

## Appendix 3: Summary of ES Consultation

### Introduction

This document summarises the consultation that has been carried out as part of the EIA process, and confirms how the matters that arose have been addressed. It should be emphasised that it relates to technical consultation only (e.g. non-technical matters arising from public consultation are not addressed). Consultation took place in two main phases: the LPA's Scoping Opinion and subsequent contact with specific consultees.

### Scoping Opinion

An EIA Scoping Report was submitted as the basis of a request for a Scoping Opinion from the LPA. Their Scoping Opinion was issued on 30<sup>th</sup> August 2016. The Scoping Report and Opinion were presented in **Technical Annex 1**. The following table identifies the main requirements set out in the Scoping Opinion and explains how these have been addressed in the ES.

Requirement	Response
1. Main alternatives to be clearly set out.	Addressed in Main Report Chapter 5 (although the subsequent WYG Review queries their scope).
2. Cumulative developments to be agreed with LPA.	Agreed through project officer and transport consultant consultation with KCC in September 2016.
3. Overall methodology and report structure endorsed.	See in particular the Main Report, with cross-references to the NTS and Technical Annexes.
4. Inclusion of Environmental Management Plan.	Included within the ES Addendum, drawing on information already presented in the ES.
5. Landscape and Visual Impact Assessment to be addressed in its own right and to include cumulative development.	Presented in Main Report Chapter 10 and Technical Annex 6.
6. Advice from Historic England, KCC Archaeology and LPA heritage consultant to be considered.	Reflected in the scope of the cultural heritage assessment (Main Report Chapter 6 and Technical Annex 2).
7. Scoping out of archaeology not accepted.	Specialist advice remains that the land-use history of the site suggests that its archaeological potential is likely to have been largely removed or buried during the course of gravel extraction/landfilling. A targeted pre-construction evaluation is proposed in any event so as to avoid significant effects on any buried features (e.g. the ditch associated with the Royal Military Canal).
8. Advice from KCC EAS and Natural England to be considered.	Reflected in the scope of the ecological impact assessment (Main Report Chapter 7, Technical Annex 3 and subsequent submissions).
9. Advice from KWT re migratory/wintering birds.	Scoped out of EIA as explained in the Breeding Bird Report and letter to Robert Allen dated 17 <sup>th</sup> January 2018.
10. Recommends consulting RSPB.	RSPB were not consulted.
11. Lighting impact should be addressed.	Not an EIA topic, but a lighting assessment was presented in Technical Annex 9 and was reflected in the ecological and landscape/visual assessments.
12. Advice from KCC and Southern Water to be considered re flood risk/drainage.	Taken into account in Flood Risk Assessment and drainage strategy.
13. Impacts on utilities to be addressed.	Not an EIA topic and has been addressed only where a potential for environmental effects has been identified; effects typically resolved by network

	diversions or upgrades, as agreed with or implemented by statutory undertakers.
14. Potential impact of vibration on land stability during construction should be addressed.	Scoped out of EIA, with explanation provided in ES Addendum, on the basis of distance from site and ability to control/monitor sources of vibration (e.g. piling) through the CEMP.
15. Advice from KCC Highways and Transportation and KCC Public Protection should be considered.	Taken into account in TA and access strategy/design; see below for more detail.
16. Land-use should not be scoped out.	Not an EIA topic, but existing land-use is addressed in Main Report Chapter 4, land-use changes due to the development in Main Report Chapter 5, and specific implications for each topic in the relevant technical chapters and annexes.

### Subsequent Consultation

Technical consultation carried out subsequent to or in parallel with the Scoping Opinion is summarized in the following table for each assessment topic.

Consultee (Organization + Named Individual)	Date of Contact/ Response	Matters Arising	How/Where Addressed in ES (or Explanation if Not)
<b>Cultural Heritage</b>			
See separate table below.			
<b>Ecology</b>			
KCC EAS	Letter from Helen Forster dated 31 <sup>st</sup> October 2017	Ref Lloyd Bore letter to Robert Allan dated 17 <sup>th</sup> January 2018	ES chapter and technical docs; ref to letter for details.
Environment Agency	Letter from Jennifer Wilson dated 16 <sup>th</sup> November 2017		
<b>Flood Risk and Drainage</b>			
Environment Agency	Ref FRA for details; ref Herrington's letter to Robert Allen dated 27 <sup>th</sup> April 2018	Ref FRA for details	FRA
KCC	Scoping Opinion	Drainage details and connections to be agreed by condition.	N/A - Does not influence the significant effects.
Southern Water			
<b>Geo-Environment</b>			
Environment Agency	Letter dated 16 <sup>th</sup> November 2017.	Endorsed need for further site investigation, watching brief and measures to deal with any unforeseen contamination. Recommended a Piling Works Risk Assessment and Remedial Verification Report.	N/A - To be secured by condition.
LPA	Letter from RPA, May 2018	Endorsed need for further site investigations.	N/A – To be secured by condition.
<b>Landscape and Views</b>			
LPA/Historic England	Scoping Opinion and separate consultation	Assessment views agreed with HE, spring	Cultural heritage and landscape chapters.

	on views.	2017.	
<b>Socio-Economics</b>			
LPA	None – Assessment was based on desktop research only; no consultation was carried out.	N/A	N/A
Education			
Healthcare			
<b>Transport</b>			
Highways England	Scoping Opinion	Did not require assessment of impact on strategic road network.	N/A
KCC Highways + Transportation		Need for TA.	TA + ES chapter.
KCC Public Protection		Footpath HB83 to be protected.	Scheme design (ES chapter and DAS).

