use of the land to the west of the Dalefield Way Industrial Estate for open storage.

Principle Issues

The site lies within the urban boundary of Gravesend and is designated as a Key Site within the Gravesend Riverside East and North East Opportunity Area. The site is also within Flood Zone 3, which is an area at high risk of flooding, in an area of archaeological potential, and in the Shorne and Higham Marshes Landscape Character Area. As such, the main issues for consideration in the determination of this application are as follows:

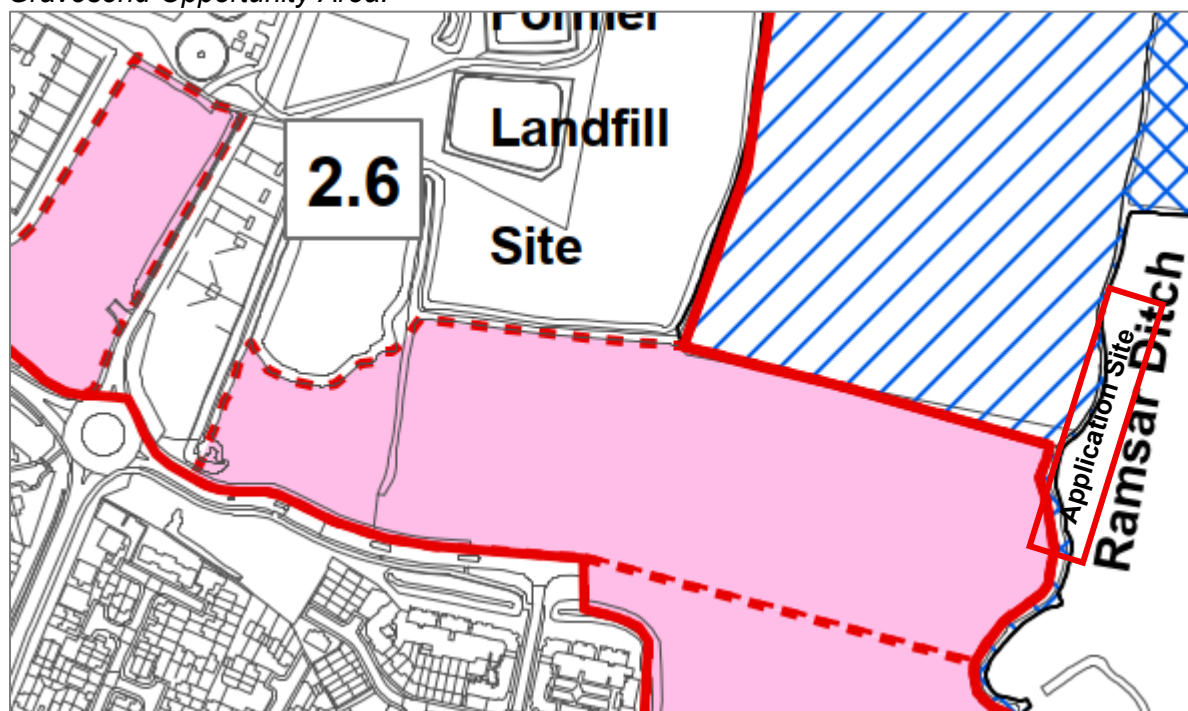
- Principle of development
- Design, character and appearance
- Residential amenity
- Parking and highways
- Other material considerations including flooding, biodiversity and archaeology.

Principle of Development

The NPPF 2026 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Policy CS02 of the Core Strategy 2014 seeks to retain and improve suitable employment land and to make provisions for at least 186,490sqm gross employment floor space during the plan period. Such development will be distributed throughout the Borough within opportunity areas. Development is prioritised in these areas.

The application site is within the North-East Gravesend Regeneration Area which is a subsection 2.6 of the Gravesend Riverside East and North-East Gravesend Opportunity Area and therefore Policy CS04 of the Gravesham Local Plan Core Strategy 2014 applies. The policy states that the area will provide around 17,570sqm gross employment floorspace (use classes B1, B2 and B8).

