

Katherine Parkin
Gravesham Borough Council
Sent by email.

Our ref: KT/2022/130224/04-L01
Your ref: 20221064

Date: 17 April 2024

Dear Katherine,

Outline planning application with all matters reserved, except for the primary means of access and road layout, for a phased mixed-use redevelopment involving the demolition of existing buildings and structures including site preparation / remediation works, and the development of residential units (use class C3), class E uses including floorspace for retail class E(a)), food/beverage and drinking establishments (use class E(b)), local services (use class E(c)), indoor sport/recreation/fitness (use class E(d)), healthcare space (use class E(e)), creche/nursery uses (use class E(f)), office floorspace (use class E(g)(i)), a new multi-use stadium with associated business and leisure facilities (sui generis), hotel (use class C1), community uses floorspace (use class F2).

Land surrounding Ebbsfleet United Football Club, bounded by Lower Road, Railway Line, Grove Road and The River Thames, Northfleet, Gravesend

In our previous response dated 23 February 2024 (our ref: KT/2022/130224/03-L01) we outlined that we were able to remove our previous objection to the scheme, subject to the inclusion of 10 conditions on any permission granted.

We have reviewed additional information received on 12 April 2024 including:

- Flood Risk Assessment and Surface Water Drainage Strategy, Issue 9, dated 11 April 2024, project ref: RMA-C2402, and associated appendices
- Northfleet Harbourside – Environmental Impact Assessment Update Letter – Ref: 20221064, dated 11 April 2024
- Northfleet Harbourside Design Code, Revision E, dated 10 April 2024

Revisions have been made to the scheme, particularly with respect to the proposed daylighted section of the River Ebbsfleet. Our revised response reflects these amendments, and supersedes our previous response dated 23 February 2024.

Environment Agency Position

We have **no objection** to the proposed development, subject to the inclusion of the **11 conditions outlined in Appendix A** being included on any permission granted.

Without the inclusion of these planning conditions, we would be minded to object to the application in line with paragraphs 165, 170, 171 and 180 of the National Planning Policy Framework (NPPF).

Appendix A- Recommended Planning Conditions

Appendix B- Advice to Local Planning Authority (LPA) and Applicant

Appendix C – Informatives

Note to LPA

Condition Wording

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

Decision notice

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

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

Yours sincerely,

George Goodby
Sustainable Places Planning Specialist

E-mail kslplanning@environment-agency.gov.uk

Appendix A- Recommended Planning Conditions

Condition 1: Implementation of Flood Risk Assessment

The development shall be carried out in line with the principles outlined in the submitted flood risk assessment (Flood Risk Assessment and Surface Water Drainage Strategy, Issue 9, dated 11 April 2024, project ref: RMA-C2402, and associated appendices) and the following mitigation measures detailed:

- Finished floor levels shall be set in line paragraphs 3.62, 3.63, and 3.64 of the submitted Flood Risk Assessment (FRA), with all sleeping accommodation located 600mm above the design tidal breach level.
- The existing flood defences identified in Figure 3 of Appendix G shall be upgraded as outlined in paragraphs 3.18 and 3.22 of the submitted FRA
 - riparian area 16 m from waterfront to be free from development
 - top of defence level set at 8.00mAOD
 - edges to tie into defences on either end of the wall to ensure continuous defence
 - minimum 100-year design life
 - existing river wall considered sacrificial from a flood defence perspective
 - typically, 6m-8m wide service area behind the new defence line to enable emergency and maintenance works in line with Figure 9 of Appendix G
- A minimum 175m long stretch of the River Ebbsfleet shall be daylighted in accordance with Appendix J of the submitted FRA and page 106 of the submitted design code (Revision E, dated 10 April 2024)
 - A minimum 3.5-metre undeveloped buffer zone from the top of the riverbank on the eastern side of the channel shall be provided in line with section 3.42 of the submitted FRA. No cantilevered elements shall overhang this undeveloped buffer zone.
 - A minimum 8-metre undeveloped buffer zone on the western side of the channel shall be provided, in line with section 3.42 of the submitted FRA
 - A maximum of two clear-span bridges shall span the daylighted River Ebbsfleet, in line with section 3.41 of the submitted FRA

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

To reduce the risk of flooding to the proposed development and future occupants.

