

Amanda Cue
Gravesham Borough Council

Our ref: KT/2025/132887/01-L01
Your ref: 20250802

Sent by email

Date: 23 September 2025

Dear Amanda

Outline planning application for up to 100No. residential dwellings (including affordable housing), with all matter reserved except for access and creation of a new access from A227/South Street.

Blackthorn Farm, Wrotham Road, Meopham, Gravesend Kent

Thank you for consulting us on the above application which we received on 4 September 2025. As part of this consultation, we have reviewed the following documents:

- Design and Access Statement, dated June 2025, by Clague Architects
- Flood Risk Assessment and Drainage Strategy, ref. 2500770-ACE-XX-XX-RP-C-0301, dated July 2025, by Ardent Consulting Engineers
- Planning Statement, dated August 2025, by Esquire Developments
- Preliminary Risk Assessment, ref. DS-25054-25-101, dated June 2025, by IDOM
- Relevant drawings

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: Note to the 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application, paragraph 019](#)), please notify us by email within two weeks of a decision being made or application withdrawn.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,

creating a better place
for people and wildlife



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gov.uk/environment-agency

Section 1: Technical comments

Land affected by contamination

The proposed development site presents a medium risk of contamination that could be mobilised during site works and construction to pollute controlled waters.

Controlled waters are particularly sensitive in this location because the proposed development site is within SPZ 3 and located upon a principal aquifer.

We are generally satisfied with the work completed to date and the recommendations of the submitted Preliminary Risk Assessment (PRA). We agree with the recommendation for a site-specific geo-environmental ground investigation with soil and groundwater sampling. We look forward to seeing the results of this in due course.

The PRA demonstrates that there is a potential risk posed to controlled waters by this development. Further detailed information is 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 you as the Local Planning Authority. This is required prior to commencement of the development.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a detailed land contamination management strategy. This should be carried out by a competent person in line with paragraph 196 of the NPPF.

Without the conditions set out on Section 2 of this letter we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Drainage

The previous use of the proposed development presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within SPZ 3 and located upon a principal aquifer.

In light of the above, we consider that the use of deep bore infiltration SuDS may not be appropriate in this location. We therefore request that the following planning condition is included as part of any permission granted. Without this condition we would object to the proposed development in line with paragraph 187 of the NPPF

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.

Impact of foundations on groundwater

We have not identified information about proposed foundation types or depths for the proposed scheme. We assume these will typically be shallow due to the nature of the buildings proposed, however founding on weathered chalk may require deeper penetration.

Foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution or turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

Groundwater is particularly sensitive in this location because the proposed development site is within SPZ 3 and is located upon principal aquifer.

If foundations using penetrative methods are required, the proposed development will only be acceptable if a planning condition controlling disturbance of the aquifer, with submission of a Foundation Works Risk Assessment, is imposed. Without this condition we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

Section 2: Conditions and informatics

Conditions

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 (Land contamination management 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 LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation.
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. 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 NPPF. To ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the NPPF.

Condition 2 (Verification report)

Prior to each phase of development being occupied, 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 LPA. 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 site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Condition 3 (Unsuspected contamination)

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy 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 from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the NPPF.

Condition 4 (Infiltration of surface water)

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the LPA. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

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 caused by mobilised contaminants. This is in line with paragraph 187 of the NPPF. Our approach to groundwater protection is set out in [The Environment Agency's approach to groundwater protection](#). In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater especially where the risks of pollution are high and the groundwater asset is of high value. In this case position statement G9 applies.

Condition 5 (Deep foundations)

The installation of foundations using penetrative methods hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA.

The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- Foundation Works Risk Assessment
- A conceptual site model
- Specification of the type, number and depth of proposed foundations

- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning foundation works.
- Timing/phasing arrangements.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason: To ensure that the proposed penetrative foundation works do not harm groundwater resources in line with paragraph 187 of the NPPF and Position Statement N6 and N7 of [The Environment Agency's approach to groundwater protection](#).

Informatics

Land contamination: risk management and good practice

We recommend that developers should:

- Follow the risk management framework provided in [Land Contamination: Risk Management](#), when dealing with land affected by contamination. This guidance describes the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health.
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the [contaminated land](#) pages on gov.uk for more information

Waste on-site

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to the [waste management](#) page on GOV.UK.

We will consider any queries in relation to the use of [Definition of Waste: Development Industry Code of Practice \(DoWCoP\)](#) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of, is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation,

which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with [British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan'](#) and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on GOV.UK for more information.

Section 3: Note to the Applicant

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 £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