Extract from Gravesham Local Plan Core Strategy 2014: Gravesend Riverside East and North-East Gravesend Opportunity Area:



Policy CS07 seeks to deliver new employment floor space focussing on office, industrial and warehousing development in this opportunity area. Development related to employment within this area is therefore acceptable in principle subject to meeting all the other policy requirements in the Local Plan.

The proposal for storage on this site would therefore comply with the above policy aims for this Opportunity Area and would be acceptable in principle.

Design, Character and Appearance

The proposal site is located in the urban area on an industrial area of land to the north of Dalefield Way, known as the Dalefield Way Industrial Estate, and is currently undeveloped. The site is enclosed by palisade fencing/gates at the end of Dalefield Way. There are two existing office/workshop buildings up to three storeys in height either side of the entrance into the main industrial estate, with a large area of open storage to the east of these buildings. Across the road to the south are modern, three and four storey residential properties. To the east and north of the site lies open, green space, with the South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI) beyond to the north east of the site.

Current Google Earth Image:



Section 14 of the NPPF 2026 relates to promoting high quality places and sets out the Government's requirements in relation to design issues. Policy DP3 sets out the key principles for well-designed places, including that development proposals should respond to their context so they integrate with and enhance their surroundings.

Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

Policy N2 of the NPPF 2026 aims for development to contribute positively to the natural by considering the environmental qualities of land, including landscape character and the natural beauty of the countryside, and identifying opportunities for those qualities to be conserved or enhanced.

The application site is located in the Shorne and Higham Marshes Landscape Character Area within the Gravesham Landscape Character Assessment (GLCA) 2009 and as such, Policy CS12 of the Core Strategy 2014 is relevant. This policy states that the overall landscape character of the Borough will be

conserved, restored and enhanced and that the Gravesham LCA will be taken into account in determining applications. As the site comprises an existing key employment site within the urban boundary, and will be contained by areas of retained and supplemented vegetation around the site boundaries to the north and east, as well as Dalefield Way to the south and the main industrial site to the west, the proposal will not have any adverse impact on the wider landscape character of the area.

The proposed B8 open storage use for equipment and operations related to the Dalefield Way Industrial Park, including two office cabins, is in keeping with the existing industrial uses, buildings and structures to the west. Views into the site from Dalefield Way and the houses to the south will be protected with the existing boundary fencing, as well as a proposed mound vegetation area similar to that along the frontage of the existing industrial site. The boundary treatment, mound and planting should be conditioned to ensure its quality and provision.

Residential Amenity

Section 12 of the NPPF 2026 seeks to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions, Section 14 seeks to promote high quality, healthy, inclusive and sustainable places, and Section 17 focuses on the new development being appropriate for its location, taking into account the risks and impacts of pollution and other hazards. The impact on amenity is considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land, and avoid adverse environmental impacts from pollution.

Neighbouring Properties

The most closely affected properties lie to the south of the site, on the opposite side of Dalefield Way. Due to the distance across the road, and taking into account the presence of the existing industrial uses immediately to the west, the proposed B8 development would not cause any significant loss of light or privacy, nor have a dominant impact on neighbours.

The main potential amenity effects likely to arise from the proposal relate to environmental impacts, and particularly contamination, air quality, noise and lighting. The Environment Agency (EA) and the Council's Environmental Protection Officer have commented on the proposal, and these comments are incorporated below.

In relation to contamination, a Phase 1 Geo-Environmental Desktop Study has been submitted and reviewed by the EA and the Council's Environmental Protection Officer. This recommends further investigations at the site in relation to remediation. The consultees were satisfied with the submitted information, and contamination conditions have been recommended by both the EA and GBC Environmental Protection.

With regard to air quality, the submitted air quality assessment looks at both construction and operational impacts and has followed appropriate guidance. For the construction phase, with the implementation of dust mitigation measures, the impact found in the assessment was 'not significant'. This can be controlled by way of a Construction Environment Management Plan (CEMP), which can be included in a CEMP condition. Operational impact is not considered to be an issue as there will not be a change of traffic levels to the site. The storage space will be used by vehicles currently using existing storage area on the wider site area.