## Cultural Heritage

Consultee	Date of Contact/ Response	Matters Arising	How addressed in ES
Historic England	Scoping	Broadly content with scope of EIA but provided advice in relation to identified heritage Assets.	Noted
Historic England	Initial Pre-application advice letter 02/06/16	<p>Not agreed that major development on this site is capable of being sustainable development.</p> <p>Harm would arise chiefly from proximity of the site to the RMC as a scheduled monument and the effect this would have on setting. There are other issues for other scheduled ancient monuments that form a defended landscape.</p> <p>Heritage advisor should follow the step set out in HE Good Practice Advice Note 3. Accurate Visual Representation will be required from agreed viewpoints.</p> <p>Will need to explore why new housing is proposed as part of the project and with this the number of units. May need access to an 'open book' for the economics of the project.</p>	<p>Noted. Addressed in Planning Statement that accompanies application.</p> <p>Noted. Addressed in Heritage Chapter of the EIA.</p> <p>The Heritage Chapter follows the steps laid down by the advice note.</p> <p>Noted.</p>
Historic England	Pre-application advice letter 22/09/16	<p>States that 'great weight' must be given to the conservation of the significance of designated heritage assets. Less than substantial harm (should this be judged to be the case by the LPA) can still be very serious.</p> <p>Letter considers two options- keeping the road in present position and moving it to the north of the site (as per the current proposal). The road itself can be considered as an undesignated heritage asset and should be assessed for its</p>	<p>Noted</p> <p>Noted. The significance of the road is assessed in the heritage Chapter of the EIA.</p>

		<p>significance.</p> <p>The relocated road should not be visible from the scheduled area of the RMC. Noise and light spillage may be issues.</p> <p>Location of ARC towards the eastern end of the site is right as the western site would make it very prominent in long views. It should not be tight to the existing car park so that it is least visible from historic features at the seaward end of the RMC.</p> <p>General discussion of design aspects. If harm is to be accepted, then views though the development and the experience of approaches to the canal should be considered. The change in level between the site and the lower golf course should softened.</p> <p>Discussion of possible ways in which historic significance could be enhanced including suggestion that archaeological investigation of a gun position and an historic or replica gun placed in that position.</p>	<p>The road will not be visible. The road is not heavily trafficked and noise will be a minor issue.</p> <p>Noted. The ARC is placed in the position discussed with HE.</p> <p>Noted. The development is specifically designed with large open spaces which allow views through. A large open space is included at the junction of the site with the golf course.</p> <p>Noted. This is also suggested in the cultural heritage chapter. It could be imposed by condition.</p>
Historic England	25/0717- Concluding pre-application advice	<p>By reducing degree of openness on land south of the RMC and though the introduction of modern buildings to areas that have not been built upon, the proposed development would have major impact on the experience of visiting the canal and the ability to appreciate its historic significance.</p> <p>Were anticipating further viewpoints as a part of the LVIA; have not seen views eastwards from the coast road.</p> <p>Do not think that design of proposed leisure centre is capable of addressing concerns.</p> <p>Outline list of proposed works to deliver improvements in the condition, interpretation and future management of the RMC is welcome. They can be part of the overall weighing exercise.</p> <p>All harm requires justification. If development in other locations might deliver similar public benefits then the need to cause harm is questionable.</p>	<p>Noted. Addressed in Heritage Chapter</p> <p>These are included within the LVIA</p> <p>Noted</p> <p>Noted</p> <p>Addressed in Planning Statement that accompanies planning application.</p>

		<p>Comparable public benefits can be achieved on alternative sites.</p> <p>Historic environment benefits that the development might fund require consideration only once harm is minimised. They cannot be given great weight since it is credible that the same outcomes could be delivered without funding from major development.</p> <p>Policy TM8 is still relevant. The proposal does not comply with TH8.</p> <p>Appendix to letter analyses views and concludes that views to and from linked defences will be interrupted and with that there will be harm to the setting and significance of the RMC and other defences.</p>	<p>Noted- see above.</p> <p>Addressed in Planning Statement</p> <p>Addressed in Heritage Chapter and specifically in an Addendum to that Chapter (Addendum Revision B 03/18)</p>
Council Heritage Consultant	Advice on scoping report 01/08/16	<p>Site would change radically. If canal is to be flanked by new development, it should be set well back from the canal.</p> <p>Not correct that there are no archaeological implications of the proposals. The impact on heritage and visual amenity should be classified as high rather than medium.</p>	<p>Noted. The relocated road forms a buffer and creates a space between the canal and the built development.</p> <p>Addressed in Heritage Chapter and in a further Note on Archaeology dated 16/04/18.</p>

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