

**Town and Country Planning (Environmental Impact Assessment) Regulations
2011**

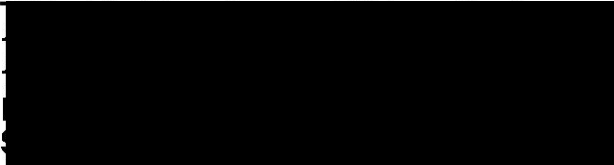
Regulation 24 Statement

Application No: Y17/1042/SH

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

Development: Hybrid application 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; 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.

Applicant: Mr. Andy Jarrett
Folkestone & Hythe District Council
Strategic Development Projects

Agent: Mr. Matt Shillito


Date Valid: 19.09.17

Expiry Date: 09.01.18

Permission issued: 18.07.19

Officer Contact: Robert Allan

The Council, having taken into account the findings of the August 2017 Environmental Statement, the subsequent additional information and clarification of March 2018 and subsequently July 2018, and the Environmental Statement Addendum of April 2019 when determining the application for planning permission, is required under Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, to provide a statement setting out the following:

- i. The content of the decision and any conditions attached to it;

- ii. The main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;
- iii. A description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development; and
- iv. Information regarding the right to challenge the validity of the decision and the procedures for doing so.

In accordance with Regulation 24 (1) a) and b)

Folkestone and Hythe District Council has informed the Secretary of State of the decision and notified all contributors of representations of the decision. A press notice has been prepared for publishing on the 22nd August 2019 in order to meet the requirements for local advertisement.

Regulation 24 (1) c) i) – the content of the decision and any conditions attached to it

Refer to decision notice and conditions therein for Y17/1042/SH which can be viewed at <https://searchplanapps.folkestone-hythe.gov.uk/online-applications/>

Regulation 24 (1) c) ii) - the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public

Taking the environmental information into account, contained within the August 2017 Environmental Statement, the subsequent additional information and clarification of March 2018 and subsequently July 2018, and the Environmental Statement Addendum of April 2019, planning permission reference Y17/1042/SH was granted. The full extent of the considerations, including representations from members of the public and external organisations are set out in the report to Planning and Licensing Committee (and supplementary sheets) 16 August 2018 and delegated report to the Development Manager 18 July 2019 available to view at <https://searchplanapps.folkestone-hythe.gov.uk/online-applications/> using the reference Y17/1042/SH.

Regulation 24 (1) c) iii) – a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development.

The proposals have been the subject of an Environmental Impact Assessment (EIA). The following subject areas have been assessed and mitigation proposed as follows:

Cultural Heritage

Conditions 27, 28, 32, 34, 35 and 37 have been attached to the planning permission. These relate to the submission of: a specification and timetable for a programme of archaeological work; details of foundation design; details of measures to improve/enhance the Royal Military Canal, its setting and its interpretation; hard and soft landscaping associated with the leisure centre; and material samples for the leisure centre.

Ecology

Conditions 15, 16, 17, 18, 26, 47 and 50 have been attached to the planning permission and relate to the submission of: a Preliminary Ecological Appraisal (PEA); an Ecological Method Statement (EMS); a habitat creation plan; a street lighting plan and a lighting design plan for biodiversity; a Construction Environment Management Plan (CEMP); a Landscape and Ecological Management Plan (LEMP); and the prohibition of additional external lighting.

Flood Risk and Drainage

Conditions 7, 8, 9, 10, 11, 19, 20, 21, 22, 23, 31, 41, 42 and 49 have been attached to the planning permission and relate to: measures to prevent the discharge of surface water onto the highway; retention of an 8 metre margin along the top of the southern bank of the Royal Military Canal; provision of a 1 metre high splash wall; finished floor level details of the buildings to which the submission relates in accordance with the requirements of condition 49; no buildings or new tree planting to be proposed within 3.5 metres either side of the centre line of either the existing, or any new, combined rising main; details of the proposed means of foul water sewerage disposal; measures proposed to protect the public sewers; sustainable surface water drainage scheme; details of the implementation, maintenance and management of the sustainable drainage scheme; no discharge of surface water into land impacted by contamination or land that has previously been identified as being contaminated; a Verification report pertaining to the surface water drainage system; internal ground floor levels of all buildings shall be set at a minimum of 7.8 metres aODN.

Geo-Environment

Conditions 21, 23, 25, 26, 36, 39 and 41 have been attached to the planning permission and relate to: a detailed sustainable surface water drainage scheme; no discharge of surface water into land impacted by contamination or land that has previously been identified as being contaminated; submission of a desk top study to include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information; a Construction Environment Management Plan (CEMP); details of how the leisure centre building will achieve BREEAM 'outstanding' standard in relation to maximum water credits; details of how the development within any phase or sub-phase will achieve a maximum water use of 110 litres per person per day; and a Verification report pertaining to the surface water drainage system.

Landscape and Views

Conditions 18, 47 and 50 have been attached to the planning permission and relate to: details of a street lighting plan and a lighting design plan for biodiversity; a Landscape and Ecological Management Plan (LEMP); and the prohibition of additional external lighting.

Socio-Economics

Conditions 14, 29, 38, 45, 46 and 48 have been attached to the planning permission and relate to: evidence demonstrating that full funding is available for the construction and fitting out of the leisure centre and that it is deliverable with that funding; installation of fixed telecommunication infrastructure and High Speed Fibre Optic connections; no construction works on any dwelling or other building hereby permitted by the outline part of the planning permission commencing until the foundations for the leisure centre have been completed; a detailed plan setting out a schedule of publicly accessible health and well-being related benefits to be delivered within both the leisure centre and the areas of public open space, and a timetable for their delivery; full details of the play areas to be provided including all landscaping and play equipment; no more than 50 dwellings of the residential development hereby permitted shall be occupied until the leisure centre building hereby permitted is opened to the public. The s.106 and Memorandum of Understanding require the provision of affordable housing across the development.

Transport

Conditions 7, 12, 26, 30, 31, 33, 40, 43 and 44 have been attached to the planning permission and relate to: measures to prevent the discharge of surface water onto the highway; details of all pedestrian and vehicular visibility splays either side of any access to the highway; a Construction Environment Management Plan (CEMP); a phasing strategy for the realignment of the highway at Princes Parade; details of measures to prevent the discharge of surface water onto the highway; details of vehicular and cycle parking facilities for the leisure centre and the eastern public car park; use of a bound permeable material for the first 5m of vehicular accesses; and provision of vehicular and cycle parking facilities.

Regulation 24 (1) c) iv) – information regarding the right to challenge the validity of the decision

The decision to grant planning permission can be challenged by way of bringing a claim for judicial review proceedings. Any person wishing to do so must bring a claim within six weeks of the decision.