An Activity Noise Assessment has been submitted, similar to the one submitted for the recently approved 20250596 application for open storage on land to the west of the industrial estate. The exceedance over existing background is greater on this site, however, compared to the western area.

The hours of use in the report are cited as being 08:00 to 18:00, though no days of the week are specified.

Noise from the HGV's and telehandlers has been assessed. Use is likely to be for shorter periods of time and intermittent. Due to the existing ambient noise levels during the day, it is unlikely that the noise from the site will be particularly evident/audible at the neighbouring houses.

It would be beneficial to erect an acoustic fence along the Dalefield Way façade of the site in order to minimise the potential for any noise or noise complaints. This can be conditioned. In addition, the hours of operation should be restricted by condition.

Finally, with regard to lighting, as artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990, it is important that no external lighting that illuminates anything other than the ground within the curtilage of the proposed buildings should be allowed, in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated). Any lighting to be installed must not extend beyond the boundary of the site. A condition should be imposed requiring external lighting details to be submitted for approval prior to installation.

On the basis of appropriate conditions to control the use and help protect neighbouring properties, there would not be any significant impacts on residential amenity, and the proposal would comply with Policy CS19 of the Core Strategy 2014.

Parking and Highways

A Transport Statement has been submitted alongside the application, which demonstrates the proposal would be acceptable with regard to transport impacts. The site benefits from an existing gated access, which is used informally. This will be upgraded and formalised to connect to the existing highway. The site is in a sustainable urban location, with good links to public transport. As this application is for open storage, there will be some deliveries to the site. There are no staff provisions or implications from the proposal. Existing staff will continue to access and egress the main site.

KCC Highways acknowledge there will be a small impact on the local highway network, but they raise no objection to this application.

There has been one neighbour objection in relation to transport matters, and as stated above it is recognised that there may be a small impact, but this is not considered significant enough to warrant a refusal on this basis.

Overall, there would therefore be no adverse parking or highway issues resulting from the proposals, which would comply with Saved Policies T1, T5 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Any Other Material Planning Considerations

Flooding

The site is located within Flood Zone 3 and a Flood Risk Assessment Note and Preliminary Drainage Strategy has been submitted with the application.

There were initial concerns with the proposal from the EA and KCC Lead Local Flood Authority (LLFA), which led to further flood and drainage work being undertaken by the applicant.

The final comments from the EA are as follows:.

Following the submission of the revised FRA, we have no further objection to the proposal. The applicant will however need to apply for a Flood Risk Activity Permit in order to carry out the works.

The final comments from KCC LLFA are as follows:

The surface water drainage strategy is now based on the use of permeable tarmac with a 400 mm thick permeable sub-base across the extent of the storage area. The area of surfacing has been reduced to allow an 8 m buffer from the watercourse. Previous correspondence from the Environment Agency indicates that this represents a minimum offset. However, this would still encroach upon the 10 m landscape buffer from the watercourse secured under previous applications for the wider development. We therefore recommend that the Local Planning Authority (LPA) considers whether the proposed 8 m offset is sufficient in this context.

The use of the permeable surface, together with a revised surface water discharge rate, would address the previous reasons for objection from the Lead Local Flood Authority (LLFA). This is because the proposed lower discharge rate of 2.1 l/s is considered acceptable, and the permeable tarmac hardstanding would provide interception and treatment of surface water runoff prior to discharge to the watercourse.

With regards to the landscape buffer, this will be examined in more detail below, but essentially the relevant consultees for this matter have judged the proposal to be acceptable.

On the basis of the additional information for the scheme and appropriate conditions, the proposal is acceptable in flooding and drainage terms and will comply with the requirements of Policy CS18 of the Local Plan 2014 and Section 18 of the NPPF 2026.

Biodiversity

Section 19 of the NPPF 2026 states that to contribute positively to the natural environment, development proposals should consider the environmental qualities of land proposed for development, including habitats and landscape character and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain). Policy N6 (Areas of particular importance for biodiversity and geodiversity) states that to support the conservation of important habitats, species and sites of geodiversity value, development proposals affecting a Site of Special Scientific Interest, should only be supported if there would be no adverse effect (either individually or in combination with other developments) on the site's features of special scientific interest; or the benefits of the development clearly outweigh both the likely impact on the features of special scientific interest, and any broader impact on the national network of Sites of Special Scientific Interest.

