

External Consultee Comments

Kent Police Designing out Crime 22 August 2025

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. We strongly recommend that the applicant take this opportunity to review their general security arrangements regarding the existing buildings, including perimeter security, alarm systems, lighting and CCTV.
2. Perimeter security of the site, including gates, should be reviewed to control site permeability and prevent theft of property. A good standard of building security is very important in rural areas, especially for outbuildings that may not be visited for weeks at a time. Each site should be fully enclosed within a minimum 2m security fencing system or higher. It is important that the gap between the base of any fencing and the ground is minimal, so that any equipment, such as the PV panels themselves or copper cable, cannot be easily passed underneath by thieves. Additional defensive planting of natural hedging should be considered around the boundary and along the existing footpath as an added layer of security.
3. Consideration should be given regarding property boundary for any potential places where it could be made more secure:
 - Densely planted buffers can be used to enhance boundaries. There are plenty of suitable native (non-toxic) prickly species.
 - digging deep ditches to control and deter unwanted vehicle access
 - if possible, having a single-gated access point to each site. Please refer to the SBD Non-Residential (Commercial) Guide 2025 Guide, Section 76: Security fencing and Section 77: Gates for more information on what specification SBD recommends.
4. We recommend that all equipment is individually security marked and all serial numbers recorded within a site inventory. Copper cable, transformers, inverters, switch gear and any other equipment of high value should also be security marked. This can be achieved by using unique identifiers, such as serial numbers on the insulation sheathing and with the use of forensic marking solutions. A full equipment inventory should be kept.

5. All string inverters, substations, transformer stations and buildings/ storage containers should be fully alarmed with a monitored system and covered by CCTV. All CCTV should comply with the Information Commissioner's Office guidance. Appropriate security locks and devices should be installed on all equipment cabinets and associated buildings. Locking device screws/bolts should not be easily accessible when closed, to deter by-passing of the locks themselves by a determined offender. One way security clutch head security bolts/screws or similar can also be utilised to prevent easy removal.

6. We note CCTV cameras are proposed for this development "Cabling would also be required for power and data transfer associated with the CCTV system described below. This would generally follow the perimeter fence lines where the CCTV cameras would be located", which is greatly encouraged. We recommend monitored CCTV and alarms systems to be installed and operational to cover vulnerable elevations and site entrances in addition to point 5. Appropriate crime prevention/security signage warning of the use of CCTV and forensic marking solutions should be installed on the exterior face of the security fencing and any gates.

7. Doorsets and windows should meet PAS 24:2022 as a minimum-security standard. All external doors should have a minimum of two locking points with locks that meet the British Standard. All doors and windows that are not part of a designated fire escape route, should be closed and locked. Glazing for windows should be laminated rather than just toughened for security purposes. Please refer to the Commercial 2015 Guide, Section 2: Physical Security Specifications on SBD Design Guides ([securedbydesign.com](https://www.securedbydesign.com)) for doorsets and windows.

8. Given the amounts of equipment and copper cable likely to be on site during construction, it is essential that the site and the temporary compounds are secured, and appropriate temporary alarm and CCTV systems are installed, particularly if a security guard is not to be employed during construction. Any plant and associated fuel bowsers should also be secured, alarmed and immobilised at the end of each working day.

9. Car Park. The design criteria for car parks should follow the principles laid down in the police owned 'ParkMark' initiative. 'ParkMark' initiative (appropriate lighting, CCTV, Security fencing, Exit/entry barriers and gates, clear signage to help drivers and pedestrians navigate the car park safely etc). Any EV charging points should be provided in a safe and secure space. Secure motorcycle moped and scooter parking should be made available for staff and visitors. Such parking provision should benefit from surveillance, secure ground anchors and be lit after dark when in use.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Environment Agency 25 November 2025

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.

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:
 - o all previous uses;
 - o potential contaminants associated with those uses;
 - o a conceptual model of the site indicating sources, pathways and receptors; and
 - o 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

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

Environment Agency 27 October 2025

Thank you for consulting us on the above application which we received on 13 October 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 September 2025, by Unda
- Phase 1 Environmental Report, ref. 3085-P1E-1, dated 10 October 2025, by GO Contaminated Land Solutions

Environment Agency position

We object to the proposed development, as submitted, because the risks to groundwater from the development are unacceptable.

Please refer to the following sections for our full response:

- Section 1: Reasons for, and how to overcome, our objection(s)
- Section 2: Advice to the Applicant / Local Planning Authority

Please be aware that we wish to be re-consulted on this planning application once the required information has been submitted. Please also note that our subsequent advice may concern other important environmental issues.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Section 1: Reasons for, and how to overcome, our objection(s)

Objection - Unacceptable risk to groundwater quality

We object to the planning application, as submitted, because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 187 of the National Planning Policy Framework.

Reason(s)

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.

Groundwater is particularly sensitive in this location because the proposed development site:

- is within source protection zone 1
- is located upon a principal aquifer
- is located upon a secondary A aquifer

To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed. In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality.

There is potential for pollution of the water environment due to abnormal and emergency situations at Battery Energy Storage System (BESS) developments, in particular fires. This would be exacerbated in this vulnerable groundwater location. There is a risk that highly polluting chemicals in batteries could enter groundwater in firewater or rainfall. The applicant should assess risks to groundwater and ensure mitigation is in place for containment of this water.

While in the event of a fire at a 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 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.

Overcoming our objection

To overcome our objection the applicant should provide a suitable mechanism for containing surface water run-off in the event of a fire.

Section 2: 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:

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CIRIA Code of Practice for property flood resilience

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British Standard 85500 – Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

Flood mitigation

Although we have no objections to the proposed development, the developer may wish to include measures to mitigate the impact of more extreme future flood events. Measures could include raising ground or finished floor levels and/or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>.

Note to applicant

Planning advice service

Should you wish us to review any technical documents or want further advice to address the environmental issues raised, we may do this as part of our charged for planning advice service.

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application. 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](#).

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Environment Agency 3 October 2025

Thank you for consulting us on the above application which we received on 27 August 2025. As part of this consultation, we have reviewed the following documents:

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- Flood Risk Assessment (FRA), ref. 96300-ThamesWy, dated September 2025, by Unda

Environment Agency position

We object to the proposed development, as no preliminary risk assessment has been submitted.

Please refer to the following sections for our full response:

- Section 1: Reasons for, and how to overcome, our objection(s)
- Section 2: Advice to the Applicant / Local Planning Authority

Please be aware that we wish to be re-consulted on this planning application once the required information has been submitted. Please also note that our subsequent advice may concern other important environmental issues.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Section 1: Reasons for, and how to overcome, our objection(s)

Objection - Potential for contamination and possible risk to controlled waters but no Preliminary Risk Assessment included in the application

We object to this application, as its planning application does not demonstrate that the risks of pollution from land contamination to controlled waters are acceptable, or can be appropriately managed with a viable and practicable remediation strategy.

We therefore recommend that planning permission is refused.

Reason(s)

The proposed use of the development site as electricity infrastructure including a battery energy storage system and substation presents a high risk of contamination that may mobilise during construction/operation to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located:

- within source protection zone 1
- upon a principal aquifer
- upon a secondary aquifer A

As the planning application is not supported by an appropriate risk assessment, it does not meet the requirements set out in paragraphs 187 and 196 of the NPPF.

Overcoming our objection

The applicant should submit a Preliminary Risk Assessment which includes but is not limited to a desk study, site walkover, conceptual model, initial risk evaluation, details of any uncertainties, data gaps and limitations, conclusions and justification for the next steps in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance. This information must demonstrate to the LPA that the risks to controlled waters have been fully understood and can be addressed through appropriate measures.

This is supported by our Groundwater Protection Position Statements.

Section 2: 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 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
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Exception test

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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:

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Note to applicant

Planning advice service

Should you wish us to review any technical documents or want further advice to address the environmental issues raised, we may do this as part of our charged for planning advice service.

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application. 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](#).

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Environment Agency 29 August 2025

Thank you for consulting us on the above application which we received on 27 August 2025. As part of this consultation, we have reviewed the following documents:

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- Site location plan, no ref, undated
- Proposed site layout, ref. SG-GRAVESEND-CIV-PLN-100 rev C, dated 21 July 2025, by Helioworks

Environment Agency position

We object to the proposed development, as no flood risk assessment and no preliminary risk assessment have been submitted.

Please refer to the following sections for our full response:

- Section 1: Reasons for, and how to overcome, our objection(s)
- Section 2: Advice to the Applicant / Local Planning Authority

Please be aware that we wish to be re-consulted on this planning application once the required information has been submitted. Please also note that our subsequent advice may concern other important environmental issues.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Should you have any queries regarding this response, please contact me.

Section 1: Reasons for, and how to overcome, our objection(s)

Objection 1 - No Flood Risk Assessment submitted (development in Flood Zones 3 or 2)

In the absence of a Flood Risk Assessment (FRA), we object to this application and recommend that planning permission is refused.

Reason(s)

The application site lies within Flood Zones 2 and 3, which is land defined by the planning practice guidance as having a medium and high probability of flooding respectively. The NPPF (paragraph 181, footnote 63) and the Flood Risk and Coastal Change Planning Practice Guidance (paragraphs 20 and 21) state that an FRA must be submitted when development is proposed in such locations.

An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

Overcoming our objection

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us if an FRA is submitted and we will respond within 21 days of re-consultation.

Guidance on how to prepare a flood risk assessment can be found at Flood risk assessments: applying for planning permission - GOV.UK.

Objection 2 - Potential for contamination and possible risk to controlled waters but no Preliminary Risk Assessment included in the application

We object to this application, as its planning application does not demonstrate that the risks of pollution from land contamination to controlled waters are acceptable, or can be appropriately managed with a viable and practicable remediation strategy.

We therefore recommend that planning permission is refused.

