
Ashford Borough Council

EIA Scoping Report Review

Sevington Border Facility

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EIA SCOPING REPORT REVIEW

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1 Introduction

1.1 Document Overview

- 1.1.1 Temple Group Limited ('Temple') has been commissioned by Ashford Borough Council (ABC) to review the EIA Scoping Report submitted in support of a request for a Scoping Opinion.
- 1.1.2 During this formal process, statutory consultees will be consulted in line with the process set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (hereafter referred to as the 'EIA Regulations').
- 1.1.3 The EIA Regulations require that for certain planning applications, an Environmental Impact Assessment (EIA) is undertaken, and an Environmental Statement (ES) produced. EIA is a procedure which serves to provide information about the likely effects of proposed projects on the environment, so as to inform the process of decision making as to whether the development should be allowed to proceed, and if so, on what terms (Carroll and Turpin, 2009).
- 1.1.4 Schedule 1 of the EIA Regulations lists developments that always require EIA, and Schedule 2 lists developments that may require EIA if it is considered that they could give rise to significant effects by virtue of factors such as its nature, size or location.
- 1.1.5 Where a proposed development is determined to be an 'EIA development', the Applicant can ask the relevant planning authority for advice on the scope of the EIA (an EIA Scoping Opinion). This would be informed by consultation with statutory consultees.
- 1.1.6 The Applicant is intending to submit a full planning application for the retention of the existing Inland Border Facility and Border Control Post (IBF) which comprises: goods vehicle parking for up to 855 vehicles, including 42 entry lanes with a capacity of up to 260 goods vehicles, 24 refrigerated semi-trailers and 357 staff car parking spaces; border checking facilities; security fencing; noise attenuation bunds and fences; CCTV and lighting columns; drainage; and all associated engineering and landscaping works.
- 1.1.7 This report sets out the findings of Temple's review of the Scoping Report. The report outlines Temple's opinion of the proposed scope of the EIA (based on the information that has been provided to date) and identifies any suggested amendments or concerns.
- 1.1.8 The issue of the Scoping Opinion does not prevent the planning authority from requesting 'further information' at a later stage under Regulation 25 of the EIA Regulations.

- 1.1.9 No indication of the likely success of an application for planning permission for the Proposed Development is implied in the expression of this Scoping Report Review.
- 1.1.10 Matters and topic chapters are not scoped out unless confirmed as being scoped out by ABC. Where ABC has not agreed to scope out certain matters or topics, it is considered that there may be some flexibility in this and the Applicant may be able to subsequently agree with relevant consultees that matters can be scoped out of the ES, where further evidence has been provided to justify this approach. However, the ES should clearly explain the reasoning for scoping out such matters and justify the approach taken.

2 Consultation

2.1.1 The EIA Regulations require that local planning authorities consult relevant stakeholders prior to issuing a Scoping Opinion. Responses have been received from the following stakeholders:

- ABC Transport;
- KCC Highways & Transportation;
- KCC PROW;
- KCC Heritage Conservation;
- KCC Ecology;
- KCC Flood Authority;
- KCC Minerals & Waste;
- The Environment Agency; and
- National Highways.

2.1.2 Where relevant to the scope of the ES, the responses received are discussed within the main text of this report under each relevant topic section. A complete set of responses for consideration by the Applicant is appended to this report in **Appendix A**.

3 The Proposed Development and Site Context

3.1 The Site

- 3.1.1 The Site is 48 hectares (ha) and is situated within Ashford and is bound to the north by the A2070; to the east by greenfield space which is additional land owned by the Applicant; to the south by a railway line and to the west by St Mary's Church with the A2070 beyond.
- 3.1.2 The Site currently comprises the temporary and operational Sevington Inland Boarder Facility, split by a strip of landscaping into a northern and southern parcel. It is understood that the Site comprises a mixture of landscaped and hardstanding areas, with the hardstanding consisting of the internal road network and parking facilities. The only build forms on-site are the 'Inland Border Facility' toward the south of the northern parcel and the 'Border Control Point' toward the west of the southern parcel.
- 3.1.3 The Applicant has helpfully provided a narrative on the planning history of the Site from the previous 'Stour Park' permissions (Outline and Phase 1A of the Reserved Matters Application) before the land was acquired under a Special Development Order (SDO).
- 3.1.4 It is understood that pre-development site conditions will be used as the baseline for each topic chapter. This would include the Site with the implementation of the Phase 1A works, which comprises:

The estate roads, the Sustainable Urban Drainage systems (SUDS) (embedded within open space) and the landscaping and layout of that open space (including measures specifically designed for ecological/biodiversity enhancement purposes within that open space) pursuant to the extant planning permission (reference 19/00579/AS) which were already in place prior to the Inland Border Facility (IBF).
- 3.1.5 This is agreed. While it would be useful to understand how far progressed the Phase 1A works were before the land was acquired by the Applicant, the proposed baseline is accepted as it will be supported with the SDO 2020 reports.

3.2 The Development

- 3.2.1 The Applicant is intending to submit a full planning application for the retention of the existing Inland Border Facility and Border Control Post (IBF) which would result in the facility becoming permanent, as under the current SDO the permission would expire in December 2025.

- 3.2.2 It is understood that the IBF comprises: goods vehicle parking for up to 855 vehicles, including 42 entry lanes with a capacity of up to 260 goods vehicles, 24 refrigerated semi-trailers and 357 staff car parking spaces; border checking facilities; security fencing; noise attenuation bunds and fences; CCTV and lighting columns; drainage; and all associated engineering and landscaping works.
- 3.2.3 The Scoping Report states that the IBF will continue to be used as a HGV parking and border check facility for a variety of governing bodies including Her Majesty's Government (HMG); DfT; HMRC including Border Force as its operational agent; and Defra, including the Port Health Authority (PHA) and Animal and Plant Health Agency (APHA).
- 3.2.4 Building footprints and heights have been provided for the built forms on-site and it is clearly stated that all buildings and structures do not exceed 12 m in height. Security fencing has a maximum height of 2.1 m, noise attenuation bunds and fences has a maximum height of 5 m and lighting columns have a maximum height of 12 m.
- 3.2.5 Vehicle access will be retained as per the existing access points, with staff vehicles entering and exiting via the A2070 (Bad Munstereifel Road) and Church Road in the southwestern corner of the Site. HGV primary and secondary access points are provided towards the north, connecting to the A2070 link road which feeds directly onto the M20.
- 3.2.6 The description of the Development as set out in the Scoping Report is sufficient to determine the potential for effects of the scheme for the purposes of agreeing the scope of the assessment.

