creating a better place for
people and wildlife

Environment Agency

Ashford Borough Council
Development Control
Civic Centre Tannery Lane
Ashford
Kent
TN23 1PL

Our ref: KT/2022/129904/02-L03
Your ref: 22/00668/AS

Date: 6 March 2024

Dear Planning Team

Further information under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 received. Installation of a solar farm with a generating capacity of up to 49.9mw comprising: ground mounted solar panels; access tracks; inverter/transformers; substation; storage, spare parts and welfare cabins; underground cables and conduits; perimeter fence; CCTV equipment; temporary construction compounds; and associated infrastructure and planting scheme.

Land south of M20, Church Lane, Aldington, Kent

Thank you for consulting us on the above.

We wish to reiterate our previous comments, KT/2022/129904/02 dated 23 August 2022 in relation to our Groundwater and Contaminated Land, and Fisheries, Biodiversity and Geomorphology comments. However, please note the following amendments to our previous comments in relation to Flood Risk.

Flood Risk
The proposed development will only meet the National Planning Policy Framework's requirements if the following planning conditions are included.

Condition 1: All infrastructure (except access tracks) should be set outside the exclusion zone delineated by a level to be agreed with local planning authority in writing.

The Flood Risk Assessment (FRA) uses a contour level of 51.3mAOD to define the Aldington flood storage area and infrastructure exclusion zone based on previous correspondence with us rather than using any project specific modelling. We now have initial draft outputs for our Ashford (Upper Stour) model update which now models the upstream side of Aldington Flood Storage Asset (FSA). The outputs indicate that the 0.1% AEP flood level at the upstream end of Aldington FSA at Church Lane is higher

than 51.3mAOD. Revised draft outputs are due imminently and we suggest that the extent of the Aldington FSA for the infrastructure exclusion zone is agreed following our receipt of these.

Condition 2: In all other respects the development shall be carried out in accordance with the submitted flood risk assessment (ref East Stour Solar Farm FRA and Outline Drainage Strategy / Wallingford Hydrosolutions Ltd, March 2022) In particular.

- A topographical survey be conducted to determine accurate ground levels as stated in Section 3.1, p.7. of the FRA

We note that the access track within the flood storage area will "follow the natural topography to prevent an increase in flood risk", by which we understand the applicant will avoid raising ground levels and displacing flood waters. **Raising ground levels within the flood storage area must be avoided.**

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development

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

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Yours faithfully

Ms Jennifer Wilson
Planning Specialist

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