

Amanda Cue  
Gravesham Borough Council

**Our ref:** KT/2025/132861/04-L01  
**Your ref:** 20250730

Sent by email

**Date:** 25 November 2025

Dear Amanda,

**Installation of electricity infrastructure including a battery energy storage system, substation and ancillary electrical infrastructure.**

**Land Adjacent to Thames Way Northfleet Gravesend Kent DA11 8HL**

Thank you for consulting us on the above application which we received on 13 November 2025. As part of this consultation, we have reviewed the following documents:

- Application form, ref. PP-14183637, dated 18 July 2025
- Site location plan, no ref, undated
- Proposed site layout, ref. SG-GRAVESEND-CIV-PLN-100 rev C, dated 21 July 2025, by Helioworks
- Flood Risk Assessment (FRA), ref. 96300-ThamesWy, dated 12 September 2025, by Unda
- Phase 1 Environmental Report, ref. 3085-P1E-1, dated 10 October 2025, by GO Contaminated Land Solutions
- Firewater Management letter, dated 12 November 2025, by Speed Green
- Principles for Firewater Management, by Speed Green

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application, paragraph 019](#)), please notify us by email within two weeks of a decision being made or application withdrawn.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

creating a better place  
for people and wildlife



Yours sincerely,

**Gabrielle Delorme**  
**Sustainable Places Planning Specialist**  
E-mail [kslplanning@environment-agency.gov.uk](mailto:kslplanning@environment-agency.gov.uk)

## **Section 1: Technical comments**

We have reviewed the additional information related to firewater containment. We can now remove our previous objection, subject to planning conditions - related to firewater, land contamination, and surface water drainage - being attached to any permission granted as set out in Section 2 of this letter.

Groundwater is particularly sensitive in this location because the proposed development site is within a Source Protection Zone 1 and located upon a principal aquifer. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

The proposed development includes Battery Energy Storage. Should battery containers become exposed in the event of a fire, highly polluting chemicals in batteries could enter groundwater through firewater or rainfall runoff potentially affecting groundwater quality. This would be contrary to paragraph 187(e) of the National Planning Policy Framework (NPPF). The local planning authority should ensure appropriate mitigation is in place for the containment of surface water and rainfall runoff in the event of a fire and subsequent disposal of this contained water off-site.

While in the event of a fire at a Battery Energy Storage System (BESS), it is accepted best practice to let the containers on fire burn out, it is likely water will be used to cool neighbouring containers. This water could enter burning containers through surface water run off or directly from spray cooling neighbouring containers. Furthermore, during or following a fire at a BESS development, water could enter exposed containers through rainfall during the period of time it takes to remove, or cover, burnt out containers.

In light of the above, the proposed development will be acceptable if a planning condition securing adequate pollution prevention measures is included on any planning 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 present unacceptable risks to groundwater resources.

## 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 (Firewater containment scheme)**

The development hereby permitted shall not be commenced until such time as a scheme to contain water in the event of a fire has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

### **Condition 2 (Land contamination)**

No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site 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; and
  - 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, 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.

Note: A Preliminary Risk Assessment (Go Contaminated Land Solutions, ref 3085-P1E-1, October 2025) has been submitted in support of this application and we feel it has been carried out in accordance with relevant guidance. The PRA therefore satisfies part 1 of the above condition. The PRA has recommended that further site investigation should be carried out (part 2 of above condition), with which we are in agreement. We now look forward to receiving and providing comment on this submitted site investigation.

### **Condition 3 (Verification report)**

Prior to any part of the permitted development being occupied/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 site does not pose any further risk to human health or the 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 National Planning Policy Framework.

### **Condition 4 (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 Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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 from previously unidentified contamination sources at the development site in line with paragraph 187 of the National Planning Policy Framework.

### **Condition 5 (Infiltration of surface water drainage)**

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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 caused by mobilised contaminants in line with paragraph 187 of the National Planning Policy Framework.

### **Informative 1**

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

## Section 3: 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](#).

#### Exception test

In accordance with the National Planning Policy Framework (paragraphs 178 and 179), the proposed development is appropriate provided that the site meets the requirements of the exception test.

Our comments on the proposals relate to the part of the exception test that demonstrates the development is safe. The local planning authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk.

### **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](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

### **Note to 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](mailto:kslplanning@environment-agency.gov.uk)