3.3 Construction Information

- 3.3.1 It is understood that the construction phase effects were considered and assessed as part of the SDO application and these are to be provided as part of the ES appendices, within the Scoping Report appendix.
- 3.3.2 As no additional construction effects are anticipated as a result of the Development, the Applicant proposes to scope out the assessment of construction impacts. Since construction assessments were submitted for the SDO application, this approach is considered sensible. However, the Applicant should include a summary of their findings (i.e. the identified construction effects) within the body of the ES and signpost where in the appendices these reports can be found.
- 3.3.3 On the assumption that the above is provided within the ES, the approach outlined in the Scoping Report is agreed and construction phase impacts can be scoped out of individual topic chapters.

4 Approach to EIA and Methodology

4.1 Compliance and Regulations

4.1.1 The Scoping Report is compliant with Regulation 15 of the EIA Regulations 2017, in that it provides:

- A plan sufficient to identify the land;
- A brief description of the nature and purpose of the development and its possible effects on the environment; and
- An explanation of the likely significant effects of the development on the environment.

4.2 Approach to the EIA

4.2.1 Section 4 of the Scoping Report outline the general approach to the EIA. The Applicant proposes to only assess the operational phase effects and scope out construction phase effects. As stated above, this approach is agreed as the construction assessment reports will be appended to the ES Scoping Report appendix and a summary of their findings (i.e. the identified construction effects) is to be included within the main body of the ES.

4.2.2 It is understood that the baseline will assume a 'pre-development' baseline for the Site (which comprises the years 2019/2020) utilising pre-development surveys and studies completed in relation to the SDO application. The Scoping Report notes that the baseline will comprise:

- Extant planning permission (Phase 1A) – including the estate roads, the Sustainable Urban Drainage systems (SuDS) and the landscaping / layout of the open space (inclusive of measures designed for ecological/biodiversity enhancement) pursuant to the extant planning permission for the Site (planning reference: 19/00579/AS); and
- Environmental conditions presented in the SDO reports (2020).

4.2.3 While it is agreed that this would be an appropriate baseline broadly, specific topics will need to individually consider their baseline considerations. This has been discussed further in **Section 5** of this review.

4.2.4 The Applicant must ensure all guidance used is relevant, up to date and clearly referenced. A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

4.2.5 In accordance with Schedule 4 (3) of the EIA Regulations, the ES should consider how the environmental baseline would have been likely to evolve if the

Development did not proceed i.e. the future baseline. It is reasonable to assume that the future baseline would have consisted of the implementation of the extant permissions and therefore it is important that the ES provides a comparison of the impacts between the Stour Park proposed development and the Development currently onsite.

- 4.2.6 The ES will assess design information, including a description of the Development, plans, planning application drawings and accompanying area and accommodation schedules. Furthermore, this will include the assessment of any 'associated development' that will be required for the continued operations of the IBF.
- 4.2.7 The ES must include a reference list that clearly states which documents / figures / drawings have been relied upon for the description and assessment included in the ES, and where these are located. It is also important for the ES to stipulate whether the information relied upon is for approval, or if it is for information purposes only (e.g. Design and Access Statement (DAS)). This is important so that the reader is aware of what is secured through the planning application, and what would need to be secured through a planning condition and / or financial contribution.
- 4.2.8 The Scoping Report confirms that significance will be based on relevant criteria which may include magnitude, duration, permanence, nature, whether the effect occurs in isolation, cumulative or interactive, performance against relevant standards, sensitivity and compatibility with relevant policies. The Applicant identifies the methodology in which these will be used to determine significance which stems from relevant guidance for technical chapters where appropriate. It is advised that the Applicant presents this information within the ES in the form of a matrix. Any topics that deviate from this methodology should be explained in the relevant topic chapters. A minor, moderate and major level of significance should be considered.
- 4.2.9 It is the reviewer's preference that a list of all sensitive receptors is provided within the ES.

4.3 Spatial and Temporal Scope

- 4.3.1 The study area for each topic should be clearly stated in the ES and fully justified. This should be supported by a figure for ease of understanding. It is noted that the study area for matters assessed within each topic may differ; where this applies, it should be clearly stated.
- 4.3.2 The temporal scope will include the operational phase of the Development as this is agreed, provided that the construction phase assessments are appended

to the ES Scoping Report appendix and a summary of their findings is included within the body of the ES.

4.4 Requirements of the EIA Regulations

- 4.4.1 The ES, as proposed within the Scoping Report, would meet the requirements of the EIA Regulations.
- 4.4.2 The ES should include statements of competence which will identify individual team members responsible for each topic section and their experience.

4.5 Cumulative Effects

- 4.5.1 As there may be schemes that were brought forward since the baseline year (2019 at the earliest), committed development for which construction began in 2019 / 2020 should be included in the baseline conditions. The committed developments to be included in the cumulative assessment should comprise all schemes that have either:
 - Been approved through the planning system post-2020 or prior to this where construction is not yet substantially progressed; or
 - Are currently being considered in the planning system.
- 4.5.2 The Scoping Report correctly identifies the thresholds for developments with a great enough magnitude to warrant inclusion within the cumulative assessment. However, the distance of potential cumulative schemes to be considered has been noted as between 2 km and 4 km. It is advised that the ES considers schemes within a 5 km radius to the Site due to the semi-rural nature of the area.
- 4.5.3 The Applicant should also consider some flexibility in the type and size of developments particularly the inclusion of slightly smaller developments than the size thresholds where they are sensitive or particularly close to the Site, if applicable.
- 4.5.4 It is noted that the Applicant proposes to only consider schemes that are existing and / or approved. In order for the list to remain up to date at the time of submission, submitted applications for up to two years prior to the submission of the planning application should be considered.
- 4.5.5 The Applicant is reminded that ABC needs to have sufficient understanding of cumulative effects at the point of determination, and the list of committed developments should be revised throughout the EIA process.
- 4.5.6 The Applicant should additionally include the following schemes:
 - 18/01822/AS - Land at Court Lodge, Pound Lane, Kingsnorth, Kent
 - 19/01597/AS - Home Plus, Beaver Road, Ashford, Kent, TN23 7RR

