

Chalk Road, Higham
Response to Lead Local Flood Authority
January 2026
Our Ref: 29524-FLD-0102

MEC Consulting Group Ltd (MEC) has been commissioned by Richborough (hereafter referred to as 'the Applicant') to undertake flood risk and drainage work to support an outline planning application (ref. 20250889) for proposed residential development at Chalk Road, Higham (hereafter referred to as 'the Site').

The development proposals comprise:

Outline application for the demolition of existing buildings and erection up to 40 residential dwellings, public open space and associated works. Approval is sought for the principal means of vehicular access from Chalk Road and all other matters are reserved.

To support the planning application MEC prepared a Flood Risk Assessment and Drainage Strategy (ref. 29524-FLD-0101 Rev B).

This technical note responds to comments received from Kent County Council as the Lead Local Flood Authority (LLFA) in October 2025 (see **Appendix A**). The key matters raised by the LLFA are outlined below:

- The first 5mm of rainfall should be intercepted and managed on site
Consult the North Kent Internal Drainage Board
- Concerns over the operation of culvert under the railway line
- Connection and operation of the existing highway drain within the site

A response to each of the key points is outlined below.

5mm of rainfall

As per paragraph 6.3 of the submitted Flood Risk Assessment it is recommended that water butts are provided on all dwellings along with the use of rain gardens. We would expect this requirement to be conditioned to any planning permission.

North Kent Internal Drainage Board

The North Kent Internal Drainage Board (IDB) have responded to the planning application and this is contained in **Appendix B**. Whilst the IDB have raised some points for consideration, which are considered as part of this response, the IDB has ultimately suggest a condition can be imposed requiring surface water and foul water drainage schemes to be submitted and approved by the local planning authority.

Existing Culvert

Network rail have confirmed they manage the culvert under the railway line as per correspondence contained in **Appendix C**.

The CCTV work included as part of the submitted Flood Risk Assessment does highlight defects within the culvert, however these defects are not the responsibility of the Applicant. We would expect Network Rail to be maintaining this culvert as part of their riparian responsibilities where, under common law, they must maintain the free flow of water through their land by removing blockages that may impede flow or cause flooding. As such it is the responsibility of Network Rail to resolve any existing issues.

The development proposals mimic existing greenfield conditions with flows from the existing site, via existing downpipes and overland flows, following the existing topography, contributing to flows within the existing highway drain and culvert. As per the submitted Flood Risk Assessment, the existing brownfield runoff rate from the site is noted as 48.8 l/s.

Discharge rates from the proposed development will be controlled to fixed rate of 2 l/s for all storm events (up to the 100 year + CC). This represents a 95% betterment over the existing situation. The proposals therefore provide noticeable betterment to the existing system, reducing existing flood risk on site and not increasing flood risk elsewhere.

Existing Highway Drain

Discussions with KCC highways have indicated a direct connect to the existing highway drain would not be permitted despite the fact it is likely the existing site drains into this system.

The drainage strategy has therefore been amended (see drawing 29524_01_230_01b in **Appendix D**) to provide a direct connection to the existing culvert from the attenuation basin with the diverted highway drain outfalling into the outfall. The existing highway drain would therefore be fully abandoned and removed as part of the development proposals.

The outfall from the attenuation basin would form part of the proposed adopted sewer network, which would be subject to a Section 104 Agreement with Southern Water. The highway drain connection to this network would be subject to a Section 115 Agreement with Southern Water as per the comments in the LLFA response. The revised drainage strategy has been submitted to Southern Water to seek 'in principle' agreement to the proposals and a response is awaited.

Summary

In summary:

- The development proposals will deal with the first 5mm of rainfall in accordance with the National SuDS Standards.
- The IDB have responded to the application and recommended a suitably worded drainage condition is imposed.
- The existing culvert under the railway line is the responsibility of Network Rail. The operation of the culvert is therefore the responsibility of Network Rail who should maintain it in accordance with their riparian responsibilities. The maintenance requirements therefore fall solely to Network Rail to resolve any defects.
- The development proposals mimic existing greenfield conditions providing significant betterment over the existing scenario with a 95% reduction in runoff rates. This will reduce flood risk on site and ensure flood risk is not increased elsewhere.
- The existing highway drain within the site will be fully abandoned and removed. A connection from the site is now proposed directly to the existing culvert. It is proposed to outfall the diverted highway drain to the adopted sewer network which will be subject to a Section 155 Agreement with Southern Water.

Based on the evidence presented, we consider the concerns raised by the LLFA have been resolved and the LLFA should remove their objection from the scheme.

