

From:

Sent: Friday, April 26, 2024 3:21 PM

To: Kelly Joyce <kelly.joyce@gravesham.gov.uk>

Cc: Subject: RE: 20240234 Britannia Refined Metals

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Good afternoon Kelly,

Please see responses to your queries below in [blue](#)

Please do not hesitate to ask in case of further questions or clarifications.

Kind regards,
Nick

From: Kelly Joyce <kelly.joyce@gravesham.gov.uk>

Sent: Thursday, April 18, 2024 3:12 PM

To: Haskell, Nick (Northfleet - GB) **Cc:**

Subject: 20240234 Britannia Refined Metals

Importance: High

External sender

Dear Nick

I am the case officer for the above planning application and I have a number of issues I would like to draw to your attention.

I would like some clarification please, regarding the relationship between the proposed emissions management building and the sample preparation building (which I presume has not yet been erected). From my initial assessment of this proposal, it would appear that the two buildings are physically and functionally linked, i.e. you cannot build or operate the sample preparation building without the emissions management building. Therefore, I consider that they would be likely to be one single development, which requires planning permission and as such, they should both be included in this planning application. I would welcome your comments on this issue.

The Sample Preparation Building was developed on the basis that it would use the existing emissions abatement system, already in place at the BRM site (see overground pipes shown in the photograph below). Since the Sample Preparation Building has received its PD certificate, it has become apparent that the existing emissions abatement system does not meet the required standards, hence the need for the application for a new emissions abatement system. A standalone emissions abatement solution was undertaken in consultation with the EA and the Sample Prep Building has been designed to be functional as a standalone industrial unit and is not limited in use to the process for which the abatement is provided (i.e. rectangular in shape and with no internal columns). Consequently we request that the application for the Emissions Building continues to be determined as a stand alone application.

Please note that the lawful development certificate that was previously granted for the sample preparation building (reference 20230770) would be a material consideration in determining this application but in light of the above, I would query whether it can now be relied upon to construct the sample preparation building.

The application details include a Phase One Geotechnical and Environmental Desk Study and Ground Investigation report that relate to a 'sample preparation facility'. However, this application is for an emissions management building only. The fact that these documents relate to a sample preparation facility appears to corroborate my assertion that the two buildings are actually part of one development. However, if this application remains for the emissions building only, then the environmental and investigation reports should be amended to reflect this. [Although the Phase 1 report was commissioned for the Sample Preparation Building, in reality these investigations cover more area than defined by the red line boundary and we can confirm that there is no variation in the underlying geology or ground conditions. Any contamination in the area of the Emissions Abatement System application would have been picked up during the Phase 1 site investigation work. We are satisfied that the findings of the report are applicable to both application areas and that construction works will be in line with recommendations of the report, for both sites.](#)

The application site is located in an environmentally constrained area (in very close proximity to a SSSI, local wildlife site, biodiversity opportunity area and landscape character area) which is at risk from flooding and subject to air quality, ground contamination and archaeological issues. The proposed development appears to involve the processing of heavy industrial materials and would produce emissions via a chimney. Therefore, I would suggest that a significant impact on the environment is likely. In this regard the proposal must be considered with reference to the Environmental Impact Assessment Regulations. Please comment on this issue and confirm whether you will be submitting an application for an environmental screening opinion. [The proposed development was considered against the EIA regs during preparation and it was confirmed that it would fall outside of Schedule 1 and 2 developments due to the small size of the emissions abatement system i.e. under 0.5 ha for an industrial estate development. Although the proximity of the ecological designations \(SSSI\) is recognised and has been taken into account during the preparation of the application, no significant impacts have been identified as a result of the construction and operation of this development in this location. Aside from a small number of vehicle needed during the construction period, the development would not generate vehicle movements. The purpose of the emissions abatement system is to ensure that emissions to air would not cause harm to sensitive receptors. The applicant has been consulting with Martin Cranfield, who supports the Gravesham LAU on Environmental Permit matters. The emissions abatement system would be controlled by an Environmental Permit which would not be approved until it was shown that emissions would not be harmful. For these reasons, we are confident that impacts on the surrounding environment and SSSI would not be significant and for this reason, no EIA is required.](#)