To comply with paragraphs 165 and 170, of the NPPF, Policy C318 of the Gravesham Core Strategy (2014).

Condition 2: Detailed bridge design

No development approved by this planning permission shall commence until such time as a scheme for a detailed design for the two bridges spanning the daylighted River Ebbsfleet has been submitted to, and approved in writing by, the local planning authority, in consultation with the Environment Agency.

The proposed bridges must both be clear span and have soffit levels that are greater than the bank elevations, in line with section 3.41 of the submitted Flood Risk Assessment (Flood Risk Assessment and Surface Water Drainage Strategy, Issue 9, dated 11 April 2024, project ref: RMA-C2402).

To minimise overshadowing of the River Ebbsfleet, the bridges should be no wider than is necessary for highways purposes.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To ensure any river crossing does not increase in flood risk flood risk to the proposed development or elsewhere, and to ensure negative impacts on ecology are minimised.

To comply with paragraphs 165 and 170 and 180 of the NPPF and policies C318 and CS19 of the Gravesham Core Strategy.

Condition 3: Floor use plan

Before implementing each phase of development approved by this planning permission, no development shall commence until such time as a detailed floor use plan has been submitted to, and approved in writing by, the local planning authority, in consultation with the Environment Agency.

The floor use plan should include, but not be limited to:

- Finished Floor Levels stated in metres above ordnance datum (mAOD)
- Identification of the Flood Risk vulnerability classification of each use, as classified by [Annex 3](#) of the NPPF.
- Identification of where sleeping accommodation will be located.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to future occupants.

To comply with paragraphs 165 and 170 of the NPPF, and Policy C318 of the Gravesham Core Strategy (2014).

Condition 4: Thames tidal defence design

No development approved by this planning permission shall commence until such time as a scheme for a detailed design for the proposed upgraded Thames tidal defence has been submitted to, and approved in writing by, the local planning authority, in consultation with the Environment Agency.

The scheme shall be in line with principles outlined in the submitted Flood Risk Assessment (Flood Risk Assessment and Surface Water Drainage Strategy, Issue 9, dated 11 April 2024, project ref: RMA-C2402), in particular paragraphs 3.18, 3.22, and Appendix G.

The scheme should include, but not be limited to:

- As built drawings of the upgraded defence, including demonstration that the design life of all new and residual elements is a minimum 100 years.
- A schedule of works, including a tracking plan.
- Details of terracing, including a terrace which functions as an intertidal habitat, designed in line with Environment Agency [Estuary Edges](#) guidance.
- A plan for long-term management, maintenance and monitoring of proposed intertidal zone ecological enhancements, carried out in line with Environment Agency [Estuary Edges](#) guidance
- Details of all any proposed landscaping, footpaths, lighting, street furniture and planting within the 16m area adjacent to the tidal defence identified in Figure 9 of Appendix G. Demonstration that these features will not adversely impact the structural integrity of the defence, or access to the defence for maintenance and emergency works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to future users.

To enhance intertidal ecology and provide net gains to biodiversity in the Thames Estuary.

To comply with paragraphs 165 and 170, 180,186 of the NPPF, Policies CS12 and C318 of the Gravesham Core Strategy (2014), the [Thames River Basin Management Plan](#) and the [Thames Estuary 2100 plan](#).

Condition 5: Daylighted River Ebbsfleet design

A final detailed design for the daylighting of the culverted River Ebbsfleet shall be submitted in writing and approved by the Local Planning Authority in consultation with the Environment Agency.