Policy CS12 of the Core Strategy 2014 seeks to protect sites designated for their biodiversity value based on their level of importance and enhance, restore, recreate and maintain habitats.

Following the submission of supplementary information in the form of a shadow Habitats Regulations Assessment (HRA) as a result of initial KCC Biodiversity comments, as well as the originally submitted Biodiversity Assessment and Preliminary Ecological Assessment, KCC Biodiversity have confirmed that they are satisfied with the conclusions of the ecological reports.

The eastern boundary has the greatest biodiversity interest and the vegetation along this boundary will be retained. KCC have therefore recommended a precautionary mitigation strategy condition.

The site is adjacent the South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI). Limited landscaping has been proposed to minimise the impact from the proposed development, and a revised site layout plan now includes an 8m buffer zone along the east and north boundaries as recommended by the EA to help ensure that the use of the land does not affect the adjacent area of ecological sensitivity. The EA have recommended a condition requiring a scheme to be agreed to protect an 8-metre wide or greater buffer zone around the watercourse.

Natural England have also been consulted given the presence of the SSSI and they have stated they are not able to provide specific advice on the proposal but have referred the Local Authority to their Impact Risk Zones (IRZ) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England's guidance on *Impact Risk Zones for SSSIs: Questions and Answers* states that

Local Planning Authorities have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. In this case, Natural England has been consulted and whilst the site is in an IRZ, they have not raised concerns and have referred to their Standing Advice.

The shadow HRA has detailed that the proposal could result in an impact from noise, dust, water pollution (through surface water run-off) and lighting, but KCC have confirmed this can be addressed through appropriate conditions.

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications for development (unless exempt) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information, KCC Biodiversity consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

The submitted information has detailed that a BNG loss of 90% for habitats will occur due to the loss of all habitat on site and it has detailed that 1.74 units will be required to achieve a BNG of over 10%. The number of units required to achieve a BNG of over 10% may reduce if the site plan is amended as part of any mitigation required to avoid impacts on the adjacent SSSI.

Regardless of this, off-site habitat creation will be required to achieve a BNG either through habitat creation within the applicant's landholdings (if there is any) or the purchasing of off-site units.

Details of off-site habitat creation are not required prior to determination, however KCC advise that how the off-site habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted).

The development, if permitted, should be subject to the deemed condition of planning permission relating to biodiversity gain.

On the basis of the recommended conditions, the proposal is considered to comply with the requirements of Section 19 of the NPPF 2026 and CS12 of the Gravesham Core Strategy 2014.

Heritage

Section 20 of the NPPF 2026 seeks to conserve and enhance the historic environment, and states that heritage assets are an irreplaceable resource. This is echoed in Policy CS20 of the Core Strategy 2014, which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC7 states that development on important archaeological sites will not normally be permitted.

Further to an Archaeological Desk-Based Assessment being submitted, KCC Heritage has commented that no archaeological measures are required. The proposal is in line with the above policies.

Conclusion

As a result of the design revisions and additional information, the proposal for this B8 open storage development fits with the appropriate employment uses for this key site allocated for employment, and the proposal is therefore considered to be acceptable in principle, and in terms of the design and impact on the site itself and the character and appearance of the surrounding area, and with regards to residential amenity, transport, flooding/drainage, biodiversity and heritage matters. The proposal would therefore comply with the requirements of Policies CS02, CS04, CS07, CS11, CS12, CS18, CS19 and CS20 of the Core Strategy 2014, saved Policies TC7, T1, T5 and P3 of the Local Plan 1994, and Sections 14, 15, 18, 19 and 20 of the NPPF 2026.

Recommendation

Permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
Signed:	<i>K. Parkin</i>	Signed:	<i>R Hart</i>
Dated:	19 August 2026	Dated:	19th August 2026