- PA/2024/1087 - Land north of M20 Coastbound south of, Kennington Road, Willesborough
- PA/2022/2772 - Land south of Asda, Kimberley Way, Ashford
- 19/01701/AS - Land east of Ham Street By-Pass and south west of, Brockmans Lane, Kingsnorth

4.5.7 The list is otherwise considered appropriate at this point.

4.5.8 The Scoping Report commits to assessing interactive effects and defines it appropriately as when there are effects associated with more than one EIA topic acting on a single receptor. It is therefore understood that interactive effects will be assessed on a receptor-by-receptor basis. However, this should not just be limited to identified significant effects, noting that the interaction between a number of non-significant effects on a single receptor can result in significant effects. Due consideration should be provided to the duration of effects when undertaking the interactive effects assessment.

4.6 Alternatives

4.6.1 Section 4.5 of the Scoping Report states that Alternatives will be considered. The Report confirms that in accordance with EIA Regulations this will include the following:

- Consideration of the 'no development' scenario, in which the extant planning permission (planning reference: 19/00579/AS) is built out;
- Explanation as to why development at alternative sites has not been pursued (subject to confidentiality); and
- Consideration of earlier iterations of the Proposed Development.

4.6.2 The ES should also include a comparison of environmental effects between the different iterations of the Development and, furthermore, justify changes to the Development that have come about as a result of environmental assessments.

4.7 Mitigation

4.7.1 The ES should apply the significance criteria to potential environmental effects both before and after additional mitigation measures have been considered.

4.7.2 Furthermore, it would be useful for the ES to present a summary of mitigation measures which encompasses all measures across all topics, including those relied upon to scope topics out of the EIA. The summary should indicate whether the mitigation is considered to be embedded or additional, and the mechanism by which it will be secured (e.g. by planning condition).

4.8 Limitations and Assumptions

- 4.8.1 The ES should include the limitations and assumptions made throughout the EIA process including those for the construction and operational phase. This should be outlined in each technical topic as appropriate.

4.9 Environmental Statement Format

- 4.9.1 The format for the ES is provided in Section 10 of the Scoping Report. This is logical and considered acceptable.
- 4.9.2 The Non-Technical Summary (NTS) must present key information from the EIA in non-technical language. The NTS will be produced as a stand-alone document in a format suitable for the public. The NTS must summarise all of the information required under points 1-8 of Schedule 4 of the EIA Regulations. We recommend the use of figures and illustrations, wherever possible, in the NTS to aid understanding and to avoid the need to cross-refer to other documents.
- 4.9.3 Section 10.1 states that Volume 3 will comprise the LVIA and Volume 4 will contain the technical appendices, however sections 10.4 and 10.5 state the opposite. It is advised that the volume containing the appendices should follow the volume containing the LVIA.
- 4.9.4 The volume comprising the appendices should include any reports, calculations or figures necessary for the methodology and findings of the ES to be interrogated. The main volume of the ES should be readable as a standalone document.
- 4.9.5 Likewise, information given in documents submitted with the planning application should be summarised in the ES where this is necessary to understand the Development and its likely effects. The ES should not rely on reference to other documents.
- 4.9.6 We recommend for ease of reading that figures are included within the text of the main volume of the ES and not in separate documents.

5 Scope of the EIA

5.1 Topics Proposed to be Scoped into the EIA

5.1.1 The following topics were proposed to be scoped into the EIA.

- Socio-Economics;
- Transport and Access;
- Air Quality;
- Noise and Vibration;
- Cultural (Archaeology and above-ground Built) Heritage;
- Ecology and Biodiversity; and
- Landscape and Visual Impact.

5.2 Socio-Economics

5.2.1 It is advised that a 2021 baseline is utilised for this Chapter as a 2019/2020 baseline would be based on census data from 2011 (which would not be considered an appropriate dataset). A 2021 baseline would ensure that most data is drawn from the 2021 census, which would provide a more accurate representation of the local area during this time.

5.2.2 The Scoping Report adequately justifies scoping out social effects, such as impacts on social infrastructure (housing, education and primary healthcare), due to the non-residential nature of the Development. It is also noted that significant effects due to a demand for housing and facilities by the operational workforce are not anticipated due to the workforce being drawn from the local labour market. Due to the above and the recognition by the reviewer that the extant permission is also strictly commercial, it is agreed that these elements of socio-economics should be scoped out.

5.2.3 As discussed in a pre-application meeting with the Applicant, the ES should contain a direct comparison between the number of Full Time Equivalent (FTE) jobs generated by the Development and the number of FTE jobs that would have been generated from the full implementation of the extant permission (this being the 'future baseline'). As a Socio-Economics Chapter has been scoped into the ES, it is logical for this comparison to feature here.

5.2.4 This should be in addition to any assessment of the Proposed Development against the current (2021) baseline.

5.3 Transportation and Access

- 5.3.1 The Scoping Report states that the Chapter will assess the standard elements of a traffic chapter, including severance; driver delay; pedestrian and cyclist amenity; fear and intimidation; and accidents and safety.
- 5.3.2 The Site benefits from ease of access to the M20 and the A2070 Bad Munstereifel Road, which prevents traffic from reaching high levels within the Willesborough area.
- 5.3.3 It is understood that the pre-development baseline previously used for the SDO applications will be utilised from the 'do minimum' scenarios put forward for the SDO application for 2020 and 2022; therefore, a baseline year of 2022 has been applied. This is agreed with, on the proviso that the baseline data concerned excludes the traffic flows associated with the IBF. The ES should confirm this assumption by providing a justification for the baseline year and the data relied upon to inform the baseline should be appended to the ES.
- 5.3.4 The Scoping Report provides a list of roads that will inform the study network to be assessed, and it is recognised that this has been agreed with ABC through pre-application discussions. The following operational scenarios have been scoped into the Chapter:
- Baseline 2022
 - Opening Year Baseline 2026 without the Development
 - Opening Year Baseline 2026 with the Development
 - Horizon Year Baseline 2036 without the Development
 - Horizon Year 2036 with the Development
- 5.3.5 While the horizon years may be required for the Transport Assessment, there is no requirement to include these within the EIA and it is advised that these are scoped out in order to keep the Chapter concise.
- 5.3.6 Provided that the 2022 baseline is explained within the ES, the scenarios and years scoped in for assessment are considered reasonable. Given the roads scoped in for consideration and the local highway network around the Site, the roads to be assessed should be determined in line with the criteria included in the Institute of Environmental Management and Assessment's (IEMA's) Guidelines: Environmental Assessment of Traffic and Movement (i.e. highway links where traffic flows will increase by more than 30 % should be assessed or highway links of high sensitivity where traffic flows will increase by 10 % or more should be assessed.
- 5.3.7 The Applicant should note that statutory consultee comments have been received and contain the following points:

- ABC Transport have requested that Church Road (Sevington South) and The Street/Kingsford Street in Mersham be included in the study network to be assessed;
- Kent County Council PRow & Access Service have requested appropriate consideration of Public Rights of Way by obtaining the Definitive Map and Statement from the PRow & Access Team at Kent County Council;
- Kent County Council Highways and Transportation have specified the importance of assessing the impact on both the local road network (A20 and A292) as well as major roads (A2070 and M20 Junctions 10 and 10A); and
- National Highways have specified that the submitted documents should demonstrate how the experience of operating the site to-date will feed into its operation and any evolution in the future. Additionally, for comparison purposes, the implications of the maximum past and likely future combined use(s) of the site should be set out.

5.3.8 The details of these are included in **Appendix A** of this review.

5.4 Air Quality

- 5.4.1 It is noted that while the Site is not located within an air quality management area (AQMA), the potential for significant effects on air quality would arise from operational traffic and operational plant.
- 5.4.2 The Scoping Report states that further consultation will take place with the Environmental Health Officer to confirm the methodology for the air quality assessment. The air quality assessment would be undertaken in line with relevant guidance.
- 5.4.3 Operational traffic and plant emissions should be screened against IAQM guidance and dispersion modelling undertaken where IAQM screening thresholds are exceeded. The full details of the screening assessment should be presented within the ES.
- 5.4.4 The assessment approach outlined in the Report is agreed. The following operational scenarios have been scoped into the Chapter:
- Baseline – 2022
 - Opening year (2026) ‘without development’
 - Opening year (2026) ‘with development’
- 5.4.5 However it is plausible that a 2022 baseline will be affected by emissions associated with operation of the Proposed Development. It would be preferable to use a 2019 baseline to provide a worst-case assessment comparison.

- 5.4.6 The Scoping Report notes that data for baseline conditions will be obtained from sources including relevant KCC / ABC air quality data / assessment documents and data from the KCC / ABC monitoring network. This is generally considered appropriate. Sources of background air quality information should be fully detailed and justified within the ES, as should the verification factor used in any modelling.
- 5.4.7 The Applicant should note that ABC Transport have requested that the air quality assessment include Cheesemans Green Lane in the road network to be assessed. Additionally, Kent County Council PRow & Access Service have requested appropriate consideration of Public Rights of Way users.
- 5.4.8 The details of these are included in **Appendix A** of this review.

5.5 Noise and Vibration

- 5.5.1 The scope of the Noise and Vibration Chapter would include assessment of operational traffic noise and operational activity (including plant) noise.
- 5.5.2 As Junction 10a on the M20 was not built out and operational in 2019, a baseline year of 2022 has been selected; this should not include traffic data associated with the IBF as noted above, otherwise an earlier baseline year should be used. Since there is no noise survey data available from 2022 at the Site, the Scoping Report sets out the methodology for building a '2022 baseline model':
- 2022 traffic flows obtained from the transport consultant will be inputted into CadnaA.
 - The road noise level will be calibrated within the model using two unattended measurements, which will be taken along the A2070.
 - An unattended source noise measurement will be taken adjacent to the railway line located to the south of the Site and this will be inputted into CadnaA – this is based on the premise that the railway noise level would likely remain unchanged.
- 5.5.3 One of the road measurements should be along the A2070 slip road onto the M20 and the other should be along the dual carriageway portion, near Church Road. It should be noted that there is a risk that the 2022 traffic flows and the road noise survey results will not align and therefore the model will not be sufficiently calibrated. Should this occur, the ES must provide a third check and the justification of this would need to be provided.
- 5.5.4 As mentioned in **Section 5.3** of this review, it should be clarified within the ES how these 2022 traffic flows have been calculated and it should be demonstrated how the baseline data avoids inclusion of traffic associated with the IBF.

- 5.5.5 The approach outlined to obtain the '2022 baseline model' is accepted as it is recognised as the most practical method given the lack of accurate baseline data available.
- 5.5.6 The Scoping Report identifies potential receptors along key roads surrounding the Site and these are agreed. The following assessments have been scoped into the Chapter:
- Permanent noise effects from fixed external and building services plant.
 - Permanent noise effects from external operations, including HGV and vehicle movements within the Site.
 - Permanent noise effect from car park.
 - Permanent change in road traffic noise on the local road network due to vehicles associated with IBF.
- 5.5.7 The above assessments are considered appropriate.
- 5.5.8 The proposed consideration of building services plant noise and operational traffic noise is considered appropriate. On the basis that the Development will not introduce sources of vibration, it is agreed that operational vibration can be scoped out of the assessment.
- 5.5.9 The standards and guidance proposed for consideration are deemed appropriate. Both building services plant and IBF operational noise (such as HGV movements) are proposed to be considered using the methodology set out in BS 4142. This is agreed and it is advised that a limit of 5 dB below the background noise level would be appropriate. CRN and CRTN assessment methodologies should be used as appropriate.
- 5.5.10 In summary, the proposed methodology and approach are considered acceptable.
- 5.5.11 The Applicant should note that Kent County Council PRow & Access Service have requested appropriate consideration of Public Rights of Way users. The details of this are included in **Appendix A** of this review.

5.6 Cultural Heritage

- 5.6.1 The Scoping Report highlights that a Cultural Heritage Assessment was prepared for the Site by Mott MacDonald in 2020. On this basis, it has been identified that there are no designated heritage assets or Conservation Areas within the Site; however, there is a non-designated heritage asset located within the Site: the Royal Observer Corps Monitoring Post. The Site also falls within the setting of a number of heritage receptors that are located within the 1.5 km study area that was applied within the Cultural Heritage Assessment (2020).