Reason(s)

The proposed use of the development site as electricity infrastructure including a battery energy storage system and substation presents a high risk of contamination that may mobilise during construction/operation to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located:

- within source protection zone 1
- upon a principal aquifer
- upon a secondary aquifer A

As the planning application is not supported by an appropriate risk assessment, it does not meet the requirements set out in paragraphs 187 and 196 of the NPPF.

Overcoming our objection

The applicant should submit a Preliminary Risk Assessment which includes but is not limited to a desk study, site walkover, conceptual model, initial risk evaluation, details of any

uncertainties, data gaps and limitations, conclusions and justification for the next steps in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance. This information must demonstrate to the LPA that the risks to controlled waters have been fully understood and can be addressed through appropriate measures.

This is supported by our Groundwater Protection Position Statements.

Kent County Council Flood and Water Management 29 August 2025

Thank you for your consultation on the above referenced planning application.

As Lead Local Flood Authority, Kent County Council are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangement put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving any one or more of the following:

- a) The winning and working of minerals or the use of land for mineral-working deposits;
- b) Waste development;
- c) The provision of dwelling houses where:
 - i. The number of dwelling houses to be provided is ten or more; or
 - ii. The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph
- (c) (i);
- d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) Development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

Notwithstanding the above, please feel free to contact us again if you consider there to be local flood risk issues on this site that may require further consideration.

Kent County Council Public Rights of Way 3 September 2025

Thank you for your letter dated 27th August regarding the above planning application.

The applicant has included a Public Right of Way Mitigation Strategy in their Construction Traffic Management Plan, which outlines how Public Right of Way Footpath NU14, running along the northwestern boundary of the site, will be kept open wherever possible. Temporary closures may be used when necessary, but the aim is to minimise disruption to the public while maintaining safety.

The strategy includes the use of clear signage, advance notice, and managed crossings where construction activity overlaps with the footpath. In some cases, staff may be present

to assist users crossing safely. Where haul roads follow or cross the PROW, measures like signage, barriers, or minor diversions will be put in place to protect users.

All arrangements will be made in consultation with PROW officers, and the applicant has committed to keeping closures as short as possible and reopening the path as soon as it is safe to do so.

I enclose a copy of the Public Rights of Way network maps showing the line of the path for your information.

Please note the granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of eight weeks' notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Health and Safety Executive 3.9.25

Battery Energy Storage System are usually not a relevant development in relation to land-use planning in the vicinity of major hazard sites and major accident hazard pipelines.

This is because they do not, in themselves, involve the introduction of people into the area. HSE's land use planning advice is mainly concerned with the potential risks posed by major hazard sites and major accident hazard pipelines to the population at a new development.

However, if the proposed development is located within a safeguarding zone for a HSE licensed explosives site then please contact HSE's Explosives Inspectorate. Their contact email is Explosives.planning@hse.gov.uk.

The HSE Land Use Planning Web App can be used to find out if a site is within an explosives site zone (as well as in zones for major hazard sites and major accident hazard pipelines). If you require access to the HSE Web App then please contact the Land Use Planning Team (lupenquiries@hse.gov.uk)

If the development is over a major accident hazard pipeline or in the easement around a major accident hazard pipeline, please consult the pipeline operator.

If the development involves a new substation or the storage of electrical energy such as in a large battery storage unit and the development is proposed adjacent to a COMAH (Control

of Major Accident Hazards) establishment then please consult the operator of the COMAH establishment.

If the development involves a substation or the storage of electrical energy such as in a large battery storage unit and is proposed in the vicinity of a nuclear site the Office for Nuclear Regulation (ONR) does wish to be consulted over such proposals. They can be contacted on ONR-Land.Use-Planning@onr.gov.uk

If you have any further questions please contact us.

Southern Water 15 June 2026

Thank you for your correspondence. Please see our comments below regarding the above planning consultation application.

Insufficient Information provided

Condition

Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Existing Southern Water, Wastewater Treatment Works (WWTW) located in proximity to the proposed development.

In determining the application, we ask that the Planning Authority take into account the provisions of Paragraphs 180, 182 and 183 of the National Planning Policy Framework (NPPF) regarding the proposed location of development in relation to existing uses that may be a source of pollution (in terms of odour). We apply a precautionary buffer zone for any development located within 500 metres of the boundary of a WWTW. The proposed development is located approximately 11 metres from the Northfleet Wastewater Treatment Works, and as such we have applied this requirement to our planning consultation response. Please contact Southern Water to discuss and agree the Scope of the odour assessment.

The outcome of the Odour Assessment should inform site layout, and any appropriate odour mitigation identified and agreed with Southern Water as necessary to avoid potential odour nuisance to future residents will also be funded by the developer.

Southern Water applies a target standard of 1.5 ouE/m³ as the 98th percentile of hourly averages contour to sensitive receptors in line with the NPPF recommendation for planning decisions to achieve a high standard of amenity for existing and future users.

Given that the 'agent of change' for planning applications is the developer, the service we provide to review third party assessments and/or accommodate a site survey etc. is chargeable. More information regarding our fees can be found on our website; Connection charging arrangements

([https://urldefense.com/v3/__https://www.southernwater.co.uk/building-and-developing/our-services/water-services/connecting-charging-arrangements/__;!!OepYZ6Q!_McDStnpuyfhWKxeAVhh4j7i4AFLrDI5PyB-MKD8p88lCIHKJJcfsjT994P1NsPbyZEpQ6TDvt87hRFNFFPkmUPKO-WOZ8oOOHJwsoWvSP0\\$](https://urldefense.com/v3/__https://www.southernwater.co.uk/building-and-developing/our-services/water-services/connecting-charging-arrangements/__;!!OepYZ6Q!_McDStnpuyfhWKxeAVhh4j7i4AFLrDI5PyB-MKD8p88lCIHKJJcfsjT994P1NsPbyZEpQ6TDvt87hRFNFFPkmUPKO-WOZ8oOOHJwsoWvSP0$))

Condition

Until a suitable and robust assessment demonstrates otherwise, due to the potential odour nuisance from a Wastewater Treatment Works, no sensitive development should be located within 500m of the WwTW site boundary. An Odour Assessment will need to be carried out by a specialist consultant funded by the developer to a scope that will need to be agreed in advance with Southern Water.

Access to Wastewater Treatment Works (WWTW) to be maintained

Southern Water requires existing access arrangements to Wastewater Treatment Works to be maintained with regards to unhindered 24 hour / 7 days a week access. Southern Water operates a closed gate policy during maintenance works for Health and Safety reasons.

Existing Southern Water Assets – General within boundary but no tree, buildings, assets within standoff distance (approximate)

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer and water main assets crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. To get in contact to confirm the exact position of the asset please visit; https://www.southernwater.co.uk/media/ph4fk3pe/ds-location-of-rising-mains_pb.pdf.

For information on required stand-off distances from public sewers please refer to: <https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf>.

Existing Rising Main stand-off distance

The 400 mm diameter rising main requires a minimum clearance of 3 metres on either side of the rising main to protect it from construction works and to allow for future access for maintenance. We would recommend using stand-off distances as per our water mains, please refer to: <https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf>

No development or tree planting should be carried out within 3 metres of the external edge of the public rising main without consent from Southern Water. All existing infrastructure should be protected during the course of construction works.

Condition

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewers.

Tree planting

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers"

(https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1_nwm.pdf) and the Sewerage Sector Guidance (<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

Condition

'In order to protect public apparatus, Southern Water requests that if consent is granted, the following pre commencement condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

Possible Contamination on Redevelopment Site (Brownfield sites - former petrol, gas, oil etc. contamination)

The level of contamination on site should be investigated, as this may affect the materials used for the public water mains to service the development. Details of any contamination found on site should be declared to the statutory water undertaker, as part of a water connection application, as this will influence the materials used for construction of public water mains on the site.

Please visit [water-connection-technical-guidance_wca.pdf](#) for more information.

Proposed Development located in Flood plain

From the site location, it appears that the proposed development lies within an area identified as flood zone 2/3. Southern Water supports the Government's requirement to apply the sequential and exception tests to development sites located in flood zones 2 or 3. In flood events, additional surface water can inundate sewers, which may result in the overloading of the sewerage system. Southern Water will rely on the Council's consultations with the Environment Agency to ensure that any proposed development on a floodplain is appropriately assessed, and necessary mitigation measures adopted.

As this site is in a high-risk flood zone the new foul drainage system must be resilient to the flooding as we do not want flood waters to enter the system which would then impede foul drainage from this area and potentially downstream. The developer must ensure the new foul system draining the development does not create a new low spot on the network. If this is a possibility, then consideration should be given to having a pumped connection or other satisfactory mitigation. It appears the area is also prone to high groundwater. The new system must be constructed to withstand high groundwater and should be watertight at pipe joints, within manholes and at ground level. The integrity of the system with respect to water tightness must be demonstrated by air testing.

Condition

In view of the risk of inundation of the proposed drainage system, Southern Water would request that the consent is subject to the following condition: The proposed drainage system shall be designed and constructed to prevent the ingress of flood water into the sewerage network.

S106 Connection application

Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

Please note that, where there are separate systems available, Southern Water will not allow surface water to connect into the public foul sewer. If this is not possible, please provide evidence that all other options have been explored.

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction work, an investigation of the sewer will be required to ascertain its ownership before any work commences on site. If this happens, please call our Customer Service Desk on 0330 303 0119

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Southern Water 4 September 2025

Thank you for your correspondence, please see our comments below regarding the above application.

Insufficient Information provided

Condition

Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Existing Southern Water, Waste Water Treatment Works (WWTW) located in proximity to the proposed development.