This design will be designed in line with the principles of the outline design in Appendix J of the submitted flood risk assessment (Flood Risk Assessment and Surface Water Drainage Strategy, Issue 9, dated 11 April 2024, project ref: RMA-C2402) and shall include, but not be limited to:

- Final detailed design for the daylighted river Ebbsfleet, including plans showing the extent and layout of the river buffer zone.
- A schedule of works (including a tracking plan)
- A management and maintenance plan for the daylighted culvert, bridges and remaining culverted sections of the River Ebbsfleet on site, demonstrating how flow through the channel will be maintained throughout the 100 year lifetime of the development
- Details of any proposed footpaths and street furniture within the river buffer zone.
- Details of external artificial lighting into the watercourse and adjacent river corridor habitat. The location and direction of external artificial lights should be such that the lighting levels within 8 metres of the top of bank of the watercourse are maintained at background levels (Lux 0-2)
- Details of any proposed landscape planting scheme and watercourse enhancements (for example, native species suited to the catchment character)
- Details of any substrates used in the river channels (for example, gravel type, size, and origin)
- A long-term management plan for the management and maintenance of the buffer zone, including adequate financial provision and named body responsible for management plus production of detailed management plan.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to the proposed development and future users.

To comply with Paragraph 4.4.7 of the Gravesham Core Strategy, which states that development in this area will be expected to "improve and enhance Robin's Creek and the Ebbsfleet stream". To comply with paragraphs 165, 170, 180 and 186 of the NPPF, and Policies CS12 and C318 of the Gravesham Core Strategy (2014).

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 6: Remediation Strategy

No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

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; and 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.

Reasons:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the NPPF and Policy CS19 of the Gravesham Core Strategy.

The Phase I Desk Study provided by RMA Environmental (Ref:RMA-C2402, dated 28th September 2022) is considered to satisfy part 1 of this condition.

Condition 7: Verification Report

Prior to any part of the permitted development being occupied 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.

Reasons

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 180 of the NPPF and Policy CS19 of the Gravesham Core Strategy

Condition 8: Contamination not previously identified

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 180 of the NPPF.

Condition 9: SuDS

No drainage systems infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 180 of the NPPF and Policy CS19 of the Gravesham Core Strategy

It is understood from the Flood Risk Assessment and Drainage Strategy produced by RMA Environmental (Ref: RMA-C2402, dated February 2024) that infiltration techniques are considered unfeasible, but that infiltration testing will be undertaken at detailed design stage.

The design of infiltration SuDS may be difficult or inappropriate in this location. We therefore request that the above planning condition is included in any permission granted.

Condition 10: Foul Drainage Strategy

Development hereby approved shall not commence until a foul drainage strategy, detailing how the developer intends to ensure that appropriate foul drainage is implemented with a connection to foul sewer, has been submitted to and approved by, the local planning authority in consultation with the water undertaker and the Environment Agency. The development shall be constructed in line with the agreed detailed design and recommendations of the strategy.

Reasons

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework and Policy CS19 of the Gravesham Core Strategy.

Condition 11: Piling

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

Reasons:

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 180 of the National Planning Policy Framework and Policy CS19 of the Gravesham Core Strategy.

Appendix B - Advice to LPA and Applicant

Condition 4- Further Advice

Daylighted culvert design

We believe that for cross section C-C of the proposed river daylighted section (section 22.1 of the submitted Design Code), it is unreasonable to include the amount of vegetation shown on the right bank due to the lack of available space. It is more likely to need to be hard banking on both sides of this cross section.

The ponds shown at the upstream and downstream sections of the daylighted reach which are presumed to intercept surface water would be better to be offline or semi-offline. This would focus the available river flow and preserve the gravel stream characteristics of the main channel. If this causes a problem for surface water drainage, we recommend a low-level divider which need not be hard engineering: it could be a brushwood wall. Potential options include soil or brushwood dividers, or an engineered divider to one side with a pipe connection through it.

We recommend the applicant refers to the guidance contained in [Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby](#) when designing a sensitive lighting scheme for the daylighted culvert.

Material use in daylighted culvert

Plastic retaining walls (e.g. FlexMSC style) must be avoided in the detailed design. This is to avoid release of microplastics into the watercourse with time.

