

Katherine Parkin
Gravesham Borough Council

Our ref: KT-2025-132797/03
Your ref: 20250763

Sent by email

Date: 29 May 2026

Dear Katherine,

Change of use of the land for open storage (B8 use) primarily for equipment and operations related to Dalefield Way Industrial Park (B8 use) with associated installation of hardstanding/surface treatment, security fencing/gates, access, a soft landscaping mound, and erection of temporary office cabins.

Land At Dalefield Way (East) Gravesend Kent DA12 2FL

Thank you for consulting us on the above application which we received on 7 May 2026. As part of this consultation, we have reviewed the following documents:

- Application form, ref. PP-14096103, dated 23 July 2025
- Site location plan, ref. 25008 00-0-00, undated, by Darling Associates Architects
- Proposed site layout, ref. 25008 0-3-00 P1, dated 7 January 2026, by Darling Associates Architects
- Preliminary Ecological Appraisal, ref. 1419, dated 20 May 2025, by ECO Assistance Ecologists
- Biodiversity Assessment, dated 2 July 2025, by ACJ Ecology
- Design and Access Statement, dated June 2025, by Darling Associates Architects
- Flood Risk Assessment (FRA), ref. 24055_WP1 Rev 03, dated December 2025, by Manhire Associates
- Phase 1 Geo-Environmental Desktop Study, ref. 24055, dated May 2025, by Manhire Associates

Environment Agency position

We have **no objection** to the proposed development **subject to the following planning conditions** being included in any permission granted.

Please refer to the following sections for our full response:

- Section 1: Technical comments
- Section 2: Conditions and informatives
- Section 3: Advice to the Local Planning Authority and Applicant

Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the application, please reconsult us.

Decision notice

In accordance with the planning practice guidance ([determining a planning application, paragraph 019](#)), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

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: Technical comments

Flood Risk

Following the submission of the revised FRA, we have no further objection to the proposal. The applicant will however need to apply for a Flood Risk Activity Permit in order to carry out the works.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits) or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Fisheries, Biodiversity and Geomorphology

We would advise caution with this form of development so close to designated sites (SSSI/Ramsar). It will therefore require robust ecological buffer zones to ensure that the use of the land does not affect areas of ecological sensitivity. The proposal will lead to a loss or negative biodiversity net gain (BNG) and seeks to mitigate with 'off site' units. Whilst the availability to do this is recommended where no biodiversity gains are envisaged or feasible, the proposal could do more to ensure that BNG is achieved especially with regards to protecting the 8m (or greater) buffer zone to the water course.

Development that encroaches on watercourses can have a potentially severe impact on their ecological value. Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan.

The proposed development will therefore be acceptable if a planning condition is included requiring a scheme to be agreed to protect an 8-metre wide or greater buffer zone around the watercourse.

We would strongly advise contacting Natural England to help with consultation.

Drainage

No discharges to ground are proposed, therefore we have no comments from a groundwater protection perspective.

Land Contamination

The Phase 1 Geo-Environmental Desktop Study has been carried out in line with relevant guidance. The recommendations for further investigations at the site to determine any required appropriate remediation works should be carried out and relevant proposals agreed with the LPA before any site clean-up works are commenced.

The relevant planning conditions should not be discharged until such time as all relevant works are complete and a closure report submitted and approved by the LPA. Any construction on site should not commence until this approval has been granted.

The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Section 2: Conditions and informatives

Note to the LPA: Condition wording

If you wish to amend the wording of our requested conditions or if you wish to merge them with other statutory consultees/Local Planning Authority conditions, please contact us to discuss the revised wording.

Condition 1 (Undeveloped buffer zone for watercourse, pond or wetland)

No development shall take place until a scheme for the provision and management of an 8m metre (or greater) wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- details of any proposed footpaths, fencing, lighting, etc
- details of additional enhancement to fulfil BNG
- details of SuDS (sustainable urban drainage) schemes

Reason: Land alongside watercourses are particularly valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

Condition 2 (Remediation Strategy)

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and 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.

Condition 3 (Verification Report)

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the development does not contribute to, and 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.

Informative

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge

- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](#) or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Section 3: Advice to the Local Planning Authority and Applicant

Advice to LPA

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>

Flood risk issues not within our direct remit

The following issues are not within our direct remit or expertise, but nevertheless may be important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

Advice to applicant

Biodiversity net gain (rivers metric)

The Environment Act 2021 introduced a requirement for mandatory Biodiversity Net Gain (BNG) on most types of Town and Country Planning Act (TCPA) development. Biodiversity net gain offers an opportunity to promote and achieve our desired environmental outcomes – nature recovery, natural flood management, nature-based solutions and green and blue infrastructure.

Please note, for this application we have not reviewed any submitted BNG information in detail and our position on this application does not mean the biodiversity gain objective has been met. In line with the “[Biodiversity Net Gain](#)” section of the Planning Practice Guidance, it is the role of the Local Planning Authority role to decide if the BNG requirement for development in scope has been met.

Applications subject to statutory BNG require completion of the Watercourse Unit Module by a competent person if:

- a watercourse is onsite,
- the watercourse bank top is within 10m of the redline boundary (i.e. the red line boundary intersects the riparian zone).
- For ditches, the Watercourse Unit Module is applied where the bank top is located within 5m of the red line boundary.
- a culvert lies within the red line boundary.

We recommend that you refer to the following to assist your assessment of the watercourse metric:

[Watercourse Metric \(within the Biodiversity Metric\) - checklist to aid the reviewer.pdf \(local.gov.uk\)](#)

Further information, data and advice on our rivers and catchments can be found using the [England | Catchment Data Explorer](#) and [River Basin Management Plans](#).

Planning advice service

Should you wish us to review any technical documents or want further advice to meet the requirements of the conditions recommended, we may do this as part of our charged for planning advice service.

Further engagement will provide you with certainty of our position as to what our response to your planning application will be. 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 £119.37 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