

2nd July 2018

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Dear Mr Allan

Re – Planning application Y17/1042/SH Land at Princes Parade

I refer to our meeting of 2nd May 2018, and subsequent correspondence, at which you set out the further information required from the applicant in order to allow the application to be reported to the Planning and Licencing Committee. As I recall this information fell into two broad areas relating to the Environmental Statement and the mitigation of the ecological impact of the scheme.

I have sought to summarise below the key points and provide a response to the issues raised. However, should you require any further clarification or wish the applicant to be involved in further discussions with the local planning authority or relevant stakeholders then please do not hesitate to contact me.

Environmental Statement

Issue 1 – Clarification that marine/beach ecology can be scoped out of the Environmental Assessment.

The key issue to be considered is the extent to which the proposed development will impact upon the adjoining beach, in particular through the placing of any substantial structures related to the discharging of surface water from the application site.

The applicants flood risk and drainage consultant, Herrington Consulting, have undertaken a further assessment of the surface water drainage requirements of the scheme and the potential solutions. An indicative scheme has been prepared that will discharge surface water to the Royal Military Canal (RMC) and this currently represents the applicants preferred option. It is estimated that the proposed scheme will control the off-site discharge rate, under the 1 in a 100 year rainfall event including a 20% increase for climate change, to 7.8 l/s. The existing greenfield run-off rate under the same rainfall event has been calculated as 12.8 l/s. At present surface water runoff has the opportunity to enter the RMC and to infiltrate through contaminated land, and as such ensuring only clean surface water is discharged to the RMC at a controlled rate will deliver betterment when assessed against the current situation.

The scheme will use a combination of permeable paving, cellular storage,

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storage tanks and a series of permanent/occasional ponds and swales. An indicative scheme is attached as Appendix 1.

As a result, the applicant's preferred approach will not introduce any structures onto the beach. It is therefore considered that there would be no effect on marine ecology and that this issue can justifiably be scoped out of the environmental impact assessment.

It is noted that Kent County Council, as Local Lead Flood Authority, have recommended in their representation, dated 10th October 2017, that a condition be applied, should planning permission be granted, requiring the submission and approval of a detailed surface water drainage strategy. The applicant would therefore welcome the opportunity to provide such a detailed scheme at an appropriate stage in the development process.

Issue 2 - High level inclusion of assessment of alternatives

The need for a "more robust" assessment of alternatives, as required by the Scoping Opinion, including the "do nothing" option, alternative processes, scales, layouts and designs and their associated environmental implications was raised.

The regulatory requirement (Schedule 4 of the 2011 Regs) is for an ES to include "An outline of the main alternatives studied by the applicant...and an indication of the main reasons for the choice made, taking into account the environmental effects."

The key themes are:

- Proportionality, as suggested by use of the terms "outline", "main" and "indication"; and
- Scope, i.e. only alternatives "studied by the applicant" need to be considered.

Alternatives and design development are addressed in Chapter 5 of the Environmental Assessment Main Report. Site selection and project need (i.e. in terms of doing nothing) were considered prior to the commencement of the planning and EIA process for the site at Princes Parade. They do not correspond to "alternatives studied by the applicant" for EIA purposes.

In addition, the scale and mix of development were determined by the economic thresholds that had to be met in order to accommodate and fund the leisure centre; a leisure centre-only option, for example, was not a viable alternative.

The main alternatives for EIA purposes were therefore confined to matters of development layout, as described in the ES. The existing information is therefore considered to meet the regulatory requirements.

Issue 3 - Further clarification on significance thresholds for cultural heritage, geo environmental and flood risk.

A further assessment of the approach taken in relation to significance in preparing the Environmental Statement, including consistency in describing the sensitivity, magnitude and nature of effects and the threshold for determining EIA significance, is set out in Appendix 2.

Issue 4 – Further clarification of the consultation undertaken to inform the preparation of the Environmental Statement.

Details of the consultation undertaken is included in the Environmental Statement and supporting technical annexes. A further summary is provided as Appendix 3

Issue 5 – The requirement for a Framework Environmental Management Plan

A detailed Schedule of Environmental Mitigation, based on the information contained within the chapters of the Environmental Statement and identifying potential impacts, proposed mitigation and mechanism for delivery and monitoring, is attached as Appendix 4.

Ecological Mitigation

At our meeting further clarification was sought in relation to how the ecological impact of the scheme would be mitigated and in particular clarification was sought in relation to the illumination levels along the Royal Military Canal (RMC) corridor that adjoins the site and the strategy for the delivery of an ecological buffer zone between the southern bank of the RMC and the proposed development.

In order to provide reassurance to the local planning authority that the ecological effects of the scheme can be adequately mitigated a draft Ecological Mitigation Strategy (EMS) has been prepared (Appendix 5). This provides an additional level of detail to that contained within the Environmental Statement and incorporates the results of the recent survey work that has been undertaken. It also addresses the two specific issues identified above. It is also suggested that a final draft of the EMS be submitted in response to a subsequent planning condition aimed at securing the implementation of a detailed scheme of ecological mitigation. Please also find attached, as Appendices 6 and 7, copies of recently prepared reptile and badger reports.

Given the hybrid nature of the application there remains a lot of detail still to be determined either through the consideration of subsequent reserved matters submissions or through information submitted in order to discharge a planning condition. I trust however the local planning authority shares my view that sufficient information has been submitted as part of the original application, the further submission in March 2018 and this latest submission to allow the application to be reported to committee with a positive officer recommendation.

Yours sincerely
For Tibbalds Planning and Urban Design



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