- 5.6.2 Following the identification of baseline conditions, Section 6.5.2 discusses the potential likely significant effects of the Proposed Development, noting that there could be significant indirect effects on the setting of designated heritage assets, including Listed Buildings. As such, the potential effect of the Proposed Development on the value of heritage receptors will be assessed. Given that a definitive list of heritage assets to be taken into account is not provided within the Scoping Report, the ES should clearly outline all heritage assets which will be considered as part of the assessment (including a map of the heritage assets in respect of the Site) and sufficient justification should be provided with regards to the heritage assets which will be scoped out of the assessment.
- 5.6.3 Section 6.5.2 of the Scoping Report also states that the potential significant effects of the Proposed Development on the landscape character and views will also be assessed, within a separate Landscape and Visual ES chapter. This is deemed to be acceptable.
- 5.6.4 The Scoping Report (Section 6.5.2) notes that the Cultural Heritage Assessment (2020) summarises the potential and known archaeological remains and identifies the potential for significant effects. The assessment concluded that non-designated heritage assets and unknown archaeology was anticipated to experience a negligible-minor adverse impact, due to a programme of archaeological investigation undertaken in 2020. Mitigation, however, was recommended (including sample and trial trenching, in accordance with an agreed Written Scheme of Investigation (WSI) provided on the Stour Park Development). As a result, the impacts were considered to be not significant. The Scoping Report continues to state that any effects of the SDO application on the archaeology within the Site would have occurred during the construction phase. Therefore, given the nature of the works on-site, the operation of the Proposed Development is not anticipated to cause additional effects beyond those identified during the construction phase of the SDO application, as no significant groundworks are planned. This section concludes that effects from construction will not be considered further, and an Archaeological Statement will be appended to the Cultural Heritage ES chapter.
- 5.6.5 However the Applicant should note the response from KCC Heritage Conservation raising concern about the extent of archaeological investigation undertaken to date. It is noting that post-excavation reporting is ongoing. Therefore the Proposed Development should be assessed for construction phase archaeology impacts to acknowledge any potential significant or non-significant effects that may have already occurred as well as to identify whether the mitigation still underway is sufficient for the assessment or whether any other post-excavation activities would be of further use.

- 5.6.6 Whilst not specifically stated within the Scoping Report, it is assumed that the potential effects of the operational Proposed Development on archaeology is to be scoped out of the assessment, given that any effects of the SDO application on the archaeology within the Site would have occurred during the construction phase. The Applicant should, however, refer to KCC Heritage Conservation's comments on the potential for indirect operational impacts on the Bronze Age Barrow, surviving parts of the Anglo-Saxon Cemetery, and the ROC structure. An operational phase assessment should be scoped in or further scoping out text should be provided in the ES.
- 5.6.7 The Cultural Heritage assessment should identify all national, regional and local planning policy and guidance relevant to the Proposed Development. The ES chapter should clearly identify the receptors considered within the assessment and their sensitivity to the operation of the Proposed Development. This should be supported by a clear map outlining the receptors and study area.
- 5.6.8 The ES should make explicit reference to the requirements of the NPPF, in terms of the assessment of impacts on the setting and significance of heritage assets, and the assessment should correlate levels of harm with the criteria set out in the NPPF.
- 5.6.9 As noted by KCC Heritage Conservation, indirect effects on heritage assets are not just related to visibility – effects associated with additional M20 traffic, operational noise and vibration and light pollution should also be considered.
- 5.6.10 The cumulative effects assessment should consider the combined effect of the Proposed Development and other cumulative schemes on heritage assets, and should not be limited to whether the presence of cumulative schemes would reduce the presence of the Proposed Development in the setting of heritage assets.
- 5.6.11 The ES should also consider the current joint Institute of Environmental Management and Assessment (IEMA) / Chartered Institute for Archaeologists (CiFA) / Institute of Historic Building Conservation (IHBC) guidance document 'Principles of Cultural Heritage Impact Assessment in the UK' (July 2021).

5.7 Ecology and Biodiversity

- 5.7.1 The Scoping Report states that an ecological assessment was prepared by Mott MacDonald to support the SDO application (referenced as Appendix H of Appendix 2 of the Scoping Report) and that this assessment, together with a Site verification survey in 2024, will form the baseline against which the Proposed Development will be assessed. This is considered to be acceptable, as it will include any changes that have occurred on the Site since the preparation of the ecological assessment to support the SDO application. For the purposes of

demonstrating the baseline conditions against which the Proposed Development will be assessed, the ecological assessment prepared to support the SDO application will be provided as part of the ES within the Scoping Report appendices.

- 5.7.2 The Scoping Report identifies the following Important Ecological Feature (IEFs), which were identified by the surveys which informed the SDO application and surveys for the outline permission for Stour Park, dated back to 2015:
- Sites: Ashford Green Corridors Local Nature Reserve, an additional 7 no. designated sites (Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSI)).
 - Habitats: hedgerows, plantation woodland, ditches and mature scattered trees.
 - Species: badger, bats (foraging and commuting), breeding birds (farmland), dormouse and reptiles.
- 5.7.3 The above is acceptable, though the relevant survey reports which identify the above and scope out other sites, habitats and species which support the Ecology and Biodiversity assessment should be appended to the ES.
- 5.7.4 Whilst the ecological assessment prepared for the SDO application (2020) stated that likely significant effects on the below listed sites could not be excluded, and an Appropriate Assessment was necessary, the Ecology and Biodiversity assessment should consider all potential European sites (SACs, SPAs and Ramsar sites) which could be affected by the Proposed Development (e.g. Wye & Crundale Downs SAC; Parkgate Down SAC; Dungeness SAC; and Dungeness, Romney Marsh and Rye Bay Ramsar site) and whether they need to be included in an Habitat Regulations Assessment (HRA): Stage 1 Screening.
- Folkestone to Etchinghill Escarpment SAC; and
 - Stodmarsh SAC, SPA and Ramsar site.
- 5.7.5 The outcome of the 2020 ecological assessment, subsequent monitoring surveys and the latest findings are summarised in the Scoping Report, as follows:
- Sites: An HRA Stage 1 Screening is proposed for Folkestone to Etchinghill Escarpment SAC and Stodmarsh SAC, SPA and Ramsar Site. Only Ashford Green Corridors LNR was identified as likely to result in slight adverse effects at construction and neutral effects during operation, so this would be re-assessed.
 - Habitats: Ditches would result in neutral impacts during operation; Hedgerows and scattered trees would result in slight beneficial impacts during operation.
 - Species:

