

Delegated Report

Planning Application

Planning Application No: 20250251

Location: Kimberly Clark Ltd Northfleet Mill Crete Hall Road Northfleet

Description: Construction and operation of a Green Hydrogen Electrolyser and associated infrastructure.

Applicant: HYRO Energy Ltd.

Site Visit Date: Site visited for previous applications

Submitted Documents/Plans

Application Form

05135-RES-LAY-DR-PT-001 - Site Location Plan

05135-RES-ACC-DR-PE-001 - Access Route and Construction Support Areas

05135-RES-HYD-DR-PT-011 - Feed Water Tank - Elevation and Floor Plan

05135-RES-SDP-DR-PT-001 - Support Frame and Pipe Rack - Sections and Elevations

05135-RES-SDP-DR-PT-002 - Support Frame and Pipe Bridge - Elevations and Sections

05135-RES-HYD-DR-PT-017 - Waste Water Tank - Elevation and Floor Plan

3d View of Hydrogen Electrolysers

05135-RES-UTI-DR-XX-001 - Utilities Layout

05135-RES-SUB-DR-PT-002 - Hydrogen Facility Substation Buildings - Elevations and Floor Plans

05135-RES-PRO-DR-PT-005 - Infrastructure Layout - East Elevation

05135-RES-PRO-DR-PT-001 - Block Plan – Proposed

05135-RES-SUB-DR-PT-001 - DNO Substation Building - Elevations and Floor Plan

05135-RES-SUB-DR-PT-006 - Control Room - Elevations and Floor Plan

05135-RES-SUB-DR-PT-006 - DNO Substation In GRP Enclosure - Elevations and Floor Plan

5135-RES-HYD-DR-PT-001 - Hydrogen Electrolysers - Elevations and Floor Plan

05135-RES-HYD-DR-PT-002 - Hydrogen Storage Tank - Elevations and Floor Plan

05135-RES-HYD-DR-PT-004 - Emergency Vent Stack - Elevations A and B

05135-RES-SEC-DR-PT-001 - Security Fence Detail - Elevations and Cross Section

05135-RES-SEC-DR-PT-002 - Typical Lighting and CCTV Column – Elevation
 05135-RES-SEC-DR-PT-003 - Typical Vehicle Barrier - Elevations Details and Sections
 05135-RES-PRO-DR-PT-004 - Infrastructure Layout - South Elevation
 05135-RES-PRO-DR-PT-002 - Infrastructure Layout - North Elevations
 05135-RES-HYD-DR-PT-005 - Nitrogen and Compressed Air Storage Tank - Elevations and Floor Plan
 05135-RES-PRO-DR-PT-003 - Infrastructure Layout - West Elevation View
 05135-RES-HYD-DR-PT-016 - Maintenance Storage - Floor Plans and Elevations
 05135-RES-HYD-DR-PT-008 - PCV 3 - Elevations and Floor Plans
 05135-RES-SUB-DR-PT-003 - Auxiliary Transformer - Elevations and Floor Plans
 8856_UNDERGROUND_R1 - Underground Utility Survey (Sheets 1 to 5)
 05135-RES0-ACC-DR-PE-001 – Proposed Access Route and Construction Support Areas

Preliminary Ecological Assessment
 Operational Environment Management Plan
 Construction Environment Management Plan
 BNG Metric
 Cover Letter
 Preliminary Ecological Appraisal
 KC Northfleet Desktop Survey
 Transport Statement
 Screening Direction Decision Letter
 Acoustic Assessment
 Consent to the Discharge of Trade Effluent
 Phase 1 Geoenvironmental Desk Study Report
 Planning Design and Access Statement
 Southern Water Supply Quote
 Flood Risk Assessment
 Phase 2 Ground Investigation Report

Response to PLA
 Response to Kent Fire and Rescue Service

Relevant Planning History

Reference	Description	Decision	Decision Date
20230906	Construction and operation of a 20MW Green Hydrogen Electrolyser and associated infrastructure.	Permitted	09.08.2024
20230909 (SoS Decision)	Request for Screening Opinion in Relation to land at Kimberly-Clark Northfleet Mill, Northfleet - Construction of a Green Hydrogen Electrolyser and associated infrastructure.	EIA not required	04.04.2024
20230586	Installation of Solar PV System on Roof of Kimberly Clark Warehouse, Northfleet.	Permitted	20.11.2023

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS03 – Northfleet Embankment and Swanscombe
- CS07 – Economy, Employment and Skills
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comment received.

GBC Environmental Protection

Comments received on 17/04/25:

It is understood that this is a re-submission of the previously approved application (20230906) on this site as a result of some layout changes and boundary changes.

It's noted that a 'Phase 2 Ground Investigation Report' by GVR Geoservices (Report Ref G-22-049) has been submitted. Although this has been updated (10/02/2025), the original report dates back to September 2023, but I can't see that this was submitted with the previous application hence condition 3 being attached to 20230906. Having reviewed the Phase 2 report, an intrusive site investigation including ground gas and ground water monitoring has taken place. All contaminants tested were below GAC levels for commercial end use and no remediation works are therefore required. No gas protection measures are needed.

The report advises that in terms of impact on controlled waters and groundwater, there are no problems, so no remediation is needed. It is however advised that this is ratified by the Environment Agency as they have the expertise in these areas.

Condition 3 attached to the previous permission is therefore not needed. It is recommended that Condition 4 of 20230906 relating to a contaminated land watching brief is re-instated:

The Acoustic Assessment has also been updated – as with the previous application, there are no concerns, and no noise mitigation measures are needed.