In determining the application, we ask that the Planning Authority take into account the provisions of Paragraphs 180, 182 and 183 of the National Planning Policy Framework (NPPF) regarding the proposed location of development in relation to existing uses that may be a source of pollution (in terms of odour). We apply a precautionary buffer zone for any development located within 500 metres of the boundary of a WWTW. The proposed development is located approximately 11 metres from the Northfleet Wastewater Treatment Works, and as such we have applied this requirement to our planning consultation response. Please contact Southern Water to discuss and agree the Scope of the odour assessment.

The outcome of the Odour Assessment should inform site layout, and any appropriate odour mitigation identified and agreed with Southern Water as necessary to avoid potential odour nuisance to future residents will also be funded by the developer.

Southern Water applies a target standard of 1.5 ouE/m³ as the 98th percentile of hourly averages contour to sensitive receptors in line with the NPPF recommendation for planning decisions to achieve a high standard of amenity for existing and future users.

Given that the 'agent of change' for planning applications is the developer, the service we provide to review third party assessments and/or accommodate a site survey etc. is chargeable. More information regarding our fees can be found on our website; Connection charging arrangements

(https://urldefense.com/v3/__https://www.southernwater.co.uk/building-and-developing/our-services/water-services/connecting-charging-arrangements/__;!!OepYZ6Q!_McDStnpuyfhWKxeAVvh4j7i4AFLrDI5PyB-

MKD8p88IClHKJJcfsjT994P1NsPbyZEpQ6TDvt87hRFNFFPkmUPKO-
WOZ8oOOHJwsoWvSP0\$)

Condition

Until a suitable and robust assessment demonstrates otherwise, due to the potential odour nuisance from a Wastewater Treatment Works, no sensitive development should be located within 500m of the WwTW site boundary. An Odour Assessment will need to be carried out by a specialist consultant funded by the developer to a scope that will need to be agreed in advance with Southern Water.

Access to Wastewater Treatment Works (WWTW) to be maintained

Southern Water requires existing access arrangements to Waste Water Treatment Works to be maintained with regards to unhindered 24 hour / 7 days a week access. Southern Water operates a closed gate policy during maintenance works for Health and Safety reasons.

Existing Southern Water Assets – General within boundary but no tree, buildings, assets within standoff distance (approximate)

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer and water main assets crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. To get in contact to confirm the exact position of the asset please visit;

https://www.southernwater.co.uk/media/ph4fk3pe/ds-location-of-rising-mains_pb.pdf.

For information on required stand-off distances from public sewers please refer to:

<https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf>.

Existing Rising Main stand-off distance

The 400 mm diameter rising main requires a minimum clearance of 3 metres on either side of the rising main to protect it from construction works and to allow for future access for maintenance. We would recommend using stand-off distances as per our water mains, please refer to:

No development or tree planting should be carried out within 3 metres of the external edge of the public rising main without consent from Southern Water. All existing infrastructure should be protected during the course of construction works.

Condition

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewers.

Sewer/water main diversion not possible

From our initial assessment of the existing apparatus, it appears that there is limited opportunity to divert existing drainage/water apparatus. Southern Water therefore objects to the proposed development layout. If planning permission were to be granted, Southern Water (as the statutory undertaker) would request that the Council (as the Building Control Authority) refuse Building Regulations approval on the grounds that building over the public

sewer/water main cannot be permitted. In order to progress the proposed development on the site, the layout should be amended to achieve the required stand-off distances

<https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf>.

Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout.

Condition

In order to protect drainage/water apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers/water supply mains, prior to the commencement of the development.

Sewer/water main diversion possible

The attached plan shows that the proposed development will lie over an existing public sewer/water main, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined on site by the applicant before the layout of the proposed development is finalised. It might be possible to divert the sewer/water main, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Condition

In order to protect drainage/water apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers/water mains, prior to the commencement of the development.

Tree planting

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers"

(https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1_nwm.pdf) and the

Sewerage Sector Guidance (<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

Condition

'In order to protect public apparatus, Southern Water requests that if consent is granted, the following pre commencement condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

Possible Contamination on Redevelopment Site

(Brownfield sites - former petrol, gas, oil etc. contamination)

The level of contamination on site should be investigated, as this may affect the materials used for the public water mains to service the development. Details of any contamination found on site should be declared to the statutory water undertaker, as part of a water connection application, as this will influence the materials used for construction of public water mains on the site.

Please visit [water-connection-technical-guidance_wca.pdf](#) for more information.

Network Rail 9 September 2025

Thank you for consulting Network Rail on the above planning application.

Following a review of the application, I can confirm that Network Rail have no comments to make on the proposal.

Ebbsfleet Development Corporation 1 July 2026

I write in response to your letter dated 5 June 2026 inviting the views of the Ebbsfleet Development Corporation (EDC) on the above planning application currently under consideration by the Borough Council.

We note that since our previous comments were provided in September 2025 (EDC ref EDC/25/0151) a number of revisions to the submission have taken place and these items are seen on the application file following the date of our last comments:

- Land Ownership Plan (Revised April 2026)
- Flood Risk Assessment (September and October documents)
- Revised Site Layout Plan (May 2026)
- Preliminary Ecological Assessment (PEA) (September and October documents)
- Battery Safety Management Plan (September and October documents)
- Planning Statement
- Design and Access Statement
- Land Contamination Preliminary Risk Assessment
- Firewater Mitigation Plan
- Reptile Survey and Mitigation Strategy
- Dormouse Survey and Mitigation Strategy
- Land Registry Plan
- Highway Search Plan
- Revised Application Form and Certificate B
- Revised Site Location Plan (May 2026)

The site does not fall within the urban development area of the EDC. However, the scale and direct adjacency of the proposed development is such that it could have significant effects on approved and planned new developments within the EDC's boundary and we have some observations that we request the Borough Council take into account.

These comments are provided by EDC in its role as adjacent local planning authority but also land owner of adjacent land at and around Thames Way and Ebbsfleet Central Strategic Development Area, including Blue Lake, and there has recently been granted outline planning permission, under EDC reference EDC/22/0168, for major mixed use redevelopment of land around Ebbsfleet International Railway Station. (Approved 17 March 2026 subject to S106.)

The EDC Assets, Projects and Infrastructure teams have been consulted and at this time the LPA raise concerns in relation to this proposal as set out in detail below.

1. Development Description – whilst the new application form has amended the description of the development to include the new vehicle access onto Thames Way (classified road) the application description has not yet been updated on the GBC file and consultation letter.
2. Protected Species Mitigation – following reptile and dormouse surveys we note that the KCC Ecologist currently does not agree that the proposed mitigation is achievable with the proposed layout.
3. Noise Impact Assessment incomplete - We had previously commented that the Noise Impact Assessment (NIA) did not take into consideration within the assessment noise impacts on nearby sensitive receptors within the approved Ebbsfleet Central East (ECE) residential-led strategic development (EDC ref EDC/22/0168). The ECE development should be included within the Noise Impact Assessment baseline for assessment, and we also highlight to you that the approved ECE residential development (at the corner of Thames Way and Ebbsfleet Gateway) is closer to the proposed development than some residential receptors already identified within the assessment.

There will be a substantial quantum of residential development in this location. The current Area Master Plan for the outline permission shows in the region of 530 homes are situated (in Blocks N, O, P) along Thames Way and Ebbsfleet Gateway.

4. Vegetation along Thames Way - EDC require for there to be established planting along Thames Way to screen the proposed large and utilitarian works. It would be helpful to see streetscene drawings of Thames Way to demonstrate the visual impact of the development from Thames Way in conjunction with existing development.
5. Construction Traffic – The Construction Traffic Management Plan (CTMP) states that no other construction activity is known in the immediate vicinity of the site and if other projects arise the applicant will co-ordinate with GBC and KCC.

However, the CTMP should take account of the approved strategic scale Ebbsfleet Central development (EDC/22/0168) and consider whether there may be any cumulative traffic impacts on the local and strategic highway networks from the development of these two schemes in parallel. (There needs to be an acknowledgement of these projects potentially occurring at the same time.)

It is noted that KCC have also referred to the requirement for the applicant to engage with the Highways Authority, however, no further works outside of the original Traffic Management (TM) plans seem to have been recorded nor acknowledgement of the Galley

Hill Road closure issue. The closure of Galley Hill reduces the window of TM works being allowed by KCC.

6. On-going infrastructure development – There are significant infrastructure works proposed in the vicinity of this site to enable the Ebbsfleet Garden City build out. The connection referred to by the applicant states that it will be connecting to the Northfleet East Primary Substation. This requires clarification as both substations are under construction or have been completed by EDC as part of their infrastructure works. The plan also describes electricity cables that will be laid for 1.5km via public highway. We already have a planned programme of works that include cable laying in this area. Concerns would be adverse impacts to TM plans via KCC along with connection prioritisation from UKPN.

EDC thank you for the opportunity to review and would request to be consulted further if any further details are submitted in relation to this proposal.

Ebbsfleet Development Corporation 8 September 2025

I write in response to your letter dated 18 August 2025 inviting the views of the Ebbsfleet Development Corporation (EDC) on the above planning application currently under consideration by the Borough Council.

The site does not fall within the urban development area of the EDC. However, the scale and direct adjacency of the proposed development is such that it could have significant effects on approved and planned new developments within the EDC's boundary and we have some observations that we request the Borough Council take into account.

These comments are provided by EDC in its role as adjacent local planning authority but also land owner of adjacent land at and around Thames Way and Ebbsfleet Central Strategic Development Area, including Blue Lake, and as applicant for a live outline planning application (EDC reference EDC/22/0168) for major mixed use redevelopment of land around Ebbsfleet International Railway Station.