- Breeding birds and wintering birds would result in slight adverse effects during operation.
- Badger would result in neutral effects during operation.
- Water vole would result in neutral effects during operation.
- Bats would result in slight adverse effects during operation.
- Reptiles would result in slight beneficial effects during operation as a result of a translocation scheme.
- Terrestrial invertebrates would result in slight beneficial effects during operation as a result of habitat creation within the SDO site.
- Dormice would result in slight adverse effects during operation.

5.7.6 All of the above listed effects were considered to be not significant for all the identified IEFs for the SDO application. For the Proposed Development, the Scoping Report notes that those features subject to a planning condition / obligation or that were subject to mitigation and / or enhancement measures would be taken forward as IEFs within the Ecology and Biodiversity assessment. This is considered to be acceptable.

5.7.7 The Scoping Report states that the likely significant effects are discussed under the key issues described in Section 6.6.1; however, the key issues described under Section 6.6.1 do not specify the likely potential significant effect. The Ecology and Biodiversity assessment should clearly identify what the likely potential significant effects are, not just the key issues.

5.7.8 Section 6.6.4 of the Scoping Report states that the conceivable Zone of Influence (Zoi) is unlikely to be greater than 2 km for the Site for the majority of ecological features but may extend up to 10 km for Statutory Designated Sites. Therefore, these buffer zones have been used as the desk study data search area. This is considered to be acceptable, though should the HRA Stage 1 Screening identify the potential for adverse effects, an HRA Stage 2 Assessment will be required (i.e. a Shadow HRA to support Ashford in their appropriate assessment).

5.7.9 Enhancement measures, where proposed, should also be set out and assessed in the ES, and should be consistent with the BNG Assessment.

5.7.10 The Applicant should note that Kent County Council Ecology Advice Service have requested the following:

- Confirmation of what habitats and species are currently on site;
- Clarification of what mitigation was carried out to implement the current works on site; and
- Assessment of Great Crested Newts should be included.

5.7.11 The details of this are included in **Appendix A** of this review.

5.8 Landscape and Visual Impact

5.8.1 The Landscape and Visual Impact Assessment (LVIA) section of the Scoping Report states that there are a number of designations and sensitive landscape features within the area of the Site, including:

- Kent Downs National Landscape;
- Hatch Park Grade II Listed Registered Park and Garden;
- Various Listed Buildings;
- Two Scheduled Monuments;
- Ashford Green Corridors Local Nature Reserve;
- Three Conservation Areas;
- National Cycle Network Route 18; and
- Various Public Rights of Way (PRoWs).

5.8.2 The Scoping Report states that the LVIA will consider the effects of the Proposed Development on the character of the landscape and identified viewpoints, which will align with those assessed within the LVIA submitted as part of the SDO application. It is understood from subsequent conversations with the Applicant and ABC that it has not been possible to obtain the baseline views and / or photography referred to in the LVIA for the SDO application. Therefore, it has been agreed that baseline photography for the Stour Park outline application will be used instead as a review of the viewpoint locations has revealed that many of the SDO viewpoint locations align with those included for Stour Park. This is acceptable as it agreed that while the images date to 2015, they are considered to provide sufficient representation of the baseline views likely to have existing in 2019/2020 (pre-IBF).

5.8.3 The Scoping Report refers to a Zone of Theoretical Visibility (ZTV) having been carried out to assist in selecting viewpoint locations, both of which are referred to as being provided as Appendix F within Appendix 2 of the Scoping Report. The viewpoint locations and ZTV will be provided as part of the Scoping Report appendices within the ES to demonstrate that the viewpoint locations chosen for the LVIA prepared for the SDO and Stour Park application are sufficient for assessing the Proposed Development against.

5.8.4 It is acknowledged that no fixed co-ordinates are available for the Stour Park viewpoints, and some may be inaccessible due to vegetation overgrowth. It is agreed that best efforts will be made to obtain current day representative views from the same positions to enable comparison and assessment.

- 5.8.5 The Scoping Report states that as a result of the Site, PRoW AE672 has been diverted and instead of passing through the central part of the Site, it now passes around outside of the Site to the south-west, west and north-west boundaries. Small sections of this pass within the Site to the south-west and north-west corners. As a result of this diversion, Viewpoint 6, which was representative of footpath users crossing through the central part of the Site has been omitted. This is considered to be acceptable.
- 5.8.6 The LVIA section of the Scoping Report states that the general approach and methodology of the assessment will be based on Guidelines for Landscape and Visual Impact Assessment Third Edition (2013) (GLVIA 3). ABC expects that the assessment will be undertaken on this basis. It is, therefore, understood that the assessment will highlight the 'residual' likely significant effects for landscape and views (those effects which remain following the implementation of suitable mitigation / iterative design measures).
- 5.8.7 Effects which are moderate and above (beneficial of adverse) will be considered as significant. This is acceptable; however, care must be taken in assigning minor-to-moderate significance, ensuring that this is in line with the approach set out for consideration of magnitude and sensitivity and that professional judgement is sufficiently justified.
- 5.8.8 It is noted that Section 6.7.3 of the Scoping Report refers to a study area of 1 km. Sufficient justification should be provided alongside the ZTV to be appended to the ES Scoping Report, to demonstrate that there was no need for a greater study area to be considered.
- 5.8.9 The assessment should identify all national, regional and local planning policy and guidance relevant to the Proposed Development. The ES should clearly identify the receptors considered within the assessment and their sensitivity to the operation of the Proposed Development. This should be supported by a clear map outlining the receptors and study area.
- 5.8.10 The assessment of landscape character should have regard to the location and sensitivity of affected landscape related receptors, such as the Kent Downs National Landscape. This should be explicitly referenced in the LVIA.
- 5.8.11 Given that the IBF is built and operational, current baseline photography for the representative viewpoint locations will be used for the assessment, with the built scheme in place rather than accurate visual representations (AVRs). This is acceptable providing that the current views are verified (hereby referred to as Verified Views) images and in compliance with the latest Landscape Institute Guidance on visualisations (TGN 06/19). The Verified Views should be consistent with Type 3 wherever possible and information concerning camera set-up and lens type should also be provided. The Verified Views should be as close as possible to the baseline photography to ensure appropriate assessment, and the

coordinates of the Verified Views should be provided. Should any landscaping that may change, as a result of making the Development permanent, be shown in the close Verified Views then it is anticipated this will be appropriately detailed through the Year 15 assessment.