The submitted Construction Environmental Management Plan (CEMP) dated 09/04/2025 (Doc Ref: 05135-

8822516) has been reviewed. The document satisfactorily addresses matters relevant to Environmental Protection such as dust, noise, vibration, pollution control, public consultation, waste disposal, contamination etc. Based on this, there is no need to a condition for a CEMP providing this document can be referred to in any permission.

An Operational Management Plan (OMP) has also been submitted (Doc Ref: 05135-8999839). This is satisfactory and based on this, there is no need for condition 8 of 20230906 to be replicated – again providing the OMP is referred to in any permission granted under this application. However, it would be worth checking that the EA are satisfied with the OMP from a controlled water/ground water perspective.

KCC Fire Safety Officer

Comments received on 08/04/25:

Following my assessment of Fire and Rescue Service emergency access provisions for planning application number 25025051, I would like to make the following observations.

It appears that the emergency access requirements for the Fire and Rescue Service, under the above Act, will be met. However, given the nature of the site please confirm if there will be an emergency response plan (ERP) provided, by the client's design team, during the planning consultation process. An ERP this would help KFRS in determining a suitable and robust emergency response for the safety of employees and emergency first responders. For consideration, it would be useful to conduct a Site Specific Risk Information (SSRI) visit upon completion of the proposed project.

If you require any further advice, please contact this office using the details above. Please be aware that the Building Safety office hours are 09:00-17:00 Monday to Friday.

KCC Biodiversity Officer

Comments received on 15/04/25:

We advise that sufficient information has been provided to determine the planning application.

Protected/Notable Species

We are satisfied with the results of the ecological reports which have confirmed that there is potential for badgers, breeding birds and foraging bats within the site and surrounding area. We are satisfied that there is no requirement for further surveys to be carried out and any impacts can be avoided through a precautionary mitigation approach.

If planning permission is granted we recommend that the precautionary mitigation detailed in section 6.4 is included within the construction management plan.

The proposed development is within 40m of the River Thames and therefore we advise that best practice construction measures are implemented during construction to minimise impacts from noise and dust on the river.

Biodiversity Net Gain

Under the Environment Act 2021, all planning applications for major development (unless exempt^{1,2}) submitted on or after 12th February 2024 in England, will have to deliver at least a 10% biodiversity net gain. It is a requirement for minor applications, unless exempt, submitted on or after the 2nd April 2024.

Having reviewed submitted information, we consider this application to fall under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum³:

- 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 sufficient information has been provided with regard to mandated BNG.

The metric has detailed that through habitat creation within the adjacent habitat a BNG of over 10% can be achieved and we agree with this conclusion. The metric has detailed that to achieve a 10% the retained habitats within the wider area will be enhanced. We highlight that any habitat creation or enhancements proposed as part of BNG must be retained for at least 30 years and therefore there is a need to ensure that the applicant does not have any plans for development within the areas proposed to be enhanced.

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision_Notice_Text.odt. The applicant should submit a biodiversity gain plan form⁴ along with supporting information once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

As habitat creation/enhancement is proposed within the blue line boundary is to be implemented to achieve a BNG for habitats. We advise that the following conditions are included within the decision notice:

In addition the following condition wording is recommended if planning permission is granted:

HMMP CONDITION: With the submission of the Biodiversity Gain Plan a Habitat Management and Monitoring Plan (HMMP), must be submitted to the LPA for written approval and must include the following:

- (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, has been submitted to, and approved in writing by, 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.

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

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

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

We are aware that habitat management recommendations have been proposed within the submitted ecological appraisal but highlight that if the plans change prior to the submission of the biodiversity gain plan the management may not be valid.

We highlight that where habitat creation is carried out within the blueline boundary there is a need for the works to be legally secured either through a legal agreement or a conservation covenant.

KCC commented again on 10 June 2025:

We advise that sufficient information has been provided to determine the planning application.

We advise that the following comments have not changed significantly as it appears that the PEA and metric (in PDF format) are the same documents as previously commented on. However we have updated our comments to reference planning application 20250406.

Protected/Notable Species

We are satisfied with the results of the ecological reports which have confirmed that there is potential for badgers, breeding birds and foraging bats within the site and surrounding area. We are satisfied that there is no requirement for further surveys to be carried out and any impacts can be avoided through a precautionary mitigation approach.

If planning permission is granted we recommend that the precautionary mitigation detailed in section 6.4 is included within the construction management plan.

The proposed development is within 40m of the River Thames and therefore we advise that best practice construction measures are implemented during construction to minimise impacts from noise and dust on the river.

Biodiversity Net Gain

Under the Environment Act 2021, all planning applications for major development (unless exempt^{1,2}) submitted on or after 12th February 2024 in England, will have to deliver at least a 10% biodiversity net gain. It is a requirement for minor applications, unless exempt, submitted on or after the 2nd April 2024.

Having reviewed submitted information, we consider this application to fall under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum³:

- 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 sufficient information has been provided with regard to mandated BNG.

1 Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)

2 The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (legislation.gov.uk)

3 <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

The metric has detailed that through habitat creation within the adjacent habitat a BNG of over 10% can be achieved and we agree with this conclusion. However we highlight that there is some overlap between this application and application 20250406 and the submitted biodiversity gain plan (if planning permission is granted) must demonstrate that both applications can achieve over 10%.

The metric has detailed that to achieve a 10% the retained habitats within the wider area will be enhanced. We highlight that any habitat creation or enhancements proposed as part of BNG must be retained for at least 30 years and therefore there is a need to ensure that the applicant does not have any plans for development within the areas proposed to be enhanced.

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision_Notice_Text.odt. The applicant should submit a biodiversity gain plan form4 along with supporting information once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

'Offsite' 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

Where offsite 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'), 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 72:

- (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;

4 Biodiversity gain plan - GOV.UK (www.gov.uk)

(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.