REGISTRATION OF AMENDMENTS

Date	Rev	Comment	Prepared By
January 2026	-	First issue	Alexander Bennett BSc(Hons) MCIHT MTPS Managing Director

APPENDICES

- Lead Local Flood Authority correspondence
- North Kent Internal Drainage Board correspondence
- Network Rail correspondence
- Drawing 29524_01_230_01b – Drainage Strategy

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APPENDICES

Appendix A





Alison Webster
Gravesham Borough Council
Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Flood and Water Management
Sessions House
County Hall
Maidstone, Kent
ME14 1XQ

Website: www.kent.gov.uk/flooding
Email: suds@kent.gov.uk
Tel: 03000 41 41 41
Our Ref: GBC/2025/107267
Date: 24 October 2025

Application No: 20250889

Location: Buckland Farm, Chalk Road, Higham, Rochester Kent

Proposal: Outline planning application for the demolition of existing buildings and erection up to 40 residential dwellings, public open space and associated works. Approval is sought for the principal means of vehicular access from Chalk Road and all other matters are reserved.

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

Council as Lead Local Flood Authority has reviewed the revised Flood Risk Assessment and Drainage Strategy (dated August 2025) prepared by MEC Consulting Group Ltd and have the following comments:

It is proposed to manage surface water for the site via a combination of permeable paving, three geo-cellular tanks and an attenuation basin, which will convey flows to the existing culvert to the north. The system provides a total attenuation volume of 774.26m³.

In line with the National SuDS Standards, the first 5mm of rainfall should be intercepted and managed on site.

The site is located within the North Kent Internal Drainage Board (IDB) district. As such, the IDB should be consulted regarding any proposed connection into the existing ditch network to ensure compliance with their requirements and to confirm the suitability of the discharge arrangements.

Based on the CCTV survey provided, it is understood that a highway drain runs through the site and culverts beneath the railway to discharge into the Medway and Thames Canal. However, it is not clear from the information provided that the section of existing culvert that is proposed to be used is clear and operational.

Furthermore, any connection / outfall into assets under the control of the highway authority can only do so by entering into a s.115 agreement between the Highway Authority and Statutory Sewerage Undertaker under the Water Industry Act 1991. For this to be possible, the on-site drainage networks must be adopted by a Statutory Sewerage Undertaker - connections from privately maintained drainage systems are not accepted. The developer must demonstrate that the highway drainage system

discharges via a positive outfall (i.e. into a watercourse or public sewer) and that the proposed flows do not result in an increased flood risk to the public highway or elsewhere. Any necessary upgrades to the drainage network will be the developer's responsibility to deliver prior to any discharge of surface water taking place. No evidence has been provided that KCC Highways will permit this connection, or indeed what alternative is proposed should this connection not be accepted. Please contact drainageta@kent.gov.uk with any queries or for further information.

We also recommend contacting Network Rail and the Environment Agency to confirm whether they hold any records of culverts crossing the railway and discharging into the canal, which is designated a 'main river'. To assist with our review, please provide details confirming ownership and outfall location of this drain, along with any relevant permissions or agreements for connection.

We recommend a holding objection until the above matters are addressed to our satisfaction.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

Ahaura Keighley

Graduate Flood Risk Officer
Flood and Water Management



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Appendix B



North Kent Marshes Internal Drainage Board
13 Conqueror Court
Sittingbourne
Kent ME10 5BH

Telephone 01795 468000
Email: enquiries@lmidb.co.uk



Our Ref: GR/20250889/OUT

Your Ref: 20250889

08/01/2026

For the attention of Mrs Alison Webster

Dear Sir/Madam

Application: 20250889

Proposal: Outline planning application for the demolition of existing buildings and erection up to 40 residential dwellings, public open space and associated works. Approval is sought for the principal means of vehicular access from Chalk Road and all other matters are reserved.

Location: Buckland Farm Chalk Road Higham Rochester Kent

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

The site is within the drainage district of the North Kent Marshes Internal Drainage Board (NKMIDB), and as the proposal stands, the surface water discharge will require land drainage consent in line with the Board's Byelaws (specifically Byelaw 3). Please find a copy of the Board's Byelaws https://lowermedwayidb.co.uk/wp-content/uploads/2023/02/NKMIDB_Byelaws_DEFRA-approved.pdf. Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy (available at https://lowermedwayidb.co.uk/wp-content/uploads/2025/09/NKMIDB_Charging_Policy_Sept_2025.pdf). The one-off Surface Water Development Contribution is due to the Board to cover the increased flow and volume in its maintained drainage network.

