Shepway District Council

Proposed Leisure Centre and Mixed-Use Development at Princes Parade Hythe

Environmental Statement

Technical Annex 1

Scoping

August 2017

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environmental planning and assessment

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EIA Scoping Report

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Contents

1. Introduction

Background

1.1 Proposals are being brought forward for the development of housing, an affordable recreation centre, public open space and ancillary commercial uses on land at Princes Parade in Hythe. The proposals qualify as a Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations, 2015, being an "urban development project" greater than 5 hectares in area (Schedule 2, 10[b]). As a result, the proposals should be screened to determine whether they may give rise to "likely significant effects", and – if so – an EIA must be carried out.

1.2 Preliminary environmental work has already been completed on the site, such that the potential issues are already known. These include the presence of contamination from historic landfill activities, flood risk, visual impact and proximity to the Royal Military Canal, which is a Scheduled Monument.

1.3 The characteristics of the development and the sensitivity of the site are such that a possibility of significant effects cannot be ruled out. It has therefore been decided that an EIA will be carried out in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations, 2011[1]. The preparation of a voluntary EIA is acknowledged as a legitimate approach in the Planning Practice Guidance (PPG, March 2014), and means that the application must be determined as "EIA development" as defined in the Regulations.

Purpose and Structure of this Report

1.4 EIA is a structured process for identifying the "likely significant effects" of a development and the mitigation that may be required in order to address any adverse effects, and is reported in the form of an Environmental Statement (ES). The Regulations allow applicants to ask the LPA for a Scoping Opinion, which sets out the scope of the EIA. Whilst not mandatory, this is regarded as good practice, since it reduces the likelihood that further information may be requested after the ES has been submitted.

1.5 This report supports a request to the Council for a Scoping Opinion and provides the following information, as required under Regulation 13(2):

(a) *a plan sufficient to identify the land;*
(b) *a brief description of the nature and purpose of the development and of its possible effects on the environment; and*
(c) *such other information or representations as the person making the request may wish to provide or make.*

1.6 The remainder of the report is organised as follows:

- Section 2 explains the approach to scoping;
- Section 3 describes the characteristics of the site and surrounding area;
- Section 4 describes the characteristics of the proposed development;
- Section 5 identifies the likely significant effects;
- Section 6 sets out the proposed scope of the EIA;
- Section 7 describes the proposed scope and methodology for each topic; and
- Section 8 describes the proposed structure of the ES.

[1] Which remain the prevailing regulations; the 2015 Regs merely amended the "applicable thresholds and criteria" for urban development projects.

2. Approach

Requirements for the Technical Content of an ES

2.1 Schedule 4 of the Regulations identifies the "Information for inclusion in environmental statements". This comprises two parts. The information in Part 2 is a minimum requirement, whilst the information in Part 1 should be provided where it "is reasonably required to assess the environmental effects of the development" and where "the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile [it]".

2.2 The Part 1 information refers to the following technical aspects:

- (in relation to residues and emissions): "water, air and soil pollution, noise, vibration, light, heat, radiation etc";
- (in relation to those aspects of the environment likely to be significantly affected): "population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage [and] landscape"; and
- (in relation to the description of effects): "the use of natural resources, the emission of pollutants, the creation of nuisances and the elimination of waste"

Guidance

2.3 Current UK guidance on the EIA process forms part of the PPG. This updates and simplifies the guidance previously provided in "Environmental Impact Assessment: A Guide to the Procedures" (DCLG, 2000). Specific advice on scoping is provided in "Guidance on EIA Scoping" (European Commission, 2001), which remains a useful reference even though the European and UK regulations relating to EIA have since changed.

Bespoke Checklist

2.4 The EC Guidance includes a Scoping Checklist, Part 1 of which comprises a series of criteria for identifying whether the characteristics of a development are likely to give rise to environmental effects. In addition, the Planning Inspectorate provides a screening proforma for use by LPAs which includes a checklist of the following technical matters (in summary):

- Physical changes to topography, land-use etc;
- Use of natural resources, especially if non-renewable;
- Use or production of substances potentially harmful to the environment or human health;
- Production of solid wastes;
- Air-borne release of hazardous, toxic or noxious substances;
- Emissions of noise, vibration, light, heat or electromagnetic radiation;
- Contamination risk to land or water;
- Presence of existing pollution or environmental damage;
- Accident risk;
- Social changes (e.g. to employment or demographics);
- Areas of ecological importance or sensitivity;
- Protected, important or sensitive species;
- Inland, coastal, marine or underground waters;
- Areas or features of high landscape or scenic value;
- Potential to be highly visible to a large number of people;

- Proximity to routes used for public recreation;
- Congested or environmentally damaging transport routes;
- Areas or features of historic or cultural importance;
- Loss of greenfield land;
- Loss of/impact on existing or future land uses;
- Proximity to densely built-up areas;
- Proximity to sensitive uses (e.g. schools);
- Areas containing important, high-quality or scarce resources (e.g. minerals); and
- Risk of geotechnical instability or extreme climatic conditions.