Health and Safety Executive

Comments received on 24/04/25:

Thank you for your letter of 22 April to the Land Use Planning advice team of the Health and Safety Executive (HSE), requesting our comments on the planning application for a green hydrogen electrolyser and associated infrastructure at Kimberly Clark Ltd, Northfleet Mill, Crete Hall Road, Gravesend.

1. Land Use Planning advice

HSE is a statutory consultee for certain developments within the Consultation Zones of major hazard sites and major accident hazard pipelines.

These types of development include more than 750m² of floor space to be used for an industrial process and developments which are otherwise likely to result in a material increase in the number of persons working within or visiting the notified area (once the construction work has been completed).

HSE has developed a Web App (<https://pa.hsl.gov.uk/>) to provide planning authorities and developers with HSE's Land Use Planning advice for new developments.

In this case, we can confirm that the proposed development does not lie within the Consultation Zone of any of the major hazard sites or major accident hazard pipelines considered by HSE.

Therefore, based on the information provided there is no need to consult HSE's Land Use Planning advice team on this application, and we have no comments to make.

We should be grateful if Gravesham Borough Council could consult with HSE on future planning applications using the LUP WebApp.

2. Hazardous Substance Consent legislation

The presence on land of a hazardous substance in a quantity exceeding the controlled quantity specified in the Planning (Hazardous Substances) Regulations 2015 requires the consent of the hazardous substances authority (usually the local planning authority). For hydrogen the controlled quantity listed in Schedule 1 of the 2015 Regulations is 2 tonnes. If a hazardous substance consent is required, requests from hazardous substance authorities for HSE consultation should be sent to HSE's Hazardous Substance Consents team at HazSubCon.CEMHD5@hse.gov.uk.

Southern Gas

No comment received.

Southern Water

Comments received on 04/04/25:

Thank you for your correspondence, please see our comments below regarding the above application.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

UK Power Networks

Comments received on 26/03/25:

Please note there are HV/LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG. You can also find support and application forms on our website [Moving electricity supplies or equipment](#) | UK Power Networks

Kent Police Designing Out Crime Team

Comments received on 26/03/25:

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. We strongly recommend that the applicant take this opportunity to review their general security arrangements regarding the existing buildings, including perimeter security, alarm systems, lighting and CCTV
2. Perimeter security of the site, including gates, should be reviewed to control site permeability and prevent theft of property. A good standard of building security is very important in rural areas, especially for outbuildings that may not be visited for weeks at a time. Each site should be fully enclosed within a minimum 2m security fencing system or higher. It is important that the gap between the base of any fencing and the ground is minimal, so that any equipment, such as the PV panels themselves or copper cable, cannot be easily passed underneath by thieves. Additional defensive planting of natural hedging should be considered around the boundary and along the existing footpath as an added layer of security.

3. Consideration should be given regarding property boundary for any potential places where it could be made more secure:

- Densely planted buffers can be used to enhance boundaries. There are plenty of suitable native (non-toxic) prickly species.
- digging deep ditches to control and deter unwanted vehicle access
- if possible, having a single-gated access point to each site. Please refer to the Commercial 2015 Guide, Section 2: Physical Security Specifications for gates on SBD Design Guides

4. We recommend that all equipment is individually security marked and all serial numbers recorded within a site inventory. Copper cable, transformers, inverters, switch gear and any other equipment of high value should also be security marked. This can be achieved by using unique identifiers, such as serial numbers on the insulation sheathing and with the use of forensic marking solutions. A full equipment inventory should be kept.

5. All string inverters, substations, transformer stations and buildings/ storage containers should be fully alarmed with a monitored system and covered by CCTV. All CCTV should comply with the Information Commissioner's Office guidance. Appropriate security locks and devices should be installed on all equipment cabinets and associated buildings. Locking device screws/bolts should not be easily accessible when closed, to deter by-passing of the locks themselves by a determined offender. One way security clutch head security bolts/screws or similar can also be utilised to prevent easy removal.

6. We note CCTV cameras are proposed for this development "Cabling would also be required for power and data transfer associated with the CCTV system described below. This would generally follow the perimeter fence lines where the CCTV cameras would be located", which is greatly encouraged. We recommend monitored CCTV and alarms systems to be installed and operational to cover vulnerable elevations and site entrances in addition to point 5. Appropriate crime prevention/security signage warning of the use of CCTV and forensic marking solutions should be installed on the exterior face of the security fencing and any gates.

7. Doorsets and windows should meet PAS 24:2022 as a minimum-security standard. All external doors should have a minimum of two locking points with locks that meet the British Standard. All doors and windows that are not part of a designated fire escape route, should be closed and locked. Glazing for windows should be laminated rather than just toughened for security purposes. Please refer to the Commercial 2015 Guide, Section 2: Physical Security Specifications on SBD Design Guides (securedbydesign.com) for doorsets and windows.

8. Given the amounts of equipment and copper cable likely to be on site during construction, it is essential that the site and the temporary compounds are secured, and appropriate temporary alarm and CCTV systems are installed, particularly if a security guard is not to be employed during construction. Any plant and associated fuel bowzers should also be secured, alarmed and immobilised at the end of each working day.

9. Car Park. The design criteria for car parks should follow the principles laid down in the police owned 'ParkMark' initiative. 'ParkMark' initiative (appropriate lighting, CCTV, Security fencing, Exit/entry barriers and gates, clear signage to help drivers and pedestrians navigate the car park safely etc). Any EV charging points should be provided in a safe and secure space. Secure motorcycle moped and scooter parking should be made available for staff and visitors. Such parking provision should benefit from surveillance, secure ground anchors and be lit after dark when in use.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Comment received on 10/04/25:

Thank you for consulting the Port of London Authority (PLA) on the application in relation to the construction of a Green Hydrogen Electrolyser and associated infrastructure at Kimberly-Clark Northfleet Mill. We have now had the opportunity to review the submitted application and have the following comments to make.

