

Amanda Cue
Gravesham Borough Council

Our ref: KT/2025/132861/01-L01
Your ref: 20250730

Sent by email

Date: 29 August 2025

Dear Amanda,

Installation of electricity infrastructure including a battery energy storage system, substation and ancillary electrical infrastructure.

Land Adjacent to Thames Way Northfleet Gravesend Kent DA11 8HL

Thank you for consulting us on the above application which we received on 27 August 2025. As part of this consultation, we have reviewed the following documents:

- Application form, ref. PP-14183637, dated 18 July 2025
- Site location plan, no ref, undated
- Proposed site layout, ref. SG-GRAVESEND-CIV-PLN-100 rev C, dated 21 July 2025, by Helioworks

Environment Agency position

We **object** to the proposed development, as no flood risk assessment and no preliminary risk assessment have been submitted.

Please refer to the following sections for our full response:

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

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

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

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

Yours sincerely,

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

Section 1: Reasons for, and how to overcome, our objection(s)
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Objection 1 - No Flood Risk Assessment submitted (development in Flood Zones 3 or 2)

In the absence of a Flood Risk Assessment (FRA), we object to this application and recommend that planning permission is refused.

Reason(s)

The application site lies within Flood Zones 2 and 3, which is land defined by the planning practice guidance as having a medium and high probability of flooding respectively. The NPPF (paragraph 181, footnote 63) and the Flood Risk and Coastal Change Planning Practice Guidance (paragraphs 20 and 21) state that an FRA must be submitted when development is proposed in such locations.

An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

Overcoming our objection

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us if an FRA is submitted and we will respond within 21 days of re-consultation.

Guidance on how to prepare a flood risk assessment can be found at [Flood risk assessments: applying for planning permission - GOV.UK](https://www.gov.uk/guidance/flood-risk-assessments-applying-for-planning-permission).

Objection 2 - Potential for contamination and possible risk to controlled waters but no Preliminary Risk Assessment included in the application

We object to this application, as its planning application does not demonstrate that the risks of pollution from land contamination to controlled waters are acceptable, or can be appropriately managed with a viable and practicable remediation strategy. We therefore recommend that planning permission is refused.

Reason(s)

The proposed use of the development site as electricity infrastructure including a battery energy storage system and substation presents a high risk of contamination that may mobilise during construction/operation to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located:

- within source protection zone 1
- upon a principal aquifer
- upon a secondary aquifer A

As the planning application is not supported by an appropriate risk assessment, it does not meet the requirements set out in paragraphs 187 and 196 of the NPPF.

Overcoming our objection

The applicant should submit a Preliminary Risk Assessment which includes but is not limited to a desk study, site walkover, conceptual model, initial risk evaluation, details of any uncertainties, data gaps and limitations, conclusions and justification for the next steps in accordance with the Environment Agency's [Land Contamination Risk Management \(LCRM\)](#) guidance. This information must demonstrate to the LPA that the risks to controlled waters have been fully understood and can be addressed through appropriate measures.

This is supported by our [Groundwater Protection Position Statements](#).

Section 2: Advice to the Applicant / Local Planning Authority

Advice to LPA

Sequential test

In accordance with the National Planning Policy Framework (paragraphs 172 - 176), 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](#).

Exception test

In accordance with the National Planning Policy Framework (paragraphs 178 and 179), the proposed development is appropriate provided that the site meets the requirements of the exception test.

Our comments on the proposals relate to the part of the exception test that demonstrates the development is safe. The local planning authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk.

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>

Note to applicant

Planning advice service

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

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £115 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms of our charged for service are available [here](#).

If you would like more information on our planning advice service, including a cost estimate, please contact us at kslplanning@environment-agency.gov.uk