2.5 No single checklist will be applicable to every project, and the PPG advises that scoping should be tailored to the specific circumstances in each case. Taking account of the guidance and the regulatory requirements, the following bespoke checklist of topics (with associated tests for potentially significant effects) has been developed for the purposes of this scoping exercise:

Topic	Tests for Potentially Significant Effects
1. Land, Soils and Geology	• change of use/loss of material assets/changes to utility networks • loss of agricultural soils, particularly those of "best and most versatile" quality • disturbance of existing contamination • risk of introducing new contamination • sterilisation of mineral resources • risk of geological instability (landslips etc)
2. Air and Noise	• introduction of sensitive receptors (e.g. residents) into an area of poor air quality or high ambient noise levels • introduction of new sources of airborne pollution, odour, noise or vibration • potential to affect air quality with an Air Quality Management Area • risk of causing nuisance due to fugitive dust emissions during construction • introduction of sources of radioactivity or electromagnetic interference • physical interference with electronic communications
3. Water	• physical changes to/abstraction from surface- or ground-waters • pollution risk to water bodies or aquifers • introduction of sensitive receptors into an area of flood risk • risk of increasing surfacewater runoff • changes to off-site flood risk • need for additional foul drainage or water supply capacity
4. Natural Resources, Waste, Energy and Climate	• consumption of materials during construction (e.g. aggregates) • generation of solid waste and its impact on the waste management regime • contribution to climate change due to GHG emissions • implications for climate change resilience and adaptation • implications for microclimate (overshadowing and ground-level wind conditions)
5. Biodiversity	• loss/value of existing site habitats • opportunities for habitat creation/enhancement • risk of impacts on designated habitats, especially statutory/SPA/SAC/Ramsar sites • risk of impacts on notable species (especially those protected under European law).
6. Cultural Heritage and Landscape	• risk of disturbing or damaging archaeological assets, particularly where designated (e.g. scheduled) • demolition or physical changes/alterations to designated buildings (typically listed) • potential change to setting of designated assets or historic landscapes/townscapes • impacts on landscape character, views and visual amenity, particularly within designated landscapes • loss of significant vegetation (e.g. protected hedgerows/trees)

7. Access and Movement	• physical changes to existing networks and/or provision of new infrastructure • capacity, amenity and safety implications of construction and operational traffic • capacity implications of new pedestrian/cycle/public transport trips, routes or services • implications for sustainable transport choice
8. Community and Economy	• displacement of existing uses • generation of employment (construction/operation/direct/indirect etc) • impact on housing supply • impact on retail hierarchy • demographic impact and implications for labour market, child yield etc • provision of/demand for social infrastructure (schools, healthcare etc) • impact on local/district economy, regeneration and social deprivation

Identifying the Likely Significant Effects

2.6 The EIA Regulations require an ES to identify the "likely significant effects" of a development. The primary purpose of scoping is to ensure that the assessment is focussed on the topics likely to give rise to such effects. At the same time, topics that are unlikely to give rise to significant effects can be "scoped out" of the assessment.

2.7 Likelihood and significance are derived from interaction between the characteristics of the development and the characteristics of the receiving environment, as described in Sections 3 and 4 of this report. Whether the resulting effects are likely and significant will depend on the nature of this interaction, on the importance or sensitivity of the environmental resources or receptors, and on the extent to which adverse effects can be avoided or reduced through mitigation.

2.8 The bespoke checklist above has been used to identify the likely significant effects and the topics that are of potential relevance in this case. Topics that are unlikely to give rise to significant effects have also been identified. Scoping is necessarily carried out at the beginning of the EIA process, when not all the relevant information may be available. The scope may evolve as the assessment proceeds and as feedback is obtained from consultees; this report should therefore be regarded as the starting point for an ongoing process.

3. Characteristics of the Local Environment

Application Site

3.1 The application site is shown on **Figure 1**. It is 7.2 hectares in area, comprising a triangle of land bounded to the north by the Royal Military Canal, to the south by Princes Parade and to the west by the Hythe Imperial golf course.

3.2 The site lies at an elevation of about 6-7m AOD, which is broadly the same as that of Princes Parade. It slopes down to the canal and to the western boundary, representing a level change of c4-5m. The eastern end of the site is occupied by a public car park, with an adjoining playground and picnic area, together with temporary storage facilities used by the canoe club. The remainder of the site is occupied by tall ruderal vegetation, together with areas of scrub (blackthorn, bramble, willow etc) and ephemeral vegetation/bare ground.

3.3 The site is publicly accessible, via a path from close to the car park/play area, although access to much of it is precluded by the dense vegetation. A public right-of-way (PROW) adjoins the western boundary, linking a footbridge over the canal (Seabrook Lodge Bridge) with Princes Parade. A second footpath runs across the centre of the site, linking Sea

Road with Princes Parade via another footbridge (Seaview Bridge). Princes Parade is a secondary road linking Hythe and Sandgate, providing an alternative to the main A259/Seabrook Road.

Site History

3.4 The site originally formed part of a shingle ridge and by the end of the 19thc had been excavated for gravel, with the western part laid out as a recreation ground. Gravel extraction appears to have continued up to the mid-20thC, after which most of the site was used as a landfill for wastes such as demolition rubble, scrap metal and household refuse. From the 1980s, the western part was occupied by a highways maintenance depot, whilst canal dredgings were tipped on the eastern part and were then spread across the site, which was allowed to re-vegetate.

Landuse Context

3.5 The residential area of Seabrook lies to the north of the site, beyond the canal. The terrain rises conspicuously beyond the Seabrook Road, forming an escarpment that is partly wooded and partly built-up, with most properties having seaward views across the general area of the site. Development extends northwards up the valley of the Seabrook Stream, a minor watercourse that flows into the canal, and westwards towards Hythe, the centre of which is located about 1.5km from the site. Development also extends eastwards along the escarpment to Sandgate, about 1.5km from the site. The crest of the escarpment is occupied by military uses associated with Shorncliffe Camp, with the built-up area of Coolinge and Folkestone to the east.