Firstly, the Preliminary Ecological Appraisal (PEA) states that the applicant will be delivering Biodiversity Net Gain (BNG) as part of the project; however, insufficient detail as to how this will be delivered has been submitted and we request that the PEA is updated accordingly. Any proposals for BNG relating to River Thames, or any potential new or amended use of the river for extraction or outfall will require a River Works Licence with the PLA and the PLA's Statutory Consents and Compliance team should be contacted at lic.app@pla.co.uk to discuss further. We note that the Planning Statement refers to a Flood Risk Assessment; however, this document does not appear to be available to view within the submitted documents online. As the site is within Flood Zone 2, with potential to contain areas of Flood zone 3, impacts of the proposed construction and the longer term operation of the Hydrogen Electrolyser on ground water must be clearly outlined.

Our prior comments on the previous application (20230906) also referred to the proximity of the site to safeguarded wharves, as outlined in the Gravesham Local Plan Core Strategy and Policies Map (Map 1). The proposal must consider Policies CS07 Economy, Employment and Skills and Policy CS11 Transport of the Local Plan, in the context of supporting the continued use of the River Thames for commercial and passenger transport, whilst safeguarding and maximising the use of the existing commercial wharves. Although noted in the Transport Statement that deliveries of large components via the River Thames will be considered, further details of this should be reflected in associated Construction Logistics Plans (CLP) and/or Construction Environment Management Plans (CEMP). The Planning Design and Access Statement does not consider Policy DM8 (Safeguarding Minerals Management, Transportation Production & Waste Management Facilities) of the Kent Minerals and Waste Local Plan.

Updated Comment received on 13/05/25:

Thank you for consulting the Port of London Authority (PLA) on the application in relation to the construction of a Green Hydrogen Electrolyser and associated infrastructure at Kimberly-Clark Northfleet Mill. We have now had the opportunity to review the updated information and have the following comments to make.

Firstly, we are supportive Kent County Council's comments in recommending that the precautionary mitigation detailed in section 6.4 is included within the construction management plan as well as the suggested condition on HMMP. Furthermore, any potential new or amended use of the river for extraction or outfall will require a River Works Licence with the PLA and the PLA's Statutory Consents and Compliance team should be contacted at lic.app@pla.co.uk to discuss further. We note that the Planning Statement refers to a Flood Risk Assessment; however, this document does not appear to be available to view within the submitted documents online. As the site is within Flood Zone 2, with potential to contain areas of Flood zone 3, impacts of the proposed construction and the longer term operation of the Hydrogen Electrolyser on ground water must be clearly outlined.

Our prior comments (on both the previous application – 20230906, and on this application on 10th April 2025) also referred to the proximity of the site to safeguarded wharves, as outlined in the Gravesham Local Plan Core Strategy and Policies Map (Map 1). The proposal must consider Policies CS07 Economy, Employment and Skills and Policy CS11 Transport of the Local Plan, in the context of supporting the continued use of the River Thames for commercial and passenger transport, whilst safeguarding and maximising the use of the existing commercial wharves. Although noted in the Transport Statement that deliveries of large components via the River Thames will be considered, further details of this should be reflected in associated Construction Logistics Plans (CLP) and/or Construction Environment Management Plans (CEMP). We also noted that the Planning Design and Access Statement does not consider Policy

DM8 (Safeguarding Minerals Management, Transportation Production & Waste Management Facilities) of the Kent Minerals and Waste Local Plan.

National Grid

No comment received.

Neighbouring properties

A site notice was placed, and 395 surrounding properties were consulted and the final date to submit comments ended on 14th May 2025. 1 comment of objection was received from members of the public.

Summary of objection:

- More details of the benefits to the community are needed.

Officer's Analysis

Principle of Development

This application is located inside the Urban Boundary. Policy CS02 (Scale and Distribution of Development), identifies first tier settlements, including Gravesend, Northfleet and Ebbsfleet as the most sustainable parts of the borough.

Policy CS03 also states that;

'The Swanscombe Peninsula East Riverside Industrial Area, Kimberly Clark Site and Imperial Business Estate will be retained in employment use and the Council will support proposals which expand and support their operation.'

Policy CS07 states that;

'In considering development proposals, particular support will be given to schemes incorporating small and flexible industrial and/or office workspaces of high quality intended to support the start-up and expansion of small and medium-sized enterprises. The council will also support the refurbishment and upgrading of existing industrial and commercial premises and improvements in information and communications technology to facilitate more flexible working practices and the changing economic needs of the Borough.'

Policy CS18 states that;

The Council will seek to reduce the overall carbon footprint of the Borough. In particular, the Council will:

Support stand-alone decentralised, renewable or low carbon energy development where it is compatible with national policies for protecting the Green Belt and where it accords with policies in this plan, in particular those relating to Development and Design Principles, Transport, Green Infrastructure, and Heritage and the Historic Environment

Paragraph 89 of the NPPF (2024) states:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

Industrial Strategy: building a Britain fit for the future 2017 (updated June 2018) identifies one 'grand challenge' as 'maximising the advantages for UK industry from the global shift to clean growth.' Within this it identifies a need to explore low carbon hydrogen options. As per footnote 44 of the National Planning Policy Framework, industrial proposals seeking to use low carbon hydrogen methods would therefore represent an opportunity for Britain to be a 'global leader in driving innovation'. It is noted that this document was withdrawn on 1st March 2023 and the Industrial Strategy has been transitioned into the Build Back Better: Plan for Growth and its related strategies. This document also emphasised the importance of low carbon hydrogen production in meeting the transition to Net Zero target.