Before we reach a land drainage consent application, the Board would like to raise concerns regarding the proposed reliance on the existing pipework to the north of the site as the primary surface water outfall. The supporting CCTV survey contained within Appendix F (Aquatech Drain Services, July 2025) identifies a number of defects within the drainage asset, which appear to go beyond routine maintenance issues. In particular, there is mention of root ingress resulting in approximately 80% cross-sectional area loss, and structural defects including a displaced joint. In addition, there were multiple pipe sections where the survey was abandoned due to root ingress or loss of visibility, so the pipe condition is unknown. The FRA refers to the culvert only as being "overgrown" and states that "clearance works will be required", however, this seems to be an underestimation of the work required to provide a suitable outfall for the lifetime of the development. Only part of this drain run is to be diverted which means the scheme still relies on the existing substandard pipe sections. It is stated that the pipe runs underneath the railway to the northeast of the site and into the Medway and Thames Canal, but the surveyed lengths do not include this critical end section and as such, we concur with KCC's comments that Network Rail and the Environment Agency should be contacted to confirm whether they hold any relevant records regarding this section.

In addition, the FRA does not clearly demonstrate that the culvert is within the applicant's control or that rights to access, maintain and remediate the asset can be secured in perpetuity; or the downstream system has adequate capacity, given the downstream flooding issues. Also, Highway

Authority consent is required for connection to a Highway drain; these issues are mentioned in correspondence with the LLFA, and therefore, there is insufficient detail to assess whether the outfall route is appropriate and viable.

Given the site levels, foul water from the development will need to be pumped to enable a gravity connection into the existing Southern Water foul sewer. Southern Water has agreed in principle to receive these flows but has also confirmed that improvement works to their network will be required to accommodate the proposed discharge rate of 0.36 l/s. The reliance on a pumped foul system introduces additional considerations, as pumps create long-term financial and operational liabilities for whichever party is ultimately responsible for their management. It is therefore important that the ownership, maintenance regime and resilience measures for the pumped system are clearly defined and secured for the lifetime of the development.

If the LPA are minded to grant permission, then it would be prudent to condition any permission that prior to development full schemes for surface water disposal based on SuDS principles and for foul water are submitted to and approved by the local planning authority and they are verified on site once constructed by a competent engineer. It would also be prudent to formally condition permission that prior to development a maintenance schedule is submitted to and approved by the local planning authority. It should specify ownership, a timetable for implementation, provide a management and maintenance plan for the lifetime of the development and this plan should include the frequency of maintenance for each feature.

The LPA may also wish to consider a planning condition aimed at mitigating potential groundwater flood risk, requiring details of finished floor levels, the use of suspended floor slabs designed to create an appropriate void beneath the building, and the lining of drainage features with an impermeable membrane to prevent groundwater ingress.

For information

For an ordinary watercourse within the Board's District, land drainage consent is required from the Board for any works within the cross-sectional area of the channel of a watercourse, under the Land Drainage Act, 1991 and Byelaw 4.

With respect to a designated main river, this will come under the jurisdiction of the Environment Agency, and they should be approached directly regarding any works that may affect the watercourse.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information. The Board would be very grateful if its comments were used in their entirety.

Yours faithfully,



Sustainable Development Officer for the NKMDB

Lower Medway Internal Drainage Board.

Ground Floor, 13 Conqueror Court

Sittingbourne

Kent

ME10 5BH Tel: 01795 468000

E-mail: enquiries@lmidb.co.uk



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Appendix C



Alexander Bennett

From: Joseph Barnett <Joseph.Barnett@networkrail.co.uk>
Sent: 12 January 2026 13:01
To: Ben Oyston
Cc: South-East Drainage RAM Team; Jayne Dickens
Subject: [FT-2512110002001070035] -Query regarding the ownership and information of an existing culvert - north of Chalk Road, Higham, ME3 7JY

You don't often get email from joseph.barnett@networkrail.co.uk. [Learn why this is important](#)

OFFICIAL

Dear Ben,

Regarding your enquiry concerning culvert **I.D 874. Located at ELR- HDR Milage M 28 Y 0244.**

Network Rail would manage the culvert under the track and within the Network Rail boundary in close proximity to the track. Outside of that boundary, The culvert would be then managed by the third party i.e. Local Authority.

I hope that provides clarity,

Kind regards
Joe

Joseph Barnett
Asset Engineer (Kent&Sussex)
M:07561875102
E: Joseph.barnett@networkrail.co.uk
W: www.networkrail.co.uk

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Appendix D



