

Kelly Joyce
Gravesham Borough Council
Sent via email

Our ref: KT/2024/131680/01-L01
Your ref: 20240149
Date: 04 June 2024

Dear Kelly Joyce

**Change Of Use Of River To Use Class F1 - Learning And Non-Residential
Institutions To Facilitate The Permanent Mooring Of A Vessel.**

St Andrews Gardens, Royal Pier Road, Gravesend, Kent

Thank you for consulting us on the above application. We have **no objection** subject to the following planning condition and informative being applied to any planning permission granted.

Fisheries, Biodiversity and Geomorphology

We have no objections on biodiversity grounds, however, would recommend the following planning condition. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to ecological balance of the watercourse.

Condition 1

No development shall take place until a plan for the protection from foul discharge and biodiversity enhancement of the vessel, has been submitted to and approved in writing by the local planning authority. The protection plan shall be carried out in accordance with a timetable for implementation as approved.

The scheme shall include the following elements:

- Details to be submitted to describe how foul water/ sewage will be precluded from entering the watercourse with a management and disposal plan.
- Enhancement strategy and management plan to include biodiversity enhancement of the vessel. This could include (Magnetically affixed) hanging reef structures for fish, and/or opportunities for birds.

Reason

To protect the Thames and avoid damaging the site's nature conservation fisheries value.

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.

Flood Risk

We do not object to the principle of the mooring changes and the placement of the historic steam tug. However, it should be noted that any works to the formal tidal flood defence would require a Flood Risk Activities Permit (FRAP).

The tidal Thames frontage features a flood defence line which should provide a 1 in 1000 year level of protection to much of the neighbouring land. At St Andrews Gardens, much of the flood defence line is formed by high ground and a low wall which both run inland of the river wall, where the moorings are located.

As much of the river wall is not a formal tidal flood defence, we would not object to the change in moorings along this length. However, directly west of St Andrew's Garden the formal tidal flood defence is formed by the river wall which features a higher crest level where it fronts the pub garden.

From the submitted drawings, it would appear that the proposed moorings do not interact with the tidal flood defence. Were any of the proposed construction activities to impact the tidal flood defence, the applicant must obtain a Flood Risk Activity Permit from the Environment Agency.

Informative Flood Risk Activity Permit 1

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

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- 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 <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. 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.

Please do not hesitate to contact us should you require any further information.

Yours faithfully

Ms Laura Edwards

Planning Advisor

Direct e-mail KSLPLANNING@environment-agency.gov.uk