Paragraph 124(b) of the NPPF (2024) states that planning policies and decisions should :

'recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;'

Paragraph 124(d) of the NPPF (2024) states that planning policies and decisions should :

'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)'

The NPPF (2024) also identifies at paragraph 161 that the planning system should *'support the transition to net zero by 2050... and support renewable and low carbon energy and associated infrastructure'*.

When determining planning applications at paragraph 168, for renewable and low carbon development, local planning authorities should:

'(a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;

b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.'

In terms of Local Planning Policy, this site is located in an urban area, which is prioritised for development as a sustainable location. The proposed hydrogen facility would be used for the production of low-carbon hydrogen, to support the existing paper mill industry on the site. It is a standalone, low carbon proposal which should be supported where it accords with all other policies in the plan. The support for such development is reflected within the National Planning Policy Framework (2024), in particular, it is noted that the site does use an area of previously developed, underutilised land within the existing industrial site which is preferable. It recognises that small scale projects such as this would contribute to cutting greenhouse-gas emissions and that low carbon hydrogen options can contribute to meeting industry challenges in Britain which in turn would assist in ensuring that Britain is a *'driving force for innovation'*. Not only is this of benefit for environment and climate change, but it would help to create the conditions in which this local industry can invest, expand, and adapt. The proposal would therefore result in a positive impact in terms of the NPPF's economic and environmental goals, which lie at the core of the NPPF's definition of sustainable development. In terms of the social goals, there is some community benefit, by supporting investment and growth of local businesses, local employment is protected and created. There are residences surrounding the site and so to ensure that the social arm of sustainable development is upheld, the design should consider the impacts on the surrounding occupiers and the character and appearance of the area.

Locationally, the development would be acceptable in principle. However, all other relevant matters would also need to be considered. The principal considerations in the assessment of this application are:

- Design and Character
- Residential Amenity
- Hazardous Substances
- Biodiversity Net Gain
- Contamination
- Thames Estuary and Ramsar Site
- Conditions