- 5.8.12 Winter photography should be used where vegetation may have a significant impact on visibility.
- 5.8.13 ABC expects detailed information to be provided on the choice of viewpoints, focal lengths of lenses to be used, in addition to a map of proposed viewpoint locations.
- 5.8.14 The ES should contain a detailed methodology, which provides sufficient information to enable understanding of the assessor's conclusion and demonstrates that views can be relied on as a fair representation of impacts of the Proposed Development. The assessment should not focus on only any beneficial effects of the Proposed Development.
- 5.8.15 All judgements on the significance and direction of effects on views and landscape receptors need to be fully explained and justified within the ES.
- 5.8.16 It should be noted that whilst landscape and views and built heritage are interrelated, each matter should be clearly defined and dealt with appropriately in order to comply with the current guidelines e.g. its own methodology and effects identified. Some guidance on links to cultural heritage assessments is provided at paragraphs 5.7-5.11 of GLVIA 3. The LVIA should be informed by the cultural heritage assessment, especially in relation to the sensitivity and value of heritage assets and provide clear cross-referencing as appropriate.
- 5.8.17 All cumulative schemes identified for assessment should be clearly identified on a plan within the ES, showing their location relative to the Proposed Development and for each viewpoint by an AVR illustration where they would be in view.
- 5.8.18 It is expected that an assessment of the operational effects will be made for each landscape receptor and viewpoint. The latter should be described alongside the Verified Views for the Proposed Development and the cumulative scenarios.
- 5.8.19 The Applicant should note that Kent County Council PRoW & Access Service have requested appropriate consideration of Public Rights of Way users. The details of this are included in **Appendix A** of this review.

6 Topics Proposed to be 'Scoped Out' of the EIA as Standalone Chapters

6.1.1 The following topics are either proposed to be scoped out of the EIA as standalone topic chapters by the Applicant, or not mentioned in the Scoping Report.

- Human Health;
- Ground Conditions and Contamination;
- Agriculture and Soils;
- Climate Change;
- Daylight, Sunlight and Overshadowing and Solar Glare;
- Light Pollution;
- Risk(s) of Major Accidents and / or Disasters;
- Waste;
- Wind Microclimate; and
- Flood Risk and Drainage.

6.2 Human Health

6.2.1 The Scoping Report states that while Human Health will not feature as a standalone topic chapter, it will instead be considered where appropriate in the relevant specialist topics, such as air quality and noise. This is considered appropriate and therefore it is agreed that **a human health chapter can be scoped out of the ES provided that it is adequately discussed in the relevant topic chapters.**

6.3 Ground Conditions and Contamination

6.3.1 The Scoping Report makes reference to a Geotechnical and Geo-environmental Desk Study that supported the SDO application, which is to be submitted as part of the appendix to the Scoping Report appendix within the ES.

6.3.2 The Report contains a summary of the baseline conditions which are based on an intrusive ground investigation undertaken in 2012. It also confirms that the Site has remained as agricultural land historically with no notable built structures or surface features, prior to the implementation of Phase 1A and then the Development.

- 6.3.3 The ground investigation consisted of 4 boreholes, 7 window samples, 21 trial pits and 21 dynamic probe tests. The results found that the Site was broadly divided into two separate zones; the northern two-thirds encountered substantial thicknesses of the Hythe Formation (10m thick) and the southern third has a reduced thickness of the Hythe Formation (2.7 – 8.1m thick). Overall, the Hythe Formation was overlain by topsoil 0.2 – 0.9m thick and underlain by the Atherfield Clay Formation.
- 6.3.4 Based on the ground investigation results and analysis the following conclusions were drawn:
- Low risk to future end users from existing contamination, with significant contamination unlikely to be encountered during development.
 - Low risk from ground gas was present and mitigation measures would not be required.
 - Low risk to groundwater and moderate/low risk to surface water given the low likelihood of existing contamination and measures included in the surface water drainage strategy (lined attenuation ponds and no infiltration to ground).
 - Low risk to buried structures or infrastructure.
 - Low risk to construction workers on the assumption workers would adhere to a site specific risk assessment and method statement.
- 6.3.5 While a 2012 ground investigation is quite dated to be relied upon now, given the lack of change in the site history it is probable that the risks associated with ground conditions and contamination are likely to be low.
- 6.3.6 It is also recognised that since the Development has already been built, the potential for risk is reduced. The Scoping Report confirms that no major groundworks are proposed as part of the application, only minor landscaping in response to any potential effects identified through the EIA.
- 6.3.7 A new Preliminary Risk Assessment will be undertaken and submitted as part of the planning application. All of the documents relied upon to scope out ground conditions will be provided with the ES Scoping Report appendices.
- 6.3.8 On the basis of the above, **it is agreed that ground conditions and contamination can be scoped out of the ES.**

6.4 Agriculture and Soils

- 6.4.1 As discussed in the pre-application meeting with the Applicant, scoping out text for agriculture has been provided and this is welcomed. The Scoping Report confirms that a permanent loss of Grade 2, Grade 3a and Grade 3b agricultural land was faced.

