

Alison Webster
Gravesham Borough Council

Our ref: KT/2025/132882/01-L01
Your ref: 20250843

Sent by email

Date: 3 September 2025

Dear Alison

Erection of a temporary structure for workshop/office to include installation of foundation slab.

**Unit 23 Apex Business Park, Queens Farm Road, Shorne, Gravesend, Kent
DA12 3HU**

Thank you for consulting us on the above application which we received on 1 September 2025. As part of this consultation, we have reviewed the following documents:

- Application form, ref. PP-14182391, dated 20 August 2025
- Location plan, dated 22 August 2025

Environment Agency position

In the absence of a flood risk assessment (FRA), we **object** to this application and recommend that planning permission is refused.

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 – No FRA submitted (development in Flood Zones 2 and 3)

Reason(s)

The application site lies within Flood Zone 3, which is land defined by the planning practice guidance as having a high probability of flooding. 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](#).

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](#).

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 LPA

Presumption in favour of sustainable development

We are aware that your LPA may currently be subject to the 'presumption in favour of sustainable development'. Given our outstanding objection on flood risk we would like to highlight that in this case, as set out in NPPF footnote 7, the 'presumption in favour of sustainable development' should not apply as our objection provides a clear reason for refusal. If your LPA is not subject to the 'presumption in favour of sustainable development' you can disregard this paragraph. If our objection on flood risk is subsequently withdrawn, you can also disregard this paragraph.

Advice to Applicant

Connection to mains foul drainage

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

- Connection to the public sewer
- Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
- Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24-hour period must

comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: [Septic tanks and treatment plants: permits and general binding rules.](#)

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