3.6 The area has a high level of recreational use. Much of this is focussed on the beach, which is accessed from Princes Parade, where on-street and some off-street parking is available. The canoe club has permission to erect a purpose-built clubhouse on land immediately to the north of the canal opposite the car park (Ref Y14/1428/SH). A designated walking/cycling route, the Royal Military Canal Path, runs along the northern side of the canal. To the west, beyond the golf course, lies the Hythe Imperial Hotel, and then a mix of residential and recreational uses such as a recreation ground and the Hythe municipal swimming pool.

Planning Context

3.7 Planning policy for Shepway is set out in the Shepway Core Strategy Local Plan, adopted in September 2013. This includes a range of policies supporting the delivery of sustainable development that improves the economic, social and environmental conditions of the area, a target to deliver at least 400 homes per annum by 2026, the provision of 30% affordable housing within major residential schemes, and the expanding and upgrading of visitor and leisure attractions in Hythe.

3.8 The Princes Parade site is covered by saved policy LR9 of the Shepway District Local Plan Review 2006, which seeks to provide an adequate level of public open space for leisure, recreational and amenity purposes by protecting existing and potential areas of open space and by facilitating new provision by means of negotiation and agreement. In addition, the eastern part of the site is covered by saved policy TM8, which supports the granting of planning permission for small-scale, low-rise recreational/community facilities. The policy specifies that any such facility should be of high-quality design, should take advantage of and enhance the appearance of the canal and the coastline, should ensure that the majority of the site remains open and should not adversely affect the character of the canal.

3.9 It is understood that the Council are in the process of reviewing site-specific policies and that a draft policy covering the Princes Parade site will be included in the Shepway Places and Policies Local Plan Preferred Options document. The development of an up-to-date

policy is required to ensure that future development of the site supports the delivery of the Shepway Core Strategy Local Plan and the objectives of national planning policy as set out in the NPPF. The recently revised Shepway Local Development Scheme (LDS) indicates that the Preferred Options document will be subject to public consultation in October 2016, with submission of the Places and Policies Local Plan to the Planning Inspectorate scheduled for July 2017.

4. Characteristics of the Proposed Development

4.1 The development is currently envisaged to comprise the following uses:

- An Affordable Recreation Centre (ARC);
- Up to 150 new homes;
- A significant area of enhanced public open space;
- New premises for the Hythe and Saltwood Sailing Club; and
- Ancillary uses such as cafes, bars, ice cream kiosks and a seafood restaurant.

4.2 The ARC would comprise a 25m swimming pool, teaching pool, gym and sports hall within a purpose-built and distinctive two-storey (approx. 9m high) building of approx. 4,000sqm that delivers both high standards of design and affordable running costs. It is intended to replace Hythe Swimming Pool, which has reached the end of its design life.

4.3 The public open space would comprise a mix of green space and urban public realm, offering a range of new recreation opportunities for residents and visitors, and amounting to approx. 3 hectares. It is likely to include improvements to the promenade and to the canal-side, where public access is currently limited. The existing playground and picnic area may be replaced. Discussions are ongoing to provide new premises for the sailing club and the canoe club, provided that their access requirements can be met.

4.4 The new homes would comprise a mix of open-market and affordable units, with the aim of attracting a range of residents to the site, including young families and retirees. The affordable component is expected to comply with the relevant Council policy. The precise form, scale and layout of the residential units has yet to be determined, but is anticipated to comprise a mix of houses and flats within buildings of up to four storeys, similar to the recently completed Fisherman's Beach scheme in Hythe. The dwellings would be designed to the highest standards of amenity and efficiency, including compliance with Lifetime Homes criteria.

4.5 Vehicular access would be provided from Princes Parade. Options are being considered to divert the road through the site, so as to free up access to the promenade and beach, whilst retaining it as a through route. Public, residential and business parking would be provided in accordance with the Council's standards, including re-provision of any parking lost from the existing car park and along Princes Parade. Existing pedestrian/cycle access into and across the site would be retained and enhanced, facilitating connectivity between the beach, the canal and the built-up area to the north.

5. Likelihood of Significant Effects

5.1 The likelihood of significant effects is set out below in relation to the bespoke checklist of topics. As advised in the PPG, account has been taken of the potential effectiveness of mitigation in considering whether residual effects (i.e. those following mitigation) are likely to remain significant.

5.2 Likelihood has been defined as high, medium, low or none as follows:

High	Definitely or likely to give rise to a significant effect in the absence of mitigation
Medium	May give rise to a significant effect in the absence of mitigation, but the residual effect is unlikely to remain significant
Low	Unlikely to give rise to a significant effect even in the absence of mitigation
None	Relevant resources/receptors or sources of impact are absent

5.3 Cells showing a "greater than low" likelihood of significant effects have been highlighted, since these are considered to be of most relevance to the scoping process.

Predicted Effects by Topic

Topic	Significance Test	Likelihood of Significant Effects	Comment
Land, Soils and Geology	Loss of material assets or infrastructure	None or Low	No demolitions would be required, but diversions of utilities or PROWs cannot be ruled out.
	Loss of best and most versatile (BMV) agricultural land	None	Site is not in agricultural use.
	Disturbance of existing contamination	Medium	Parts of the site are known to be contaminated, with the risk categorised as "moderate to high". Remedial design, monitoring and management (during construction) would be expected to control the level of risk.
	Introduction of new sources of contamination	Low	The proposed uses are not inherently contaminating. Contamination risk during construction would be controlled through routine procedures
	Sterilisation of mineral resources	None	Workable gravel deposits are assumed to have been extracted.
	Geological instability	Low	Although the made ground covering much of the site may pose geotechnical constraints that will require an appropriate engineering solution.
Air and Noise	Introduction of residents into area of poor air quality	Low	The site is not located within an Air Quality Management Area (AQMA) – there are none within the district.
	Introduction of residents into area with high ambient noise levels	Low	The main noise sources are currently traffic on Princes Parade and the A259. Assessment will be required to determine whether existing noise levels are sufficient to cause nuisance. Even if they are, mitigation by design is likely to be achievable.
	Introduction of new sources of airborne pollution, noise etc	Low to Medium	The main sources will be construction and traffic. Significance will depend on factors such as proximity to sensitive receptors and (for traffic) the predicted increase in flows.
	Potential to affect air quality within an AQMA	None	No AQMAs in the vicinity.
	Nuisance due to fugitive dust emissions	Low to Medium	The nearest sensitive receptors are habitats (the canal), users of PROWs/the playground etc and residential properties to the north.
	Introduction of radioactivity or	None	The only sources would be routine power supply equipment etc.