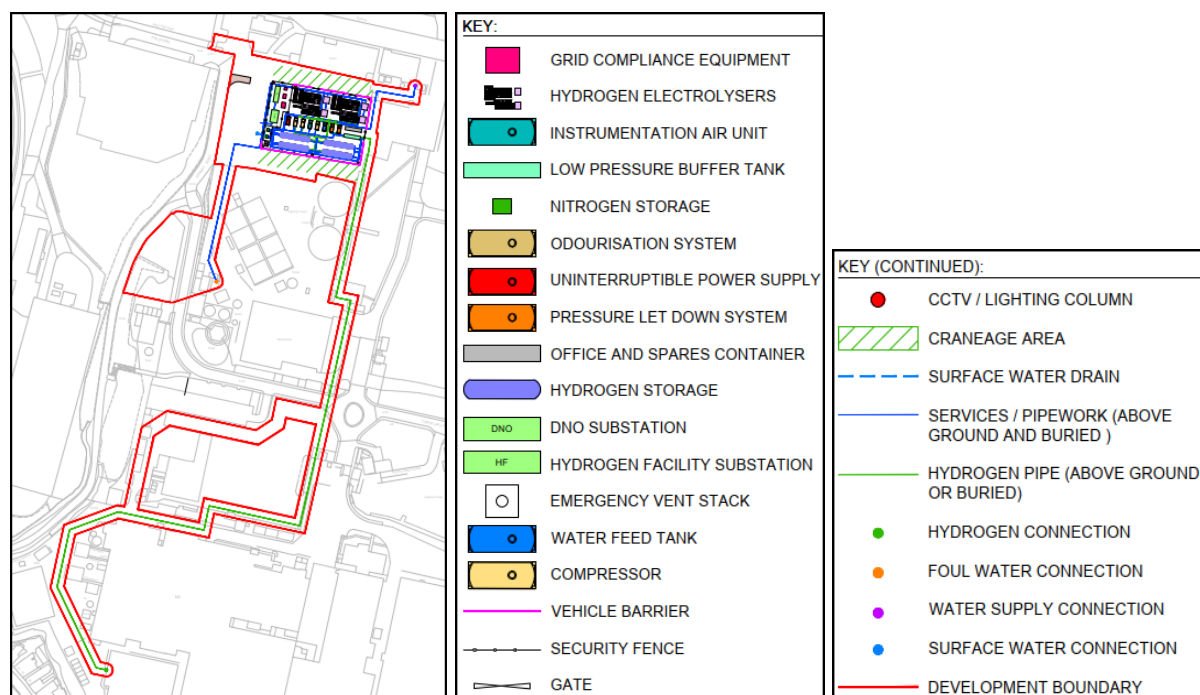
Proposed alterations

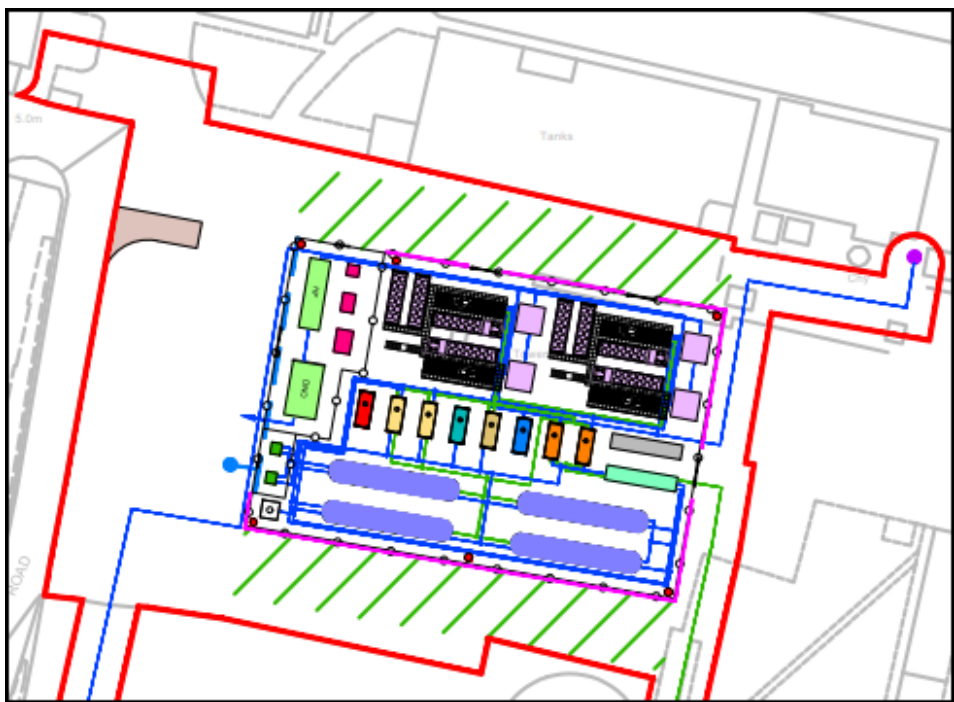
This scheme follows recent approval for '*Construction and operation of a 20MW Green Hydrogen Electrolyser and associated infrastructure.*', under 20230906.

This scheme seeks to allow for the following changes to the approved scheme:

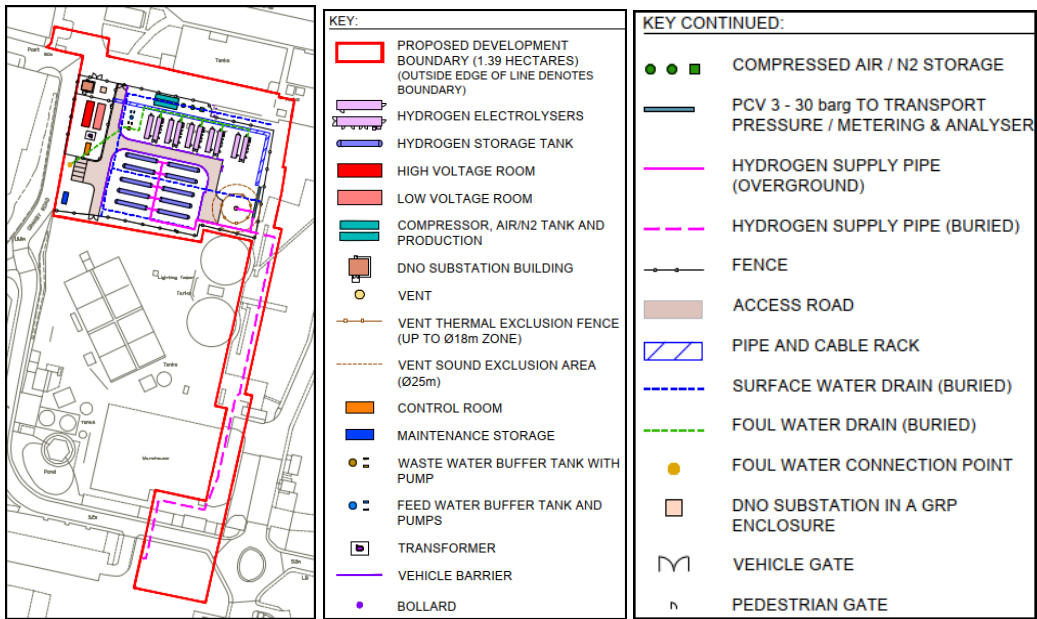
- Changes to layout and red line boundary
- Reduction in electrolyser usage from 20MW to 15MW (Hydrogen production to remain the same as approved)

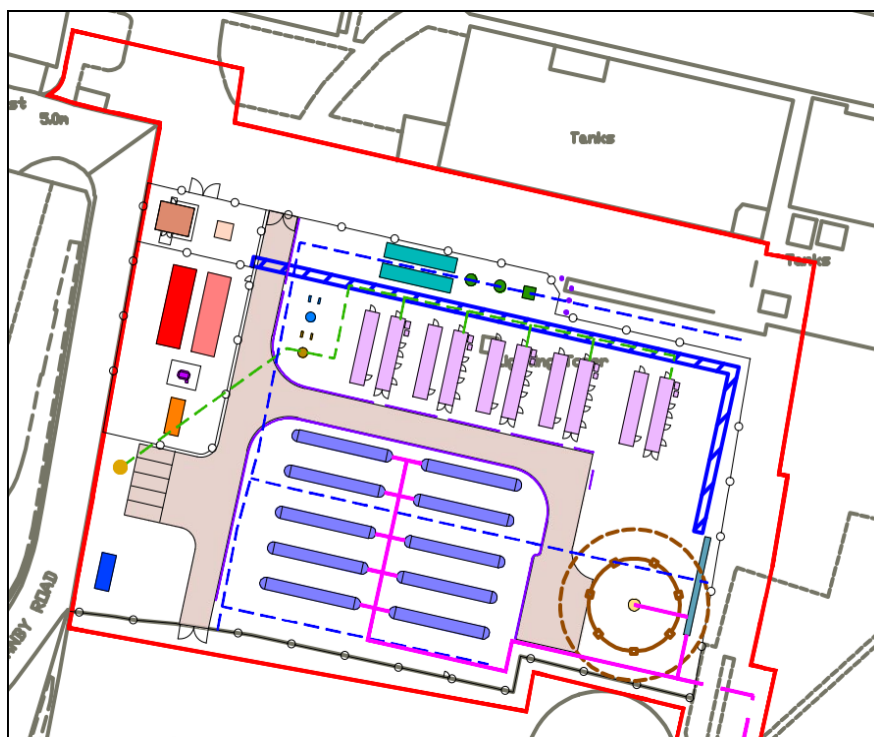
The approved layout under 20230906 (Not to Scale) is as follows:





The layout proposed (not to Scale), is as follows:





Design, Character and Appearance

The proposed hydrogen facility would still be located in the existing industrial site and as such its location would be appropriate for the existing setting. It would be on an area of current hardstanding which appears to be for storage. The main compound excluding water and Hydrogen connection would be set away from the highway to the south by approximately 169m and surrounded by security fencing. Elevational plans of the fencing have been provided showing a maximum height of 2.6m, which is reduced from the approved scheme which had a fence height of 3m.

The hydrogen pipe would still run from the south to the hydrogen connection within the site. However, it would not extend as far to the south and outside of the main compound, it would be buried. There would be a feed water buffer tank and wastewater buffer tank within the compound. The foul water connection would run to the west, close to the main compound. Whilst it is not clear whether the pipework will be above/underground, based on the information provided, this will likely be a mix of both. The facility would have a set back from the streetscene and would fit with the industrial appearance of the setting in which it would be located. The fencing would also partially obscure the development, with the proposed structure not appearing unduly large or out of character in this industrial setting. It would be no more visible to the public than those existing buildings surrounding and so its appearance would have a limited impact on the character and setting.

The proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024) in terms of design, character and appearance.

Neighbouring Amenity

The NPPF (2024) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of those of neighbouring properties and land. Following a period of consultation with neighbouring properties, 1 objection to the proposal was received.

The main area of the development would be set away from the nearest residences to the south by 410.4m

The approved hydrogen connection which would be 33.1m from these residences. However, the proposal would increase this distance to 250m from the end of the proposed buried hydrogen supply pipe.

The site is set away from the residential area and would not result in significant impact to residential neighbours with regard to overbearing bulk, overshadowing or overlooking. However, it is noted that noise impacts as a result of the development should be considered. A construction Environmental Management Plan has been submitted with this application. Environmental Protection have reviewed the details and consider that these satisfactorily address potential impacts from dust, vibration, pollution control, public consultation, waste disposal and contamination etc. They also raise no concerns with the submitted Acoustic assessment or Operational Management Plan.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014, subject to details reserved by condition.

Hazardous Substances

The Health and Safety Executive have confirmed that the proposed development does not lie within the Consultation Zone of any of the major hazard sites or major accident hazard pipelines considered by HSE. However, Hazardous Substances Consent (through HSE) may be required as per the Planning (Hazardous Substances) Act 1990. This requirement will be included as an informative on the decision to remind the agent and applicant of this.

Biodiversity

Policy CS12 of the Gravesham Core Strategy 2014 states:

There will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought, in particular within the Biodiversity Opportunity Areas shown on the Strategic Green Infrastructure Network map and within new development

Net Gain

Under the Environment Act 2021 and supporting Statutory Instruments Biodiversity Net Gain (BNG) is now mandatory for most development. The legislation requires a minimum 10% gain in biodiversity from applicable development either onsite, offsite or a combination of both.

BNG provided under the mandatory requirements offsite and significant BNG onsite must be secured by a legal agreement for 30 years under an approved Habitat Management and Monitoring Plan (HMMP)

There are strict legal requirements in terms of what an application must contain in relation to BNG before it can be accepted as valid. This is set out in Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and requires the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application and other information.

However, certain applications are exempt from the BNG regulations (the Biodiversity Gain Requirements Exemptions) Regulations 2024) including householder applications and include:

- Householder development as defined within article 2(1) of the Town and Country Planning Development Management Procedure) (England) Order 2015.
- Development granted planning permission by a development order under section 59. This includes permitted development rights.
- Development subject to the de minimis exemption - development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of habitat, or 5 metres of linear habitats such as hedgerows.
- Self-build and custom build development - development which:

- consists of no more than 9 dwellings, and
- is carried out on a site which has an area no larger than 0.5 hectares, and
- consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

KCC Biodiversity have commented on this application

'... sufficient information has been provided with regard to mandated BNG. The metric has detailed that through habitat creation within the adjacent habitat a BNG of over 10% can be achieved and we agree with this conclusion. The metric has detailed that to achieve a 10% the retained habitats within the wider area will be enhanced. We highlight that any habitat creation or enhancements proposed as part of BNG must be retained for at least 30 years and therefore there is a need to ensure that the applicant does not have any plans for development within the areas proposed to be enhanced.'

Subject to requested condition the details would comply with relevant legislation for 10% Biodiversity Net Gain.

Protected Species

KCC Biodiversity have confirmed that they are satisfied with the supplied ecological reports. The reports confirm potential for badgers, breeding birds and foraging bats within the site and surrounding area. Precautionary mitigation is therefore recommended to be included within the Construction Management Plan as detailed within section 6.4 of the Ecological Appraisal.

Contamination

The NPPF (2024) at paragraph 197 states that;

'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.'

And at paragraph 198:

"Planning policies and decisions should ensure that: (a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);(b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 and (c) adequate site investigation information, prepared by a competent person, is available to inform these assessments."

