

Alex Stafford
Folkestone Hythe District Council
Sent by email

Our ref: KT/2023/130970/02-L01
Your ref: 23/1217/FH
Date: 25 March 2024

Dear Alex,

Reserved matters application pursuant to outline planning permission Y19/0071/FH for the approval of access, appearance, landscaping, layout and scale relating to the erection of 97 dwellings (class C3), offices (class E) and a 66 bed care home (Class C2)

Smiths Medical UK, Boundary Road, Hythe, Kent, CT21 6JL

Thank you for consulting us on the above application, which we received on 1 March 2024.

As part of this consultation we have reviewed the submitted plans and reports, including:

- Site Levels Plan, reference HM135-18_004-P1_Site Levels Plan; dated 28-Jul-2023
- Flood Risk Assessment, dated February 2019
- Response to Environment Agency Comment Flood Risk Comments, dated 13 October 2023
- Civil Engineers Drainage Plans drawings, references T-2022-099-02 Rev D, T-2022-099-03 Rev D, and T-2022-099 Rev D, dated 19 June 2023
- Phase II Geo-Environmental Assessment, reference EES 22.166.1, dated April 2023
- Detailed Foul & Surface Water Drainage Design, reference T-20222-099, dated July 2023

Environment Agency Position

We **object** to this application due to insufficient information, please see **Land Affected by Contamination** comments. We have no objections from a Flood Risk perspective, provided you are satisfied that the floor levels given in the table in the Roddy New Homes Construction Ltd document will be met prior to approval of this reserved matters application.

Flood Risk comments:

We note Condition 7 on the Decision Notice for application Y19/0071/FH refers to a design flood level of 2.9m ODN and requires habitable flood levels to be set at 3.2m ODN. The Site Levels Plan (by: Hudson Madigan; ref: HM135-18_004-P1_Site Levels Plan; dated: 28-Jul-2023) also makes reference to this condition. This flood level is incorrect.

The Flood Risk Assessment (by: herrington CONSULTING LIMITED; dated: February 2019) (FRA) gives a design flood level of 4.72m ODN and recommends all habitable accommodation to be set at a minimum of 5.02m ODN with sleeping

accommodation at a minimum of 5.32m ODN. The reserved matters application should not be approved unless the floor levels recommended in the FRA have been met.

We have reviewed the document "Response to Environment Agency Comment Flood Risk Comments" by Roddy New Homes Construction Ltd, dated 13 October 2023 on the F&H planning portal which confirms all dwelling houses and apartments achieve the FRA recommended floor levels for habitable accommodation. According to this document habitable floor levels range from 5.15m ODN to 6.47m ODN. The document references engineering drawing nos. T-2002-099-02/03/04 Rev D.

You must be satisfied that the floor levels given in the table in the Roddy New Homes Construction Ltd document will be met prior to approval of this reserved matters application.

Land Affected by Contamination:

We have reviewed in full the Phase II Geo-Environmental Assessment (Ecologia Environmental Solutions Ltd; ref: EES 22.166.1; dated: April 2023) and note that all soil samples assessed were deviating and that elevations of Mercury identified in the last round of groundwater testing have not been carried forward through the assessment and has been marked as "Data Missing" within the Soil and Groundwater Screening Tables in Appendix VI of the report, however this data is available in the groundwater testing results in Appendix 4. **The report has not been undertaken in accordance with relevant guidance.**

Drainage:

We have reviewed in full the Detailed Foul & Surface Water Drainage Design (Tridax Ltd; ref: T-20222-099; dated: July 2023) and associated Drainage Plans and **consider the proposed drainage plan acceptable in principle.** We understand that surface water is to be discharged to ground via permeable paving and that foul water is to be disposed of via mains sewer.

Overcoming our objection:

To overcome our objection, the applicant needs to collect additional soil samples and submit a new Phase 2 Geo-Environmental Assessment that is compliant with the Land Contamination Risk Management (LCRM) guidance, which can be found here: [Land contamination risk management \(LCRM\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/land-contamination-risk-management)

Advice to applicant:

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

creating a better place
for people and wildlife



For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

Should you wish to discuss these matters further, please contact me via the email below.

Yours sincerely,

Abbie Philpott
Planning Advisor

KSLPLANNING@environment-agency.gov.uk