	EMR		
	Interference with electronic communications	None	No structures of sufficient height are proposed.
Water	Physical changes to/abstraction from surface or groundwater	Low	No work proposed to the canal (an 8m buffer would be maintained). Potential need for dewatering during construction (and this water could be contaminated).
	Pollution risk to waterbodies or aquifers	Medium	Reflects the potentially contaminated condition of the site. In practice, risk would be minimised by routine controls during construction and incorporated into the surfacewater drainage system.
	Level of flood risk affecting site	Medium	Depends on assumed risk of wave overtopping and failure of sea defences along Princes Parade; the EA places the site within Flood Zone 3 (high probability) and the SFRA within Flood Zone 1 (low probability).
	Increase in surfacewater runoff	Medium	The site is currently in a greenfield condition and assumed to be permeable. The development would increase runoff from the site, although this would be controlled by a SUDS strategy. Due to contamination, attenuation will need to be provided by storage rather than infiltration.
	Changes to off-site flood risk	Low	Assuming adoption of SUDS principles and no increase in ground levels within the site.
	Demand for foul drainage or water supply	Medium	Assumption until available capacity can be confirmed.
Natural Resources, Waste, Energy and Climate	Consumption of materials during construction	Low	Best practice would be adopted to ensure procurement from sustainable sources etc.
	Generation of solid waste	Low	Assuming that construction waste would be minimised through a SWMP etc, whilst operational waste would be managed in accordance with LPA requirements. No off-site disposal of contaminated material is proposed.
	GHG emissions	Low	Potential for substantial increase over current use, since the site is currently unused. However, such emissions would represent a negligible contribution overall (e.g. at a district-wide level) and would be minimised by sustainable design.
	Risk to climate change resilience and adaptation	Low	Appropriate safeguards would be built into the design, e.g. to resist increased likelihood of wave overtopping.
	Over-shadowing or increased ground-level wind speeds	None to Low	Buildings would be of insufficient height to make any meaningful difference (e.g. due to overshadowing of the canal).
Biodiversity	Habitat loss	Medium	Although the site is of limited habitat value, it would be largely disturbed and altered during construction.
	Opportunity for enhancement	Medium	In relation to residual green space and the canal edge.
	Risk of impacts on designated habitats	Low to Medium	The canal is a (non-statutory) Site of Nature Conservation Interest. The main risks are associated with construction (dust emissions, noise, uncontrolled discharges etc).
	Risk of impacts on protected species	Medium	The site has the potential to support species such as reptiles and breeding birds, although in practice this risk would be minimised by

			mitigation.
Cultural Heritage and Landscape	Risk to archaeology	None	Archaeology is likely to have been removed during the course of gravel extraction.
	Physical impact on designated assets	None	No such assets within the site and no encroachment into the canal is proposed.
	Impact on setting of designated assets	High	Due to proximity to, and visual relationship with, the canal, together with other coastal defence assets such as Shorncliffe Battery.
	Impact on landscape character	Medium	Development will represent a fundamental change in the character of the site.
	Impact on views and visual amenity	Medium to High	Development will be visible from the surrounding area, including both public and private views.
	Loss of significant vegetation	Low	The current vegetation cover on the site is not of particular amenity value.
Access and Movement	Need for new/altered infra-structure	Medium	The proposed treatment of Princes Parade [closure/diversion?] has yet to be agreed, but new junctions will be required to access the development in any event.
	Impact of construction traffic	Low	Traffic would be routed directly to/from the arterial road network, so as to minimise any impact on residential or congested areas.
	Impact of operational traffic	Medium	Assumption pending capacity testing of key junctions.
	Impact of non-car trips	Low	Rarely sufficient to cause capacity issues, but scheme will need to demonstrate commitment to sustainable travel choice.
Community and Economy	Displacement of existing uses	Low	Assuming that PROWs will be maintained and enhanced public realm/green space will be provided.
	Generation of employment	Low	The development is not assumed to be a major source of employment.
	Potential benefit to housing supply	Medium	Assumption until housing supply position is clarified.
	Impact on retail hierarchy	Low	Any on-site retailing would cater for the increased demand from new residents and visitors, and would not compete with existing outlets (e.g. in Hythe town centre).
	Demographic change	Low	The residential component is of insufficient scale to give rise to significant change at a district-wide level.
	Social infrastructure	Medium to High	The opportunity for the ARC to replace the Hythe swimming pool represents a major benefit. The additional residents will generate demand for healthcare and education, although the development has the potential to fund additional social infrastructure through the Community Infrastructure Levy (CIL).
	Economy and deprivation	Low to Medium	Direct/indirect/induced employment will benefit the local economy (e.g. through the supply chain + resident spend).