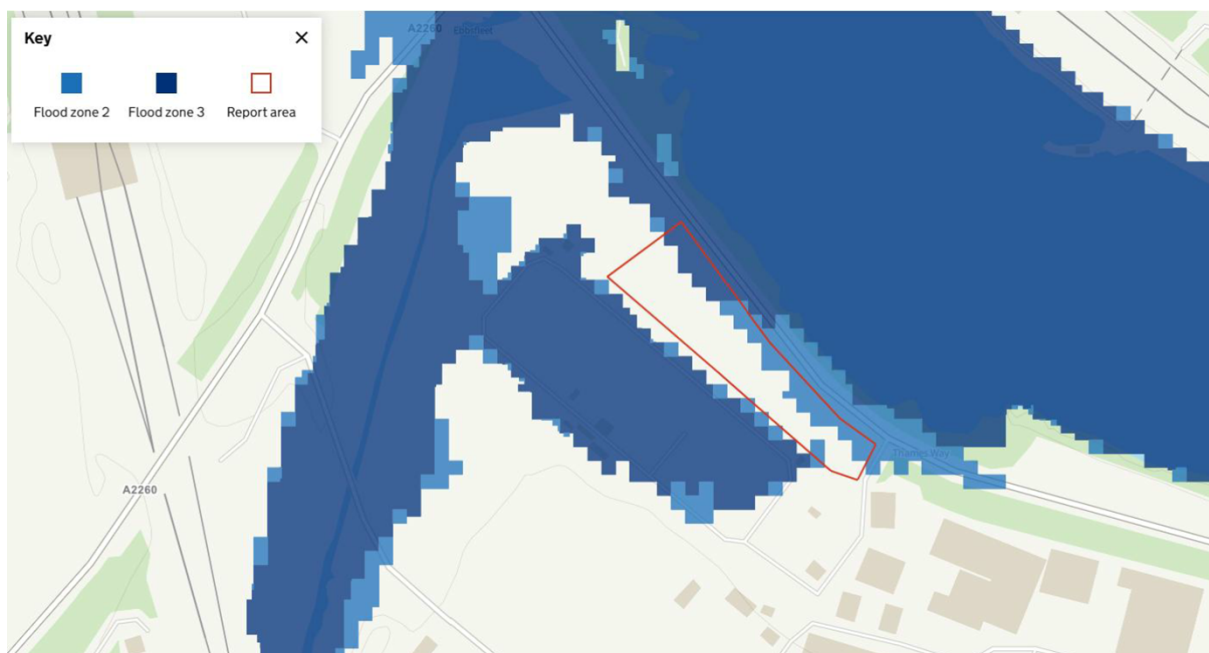
The EDC Assets, Projects and Infrastructure teams have been consulted and at this time the LPA raise concerns in relation to this proposal as set out in detail below.

1. Red Line Boundary/Access/Land Ownership issues - The application does not appear to include the proposed new access (or vision splays for that access) within the site red line boundary. The creation of a new access onto a classified road requires planning permission in its own right and needs therefore also to be within the description of the development. The proposed new access appears to cross land that is owned by KCC onto land that is owned by EDC, however the Certificate B has only been served on Gravesham Council property department. Between the site and the road there are also slithers of unregistered land. If the proposed access does cross any of the unregistered land running adjacent to Thames Way then in that scenario a Certificate C should be signed following the placement of an advert in the local press. It also appears that there are various items of street furniture within the land being crossed by the proposed access and these should be plotted on the existing/proposed block plans. This should be regularised prior to determination.

2. Flood Risk – The application form states that the development does not fall within an area of flood risk but this is incorrect as the EA Flood Map shows it is crossed by areas of Flood Risk 2 and 3 (see map extract below – red line drawn indicatively). As a minimum a Flood Risk Assessment needs to be completed for this development and if directed by guidance

then the Environment Agency should be consulted. If the proposal (including the extended red line currently missing) is a major application, then the Lead Local Flood Authority should also be consulted.

The area of flood risk is on the periphery of the site but is still a material consideration. The applicant needs to demonstrate that the development will not worsen flood risk elsewhere and also that there are no safety issues arising from electricity equipment being situated in this location. Given that there will be a significant increase in impermeable ground surface as a result of the development, EDC would be concerned that flood risk may be worsened, and this could impact conditions along Thames Way. The EDC infrastructure team also advise that there are potential conflicts related to waste water outfall and storm drainage of EDC planned infrastructure in the area.



3. Groundwater Vulnerability – EDC note that on Defra Magic Maps that the Groundwater Vulnerability Map shows the site as medium-high risk. As such it would be expected that contamination matters are addressed in the assessment of the proposal and the EA and the GBC EHO consulted in this regard. This site is in close proximity to water bodies that fall within EDC's land ownership, Blue Lake and Ebbsfleet River and we would seek reassurance that this proposal would not lead to ground water contamination of these sites.

4. SSSI Impact Risk zones - EDC note that on Defra Magic Maps that the site also falls within the SSSI Impact Risk zones for a number of the Swanscombe area SSSIs. As such the GBC LPA must check if the type of development at the distance proposed will require consultation be carried out with Natural England.

5. Heritage – EDC note that the site is within an Area of Archaeological Potential and in close proximity to a Grade II* listed property. As such the proposal should be accompanied by a Heritage Assessment. None has been submitted to date and as such the NPPF requirements in relation to heritage impact cannot be assessed.

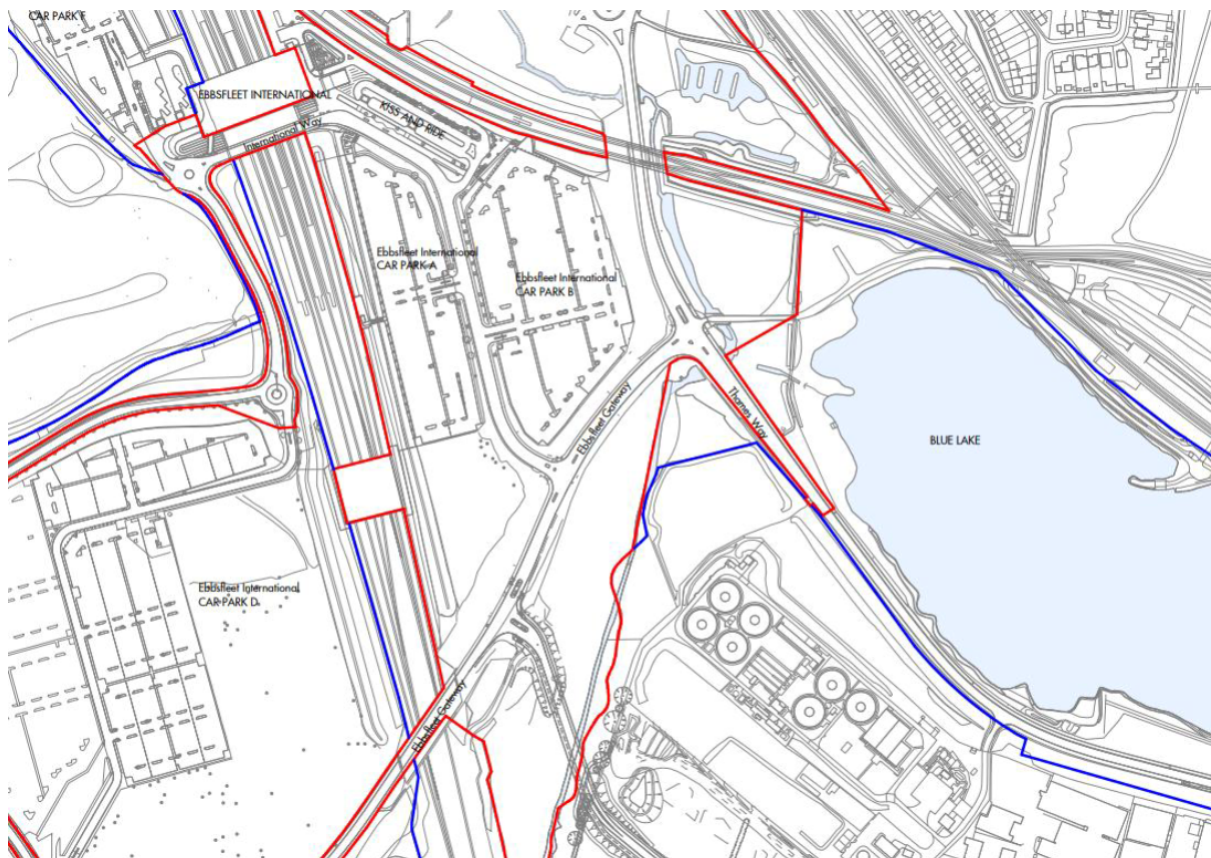
6. Noise – EDC Planning Committee have recently resolved to approve the Ebbsfleet Central East strategic development site, in very close proximity to the proposed battery

storage development. The legal agreement is currently being finalised before the permission is issued. The reference and details for that development are:

EDC/22/0168 - Ebbsfleet Central East Land Adjacent To Ebbsfleet International Railway Station Thames Way Kent

Outline planning application (with all matters reserved) for mixed-use development comprising demolition of the existing car parking, structures and station forecourt and provision of residential dwellings (Use Class C3); flexible commercial, business and service uses (Use Class E) to allow provision of retail, offices, restaurants/cafes, nurseries, and healthcare facilities; flexible learning and non-residential institutions (Use Class F1); flexible local community uses (Use Class F2); hotel use (Use Class C1); residential institutions (Use Class C2); and Sui Generis uses to allow provision of co-living and student accommodation, public houses/drinking establishments, and theatres/cinemas. Associated works include hard and soft landscaping, a River Park, car parking and multi-storey car parks, pedestrian, cycle and internal vehicular network, and other ancillary infrastructure; and associated crossings, highway accesses, and junction improvements

A partial site line for that development is shown below to aid understanding of proximity to the battery storage site proposed:



The Noise Impact Assessment (NIA) to support the battery storage application does not refer to the Ebbsfleet Central East strategic development but the ECE development should be included within the Noise Impact Assessment baseline for assessment, and note that planned residential development (at the corner of Thames Way and Ebbsfleet Gateway) is

closer to the proposed development than some residential receptors already identified within the assessment. There will be a substantial quantum of residential development in this location (the current Area Master Plan for the outline permission shows in the region of 530 homes are situated (in Blocks N, O, P) along Thames Way and Ebbsfleet Gateway.

