



Delegated Report

Householder Planning Application

Planning Application No: 20251303

Location: Milton Place Car Park Gravesend Kent DA12 2BT

Description: Application for the approval of parts (a) and (b) of condition 5 (Contaminated Land) attached to planning reference number 20250167.

Applicant: Miss Esme Foley

Submitted Documents/Plans

Application Form;
GWPR6764/GIR/December 2025 V2 - Ground Investigation Report - dated December 2025 - Prepared by Ground & Water.

Superseded

~~GWPR6764/GIR/December 2025 V1.01 - Ground Investigation Report - dated December 2025 - Prepared by Ground & Water.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20250167	Construction of 76 dwellings and associated infrastructure.	Application Permitted	15.12.2025

Consultee Comments

Environmental Protection

17 February 2026 (First Comment)

The Ground Investigation Report dated December 2025 by Ground & Water (Report Ref: GWPR6764/GIR/December 2025 V1.01) has been reviewed.

The main area of concern arising from the previous report is the area of the infilled swimming pool. Several samples were taken from this area, sent for analysis and compared to the GAC criteria for Residential with Homegrown Produce. No exceedances were found. Chrysotile asbestos was found at 0.5m in one sample, but further asbestos quantification showed the percentage to be less than 0.0001% which implies low risk

However, being a geotechnical report primarily for foundation design etc, the report does not include any updated risk assessment/conceptual site model or comment on the requirement for any remediation measures based on this and the previous investigations. This is needed in order to address part (b) of the condition. It can be submitted by way of a Technical Note or addendum to this report.

It is advised that the condition is not discharged until this information has been submitted

26 March 2026 (Final Comment)

The updated version of the Ground Investigation Report dated December 2025 by Ground & Water (Report Ref: GWPR6764/GIR/December 2025 V2) has been reviewed. The report now acknowledges that due to the size of the swimming pool area, the investigations undertaken so far can't rule out further contamination present and advises that further testing is needed. This was already concluded in the original report submitted with the original application and this is what is required in part (a) of the condition.

The updated report also outlines a remediation strategy which includes the additional sampling within the infilled swimming pool area and a clean capping system for all soft landscaped and garden areas falling within the swimming pool area. Whilst it is preferred to have the full sampling/testing data available prior to recommending a remediation strategy, the proposal will be accepted in this instance bearing in mind the limited levels of exceedance found so far.

Therefore, based on the above, parts (a) and (b) of condition 5 can be discharged at this point. Once the additional sampling has been carried out and necessary remediation works implemented, a closure/validation report must be submitted in order to address parts (c) and (d) of the condition.

Officer's Analysis

The wording of condition 5 (Contaminated Land) reads as follows:

5. *No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.*
 - (a) *A further site investigation, based on the findings of the submitted 'Phase 2 Geo-Environmental Assessment' dated January 2024 by Create Consulting Engineers Ltd (Report Ref: AW/CS/P23-2862/02 Rev A) shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.*
 - (b) *An updated site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.*
 - (c) *Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.*
 - (d) *Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.*
 - (e) *Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the local planning authority.*

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

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 water pollution in line with paragraph 187 of the National Planning Policy Framework (2024).*

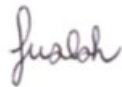
The applicant submitted a Ground Investigation Report which was reviewed by the Councils Environmental Protection Officers. The initially submitted report did not include an updated risk assessment or make any comment on the requirement for any remediation measures based on the investigations. The applicant provided an updated version of the Ground Investigation Report which has addressed these issues, the Councils Environmental Protection Officers have confirmed that the updated report is sufficient for parts (a) and (b) of condition 5 to be discharged.

As required by the condition once the additional sampling has been carried out and necessary remediation works implemented, a closure/validation report must be submitted in order to address parts (c) and (d) of this condition.

The application submission originally intended to discharge Condition 5 in its entirety, but it was agreed that at this stage, only parts A and B can be discharged. The Agent agreed and the description was amended accordingly.

Recommendation

Condition 5 attached to planning reference number 20250167 is partially discharged with parts (c) and (d) outstanding.

Case Officer:	Adeoye Lawal	Team Leader:	Faye Walsh
Signed:		Signed:	
Dated:	2 nd April 2026	Dated:	02 April 2026