6. Proposed Scope

Topics to be Scoped Out

6.1 The bespoke checklist of topics has been refined so as to correspond more closely to the headings normally used in EIA. The topics have then been sifted to identify those proposed for inclusion in the EIA and those to be excluded (i.e. scoped out), taking account of the

likelihood of significant effects. A topic has been included where the likelihood of significant effects is medium or high, or if there is currently insufficient evidence on which to rule it out. A topic has been scoped out either where the likelihood of significant effects is low or where there is a high probability that such effects could be avoided through mitigation. The following topics are proposed to be scoped out:

Topic	Justification
Agricultural Land	The site is not, and never has been, in agricultural use.
Air Quality	The site is not located within an AQMA and the development would not affect any AQMAs. Dust emissions during construction would be controlled in accordance with best practice so as to minimise any risk of significant effects (e.g. in relation to the canal). Operational impacts (mainly traffic) would be insufficient to have a measurable impact on local air quality.
Archaeology (within the site)	The site is assumed to retain no original heritage potential, having been largely disturbed. However, a desk-based assessment and walkover will be carried out anyway as part of a wider cultural heritage study.
Climate Change /Sustainability/Energy	Effects relating to GHG emissions are highly unlikely to be significant. A separate energy strategy/sustainability appraisal will be submitted, which will demonstrate how the development would minimise its GHG emissions, provide for climate change adaptation and achieve relevant sustainability targets.
EMR, Electromagnetic Interference and Odour	The development would not introduce any relevant sources of impact.
Land Use	The site is largely inaccessible and in unproductive use, and the land-use impacts of the development would be mainly beneficial.
Lighting	Lighting impacts will be addressed under other topics (e.g. ecology and landscape).
Microclimate (sunlight/ daylight and wind)	No tall buildings are proposed. Any potential implications of over-shadowing of the canal would be considered under ecology.
Mineral Resources	Workable gravel deposits are assumed to have already been extracted.
Natural Resources	The development is not of a type that will require a high consumption of such resources. Best practice will be adopted to meet relevant targets (e.g. waste recycling, sustainable energy).
Noise and Vibration	The site is not subject to any existing sources of noise or vibration that could have amenity implications for the new residents or render it unsuitable for the proposed uses. Construction would not take place sufficiently close to residential properties, or for a sufficient length of time, to give rise to noise or vibration that could have amenity or structural implications. Construction noise and vibration would be managed on the basis of best practicable means to minimise any risk of nuisance. The operational development is unlikely to give rise to any measurable levels of vibration.
Utilities	Statutory undertakers would be responsible for any off-site upgrades and associated assessment. However, foul drainage would be addressed, since capacity constraints can give rise to impacts such as water pollution.
Waste	A Site Waste Management Plan (SWMP) would be adopted during construction. The quantity and nature of wastes arising are unlikely to give rise to any particular management or environmental concerns. Waste would be managed in accordance with LPA requirements.
Water Supply/Use	This will be addressed under sustainability outside the ES.

Proposed Assessment Topics

6.2 The topics proposed for inclusion in the EIA are set out below, together with the relevant references from Schedule 4 of the EIA Regulations and a summary of the proposed focus of the assessment.

Topic	Schedule 4 Ref
Cultural Heritage	Architectural and Archaeological heritage
Ecology	Fauna Flora
Flood Risk and Drainage	Water Population
Geo-Environment	Soils Water
Landscape and Views	Landscape
Socio-Economics	Population
Transport	Population

Other Aspects of Scope

6.3 The assessment will cover all the mandatory and other relevant matters set out in Schedule 4 of the Regulations, specifically:

- The main alternatives addressed during development of the proposals will be described, and the reasons for rejecting them will be given, including consideration of their environmental effects.

- Effects arising both from construction and from the permanent features and operation of the development will be identified. Effects relating to decommissioning are not considered to be relevant for a project of this type.

- Effects will be categorised, in accordance with standard EIA practice, on the basis of their value (positive, negative etc), sequence (direct, indirect etc), occurrence (short/long-term) and permanence. The significance of effects will be stated in each case and the basis for this conclusion explained.

- Measures proposed or required to mitigate (avoid, reduce or compensate for) significant adverse effects, together with the mechanism for delivering them, will be identified.

- Cumulative effects resulting from interaction between this development and any relevant committed or reasonably foreseeable developments will be identified.

7. Scope and Methodology for Assessment Topics

7.1 This section sets out the anticipated scope and methodology for each assessment topic. It is necessarily provisional; detailed scopes and methodologies will be developed for each topic as scoping and consultation proceed.

Cultural Heritage

7.2 The scope and methodology will be agreed with the Council's Planning Department and with Historic England, but are envisaged to comprise:

- A Desk-Based Assessment (DBA) in accordance with Institute for Archaeologists standards and the Management of Research Projects in the Historic Environment guidance (MoRPHE, English Heritage 2006).
- Identification of relevant assets and evaluation of their significance, with particular focus on the Royal Military Canal (RMC).
- Assessment of the setting of the RMC and its contribution to the significance of the asset on the basis of Historic Environment Good Practice Note 3: The Setting of heritage Assets (2015).
- Input to the masterplanning/design process to minimise potential harm to this significance and to maximise opportunities for enhancement (e.g. through improved access and interpretation).
- Assessment of changes to the visual relationship between the RMC and its setting (using the AVRs prepared as part of the LVIA).
- Assessment of residual effects on significance in terms of substantial/less than substantial harm.

Ecology

7.3 An ecological impact assessment (EcIA) would be carried out in accordance with current best practice, specifically CIEEM (2016): Guidelines for Ecological I. Potential impacts on habitats and species will be identified, their significance assessed and appropriate mitigation agreed, to be implemented by design or through a management plan.