We also note that the noise survey was carried out in good conditions, rather than windy conditions which may exacerbate any appreciation of noise at receptor sites.

EDC anticipate that an updated NIA would show that noise is likely to be the most significant potential impact on Ebbsfleet Central as a result of this proposed development.

7. Construction Traffic – The Construction Traffic Management Plan (CTMP) states that no other construction activity is known in the immediate vicinity of the site and if other projects arise the applicant will co-ordinate with GBC and KCC.

However, the CTMP should take account of the Ebbsfleet Central development under application EDC/22/0168 (detailed in point 7 above) and consider whether there may be any cumulative traffic impacts on the local and strategic highway networks from the development of these two schemes in parallel. (There needs to be an acknowledgement of these projects potentially occurring at the same time.)

Furthermore, traffic management for Thames Way requires impact analysis to Ebbsfleet Gateway, especially with the Galley Hill Road closure and EDC have a series of temporary road closures planned over the next two years to facilitate the 33kV cable supply to two new primary substations.

8. On-going infrastructure development – There are significant infrastructure works proposed in the vicinity of this site to enable the Ebbsfleet Garden City build out. Planned and current major infrastructure projects include upgrades to the existing wastewater treatment works and Electricity 33kV cable routing and primary substation builds in adjacency. The proposed battery storage development will require connection to and from the Electricity Grid site and power requirements – these must be co-ordinated with the EDC adjacent major infrastructure works – which has not happened to date.

Furthermore, the adjacent Southern Water Waste Water Treatment Works (WWTW) has planned expansion and upgrade works. (SW have plans to expand the use of their site next to the boundary indicated in the proposals near their “grid compound”). Southern Water must be consulted in relation to this proposal and their own development. The impact of the design of the proposed development on the current odour contours from the WWTW need also be addressed.

9. Existing vegetation along Thames Way - it is difficult to tell whether or not the vegetation fronting Thames Way would be lost under this proposal. EDC would require for there to be established planting along Thames Way to screen the proposed large and utilitarian works. It would be helpful to see streetscene drawings of Thames Way to demonstrate the visual impact of the development from Thames Way in conjunction with existing development.

EDC thank you for the opportunity to review and would request to be consulted further if any further details are submitted in relation to this proposal.

Referring to the consultation on a planning application dated 28 August 2025 referenced above, in the vicinity of the A2 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) ~~offer no objection (see reasons at Annex A);~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);
- c) ~~recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- d) ~~recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority propose not to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningSE@nationalhighways.co.uk.

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Annex A National Highways' assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Recommendation: Recommend that conditions should be attached to any planning permission that may be granted

Reasons

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case, particularly within the vicinity of the A2. We note that trip generation during the operational phase will be extremely low, and that, even during the construction phase, trip generation and its impact on the SRN will be low. We also note that a Construction Traffic Management Plan has been produced. Given our assessment of the evidence presented with the application stage, we recommend the following conditions.

Recommended Conditions

Construction Traffic Management Plan

Construction of the development shall proceed in strict accordance with the approved Construction Traffic Management Plan unless otherwise agreed in writing by the local planning authority (who shall consult National Highways).

Reason: To ensure that the A2 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and paragraph 111 of the National Planning Policy Framework (2023).

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

KCC Biodiversity 10 July 2026

We have reviewed the submitted ecological mitigation and we advise that sufficient information has been provided to determine the planning application.

Protected/Notable Species

The submitted ecological information has confirmed the presence of dormouse and a low population of common lizard. It has detailed that the site or surrounding area contains suitable habitat to support breeding birds, foraging/commuting bats, Great Crested Newts, badgers, hedgehogs and invertebrates.

A reptile and dormouse mitigation strategy has been submitted as part of this application.

Reptile Mitigation

The reptile mitigation strategy has provide details of what mitigation will be required to be implemented if planning permission is granted. It has detailed that a reptile translocation will be required and what criteria will be required for the off site receptor site. However no details of the receptor site has been provided. We advise that it would be preferred if the details of the reptile receptor site is provided prior to determination however due to the size of the population we accept that GBC can be confident that a suitable receptor site can be found.

However we acknowledge that the reptile population is small and therefore it is likely that a suitable receptor site can be found.

The submitted information has confirmed that reptiles could also be present within the dormouse mitigation areas and has provided appropriate measures to minimise risk to the reptile population.

We advise that if planning permission is granted a detailed mitigation strategy is required to be submitted as a condition of planning permission if granted.

Dormouse Mitigation

A dormouse mitigation strategy has been submitted and it has detailed that the proposed site layout will be reduced to retain a larger area of dormouse habitat within the site. This now corresponds to the redline boundary of the site.

The mitigation strategy has detailed that retained habitat in the north and south of the site of the revised layout (as detailed within the mitigation strategy) will be enhanced with scrub planting – see image below:



Figure 5 – Potential Mitigation Land (orange line – within existing site, blue line – additional land)

In addition to the habitat creation the mitigation will require a phased vegetation clearance, and 5 years of on going monitoring.

We understand that it may be a number of years before the application is implemented and therefore we advise that a review and updated of the dormouse mitigation must be carried out prior to works commencing on site.

Prior to works commencing (including vegetation clearance) within the site a detailed ecological mitigation strategy must be submitted to the LPA for written approval. The plan must include the following:

- Preliminary Ecological Appraisal of the development site and receptor sites

- Recommended species surveys
- Overview of the mitigation required
- Detailed methodology to implement the mitigation.
- Timing of the works.
- Plans demonstrating where the works will be carried out.
- Details of who will carry out the works.
- Details of any fencing to protect any retained habitat on site.

The plan must be implemented as approved.

Priority Habitat

The site has been identified as Open Mosaic Habitats on Previously Developed Land via the BugLife All Of A Buzz Data Set. All of a Buzz in the Thames Gateway - Buglife Open Mosaic Habitats on Previously Developed Land can be a 'habitat of principal importance', or priority habitat, as listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Paragraph 84 of the Office of the Deputy Prime Minister (ODPM) Circular 06/2005¹ states that "...potential effects of a development, on habitats or species listed as priorities... ...are capable of being a material consideration in the preparation of regional spatial strategies and local development documents and the making of planning decisions".

The BNG assessment has been updated and we accept that the site no longer meet the requirement for Open Mosaic Habitats on Previously Developed Land as there is no bare ground within the site.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60}), must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum²:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;

- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We have reviewed the submitted information and we advise that sufficient information has been submitted to meet the requirements for mandatory net gain as additional information has now been provided to demonstrate the site no longer meets the requirements of Open Mosaic Habitats on Previously Developed Land.

The submitted metric currently details that the proposal will result in a loss of 100% BNG for habitats and hedgerows. We advise that this loss may change following amendments to the site plan.

We advise that regardless of which layout is implemented it will not be possible to achieve a BNG of over 10% for habitats within the site – depending on the landscaping proposed it may be possible to achieve a BNG of over 10% for hedgerows.

As such off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units. Further details of off site habitat creation can be found at the end of the report.

We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for off site habitat providers in Kent Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent.

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

We advise that as no details of habitat creation have been provided we are unable to advise at this point if the proposed habitat creation will meet on site significant and if on going monitoring will be required. In the even the habitat creation does meet the requirements of on site significant we have suggested conditions for HMMP and monitoring

BNG Deemed Condition information

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is referred to in decision notices in the form of an informative. The government's published Biodiversity Gain Plan (BGP) template should be used to discharge it: Biodiversity gain plan - GOV.UK. Please note that the submission of the finalised Statutory Biodiversity Metric/BGP is required by law prior to the commencement of any development.

BIODIVERSITY GAIN PLAN

The following condition is not a statutory requirement but unless imposed there would be no requirement that the Biodiversity Gain Plan submitted for approval to be in accordance with any biodiversity or ecological information submitted with the planning application. This condition may not be appropriate for some outline planning permissions where the post-development biodiversity value will not be known until reserved matters have been approved.

Suggested Condition Wording:

The Biodiversity Gain Plan shall be prepared in accordance with the baseline information within the Biodiversity Net Gain Assessment and prepared by Ecology and Land Management;

HABITAT MANAGEMENT AND MONITORING PLAN

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan (submitted as part of the deemed condition discharge application), and based on the most up-to-date and/or relevant ecology surveys as determined by a suitably qualified ecologist, has been submitted to, and approved in writing by, the local planning authority. The Plan shall include:

- a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat retention, creation and enhancement works (including detailed landscaping plan(s) and planting schedule(s)) to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- and
- e) the monitoring methodology and frequency in respect of the retained, created or enhanced habitat to be submitted to the local planning authority;

The retained, created and/or enhanced habitat specified in the approved HMMP shall be implemented, managed, maintained and monitored in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Monitoring

To ensure the proposed biodiversity net gain is achieved, we recommend conditions for implementation of the HMMP, and the submission of monitoring reports to the local authority to help ensure target habitats and their associated conditions are meeting their goals should planning permission be granted.

The conditions enable monitoring of the delivery of the BNG and needs to align with any monitoring fees required through S106 agreement. Monitoring fees may be required by the Local Planning Authority to enable the effective resourcing of the delivery and management of BNG.

Suggested Condition Wording – confirmation that works have commenced Notice in writing shall be given to the Council when the HMMP works have started.

Suggested Condition Wording – monitoring works have commenced.