Concrete and metal walls should be minimised in their extent, and, where necessary, periodically clad in timbers which are untreated and are allowed to vegetate. These should be replaced after time in a maintenance plan. This would provide added biodiversity net gain value.

Gravels used in the channel should match those found in healthy sections of the River Ebbsfleet (e.g. directly upstream of Thames Way near Ebbsfleet station at TQ6142674429). This is to ensure that the stream can form in channel features (e.g. berms and bars) naturally. It would also add further biodiversity net gain value. Boulders, as shown in many of the vision boards, should be avoided. These would never naturally be found in a chalk stream in Southeast England. These would also count against the biodiversity net gain value.

Further daylighting

We believe that there is space to deculvert circa 40 m of the River Ebbsfleet to the south of the project site and west of Railway Road between TQ6142774618 and TQ6143574579. This is within the project red line boundary and whilst roads are being rebuilt/resurfaced this would be an ideal opportunity to perform these works. This would add significant biodiversity net gain.

Condition 3- Further advice

Thames frontage terrace design

Drawings submitted for the detailed flood defence design will need to show mean high water spring levels and mean high water neap levels shown on them so that we can verify that terraces designed to be regularly flooded by the tide will perform well for the biodiversity gain of the Thames estuary.

We think that Options 1 and 2/Figure 6 and Figure 7 on pages 122 and 123 of the submitted FRA will not provide biodiversity value to the Thames estuary because they look to be above mean high water spring levels. Any biodiversity net gain increase on these terraces will be terrestrial and not of value to the estuarine environment.

Although we cannot object to this design, and we understand that the final defence design may be a combination of the different designs presented, we strongly recommend the applicant progresses Option 3 for the entirety of the new defence. This will give some biodiversity net gain value of the intertidal type which is very important to the ecology of the Thames estuary.

If option 3 is progressed, we recommend that the central terrace of the 3 is made lower still so that it becomes a habitat terrace rather than a public terrace i.e. there is circa 10 m of intertidal terrace regularly flood by the tide. This will give significant biodiversity net gain value of the intertidal type.

If option 3 on page 124 of the compiled pdf is progressed, we recommend that the habitat/tidal terrace is sloped parallel to the Thames estuary (possibly via a zig-zag design) so that there is both a continuum for bottom dwelling fish to find their way up through this habitat and there is the maximum number of habitat zones available. This will give the maximum possible biodiversity net gain value of the intertidal type.

Native species

Planting schemes for both the intertidal elements of the upgraded flood defence and the buffer zone to the daylighted river Ebbsfleet should include native species, suited to their respective environments.

Flood Risk

Sequential test

In accordance with the National Planning Policy Framework (paragraph 167), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories or loft conversions
- Small non-residential extensions with a footprint of less than 250sqm
- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test, which are consistent with the use for which the site was allocated.

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

It is for you, as the local planning authority, to decide whether the sequential test has been satisfied, but the applicant should demonstrate to you, with evidence, what area of search has been used. Further guidance on the area of search can be found in the planning practice guidance [here](#)

Further guidance on how to apply the sequential test to site specific applications can be found in the planning practice guidance [here](#).

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

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

Groundwater and contaminated land

The previous use of the proposed development site for mixed industrial and commercial use presents a medium risk of residual contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this location because the proposed development site is located upon Principal aquifer overlain by a Secondary aquifer.

The reports submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion 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.

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.

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

We recommend that developers should refer to:

- the [position statement](#) on the Definition of Waste: Development Industry Code of Practice and;
- The [waste management](#) page on GOV.UK

Waste to be taken off site

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

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

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

If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns. You

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should follow the guidance provided here: [Hazardous waste: consignee returns guidance](#).

Appendix 3: Informatives

Please include the following informatives on the decision notice of any planning permission granted.

Flood Risk Activity 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 culvert (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 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 <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 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.

Surface water drainage

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

Piling Risk Assessment

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA 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".