

Ethan Bonthron
Gravesham Borough Council
Sent via email

Our ref: KT/2025/132396/01-L01
Your ref: 20250167

Date: 18 March 2025

Dear Ethan Bonthron

Construction Of 76 Dwellings And Associated Infrastructure.

Milton Place, Car Park, Gravesend, Kent

Thank you for consulting us on the above application, which we received on 5 March 2025.

Environment Agency Position

We have **no objections** to the proposal, subject to the following comments.

Groundwater and Contaminated Land

We recommend the applicant reviews our groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Ground source heat pumps
- Cemetery developments
- Drainage

Land contamination: risk management and good practice

We recommend that the applicant should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed

- Refer to the contaminated land pages on gov.uk for more information

Drainage and infiltration

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

Discharge of treated sewage effluent

If you are proposing a non-mains drainage solution the following form should be completed and submitted with any application:

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

The discharge of domestic sewage may be subject to General Binding Rules (GBRs) under the Environmental Permitting (England & Wales) Regulations 2016, which provide a statutory baseline of good practice. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506. If your proposal cannot meet the GBRs then a permit will likely be required.

Piling

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. It should therefore be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment should be undertaken to confirm the proposed design does not pose risks to the groundwater. This should be in accordance with our guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73*".

Waste on-site

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

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

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be

contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- The position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK
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Waste to be taken off-site

Waste soil that must be disposed of site is subject to waste management legislation. You must ensure that handling, transport, treatment and disposal of the waste is in line with the legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all wastes are adequately assessed and characterised in line with 'Technical Guidance WM3-Guidance on the classification and assessment of waste' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Waste assessment and classification

It is the producer's legal responsibility to correctly classify a waste prior to it being moved off site. The procedure of which is described in the WM3 Guidance on the classification and assessment of waste:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719394/Waste-classification-technical-guidance-WM3.pdf

Under Section 34 of the Environmental Protection Act 1990 (the Waste Duty of Care), you are required to ensure the description of the waste you produce is accurate and contains all the information you are in a position to provide. This includes chemical analysis.

Future Thames Barrier Informative

The Thames Estuary 2100 Plan (the Plan) sets out how we and our partners can work together to manage tidal flood risk in the Thames Estuary, from now until the end of the century.

The Plan was designed to be adaptable to changes in the Thames Estuary and to different rates of climate change and sea level rise. It therefore remains crucial for us to plan early for future flood defence requirements, including the end of the century options within the Plan.

We expect the Thames Barrier to continue to protect London from tidal flooding up until 2070, but over the longer term the Plan sets out the strategic direction and seven end of the century options for managing tidal flood risk in the Thames Estuary. Building a new barrier, with or without locks, within Gravesend Reach is included in these end of the century options. A decision on a preferred option is not planned

until about 2040 when such a decision will be informed by the data and information available at the time.

This ongoing work is something the developer should be aware of as their site may be impacted, or in close proximity to works, in the future. We will contact the developer and landowners in the future should a new barrier in Gravesend Reach be taken forward as the preferred option.

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

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

Yours faithfully

Ms Laura Edwards

Planning Advisor

Direct e-mail KSLPLANNING@environment-agency.gov.uk