Monitoring reports demonstrating that the development is achieving the targeted biodiversity net gain in the approved biodiversity gain plan shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP. Remedial measures, if required, shall be specified within an updated HMMP submitted for approval in writing by the local planning authority at the same time as the submission of each monitoring report. The remedial management measures shall be implemented as approved.

This response was submitted following consideration of the following documents:

- Preliminary Ecological Appraisal; Calumma Ecological Services; July 2025
- Biodiversity Net Gain Assessment; Ecology and Land Management;
- Dormouse Survey; Calumma; November 2025
- Reptile Survey; Calumma; September 2025

OFF-SITE GAINS (NEEDS TO BE REGISTERED)

'Off-site' biodiversity gains are any BNG measures proposed outside of the red line boundary. The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any offsite units if these are used. BNG sites must be registered here: Register a biodiversity gain site - GOV.UK.

If off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register⁶⁹ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

If any off-site habitat creation/enhancement is proposed outside of the LPA boundary/National Character Area of the impact site these will be subject to spatial risk penalties.

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a 'habitat bank operator'⁷⁰), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory

Service website. It is generally inappropriate to rely solely on conditions to secure off-site biodiversity net gain. The following needs to be secured as part of the off-site biodiversity net gain:

- The submission of a habitat management and monitoring plan (HMMP);
- Notice of HMMP implementation and completion of the habitat creation and enhancement works;
- Timescales for completion of habitat creation, and the submission of a completion report;
- Submission of a monitoring report;
- A habitat monitoring fee to be paid to the local planning authority on every habitat management monitoring event.

The HMMP shall be submitted when the general BNG condition is discharged and shall contain the following information 71:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Where off-site gains are to be secured through a 'habitat bank operator' (which has its own legal agreement and HMMP), no additional conditions or section 106 obligations are required, above a condition requiring biodiversity net gain to be delivered as set out in the planning application.

The submission of provisional/draft legal documents outlining the agreement between the applicant and the provider of any off-site gains are advisable prior to determination to confirm that the proposed route to delivering net gain is feasible, but this information is not required until submission of the pre-commencement Biodiversity Gain Plan.

1 odpm-circ-0605.qxd (publishing.service.gov.uk)

2 <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

KCC Biodiversity 13 April 2026

We have reviewed the submitted ecological mitigation and we advise that clarification on the proposed site layout is required.

Protected/Notable Species

The submitted ecological information has confirmed the presence of dormouse and a low population of common lizard. It has detailed that the site or surrounding area contains

suitable habitat to support breeding birds, foraging/commuting bats, Great Crested Newts, badgers, hedgehogs and invertebrates.

A reptile and dormouse mitigation strategy has been submitted as part of this application.

Reptile Mitigation

The reptile mitigation strategy has provide details of what mitigation will be required to be implemented if planning permission is granted. It has detailed that a reptile translocation will be required and what criteria will be required for the off site receptor site. However no details of the receptor site has been provided. We advise that it would be preferred if the details of the reptile receptor site is provided prior to determination however due to the size of the population we accept that GBC can be confident that a suitable receptor site can be found.

We understand the applicant owns land to the north however the location plan does not confirm the extent of ownership. It may be possible for the reptile receptor site to be established within the blueline boundary and we anticipate that reptiles will also be present in the north of the site but its likely that it could support the increase in reptile population

However this approach will depend on the extent of land, within the applicants ownership, required for the dormouse mitigation, if both species can be retained in the blueline boundary.

Dormouse Mitigation

A dormouse mitigation strategy has been submitted and it has detailed that he proposed site layout will be reduced to retain a larger area of dormouse habitat within the site.

This is shown in the below plan with the current proposed site plan on the left and the revised site plan (as detailed in the dormouse mitigation strategy) on the right.

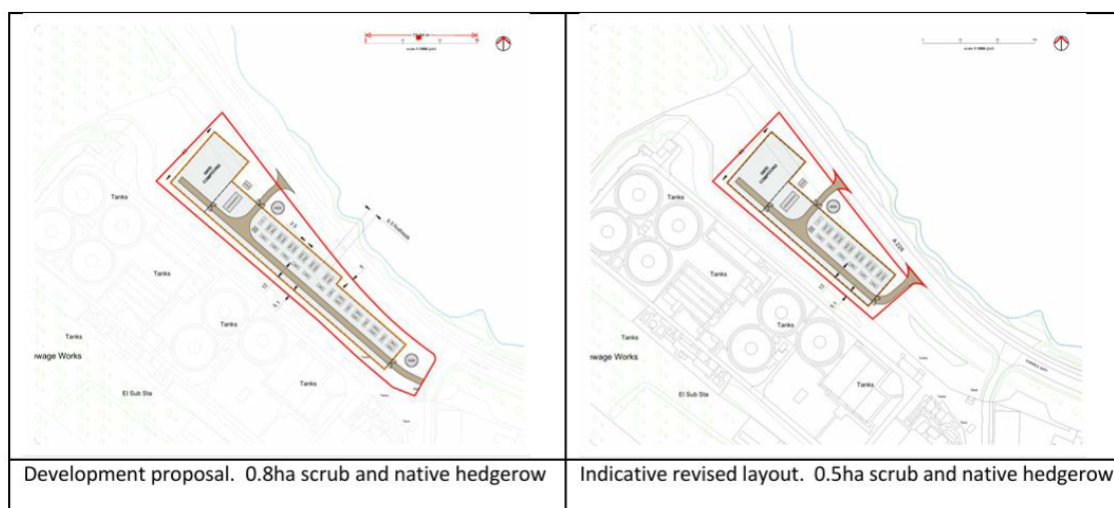


Figure 4 – Proposed Development and Indicative Revised Site Layouts.

The mitigation strategy has detailed that retained habitat in the north and south of the site of the revised layout (as detailed within the mitigation strategy) will be enhanced with scrub planting – see image below:



Figure 5 – Potential Mitigation Land (orange line – within existing site, blue line – additional land)

While we agree with the principle of what is proposed we advise that we have the following concerns with the proposed mitigation:

- The proposed mitigation is not achievable in the current site plan
- The mitigation strategy has not clarified if the proposed habitat creation is likely to impact any reptiles which are within the grass/scrub habitat within the blue line boundary.

Priority Habitat

The site has been identified as Open Mosaic Habitats on Previously Developed Land via the BugLife All Of A Buzz Data Set. All of a Buzz in the Thames Gateway - Buglife Open Mosaic Habitats on Previously Developed Land can be a 'habitat of principal importance', or priority habitat, as listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Paragraph 84 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20051 states that "...potential effects of a development, on habitats or species listed as priorities... ..are capable of being a material consideration in the preparation of regional spatial strategies and local development documents and the making of planning decisions".

The BNG assessment has been updated and we accept that the site no longer meet the requirement for Open Mosaic Habitats on Previously Developed Land as there is no bare ground within the site.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum²:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We have reviewed the submitted information and we advise that sufficient information has been submitted to meet the requirements for mandatory net gain as additional information has now been provided to demonstrate the site no longer meets the requirements of Open Mosaic Habitats on Previously Developed Land.

The submitted metric currently details that the proposal will result in a loss of 100% BNG for habitats and hedgerows. We advise that this loss may change following amendments to the site plan.

We advise that regardless of which layout is implemented it will not be possible to achieve a BNG of over 10% for habitats within the site – depending on the landscaping proposed it may be possible to achieve a BNG of over 10% for hedgerows.

As such off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units. Further details of off site habitat creation can be found at the end of the report.

We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for

off site habitat providers in Kent Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent.

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

1 odpm-circ-0605.qxd (publishing.service.gov.uk)

2 <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

KCC Biodiversity 30 January 2026

We advise that additional information is required prior to determination.

Protected/Notable Species

The submitted ecological information has confirmed the presence of dormouse and a low population of common lizard. It has detailed that the site or surrounding area contains suitable habitat to support breeding birds, foraging/commuting bats, Great Crested Newts, badgers, hedgehogs and invertebrates.

An overview of best practice mitigation has been provided however no details have been provided demonstrating how the dormouse and reptile population will be mitigated for. We highlight that due to the proposed layout on site ecological mitigation cannot be implemented within the development site.

We advise that a draft mitigation strategy must be submitted prior to determination. This is in alignment with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20051 which states "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

Priority Habitat

The site has been identified as Open Mosaic Habitats on Previously Developed Land via the BugLife All Of A Buzz Data Set. All of a Buzz in the Thames Gateway - Buglife Open Mosaic Habitats on Previously Developed Land can be a 'habitat of principal importance', or priority habitat, as listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Paragraph 84 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20052 states that "...potential effects of a development, on habitats or species listed as priorities.....are capable of being a material consideration in the preparation of regional spatial strategies and local development documents and the making of planning decisions".

The BNG assessment has been updated and we accept that the site no longer meet the requirement for Open Mosaic Habitats on Previously Developed Land as there is no bare ground within the site.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60},) must deliver

at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum³:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We have reviewed the submitted information and we advise that sufficient information has been submitted to meet the requirements for mandatory net gain as additional information has now been provided to demonstrate the site no longer meets the requirements of Open Mosaic Habitats on Previously Developed Land.

The submitted metric currently details that the proposal will result in a loss of 100% BNG for habitats and hedgerows. We advise due to the proposed layout it will not be possible to achieve a BNG of over 10% for habitats within the site – depending on the landscaping proposed it may be possible to achieve a BNG of over 10% for hedgerows.

As such off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units. Further details of off site habitat creation can be found at the end of the report.

We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for off site habitat providers in Kent Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent.

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

1 odpm-circ-0605.qxd (publishing.service.gov.uk)

2 odpm-circ-0605.qxd (publishing.service.gov.uk)

3 <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

KCC Biodiversity 5 January 2026

We advise that additional information is required prior to determination.

