



Environment, Planning & Enforcement

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10 June 2019

Your Ref: Y17/1042/SH
Our Ref: SH 17 1042 LE02

Mr Robert Allan
Planning and Building Control
Shepway District Council
Civic Centre
Castle Hill Avenue
FOLKESTONE
CT20 2QY

BY EMAIL ONLY

Re: Y17/1042/SH

Location: Princes Parade Promenade, Princes Parade, Hythe, Kent

Proposal: Hybrid application for subsequent consent accompanied by an Environmental Statement for the development of land at Princes Parade, comprising an outline application (with all matters reserved) for up to 150 residential dwellings (Use Class C3), up to 1,270sqm of commercial uses including hotel use (Use Class C1), retail uses (Use Class A1) and / or restaurant/cafe uses (Use Class A3); hard and soft landscaped open spaces, including childrens play facilities, surface parking for vehicles and bicycles, alterations to existing vehicular and pedestrian access and highway layout within and around the site, site levelling and groundworks, and all necessary supporting infrastructure and services. Full application for a 2,961sqm leisure centre (Use Class D2), including associated parking, open spaces and childrens play facility

Dear Mr Allan

Thank you for consulting us on the recently submitted Environmental Statement (ES) Addendum. We have already advised (letter of 31 October 2017) that the proposed development will result in substantial harm to the setting of the scheduled monument of the Royal Military Canal (RMC) and that this harm would provide sufficiently strong grounds for the application to be refused. This remains our position.

The ES Addendum sets out a revised surface-water drainage strategy. Original proposals (the preferred option) were for surface-water to be discharged to the inter-tidal zone of the beach. The revised proposals are for surface-water to discharge into the RMC. This revised strategy will result in a direct (physical) impact on the scheduled monument of the RMC as works will now be required within the scheduled area to construct the three proposed discharge points.

The ES Addendum has revisited the environmental effects in relation to Flood Risk & Drainage and Ecology. The ES Addendum has not considered any additional effects in respect of the historic environment. The original ES Cultural Heritage assessment (Chapter 6) was prepared on the basis that “the development will not directly affect the scheduled area of the RMC” (paragraph 6.3). This is no longer the case.

The addendum information provides very little detail on the three proposed outfalls – they are indicatively shown as dashed lines with splayed ends on the accompanying plans. The NPPF requires (para 189) that applicants provide sufficient information to understand the impact of proposed works on the significance of affected heritage assets. It notes that the level of detail should be proportionate to the assets’ importance. In this instance we are dealing with a scheduled monument, which in NPPF terms is an asset of the “highest significance”.

We think that further information on the three proposed outfalls and any associated equipment (including detail of their appearance, method of construction, location and footprint) is required so that their impact on the scheduled monument and buried archaeological remains can be properly understood. We think this information should be provided now, i.e. before the application is determined. If such information is not provided, then it could be argued that the application has not been determined in accordance with the NPPF. We think it is also necessary to understand how the works required to deliver these revised proposals, including creation of swales, catchment ponds and associated habitat creation works might affect the ability to deliver some of the heritage benefits set out within the main ES.

Finally, we note that any works to the scheduled monument would likely require scheduled monument consent (SMC). Planning consent and SMC are two separate processes and the granting of planning permission does not remove the need to obtain SMC. It would appear that issues of surface-water drainage are of fundamental importance and therefore we advise that you should satisfy yourself that SMC is achievable before determining the planning application. **We therefore advise that the views of Historic England are sought on the revised proposals.**

I trust that the above comments are helpful and would be pleased to discuss further as required.

Yours sincerely

Ben Found
Senior Archaeological Officer
Heritage Conservation

Cc
Peter Kendall, Principal Inspector of Ancient Monuments, Historic England