



Delegated Report

Approval of Conditions Application

Planning Application No: 20251287

Location: Kimberly Clark Ltd Northfleet Mill Crete Hall Road Northfleet

Description: Application for approval of condition 4(i) and 7 attached to planning permission reference number 20250251 relating to UXO Operational Risk Management Plan and Foul and Surface Water Drainage.

Applicant: Mr Craig Allison, HYRO Energy Ltd.

Submitted Documents/Plans

Cover Letter

Drainage Report

05135-RES-PRO-DR-PE-004 Rev 1 – Drainage Plan

HYRO05135-NIR-C12-02-HSE-C-006-Unexploded Ordnance - (UXO) Risk Management Plan

8856_UNDERGROUND_R1 (Sheets 1 to 5) – Underground Utility Survey

Relevant Planning History

Reference	Description	Decision	Decision Date
20250251	Construction and operation of a Green Hydrogen Electrolyser and associated infrastructure.	Permitted	25.09.2025
20230906	Construction and operation of a 20MW Green Hydrogen Electrolyser and associated infrastructure.	Permitted	09.08.2024

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

GBC Environmental Protection

The following to be considered:

Condition 4(i) – this relates to UXO and Environmental Protection officers did not request this particular condition, although the UXO Risk Management Plan was attached to the contaminated land report as an Appendix. In addition, we do not have expertise in UXO related matters, so are not best qualified or experienced to make a judgement on whether or not the submitted plan is acceptable.

Condition 7 relates to flood risk and risk to controlled waters and ecosystem. This does not fall within our remit, so there are no comments to make.

Environment Agency

Thank you for consulting us on the above proposal.

This application relates to condition(s) that was/were not requested by us, we therefore have no comments to make with regards to the discharge/variation of condition(s).

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

Southern Water

Thank you for your correspondence. Please see our comments below regarding the above planning consultation application.

Following a review of the documents sent. Southern Water has no objections to discharge conditions 4(i) and 7.

Officer's Analysis

Condition 4 of 20250251 states:

4. *Notwithstanding the details shown on the approved plans, submitted documents and application form:*

(i) before any works commence, a UXO Operational Risk Management plan for unexploded ordnance (UXO) as detailed in Appendix D of the Phase 1 Geo-environmental Desk Study dated

09/06/20123 (G-22-049 Rev 2) by GVR Geoservices Ltd shall be implemented in full or implemented in full as to other necessary mitigation

(ii) before bringing into use the Electrolyser herein approved a mitigation completion verification report must be submitted to and approved in writing by the Local Planning Authority, confirming that that all risks to existing and proposed premises have been satisfactorily mitigated.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution from previously unidentified contamination sources at the development site or safety concerns from land instability in line with paragraph 187 of the National Planning Policy Framework (NPPF) pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

Note only part 4(i) is proposed for discharge via this application.

In the original application ref 20230906 GBC Environmental Protection made the following comment:

Unexploded Ordnance (UXO)

In addition, a detailed Unexploded Ordnance (UXO) risk assessment has been commissioned (Appendix D of the Desk Study). This places the site as Low to Medium risk of UXO and therefore a UXO Risk Management Plan is recommended and should be undertaken prior to any intrusive groundworks taking place.

A condition was then placed on the decision notice for that application and then repeated on the following application ref 20250251 to which this application relates. It is therefore unclear why the comments on this application from the Environmental Protection Team claim no request for the condition or expertise to comment on it. In any case, part 4(i) of this condition requires implementation of a UXO Operational Risk Management plan for unexploded ordnance (UXO). If it has been implemented, then this part of the condition has been addressed. The UXO Risk Management Plan provided outlines the key points of risk, which is essentially that the site lies within an area of historically intense WWII bombing and so there is possibility of unexploded bombs in the area, which needs to be considered and mitigated as part of the construction works for this site. It notes that there has been post war development in the area, so the area's of greatest risk is in ground which is undisturbed or not previously fully penetrated. It summarises as follows:

'No UXO has been previously recorded on the site, and none was identified during the 2025 ground investigation; however, GI coverage is limited and cannot eliminate the possibility of UXO between exploratory locations. Based on available historical evidence, ground conditions, and proposed intrusive works (including piling, trenching and pad excavation), the UXO specialist assesses the site as presenting a Low-Medium risk from buried unexploded German aerial bombs.'

The document further details the UXO awareness briefings to be delivered to all personal involved in excavation, trenching, piling or ground disturbance, inclusion of UXO Controls in site induction and toolbox talks, appointment details for UXO Coordinators, Emergency 'Actions on Discovery' Procedure, Monitoring and Vigilance Procedures, Contact arrangements with the UXO Specialist, integration of UXO Controls into RAMS and the CPP and finally Evacuation and Muster Arrangements.

Whilst it is noted the site has not yet begun construction and so technically the details have not been implemented, the document highlights the intent to implement. Also, it is noted that part 4(i) is compliance only, simply requiring that the details of the document are implemented before the works are started. It is therefore a reasonable approach to approve part 4(i) of this condition, with the understanding that implementation is key. Part 4(ii) does require details to be submitted to the local planning authority and so the verification report must be submitted and approved by the local planning authority before part 4(ii) can be approved, effectively discharging this condition in full.

Condition 7 of 20250251 states:

7. *Notwithstanding the details shown on the approved plans, submitted documents and application form, before any works commence, a topographical site survey and/or a CCTV survey showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed flow will be no greater than the existing contributing flows, and full details of foul sewerage and surface water disposal, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the development hereby permitted is first brought into use and thereafter maintained.*

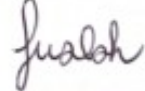
Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 181-183 of the National Planning Policy Framework 2024.

Detailed information has been provided with cctv evidence of the pipes, with the flow rates calculated within the drainage report. Details plans have also been provided for foul sewage and surface water disposal. The information submitted in relation to this condition has been reviewed by Southern Water and considered acceptable. This condition can be discharged.

Conclusion & Recommendation

The details provided address the relevant conditions, meeting the purposes of the inclusion of the conditions. As such the recommendation is to discharge Condition 4 (part i only) and Condition 7 20250251.

(see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	12th February 2026	Dated:	13 February 2026