7.4 The assessment will comprise a desktop review of biological data from sources such as the MAGIC, Kent and Medway Biological Records Centre and Kent Wildlife Trust databases, to obtain details of any protected species, habitats and species of principal importance and local wildlife sites in the vicinity.

7.5 A preliminary ecological appraisal of the site has already been completed, on the basis of which the following surveys will also be undertaken and will form the basis of the assessment:

- National Vegetation Classification (NVC, site only);
- Reptiles (site only);
- Mammal walkover (site only);
- Pond suitability assessment for great crested newt (within 250m radius);
- Preliminary invertebrate habitat assessment (site and canal);
- Breeding birds (site and canal);
- Bat activity (site and canal); and
- Water vole and common toad (canal).

Flood Risk and Drainage

7.6 A Flood Risk Assessment (FRA) compliant with the NPPF will be carried out. The scope of the assessment will be agreed with the Council, the Lead Local Flood Authority and the Environment Agency (EA), and is anticipated to include:

- Review of the Strategic Flood Risk Assessment and published EA flood data;
- Site walkover and confirmation of its flood risk zoning using flood maps and topographic data;
- Identification and characterisation of potential flooding sources and receptors (on- and off-site);
- Calculation of changes to runoff and assessment of potential flood risk on- and off-site, including allowance for climate change, for sea defence breach/wave overtopping and canal surcharging scenarios;
- Development of a sustainable drainage (SUDs) strategy to demonstrate nil impact on the canal;
- Qualitative assessment of pollution risk to the canal during construction and from operational development; and
- Confirmation of any constraints on foul drainage capacity.

Geo-Environment

7.7 The geo-environmental assessment will be based on updating of work undertaken in 2015, which included site investigations (SIs). It will include a Phase 1 desktop study based on published information sources (typically including BGS borehole logs, historic mapping, Envirocheck report etc, as appropriate).

7.8 The four monitoring wells installed in 2015 will be used to carry out ground gas and groundwater monitoring over a three week period (depending on environmental conditions). Groundwater samples will be submitted to a UKAS-accredited laboratory for analysis for a standard suite of contaminants.

7.9 The desktop, SIs and monitoring will be used to identify and characterise the level of any contamination risk and the vulnerability of groundwater, surfacewater and soils, on the basis of the source/pathway/receptor model. Potential effects on groundwater, site workers, future users and surrounding receptors (such as the canal) will be assessed, and the need for/scope of any remediation or mitigation will be established, to be implemented through design, monitoring and/or construction management.

Landscape and Views

7.10 The assessment will follow the Guidelines for Landscape and Visual Impact Assessment (LVIA) guidance produced by the Landscape Institute/IEMA (GLVIA, Third Edition, 2013) and will comprise the following tasks:

- Desktop review of published landscape character assessments and policy;
- Fieldwork to describe local landscape character, key views and receptors, and to identify representative viewpoints for the assessment;
- Definition of the development's zone of theoretical visibility (ZTV) and agreement of the location/number of assessment views with council officers;
- Photographing and preparation of viewpoint assessment sheets;

- Preparation of accurate visual representations (AVRs) from selected viewpoints in accordance with LI practice;

- Assessment of effects on landscape character and visual amenity, on the basis of accepted criteria; and

- Identification of mitigation measures as part of a landscape strategy for the site.

Socio-Economics

7.11 The assessment is anticipated to comprise:

- Baseline study of relevant socio-economic indicators at district and local ward levels, including housing demand, employment, deprivation and capacity of social infrastructure, with particular emphasis on the need to replace the Hythe swimming pool.

- Assessment of (beneficial) effects relating to housing provision, employment (temporary/permanent) and recreation/amenity (through ARC/replacement pool) and on-site green space/public realm.

- Assessment of (potentially adverse) effects on social infrastructure (healthcare, education etc), with proposed mitigation (through the CiL etc).

Transport

7.12 A Transport Assessment (TA) will be carried out and in accordance with the NPPF and current best practice, and will be the subject of a separate scoping exercise. Consultation with the council and Kent Highways will determine the number/extent of traffic surveys and junction modelling, any developments to be considered in relation to cumulative impact, and any need for the "growthing" of traffic data.

7.13 Trip generation will be derived from the TRICS database and actual operational data. Options for a revised alignment/treatment of Princes Parade are currently under consideration. Junction configurations for the development access, the layout of internal access roads (e.g. using swept path analysis), levels of parking provision and the incorporation/diversion of PROWs will be developed in accordance with relevant standards.

7.14 Development traffic impacts on relevant junctions will be assessed using the appropriate software; it is currently envisaged that these will comprise the Princes Parade/A259, Twiss Road/South Road, Twiss Road/A259 and A259/High Street/Station Road roundabout.

7.15 The TA will incorporate an assessment of accessibility by sustainable (non-car) modes. The proposals will provide convenient and safe cycle and pedestrian routes to link the site with the surrounding network. The assessment will take account of the criteria set out in the IEMA Guidelines for Environmental Impact Assessment, including severance, pedestrian delay and amenity, driver delay and safety.

8. Proposed ES Structure

8.1 There is no prescribed structure or format for an ES beyond the regulatory requirements set out in Schedule 4. However, taking account of the varied content and readership of an ES, the following structure is proposed:

- Volume 1: Non-Technical Summary (NTS)

- Volume 2: Main Report
- Volume 3: Technical Annexes

NTS

8.2 The NTS is a regulatory requirement and would comprise a document of @ 20 pages that summarises the main information and conclusions of the ES in an accessible style.

