

WRITTEN STATEMENT – AGAINST THE PRINCES PARADE STOPPING UP ORDER

Following on my original objections to the stopping up order; please take this as my written statement against the stopping up order, for the purpose of the Public Enquiry. My objections and concerns remain as originally stated all as is retained for reference below.

My written statement is as follows and I welcome your consideration during the public enquiry.

The Stopping Up Order of Princes Parade at this location, will be the ruination of the setting of the Royal Military Canal (RMC) a scheduled ancient monument of the highest importance as emphasised in the planning inspectorates case for previous refusals to build on this site. Whilst our District Council has dismissed these rulings, applying and granting itself planning permission, this matter is regrettably not for consideration of this Public Enquiry.

However, the Stopping Up Order has only become necessary to facilitate a development far in excess of what was originally proposed; causing harm to heritage and biodiversity in the District's desire to see an increased and enlarged development built from their original proposal of creating a Leisure Centre and 36 Houses, we are now faced with a Leisure Centre and 150 houses. Hence the request for the Stopping Up Order.

This means that an historic and iconic road protecting the Royal Military Canal (RMC) will now be stopped up and moved creating harm to the RMC's setting as well as changing the character of the open seafront for ever which has been stated as so important, time and time again by Historic England; and Planning Inspectors on many occasions.

The claim of the District Council is to fulfil the need and the necessity to deliver much needed housing and build a new Leisure Centre to replace Hythe's dilapidated swimming pool.

Please note: the District is already over achieving its housing targets especially when one considers a new garden town of between 8 - 12000 new homes will be built within a few miles, as well as large scale housing developments of 1200 new homes a mile away.

The Stopping Up Order is unnecessary as the Leisure Centre could have been constructed in a different location thanks to a Section 106 Agreement and funding from developers in another part of Hythe, this would have made perfect sense and been economically viable with funding provided.

Other sites would have offered better leisure opportunities much closer to the heart of residential Hythe and not here in Seabrook at the start of the RMC and on land which has grown to become a wildlife haven after being mis-used by the District Council as a waste disposal site (waste and contaminates) for many years previously. This straight open greenbelt land creates an important space between our Seaside Villages of Sandgate, Seabrook and Hythe.

If the road is stopped up it would mean the following:

1. The existing route of Princes Parade would be taken into the proposed development and will become a private space for residents and users of the Leisure facilities which is not acceptable.
2. It impacts on easy to access direct Seafront parking reducing important seafront amenity opportunities for many and disadvantaging others with mobility issues.
3. It impacts greatly on the Scheduled Ancient Monument of the Royal Military Canal (RMC), which should be of grave concern in your considerations noting that previous planning inspectors have refused several attempts for construction near to the RMC on this site in past years.
4. The new road is planned to run within 13.32m of the canal in contravention of the environment agencies recommendations. That distance is also within the 16m buffer zone from a main river which is not advised.

5. It destroys a number of habitats for a number of species. The impact on established wildlife and biodiversity in this area and experts speaking/making statements reference the harm and impact to wildlife and biodiversity, have unfortunately been discounted by the District Council.
6. Stopping up a well used road in order to create a replacement road so close to the Royal Military Canal is likely to create significant damage to such an important monument but also impact wildlife and adjacent and new residents from noise and pollution
7. Changing the route of the road may harm pedestrian and driver safety with it route and turns changing from a straight and clear route.
8. The new road will not be operational for some time, meaning the complete loss of an alternative route for some while

In conjunction with my written statement and these 8 points, I would urge you to read my objection points 1 through to 6 in my previous objection as below.

The act of increasing the number of houses to pay for the Leisure Centre is at odds with the District's original intention of just 36 houses, meaning the enlargement of the scheme causes the application for this iconic road to be stopped up.

Greed not Need is therefore the overarching factor in submission of this stopping up order, the site could have been designed to accommodate a lesser number of buildings and so retain the road as it is.

Princes Parade and the setting of the Royal Military Canal is iconic to us, the local residents. The existing road, its open stretch and ease and ability to get onto the Seafront should be protected and retained. Many hundreds of people use this daily for a measured walk or cycle route. The stopping up order would take much of the opportunity to do this away and we urge you to refuse this stopping up order which would ensure the District Council creates a scheme that fits within its existing boundary of ownership and not build on current public highway diverting the road to accommodate this.

Viv Kenny

Local Resident: [REDACTED]

17th September 2021

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Below is re-confirmation of my previous objection (*shown below*) and giving further clarification to my objections to the stopping up order for Prince's Parade.

This objection is in reference to: **'RESPONSE THEME F - IMPACT ON SETTING OF RMC'**

First of all, I must object to the term 'several' being used when referring to great number of respondents who had previously objected to this point. Please refer to section 7.5 of the Buckles report, where in the case of Theme F; the word **'several'** is used to describe **175 respondents**.

This description also continues with other 'Themes' and my personal interpretation suggests it makes light of comments made by many hundreds of objectors for this road stopping up order application.

To continue; the stopping up order is not necessary and if allowed, will create a situation that will be at odds with FHDC's saved policy TM8 previously referred to in my original objection as below.

My expanded comments under Theme F – Impact on the setting of RMC are as follows:

1. Princes Parade is an historic and iconic road and **should** be incorporated within the redevelopment in its present alignment which mirrors the route of the scheduled ancient monument of the Royal Military Canal. (RMC)
2. The Scheduled Ancient Monument (RMC) is protected by Princes Parade in its current form and route*.
3. Princes Parade runs on the route of the original tramway, which was intended to be the route of the railway (later re-routed). The road and its straight orientation is part of Hythe's heritage. The merits of moving the road now fall short twice on the preservation of Hythe's and the District's heritage.
4. The new road will have a detrimental impact on the tranquil setting of the RMC and will disrupt many local people who use the peaceful canal path to walk and enjoy recreational time.
5. Moving the road will create increased car movements resulting in a detrimental impact on the environment of the RMC: birds, small mammals, reptiles, flora and fauna will suffer.
6. The additional car journeys from the Leisure centre and the housing will increase traffic at the Seabrook Road junction (Petrol Station).