Protected/Notable Species

The submitted preliminary ecological appraisal has detailed that the site or surrounding area contains suitable habitat to support breeding birds, foraging/commuting bats, Great Crested Newts, badgers, hedgehogs, invertebrates and dormouse. Common Lizard were recorded incidentally during the site visit.

The report has recommended that surveys are required for dormouse and reptiles. The PEA was carried out in June 2025 and therefore there was sufficient time to complete these surveys in 2025 unfortunately the surveys have not been submitted as part of the current application.

We advise that the recommended surveys are carried out prior to determination of the planning application. The above is in alignment with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20051 which states, "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

We advise that if species are present within the site there will be a need for appropriate mitigation to be proposed. We highlight that due to the proposed layout it is unlikely that on site ecological mitigation can be implemented.

Priority Habitat

The site has been identified as Open Mosaic Habitats on Previously Developed Land via the BugLife All Of A Buzz Data Set. All of a Buzz in the Thames Gateway - Buglife

Open Mosaic Habitats on Previously Developed Land can be a 'habitat of principal importance', or priority habitat, as listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Paragraph 84 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20052 states that "...potential effects of a development, on habitats or species listed as priorities... are capable of being a material consideration in the preparation of regional spatial strategies and local development documents and the making of planning decisions".

We advise that insufficient information has been provided to satisfy that the site is no longer meet the requirement for Open Mosaic Habitats on Previously Developed Land. We advise that further information is provided clarifying why the applicant is satisfied that the site does not meet this criteria.

We recommend that the Biodiversity Net Gain Assessment provides a description (supported by photos) of all the habitats detailed within the Statutory Metric. The metric details that vacant or derelict land is present on site which could support the presence of Open Mosaic Habitats on Previously Developed Land.

We highlight that if the assessment of the habitat is incorrect and it is Open Mosaic Habitats on Previously Developed Land then the BNG assessment is incorrect.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum³:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and

- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We have reviewed the submitted information and we advise that insufficient information has been submitted to meet the requirements for mandatory net gain as insufficient information has been provided to fully understand if the site meets the requirements Open Mosaic Habitats on Previously Developed Land rather than the habitats listed within the submitted metric.

If the additional information requested in the priority habitat section satisfactorily demonstrates that the site is not Open Mosaic Habitats on Previously Developed Land then we advise that we will accept the conclusions of the submitted metric.

We advise that clarity on the baseline habitats must be submitted prior to determination of the planning application as mandatory BNG requires details of the pre development values to be known when the application is being determined.

We advise due to the proposed layout it will not be possible to achieve a BNG of over 10% for habitats within the site – depending on the landscaping proposed it may be possible to achieve a BNG of over 10% for hedgerows.

As such off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units.

We advise that it will be possible to purchase off site units to achieve a BNG if the submitted metric is correct however we advise that it is likely to be more difficult to secure off site units if the site meets the requirements for Open Mosaic Habitats on Previously Developed Land.

We can advise further on this matter once the addition requested information clarifying if the site is Open Mosaic Habitats on Previously Developed Land has been provided.

1 odpm-circ-0605.qxd (publishing.service.gov.uk)

2 odpm-circ-0605.qxd (publishing.service.gov.uk)

3 <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

Kent Fire and Rescue Service 28 November 2025

Thank you for your follow up email dated 13 November 2025 following additional documentation

added to the planning portal.

- The most recent documents uploaded to the portal do not appear to have an impact on the previous comments made within our two previous letters dated 16/10/25 (CAS-330370) and 17/09/25 (CAS-326600) respectively. Therefore, the comments made within our original letters remains valid and we have no further comments at this stage.

Kent Fire and Rescue Service 16 October 2025

Thank you for your follow up email dated 26/09/2025 with the provision of an executive summary of the Outline Battery Safety Management Plan (OBSMP).

This planning consultation is for the installation of electricity infrastructure including a Battery Energy Storage System (BESS) with an unspecified storage capacity, a substation and

ancillary electrical infrastructure. Please be aware that the principles discussed within this planning advice letter should not be used as a precedent for justification for future developments. Each BESS is unique and should be evaluated on its own merit.

Kent Fire Rescue Service (KFRS) has no authority to approve or decline planning permission for grid scale BESS sites or smaller BESS cabinets. This decision, in the majority of cases, lies with the Local Authority or National Infrastructure Planning. KFRS will endeavour to provide consultation during this process, however, there is no statutory requirement to do so. Information requested and received will be able to support our observations during the planning process and also provide a basis for design/build stage. I acknowledge that KFRS are also learning and developing along with this evolving area of technology and approaches to risk mitigation for BESS locations.

With this in mind, as this is currently in the early stages of the project, we would encourage the design team to reach out for early engagement. This has proven to be beneficial for both parties in regard to expectations and enabling KFRS to assist from a fire safety perspective.

Confidential Information

Information requested by KFRS will be used to both aid in the design process and influence the emergency response at an incident. It is acknowledged that some specific details may be commercially sensitive, and so the information requested is kept in confidence on our secure system throughout the consultation process. It is also acknowledged that some key features of the design may not be finalised in the early stages of planning, due to evolving technology and/or procurement of equipment. However, some important information is requested during the initial stages of planning. Please note that KFRS has amended our standard response letter to streamline and co-ordinate the applicants' responses to key safety points at various stages of the development.

Information Requested

During the initial stages of planning, KFRS request that the following information is provided by your applicant in the form of an email response, via yourselves as the Authority Having Jurisdiction (AHJ) to the Fire Engineering Team (FET) email. I note some of this information has been provided by your client.

1. Identification of who is at risk from the proposed site
2. Identification of any surrounding communities, sites, and infrastructure that may be impacted as a result of an incident
3. A detailed diagram / plan of the site
4. Access to, and within, the site for FRS appliances
5. Evidence that site geography has been considered (e.g. prevailing wind conditions).
6. How the BESS units will be laid out relative to one another.
7. Details of fire-fighting water provisions (e.g. Flow rates, static tanks, hydrants, fire mains)
8. The intended fire strategy in the event of thermal runaway (e.g. controlled burn with boundary cooling or internal water suppression)
9. An outline emergency response plan (ERP) reflecting the NFCC Grid scale guidance

Additional information is also requested as the project develops and prior to project completion.

Please can your applicant complete the additional information page at the end of this letter, clearly providing risk mitigation details where their proposal deviates from the NFCC Grid Scale guidance or other international design codes. Please can the completed document be returned to the FET, via the local authority planning team prior to completion.

Please don't forget to notify KFRS, via the FET email, when...

- Site construction begins; so that we can update our system and make crews aware of site access location(s).
- Following delivery of the initial phase of BESS containers; so that we can update our system of the potential increased risk at the site.
- Project completion/activation; so that our Risk Inspection Team (RIT) can complete a Site-Specific Risk Information (SSRI) visit and align our operational response with the applicant's emergency response plan (ERP).

Specific Planning Observations

Access

I note Table One states there will be two separate vehicle access points, with mention of prevailing winds that have been accounted for to ensure KFRS can access the site in the event of an incident.

Therefore, access appears suitable and broadly in-line with NFCC guidance.

Water supplies

I refer back to the initial Proposed Site Layout plan where I can see the provision of a water tank upon each entrance into the site which based on your comments would be 180m³ and therefore appears suitable and in-line with NFCC guidance.

Contaminated water

Consideration should be given within the site design to the management of water run-off (e.g. drainage systems, interceptors, bunded lagoons etc).

Battery Safety Management Plan (BSMP) and Emergency Response Plan (ERP)

Please can you confirm the MW of this BESS site as there is no mention within the Outline Battery Safety Management Plan (BSMP). We accept that this is a developing document due to the overall design not being currently finalised due to evolving technology and/or procurement of equipment.

As such, the documents provided are an "evolving document" to assist KFRS in helping your applicants design team in developing a finalised BSMP and robust ERP. I note that there is no ERP currently available, and as such would expect an outline ERP at the planning stage to broadly align with NFCC grid scale guidance document.

Important points about this consultation

Currently, no British Standard (BS) or Approved Document (AD) specifically addresses the installation of BESS. Importance is therefore placed on evidence-based justification to

support the design. In lieu of this, the following guidance has been adopted to provide the basis for our observations.

- National Fire Chiefs Council (NFCC) published guidance: Grid Scale Battery Energy System Planning, Guidance for FRS – Published April 2023*

- Department for Energy Security & Net Zero: Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems- Published March 2024*

*Please note that this detailed document should not be considered as a fully comprehensive specification; but should be used to provide a framework for consultation. Each BESS site should be assessed individually and addressed on a case-by-case basis.

The contents of this guidance utilise academic study, international standards, case studies and industry guidance to support professional judgement.

I would like to thank you again for your early engagement and in advance for your engagement throughout the planning process. KFRS advice is non-statutory but given in good will to protect the lives and safety of the public and emergency responders.

Kent Fire and Rescue Service

This planning consultation is for the installation of electricity infrastructure including a Battery Energy Storage System (BESS) with an unspecified storage capacity, a substation and ancillary electrical infrastructure. Please be aware that the principles discussed within this planning advice letter should not be used as a precedent for justification for future developments. Each BESS is unique and should be evaluated on its own merit.

Kent Fire Rescue Service (KFRS) has no authority to approve or decline planning permission for grid scale BESS sites or smaller BESS cabinets. This decision, in the majority of cases, lies with the Local Authority or National Infrastructure Planning. KFRS will endeavour to provide consultation during this process, however, there is no statutory requirement to do so. Information requested and received will be able to support our observations during the planning process and also provide a basis for design/build stage. I acknowledge that KFRS are also learning and developing along with this evolving area of technology and approaches to risk mitigation for BESS locations.

With this in mind, as this is currently in the early stages of the project, we would encourage the design team to reach out for early engagement. This has proven to be beneficial for both parties in regard to expectations and enabling KFRS to assist from a fire safety perspective.