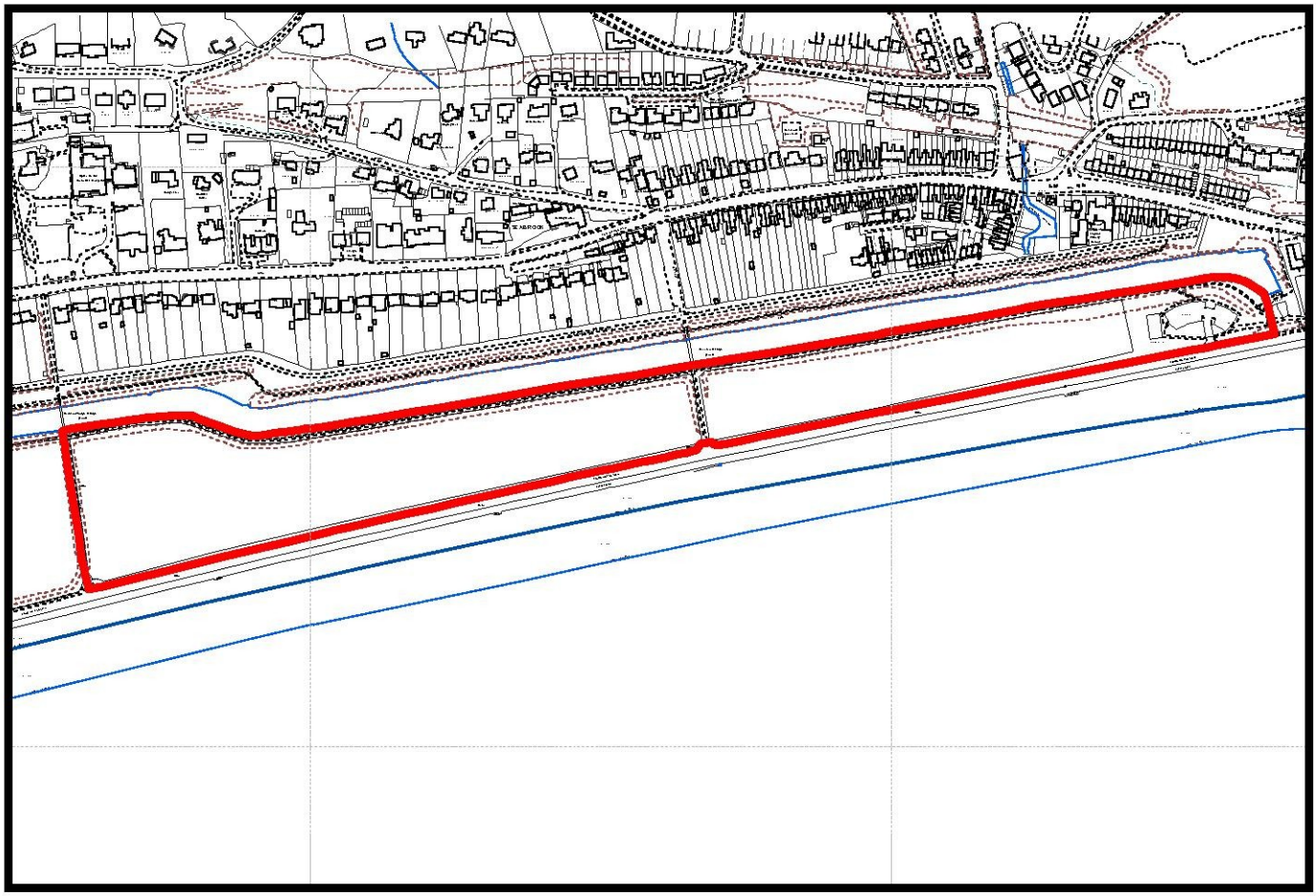
Main Report

8.3 The Main Report would be a document of @ 100-150 pages, divided into the following chapters:

1. Introduction
2. EIA Process
3. Environmental Policy Context
4. Baseline Conditions
5. Development Description (including sections on construction and alternatives)
6. Cultural Heritage
7. Ecology
8. Flood Risk and Drainage
9. Geo-Environment
10. Landscape and Views
11. Socio-Economics
12. Transport
13. Residual and Cumulative Effects

Technical Annexes

8.4 The Technical Annexes would comprise detailed supporting information and would be cross-referenced from the chapters. They would include specific surveys and technical data, together with standalone reports that are required in any event as part of the planning submission (e.g. the FRA and TA).



Application Site

0 50 100 200 300 400 500 Meters

FIGURE 1

Application Site

N

Peter Radmall Associates

Job No. 2470 - Not to scale - July 2016

Y16/0001/SCO
[redacted]
30th August 2016

Mr. M. Shillito
Tibbalds
[redacted]

Dear Mr. Shillito

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 - Scoping Opinion

Y16/0001/SCO Princes Parade, Hythe – Development of housing, an affordable recreation centre, public open space and ancillary commercial uses.

I refer to your letter dated 15th July 2016, requesting a scoping opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. This scoping opinion is based on the contents of the scoping opinion request report prepared by Peter Radmall Associates, dated July 2016.

This scoping opinion shall not preclude Shepway District Council from subsequently requiring the developer to submit further information in connection with any submitted application to the Council, in accordance with Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Consultation
Consultation is a key aspect of EIA and in response to the submission of the scoping opinion request; Shepway District Council has consulted a wide list of statutory and non-statutory consultees, including the Environment Agency, Natural England, Historic England, Highways England and several others. Officers have been consulted within SDC responsible for environmental health.

Statutory and non-statutory responses are available to read in full via the Council's website by following this link http://searchplanapps.shepway.gov.uk/online-applications/ and entering the reference number, Y16/0001/SCO. These responses have contributed to the scoping opinion and their full content should be considered when preparing the Environmental Statement (ES) and reporting how these comments have been addressed.