There are greater merits in looking at alternative options that far outweigh the need for approving the stopping up order for this road. Traffic calming measures would easily create access to the new development from Princes Parade providing all the proposed uses can be served from the existing highway retaining a safer road alignment in its current iconic form.

***IMPORTANT NOTE:** We would further ask you to directly seek the advice of Historic England, who made very strong comments to object to the planning application (whilst not out for comment regarding the stopping up order, it still has relevance, and we are very disappointed that Buckles Report dismisses their comments in 'Merit' as outlined below)

Buckles Report extract 7.27:

Historic England were consulted on the planning application as to the impact of the development to the setting of the RMC. Their comments in a letter dated 26th October 2017 and the relevant extracts are set out below:

(i) "The RMC is not a normal transport canal but rather was an important part of the country's defences constructed in the early 19th century in response to a very real fear of invasion by Napoleon's army ... It was built to delay the advance of a landing force while the British army mustered inland";

(ii) "Amongst the factors that are critical to the ability to appreciate the significance of the RMC at this eastern end is the largely undeveloped nature of the land between the canal and the beach. The construction of the sea wall and coast road has affected the form of the beach, while the former use as a refuse tip has altered the topography in some areas. Even so, with the beach and the canal close to each other, it is easy for people to understand how the RMC would have formed a substantial obstacle to the progress of an invading French army";

(iii) "The impact of the proposed development would be to divorce the canal from the shore to a much greater degree than currently. Were the canal to become a linear feature between two substantially developed areas, appreciation of its historic role as a barrier would be undermined and with this the ability to understand its design as a fortification". [emphasis added]

Buckles continues with point 7.28

Noting the above comments of Historic England, and in particular given Princes Parade is already within the modern setting of the RMC (positioned between the canal and the beach), the Council contends that any impact to the setting of the RMC by the development is not a direct consequence of the road closure and diversion.

Therefore, this response theme does not diminish the Council's satisfaction of the 'merits test'.

Please note; I would most strongly argue that it does diminish the merits test as the replacement road required to service the new development and the Princes Parade diversion route will impact on the setting and create new harm to the Ancient Scheduled Monument

MY ORIGINAL OBJECTION FOR INFORMATION PURPOSES AS IT IS REFERRED TO ABOVE

THEME 'IMPACT TO RMC' - HIGHLIGHTED IN RED

PRINCES PARADE – CONSULTATION RESPONSE

Please find below comments on the plans for Princes Parade, Hythe. I regret that I could not make these online as I failed after several attempts to find a link to do so.

Comment: A new swimming pool would better serve the residents of Hythe as a rebuild on the existing site or on the Smiths Medical site which would bring greater benefit to a larger number by its location on this suitable site within a residential area.

Comment: In terms of demand for housing, the key objectives are to provide more affordable homes and these homes will be at the top end of the market and likely not purchased by local people, but as second homes for non-Shepway residents.

Objection: To the description of the site solely as a former municipal waste tip. The site was used as such by Folkestone Corporation/Shepway District Council due to total disregard of the Royal Military Canal in its setting, which Historic England state should be protected and against all costs

Objection to proposal in its entirety: to the overall scheme of development on Princes Parade supporting Historic England's view that this site should not be allocated for significant new development in the draft local plan, and that it should remain as largely open green space as per the last Local Plan inquiry and the decision by the Inspector.

Objection to proposal in its entirety: The undeveloped open land between the Royal Military Canal and the sea forms the setting to the scheduled monument and although this has seen some change it still makes a major contribution to understanding of the significance of the RMC as a fortification and to the experience of this monument.

Objection to proposal in its entirety: The road should not be realigned to be next to the canal as this changes the setting completely of the ancient schedule monument

Objection to the proposal in its entirety: The proposals are not in accordance with NPPF advice, specifically with reference to heritage assets and their settings. Under paragraph 129 the planning authority must assess the significance of the heritage asset affected by proposed development, including the contribution made by its setting. Paragraph 132 says that significance can be harmed by development within setting and that substantial harm should be wholly exceptional. Under paragraph 133 substantial harm must be demonstrated to be necessary at this site, and the existence of alternative sites for the leisure centre would make this difficult to prove here.

May I remind you of your saved policy TM8:

Princes Parade, Hythe

6.24 The Princes Parade site is an extensive area of open land next to the seafront at Seabrook, Hythe. The site includes the Royal Military Canal which is a scheduled ancient monument of national importance. It was designed as a long distance defensible fortification and communication system and there are no comparable works surviving elsewhere. For this reason, this site has potential for tourism uses which are closely related to the use of the canal but also due to its proximity to the sea. This site is also a suitable location to provide a local park, which would address the open space deficiency in Seabrook.

6.25 In order to preserve the open character of the site and to enhance the setting of the Canal, any use should be low key. Built development will only be acceptable where it is essential for the use, and should be limited in scale.

With the identification of many new sites in your Places and Policies and the opportunities which arise through the Garden Town at Otterpool Park, this land should not be earmarked for housing or leisure in view of its historic importance, leaving an important green lung between Sandgate and Hythe and one of the most important views in the district.

Yours

Viv Kenny

Resident: [REDACTED]