GBC Environmental Protection have been consulted on the scheme. A Phase 1 Geo-environmental Desk Study and a Phase 2 Ground Investigation report has been submitted with this application. The Environmental Protection Team have advised that the findings of the report are accepted. They state:

'It's noted that a 'Phase 2 Ground Investigation Report' by GVR Geoservices (Report Ref G-22-049) has been submitted. Although this has been updated (10/02/2025), the original report dates back to September 2023, but I can't see that this was submitted with the previous application hence condition 3 being attached to 20230906. Having reviewed the Phase 2 report, an intrusive site investigation including ground gas and ground water monitoring has taken place. All contaminants tested were below GAC levels for commercial end use and no remediation works are therefore required. No gas protection measures are needed.'

The report advises that in terms of impact on controlled waters and groundwater, there are no problems, so no remediation is needed. It is however advised that this is ratified by the Environment Agency as they have the expertise in these areas.

Condition 3 attached to the previous permission is therefore not needed. It is recommended that Condition 4 of 20230906 relating to a contaminated land watching brief is re-instated.'

Paragraph 009 on Land Affected by Contamination of the Planning Policy Guidance (PPG) states:

'Responsibility for securing a safe development rests with the developer and/or landowner. However, local planning authorities should be satisfied that a proposed development will be appropriate for its location and not pose an unacceptable risk.'

Local planning authorities should work with applicants to find acceptable ways forward if there are concerns about land contamination. For example, establishing or retaining areas of green infrastructure may serve to limit harmful disturbance of the ground. To help secure necessary mitigation, planning permission can be granted subject to conditions and/or planning obligations, where the relevant tests are met.'

It is considered that application of such conditions would appropriately address the issues with this scheme. Subject to details reserved by condition, the proposed development would comply with policy CS19 of the Core Strategy 2014 and paragraphs 196 and 197 of the NPPF (2024).

Flood Risk

Policy CS18 of the Local Plan states:

"with the exception of the previously developed sites along the Thames Riverside (see Policies CS03, CS04 and CS05) and those other regeneration sites which have already been evaluated in accordance with the sequential and exception tests at the application stage, development will be directed sequentially to those areas at least risk of flooding. Proposals in areas at risk of flooding must be accompanied by a Flood Risk Assessment (in accordance with national policy and Environment Agency standing guidance as appropriate)."

A Flood Risk Assessment has been submitted with the application that classifies the proposed development as 'less vulnerable' and therefore appropriate in the flood zone.

The Proposed Development uses a small amount of water in the hydrogen production process, much of which is recycled. The water released as a byproduct is relatively clean and is transported to the Southern Water treatment works.

Thames Estuary and Ramsar Site

Paragraph 180 and 183 of the NPPF (2024) requires planning decisions to ensure that the natural and local environment is enhanced by minimising impacts on and providing net gains for biodiversity and this is reflected in Section 40 of the Natural England Commission Rural Communities (NERC) Act (2006) and the Environmental Act (2021).

Policy CS12 (LPCS) indicates that sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, and that there will be no net loss of biodiversity in the Borough.

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use

of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £337.49 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

Where there are no other contributions required for a development applicants generally have chosen to submit the payment of £337.49 per dwelling by filling in the Strategic Access Management and Monitoring Strategy (SAMMS) Agreement. By filling in this form there are no legal fees to be paid by the applicant and refund mechanisms are in place in the event of a refusal.

In this case, the SAMM's tariff would not be applied as it would not relate to any of the defined use classes which would require payment. Essentially the scheme would not likely result in an increase in people using the Thames estuary and marshes for recreation, which would impact the use of these sites by migrating birds.

Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 185 and 186) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Highways

Policy CS11 of the Local Plan states:

“new developments should mitigate their impact on the highway and public transport networks as required. Transport assessment work is required to be undertaken in accordance with national and local policy guidance, and to identify detailed highway and public transport network requirements and management arising from the development.”

A Transport Statement has been submitted in support of this planning application. The report details the route to the site for construction traffic, indicating that the proposed access to the site is suitable and safe for the proposed movements. The operation of the facility is undertaken remotely and as such is unmanned. The information provided is acceptable.

Other Matters

The PLA made comments stating that the application must be considered against local plan policies CS07 (Economy, Employment and Skills) and CS11 (Transport). The scheme has been assessed against CS07 and is considered acceptable in that regard. However, the proposed scheme is for a hydrogen facility on an existing industrial site. It is expected that the site will use the wharves for commercial deliveries for the site currently and the proposed development is not considered to change that use. As such, consideration against CS11 is unnecessary. The PLA also suggest that the Design and Access Statement provided does not considered Policy DM8 of the Kent Minerals and Waste Local Plan. However, this does not form part of the adopted Development Plan at Gravesham Borough Council and therefore cannot be considered in assessing this application.

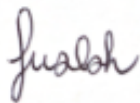
Conclusion

As assessed, the proposed scheme would have limited impact on the character of the area, the scheme would be set away from most public visibility, would be of an appropriate scale and appearance, reflective of its industrial setting. In this position, sited away from residential properties, the scheme would have limited impact on residential amenity of nearby occupiers. Hazardous Substances Consent may be required due to the use of Hydrogen, but this is a separate legislation and can be addressed by inclusion of an

appropriate informative. The scheme shows it is possible to achieve the 10% Biodiversity Net Gain requirements and the details are therefore acceptable in this regard. It has been assessed that there is potential for land contamination on this site. However, these may be addressed by appropriate conditions. The scheme does not include residential development which may result in increased impact on Migrating Birds and so the SAMM's payment would not be required for this scheme. Subject to details reserved by condition, the proposed development complies with all relevant national and local planning policies. The recommendation is to approve.

Recommendation

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	18 September 2025	Dated:	25 September 2025