Proposals
Should the proposals differ, or feature only certain elements of those set out in the scoping request report, then the opinion of Shepway District Council and other consultees may differ as to what issues should be addressed within the ES.

It is noted that the scoping report acknowledges in section 6.3 the requirement in Schedule 4 of the 2011 Regulations for the ES to give "an outline of the main alternatives studied by the applicant and an indication of the main reasons for his choice, taking into account the environmental effects". The consideration of alternatives (including alternative sites), is regarded as good practice and results in a more robust planning application. It is therefore agreed that the ES should clearly set out the main alternatives considered.

There is limited discussion within the scoping request report on the cumulative impacts of development other than to suggest in section 8.3 that a chapter addressing "Residual and Cumulative Effects" would be included. It is suggested that a list of cumulative developments for inclusion in the ES will need to be agreed with Shepway Council to ensure all relevant developments are considered by the ES.

Methodology and report structure
Submission of a main document with non-technical summary, including consideration of potential environmental effects during the construction and operational phases is supported. As proposed, details of the EIA, methodology, alternatives (as discussed above) planning and policy background, cumulative impacts (as discussed above), residual impact, mitigation summary (for which an Environmental Management Plan should be included within the ES) and conclusions are all important contents of the EIA and the structure set out in the scoping request at section 8.3 is noted. The ES should be referenced to any separate Planning Statement, Design and Access Statement and any other application documents or technical studies. It is important that on-going discussions are held with SDC regarding the cumulative impacts as part of the preparation of the ES in order to account for any newly determined or received planning applications.

Potential Environmental Effects
Mitigation – The Institute of Environmental Assessment and Management (IEMA) recommends that a Framework Environmental Management Plan (EMP) is included as part of the ES. This should set out a programme of any mitigation measures and monitoring to be carried out as a result of the development, and define who will be responsible for implementing the programme and any remedial measures that are required. The ES should contain an EMP to cover all mitigation measures, where necessary.

Landscape and Visual
Assessment of the effects of the proposal upon the landscape as identified in the scoping request are agreed to be necessary. It is appropriate that this assessment will link through with other assessments based around the heritage aspects of the site, but should form a consideration in its own right. It is suggested that landscape assessment should consider a cumulative assessment for other proposals that have consent or become registered as valid planning applications in close proximity to the site.

Cultural Heritage
The views of Historic England and KCC Archaeology were sought, alongside those of the Councils heritage consultant. Historic England were broadly content with the scope of the report but provided advice in relation to the identified heritage assets of Scheduled Ancient Monuments (SAM) and listed buildings that formed part of an early 19th Century system of anti-invasion defences. No comments were received from KCC Archaeology within the timeframes allowed. However, the Councils heritage consultant has produced a comprehensive response challenging the assumption within the scoping report that there will be no archaeological impact (which it is proposed to scope

out) and also suggesting that the assessment of the impact on heritage and visual amenity should be reclassified as “high” rather than “medium”. It is noted that there are ongoing discussions with Historic England that will also form the basis for any planning application submission.

Ecology (flora & fauna)
The views of The KCC Ecological Advice Service (EAS), Kent Wildlife Trust (KWT) and Natural England were sought in relation to potential impacts upon flora and fauna and are available in full via the Council’s website. Your attention is drawn to comments from the KCC EAS, who advise that additional information is submitted with the proposed ES to provide additional surveys, address impacts upon designated sites including the Royal Military Canal Local Wildlife Site (LWS), proposed mitigation, enhancements, a landscape plan and an outline management plan. Also, the KWT, although they endorse the list of surveys in paragraph 7.5 of the Scoping Report, identify that as the site falls between the Special Protection Areas (SPA) at Dungeness and Sandwich Bay, an assessment should be made of the site’s function as a stop-off point for SPA bird species, which may necessitate a migratory and wintering bird survey. The comments of Natural England are generic in nature, but are considered sound in their scope. The RSPB were not consulted as part of this scoping opinion, but I would advise discussing the proposed ES with them, following the comments received from the KWT.

Lighting
Although it is proposed to address lighting impacts as part of ecology and landscape, it is considered that the potential change of the site could be significant with regard to views into and across the site. There would be a distinct change from an unlit, undeveloped site to a potentially well-lit urbanised area, the impact of which will need to be addressed alone and in relation to other factors.

Flood Risk & Drainage
No comments have been received from the Environment Agency within the timeframe of the consultation, but comments were received from KCC as Lead Local Flood Authority and Southern Water regarding the foul and surface water management of the site, advising early discussion prior to preparing the ES. In discussion, the impact upon utilities should be explored and included.

Noise & Vibration
Although it is proposed to scope out these elements, it is considered important to address the issue of vibration due to the proximity of an area of land instability to the north of the proposal site. Although this area is on the northern side of the canal, the effect of the creation of any piled foundations may need to be considered. With regard to noise, the approach indicated in the scoping request is considered acceptable at this stage.

Transport
The applicant’s attention is drawn to the comments from KCC Highways and Transportation and KCC Public Protection (in relation to Public Rights of Way). The Highways Agency was also consulted, but no response was received during the timeframes of the report.

Geo Environment
This topic is considered important given the history of the proposal site and its inclusion within the ES is welcomed.

Miscellaneous Considerations
Socio-Economic impacts are proposed to be included, but it is considered that land use should not be scoped out but included as part of the EIA, as it will allow the context of the site and its relationship within the district to be assessed.

Conclusion
Please contact me if you have any queries with the above scoping opinion and I look forward to further discussions regarding the application and ES.

Yours sincerely

[redacted]

Robert Allan
Major Projects Team Leader