Confidential Information

Information requested by KFRS will be used to both aid in the design process and influence the emergency response at an incident. It is acknowledged that some specific details may be commercially sensitive, and so the information requested is kept in confidence on our secure system throughout the consultation process. It is also acknowledged that some key features of the design may not be finalised in the early stages of planning, due to evolving technology and/or procurement of equipment. However, some important information is requested during the initial stages of planning. Please note that KFRS has amended our standard response letter to streamline and co-ordinate the applicants' responses to key safety points at various stages of the development.

Information Requested

During the initial stages of planning, KFRS request that the following information is provided by your applicant in the form of an email response, via yourselves as the Authority Having Jurisdiction (AHJ) to the Fire Engineering Team (FET) email. I note some of this information has been provided by your client.

1. Identification of who is at risk from the proposed site
2. Identification of any surrounding communities, sites, and infrastructure that may be impacted as a result of an incident
3. A detailed diagram / plan of the site
4. Access to, and within, the site for FRS appliances
5. Evidence that site geography has been considered (e.g. prevailing wind conditions).
6. How the BESS units will be laid out relative to one another.
7. Details of fire-fighting water provisions (e.g. Flow rates, static tanks, hydrants, fire mains)
8. The intended fire strategy in the event of thermal runaway (e.g. controlled burn with boundary cooling or internal water suppression)
9. An outline emergency response plan (ERP) reflecting the NFCC Grid scale guidance

Additional information is also requested as the project develops and prior to project completion.

Please can your applicant complete the additional information page at the end of this letter, clearly providing risk mitigation details where their proposal deviates from the NFCC Grid Scale guidance or other international design codes. Please can the completed document be returned to the FET, via the local authority planning team prior to completion.

Specific Planning Observations

Battery Safety Management Plan (BSMP) and Emergency Response Plan (ERP)

Upon review of the available documents on the Gravesham planning portal, the detail of the overall site is limited. Please provide an outline Battery Safety Management Plan (BSMP) and Emergency Response Plan (ERP) which should be provided with the planning application. These documents should reflect your applicant's intent of designing and installing the site in line with the NFCC Grid Scale BESS guidance and other international design codes and industry best practise. I am cognisant that some key features of the design may not be currently finalised due to evolving technology and/or procurement of equipment. As such, the documents provided are an "evolving document" to assist KFRS in helping your applicants design team in developing a finalised BSMP and robust ERP.

Important points about this consultation

Currently, no British Standard (BS) or Approved Document (AD) specifically addresses the installation of BESS. Importance is therefore placed on evidence-based justification to support the design. In lieu of this, the following guidance has been adopted to provide the basis for our observations.

- National Fire Chiefs Council (NFCC) published guidance: Grid Scale Battery Energy System Planning, Guidance for FRS – published April 2023*

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*Please note that this detailed document should not be considered as a fully comprehensive specification; but should be used to provide a framework for consultation. Each BESS site should be assessed individually and addressed on a case-by-case basis.

The contents of this guidance utilise academic study, international standards, case studies and industry guidance to support professional judgement.

I would like to thank you again for your early engagement and in advance for your engagement throughout the planning process. KFRS advice is non-statutory but given in good will to protect the lives and safety of the public and emergency responders.

Natural England 17 September 2025

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

KCC Highways and Transportation 2 July 2026

I have no objections to the revised application provided the Condition in respect of visibility that I recommended on 17th September 2025 is applied to any consent granted.

KCC Highways and Transportation 1 May 2026

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

The revised details submitted do not affect the highway impact of this proposal. I therefore stand by my previous response of 17th September 2025 requesting a Condition be applied to any decision given.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

KCC Highways and Transportation 17 September 2025

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

The application is supported by a Construction Traffic Management Plan which is comprehensive and addresses all necessary highway issues. Access bellmouth off Thames Way to be constructed in accordance with submitted drawings and documents.

No objection is therefore raised to this proposal provided the following conditions are applied to any consent granted:

1 Provision and maintenance of 120 metres x 4.5 metres x 120 metres visibility splays at the access with no obstructions over 1.05 metres above carriageway level within the splays, or 0.6 metres where a footway crosses the access, prior to use of the site commencing.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

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Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

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Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

KCC Heritage 17 September 2025

The site lies within an area of very high, multi-period archaeological potential, with alluvial deposits with high palaeoenvironmental potential. The site lies c.86m from the nationally important Scheduled Monument of a Neolithic site (DKE19225).

This application should not be determined without, as a minimum, a detailed archaeological and geoarchaeological desk-based assessment (in accordance with the NPPF and local policy) and, depending on the nature of any groundworks, it is likely that the results of field

evaluation (test pits, boreholes and trial trenching) would also be required to allow for an informed planning decision.

KCC Heritage 22 September 2025

I recommend that if planning permission is granted the following condition could be applied to any forthcoming consent:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure an archaeological watching brief to ensure the avoidance of impacts to heritage assets with archaeological interest or deposits with archaeological or palaeoenvironmental interest. The watching brief shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Specification which has been submitted to, and approved in writing, by the Local Planning Authority.

B) The archaeological watching brief and any necessary recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.

C) Within 6 months of the completion of the watching brief a Report shall be submitted to and approved in writing by the local planning authority.

REASON: To ensure that features and deposits with archaeological and palaeoenvironmental interest are not impacted by the development, but where any such impacts cannot be avoided the features and deposits are recorded in accordance with the approved Written Scheme of Investigation and as required by local and national planning policy

Dartford Borough Council 24 September 2025

I refer to the above application which has now been considered by the Borough Council and wish to thank you for the opportunity to comment thereto.

DBC have no objection to the principle of the development but note that the EDC have made a number of relevant comments/concerns which need to be addressed, including details of the retention of vegetation and new planting along Thames Road which will be essential to ensure that the scheme does not have an adverse visual impact.

Kent Wildlife Trust 29 October 2025

The application site contains open mosaic habitat on previously developed land (OMHPDL). The site is also situated within a Biodiversity Opportunity Areas and adjoins the Ebbsfleet Marshes, Northfleet Local Wildlife Site (LWS).

Paragraph 187 of the National Planning Policy Framework (2024) (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity and soils (in a manner commensurate with their statutory status or identified quality in the development plan) and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species.

Paragraph 193 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

Policy CS12 of the Core Strategy (2014) states that:

‘There will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought, in particular within the Biodiversity Opportunity Areas shown on the Strategic Green Infrastructure Network map and within new development.’

The application is supported by a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) Baseline Assessment which both make clear that the site contains habitats which are of value and likely to support a range of species. The PEA advises that follow up survey work should be carried out for reptiles, Great Crested Newts and hazel dormouse as a minimum. The submission sets out that these surveys will be carried out in the future. In the absence of these surveys, it is unclear how the mitigation hierarchy could have been followed when selecting the site and deciding on its proposed layout. The PEA also recommends a series of mitigation and enhancement measures to address potential impacts to other species alongside appropriate biodiversity enhancement features. These

recommendations have not been incorporated into the layout and design of the proposed development.

As set out above the site contains OMHPDL which is a Priority Habitat under Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act). The inclusion of OMHPDL in Section 41 is to guide decision makers in implementing their duty under Section 40 of the NERC Act to have regard for the conservation of biodiversity, including making it a material consideration in planning decisions. The proposed development would result in 0.93ha of OMHPDL being permanently lost.

OMHPDL provides a refuge for rare and scarce invertebrates due to the decline of more natural habitats. The altered nature of OMHPDL means that a range of habitats develop alongside each other creating a diversity which benefits species that utilise more than one habitat to complete their life cycle. This type of diversity also attracts specialists for each habitat type alongside more generalist species. Bare ground within OMHPDL creates warm microclimates for thermophilic invertebrates to bask as well as providing nesting opportunities for ground nesting species and areas for active predators to hunt. A number of UK Priority species are strongly associated with OMHPDL and an absence of management provides opportunities by allowing invertebrates to overwinter in seeds, flower heads, leaves and stems, which is increasingly difficult in a highly managed landscape.

The submission does not attempt to mitigate for the loss of OMHPDL on site and does not provide any details on how this Priority Habitat will be compensated for. While the arguments made against this classification within the BNG Baseline Assessment are noted the designation has not been changed and remains in place. In addition, the absence of more targeted surveys means it is not possible to establish whether species which utilise MHPDL are present, including those listed as Priority Species. Taking into account the above it is advised that appropriate onsite mitigation and offsite compensation measures should be provided prior to determination of the application alongside the results of targeted surveys, as advised in the supporting PEA. The survey results should inform measures to address impacts to species recorded.

The statutory BNG metric is clear that for high distinctiveness habitats such as OMHPDL the same habitat must be created, either on or off site, to meet the trading rules. The submitted BNG Baseline Assessment indicates that because of the design of the development offsite habitat creation or statutory credits will be needed. In terms of providing off-site habitat, it should be noted that due to the complex make-up of OMHPDL it can be a very difficult habitat to re-create and manage, particularly as there is a need to maintain a range of ages of successional stages. It should also be noted that there is a risk that the cost of purchasing the off-site units could render the scheme unviable thereby making it impossible to discharge the mandatory BNG condition. Assurance should therefore be provided that these units can be secured in the local area to ensure the habitat loss resulting from the development is appropriately mitigated.

In the event planning permission is granted it is recommended that a condition is included with any permission requiring the submission of a Construction Environmental Management Plan (CEMP) to ensure appropriate mitigation measures are put in place to reduce the risk of adverse impacts on sensitive wildlife receptors and any retained on-site habitats from construction. Of particular concern are the potential impacts of construction work on protected and priority species and habitats. The CEMP should be secured via a suitably worded condition to require detailed mitigation measures for noise, pollution, surface water run-off, dust, and light impacts during the construction phase.

We hope that our comments and suggestions are useful. If you have any questions, please do not hesitate to contact me.