



Delegated Report

Condition Discharge Application

Planning Application No: 20240627

Location: Grange Travel Limited Canal Road Gravesend Kent

Description: Application for partial approval of condition 2 (parts (a) and (b)) attached to planning permission reference number 20231050 relating to a strategy to deal with the potential risks associated with any contamination of the site.

Applicant: Mr B Smith, Grange Travel Coach Hire Ltd

Site Visit Date: Desktop assessment

Submitted Documents/Plans

Application form
Planning Statement
Phase 1 Desk Study (1 April 2024)
Phase II Geo-Environmental Assessment (14 June 2024)

Relevant Planning History

Reference	Description	Decision	Decision Date
20231050	Erection of a portal frame shed for servicing and maintaining coaches, including space for an office on a mezzanine floor and storage on the ground floor.	Permitted	14.12.2023

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS19 – Development and Design Principles

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- 2 – Achieving sustainable development
- 15 – Conserving and enhancing the natural environment

Consultations, Publicity and Representations

GBC Environmental Protection

The following comments were made by Environmental Protection regarding this application:

'Reference has been made in the D & A to Environmental Protection raising concerns regarding contamination entering groundwater as a result of construction on the site. This was the Environment Agency (EA) as opposed to this team. As the EA have responsibility and expertise reading groundwater contamination, it is advised that they are consulted (if they haven't been already) regarding this matter and a decision as to whether a contamination assessment is required or not. The D & A has advised that the portal frame shed has already been constructed on shallow foundations.'

Conditions 2, 3 and 4 were requested by the Environment Agency due to the potential for contamination of groundwater/controlled waters. Therefore, it is recommended that advice is sought from the EA regarding the discharge of these conditions.

Environment Agency

Comments 18.09.2024

We require further information for this application before we can comment on the discharge of planning conditions as set out below.

Groundwater and Contaminated Land

We have reviewed the provided Phase I Desk Study Report produced by G.D. Ground Engineering Services (Ref: DS-GTCH-001-24, dated 1st April 2024) and consider the report acceptable to satisfy part 1 of condition 2 for this application and welcome the recommendation for intrusive investigation at the site.

Unfortunately, the resolution of the Phase II Report makes parts of the report illegible. As such we would request sight of another copy which is of a higher clarity for review. Until this has been made available we cannot comment on any conditions other than part 1 of condition 2 as above.

Further comments 11.10.2024

We have no objections to the discharge of parts 1 and 2 of condition 2.

Groundwater and Contaminated Land

We have reviewed the Phase II Geo-Environmental Assessment provided by GDGES (Ref: GEO-GTCH-001-24, dated 14th June 2024). We understand from Appendix 7 that elevations of Total Petroleum Hydrocarbons (TPH) and Polycyclic aromatic hydrocarbons (PAH) have been identified within the underlying groundwater and within associated soils (Appendix 6). It is also understood from section 8.14 that "the PAH contamination is suspected to be from an off-site source, that being the adjacent former Gas Works". Sections 9.2 and 9.3 are noted to recommend that "additional investigation and testing will be required across the wider site".

This is considered acceptable from a groundwater quality perspective, and we would consider the attached reports to satisfy parts 1 and 2 of condition 2 only.

Officer's Analysis

Condition 2 (Contamination Strategy)

Condition 2 states as follows:

Within three months of the date of this permission, a strategy to deal with the potential risks associated with any contamination of the site should be submitted to and approved in writing by the Local Planning Authority. This strategy will include the following components:

(a) 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.

(b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(c) The results of the site investigation and the detailed risk assessment referred to in (b) 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.

(d) 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 (c) 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 approval of the Local Planning Authority. The scheme shall be implemented as approved.

The Environment Agency have reviewed the above reports submitted for Condition 2 and consider that they are acceptable to satisfy the requirements under (a) and (b) of the condition. On this basis, the submitted details are considered to be satisfactory in terms of ensuring the development does not cause or is not impacted by pollution, in accordance with the reason for condition 2. The details relating to parts (a) and (b) of condition 2 are therefore considered to be acceptable and condition 2 can be partially discharged. The remaining parts (c) and (d) of condition 2 are required to be submitted to fully discharge this condition.

Remaining Conditions

Details for condition 3 (Verification Report), condition 4 (Pollution Management Plan) and condition 5 (Parking Management Plan) remain to be submitted. An informative will be included on this basis.

Conclusion and Recommendation

The Local Planning Authority is satisfied with the details submitted in relation to planning permission 20231050 for the erection of a portal frame shed for servicing and maintaining coaches, including space for an office on a mezzanine floor and storage on the ground floor. It is considered that condition 2 can be partially discharged.

A further informative should be included to remind the applicant of the need to comply with the remaining requirements of condition 2 and conditions 3, 4 and 5.

(See draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
Signed:	<i>K. Parkin</i>	Signed:	<i>R Hart</i>
Dated:	17 October 2024	Dated:	17th October 2024