The proposed development would produce emissions in an industrial area that has previously been designated as an Air Quality Management Area and it is noted that an Air Emissions Risk Assessment is being undertaken. The GBC Environmental Protection Team (Regulatory Services) has requested that this document be submitted as part of this application and prior to them commenting on the air quality impacts of the proposal. Clearly it is imperative that the proposal should include details of the proposed emissions/throughput of the operation and the methods for the mitigation of air pollution. [The Air Emissions Risk Assessment has been undertaken and the results have been sent to the technology provider for review. As soon as the assessment is signed off, a copy will be provided to you, to support the planning application.](#)

I note that the Planning Statement suggests that there would be no archaeological impacts associated with the proposed development but it appears that the proposed foundations would be piled and therefore archaeological features may be affected. Therefore, the application details should address this issue.

Historic maps were reviewed during the preparation of the planning application. These confirmed that the site and surrounding area has been heavily industrialised since the early 1900s and the site was used for a cement making plant since 1907. The site was also traversed by a number of railway lines, which linked the cement works to the main railway line (see map extract from the 1930s). Since this time, the site has been redeveloped and covered with hardstanding. Therefore, the chances of any buried archaeology in good condition under the site are negligible.

The application site is located in Flood Zone 3 and at high risk of flooding. Policy CS18 of the Gravesham Local Plan Core Strategy (2014) requires proposals in areas at risk of flooding to be accompanied by a Flood Risk Assessment and a Flood Risk Management Plan (if required) to demonstrate that they are adequately defended and safe over their lifetime. Therefore, please provide the relevant documents. Policy CS18 confirms that previously developed sites in the Swanscombe Peninsula Opportunity Area have been evaluated in accordance with an SFRA and considered that the development was acceptable in terms of flood risk and passed the sequential and exception tests. As stated in the planning supporting statement, *'the application site is within an established, operational industrial site, which benefits from a Flood Risk Management Plan and Evacuation Plan for staff. The emissions management building would not lead to additional surface water run off and would not take land out of the floodplain. There are no offices/accommodation or staff welfare facilities within the emissions building.* Section 5.7 goes on to confirm that *'This small development would be built on existing hardstanding and would drain into the established surface water drainage system. No additional surface water run off would arise as a result of the presence of the development. Therefore, no risks to the water environment have been identified'*. The proposed development is essentially a filter system with a chimney, built on a concrete plinth. The existing flood defences along this stretch of the River Thames will protect the site up to and including the design flood event and flood resilience measures are incorporated into the design of the emissions abatement system. Therefore, the development is considered to be acceptable in terms of flood risk.

I note that the application details suggest that there would be no highways impacts but it appears that the samples from the sample preparation building would be assessed by a 3rd party laboratory, which would presumably create vehicle movements. Therefore, the application details should address this issue. Incoming material will be transported on land and roads owned and maintained by BRM. Outgoing material to the third party lab will equate to 1 off 10kg shipment per week which will be handled through routine courier services therefore there will be no public highway or traffic impacts. The facility is anticipated to take on a maximum of 4 additional staff across two shifts and therefore parking needs can comfortably be accommodated within BRM's existing facilities.

The application form does not specify the hours of operation for the proposed development. Please provide this information. Operating hours are anticipated to be 7am-7pm 7 days a week.

I note that the sample preparation building has been previously described as processing e-scrap samples and being ancillary to the existing operations at BRM. This application should clearly explain what the sample preparation and emissions buildings will process and

how this would relate to the industrial operations at the application site and/or the e-scrap operation. It may be the case that the proposal is a waste management operation and as such, it would need to be determined by Kent County Council (KCC) as the waste planning authority. Please note that I have copied KCC in on this email for information and comment as necessary. [Section 3.1 of the planning statement provides a description of what will happen in the Sample preparation building and the emissions building. The question of who should determine the sample preparation building was discussed at length with GBC and KCC in March 2023 and it was concluded that the sample preparation building was an industrial operation, not a waste operation which confirmed that GBC were the correct determining authority. The emissions abatement system would remove dust from the sample preparation building and capture and treat all off-gases. This also falls within the description of an industrial operation and therefore should be determined by GBC.](#)