- 6.4.2 The Report states that this loss is not considered to be significant due to the availability of Grade 2 land in the wider area. Additionally, it is noted that construction works under the extant permission (Phase 1A) has already commenced prior to the implementation of the Development. As such, the site was no longer an arable field prior to the SDO consent due to the agricultural resource lost to facilitate the Phase 1A works.
- 6.4.3 While it remains uncertain the extent to which the Phase 1A works were completed prior to the SDO application, given that it is reasonable to presume the extant permissions would have been fully implemented should the Site not have been repurposed, **it is acceptable to scope out agriculture and soils from the ES.**

6.5 Climate Change

- 6.5.1 The Scoping Report identifies the potential for an increase in GHG emissions due to the increased number of HGVs travelling to and from the Site during daily operations. A summary of a climate change assessment has been provided and it is noted that this will be provided within the ES as part of the Scoping Report appendices.
- 6.5.2 It was reported that the quantity of emissions (over the five years) was relatively small equating to approximately 0.00017% of the UK 4th Carbon Budget. Additionally, the Scoping Report notes that through the implementation of the carbon reduction principles the emissions have been minimised as far as possible. It is unclear whether these principles relate to the construction or operation of the IBF, as they have not been provided. Measures relating to construction should be included within the construction summary in the body of the ES. Measures relating to operation should be included within the mitigation schedule that will accompany the ES.
- 6.5.3 It is stated that while the Development may be vulnerable to extreme weather as a result of climate change, the drainage infrastructure was designed in accordance with the Design and Construction Guidance (2020) for the one in 100-year storm event plus a 40% allowance for climate change. It is understood that this was done as part of the Phase 1A works and therefore designed to permanently support a large commercial development.
- 6.5.4 It is agreed that where relevant, climate change will be referenced throughout the ES, such as in the Air Quality Chapter.
- 6.5.5 Provided that the mitigation measures described above are provided within the ES, and that the climate change assessment is appended to the ES, **it is agreed that climate change can be scoped out of the ES.**

6.6 Daylight, Sunlight and Overshadowing and Solar Glare

- 6.6.1 On the basis that the Development includes buildings that do not exceed 9.032m in height and that the area around the Site is semi-rural with a limited number of dwellings in close proximity, it is agreed that likely significant effects relating to daylight, sunlight and overshadowing are not anticipated.
- 6.6.2 Additionally, while the Development is within the vicinity of major roads and a railway line, the intervening landscaping and non-reflective surfaces of the few buildings onsite make it unlikely for significant effects to arise from solar glare.
- 6.6.3 **It is agreed that daylight, sunlight and overshadowing and solar glare can be scoped out of the ES.**

6.7 Light Pollution

- 6.7.1 It is noted that an External Lighting Assessment will be prepared and submitted to accompany the planning application. The Scoping Report lists relevant guidance that the assessment will comply to, as well as detailing the methodology behind the assessment of light trespass and skyglow.
- 6.7.2 It is understood that the external lighting design of the Development will be subject to further design consideration as part of the planning application. On the basis that an External Lighting Assessment is being undertaken, **it is agreed that light pollution can be scoped out of the ES.**

6.8 Risk(s) of Major Accidents and / or Disasters

- 6.8.1 The Scoping Report notes the need to consider risk(s) of major accidents and / or disasters in proportion to the likelihood of the potential risk and this is agreed. A list of Development and Site-specific considerations is provided as these are as follows:
- The Site is not in an area that could be affected by coal or metalliferous mining activity.
 - There are no Control of Major Accident Hazard (COMAH) sites within 500m of the Site.
 - The Site lies within a radon affected area, with a maximum radon potential of 1-3%.
 - The Site is not at risk of flooding now or in the future, as a result of climate change.
- 6.8.2 It is noted that while new human receptors have been introduced to the Site (employees and visitors) this would not result in an increased risk of these people being affected by the potential hazards identified above.

- 6.8.3 In view of the above, **it is agreed that a major accidents and / or disasters chapter can be scoped out of the ES.**

6.9 Waste

- 6.9.1 It is noted that waste from operations are broadly divided into the below categories:
- Waste generated by having offices, staff facilities including for visiting drivers and general site operations.
 - Waste generated by inspection activities.
- 6.9.2 It is understood that the Development operates with Operational Waste Management Plans (OWMPs) and established arrangements with waste management services providers to deliver offsite waste management solutions for all anticipated waste types. The waste generated from office activities are subject to contractual targets of less than 5% waste to landfill and at least 70% of waste to be recycled, and this is accepted.
- 6.9.3 The Scoping Report identifies that the inspection process can result in loads being retained and disposed of, and this can include animals, animal products, animal by-products, animal feed, waste from holding animals or plants are dispatched for incineration. It is noted that liquid waste from animal holding areas is also dispatched for treatment offsite.
- 6.9.4 An Operational Waste Management Strategy will be submitted with the planning application, and it is agreed that relevant extracts will be provided within the ES. As noted in the Environment Agency's consultation response, this should be supported by evidence on the waste quantities generated currently by the IBF. Therefore, **it is agreed that waste can be scoped out as a topic chapter in the ES.**

6.10 Wind Microclimate

- 6.10.1 On the basis that the Development would include built form of a maximum 20 m AGL in height, it is agreed that likely significant effects on wind microclimate are not anticipated, and **this topic can be scoped out of the ES.**

6.11 Flood Risk and Drainage

- 6.11.1 The Scoping Report states that the Site is located within Flood Zone 1. The Environment Agency has also assessed the Site as very low for risk of flooding from surface water, rivers and the sea.

- 6.11.2 As presented throughout the Scoping Report, drainage considerations were implemented as part of the Phase 1A works and has been designed to last as permanent infrastructure.
- 6.11.3 It is understood that a Flood Risk Assessment (FRA) will be undertaken as part of the planning application process. Where SuDS strategies are included as mitigation, these should be clearly referenced within the ES where appropriate. A summary of any drainage implications or judgments to be made as a result of the FRA should be included within the body of the ES.
- 6.11.4 On the basis of the above, **it is agreed that flood risk and drainage can be scoped out of the ES.**

7 Conclusions

- 7.1.1 Temple, on behalf of ABC, have undertaken a review of the submitted Scoping Report for the retention of the existing Inland Border Facility and Border Control Post (IBF) which comprises: goods vehicle parking for up to 855 vehicles, including 42 entry lanes with a capacity of up to 260 goods vehicles, 24 refrigerated semi-trailers and 357 staff car parking spaces; border checking facilities; security fencing; noise attenuation bunds and fences; CCTV and lighting columns; drainage; and all associated engineering and landscaping works. In summary, it is agreed that the following topics presented in the Scoping Report should be assessed in the ES as standalone chapters and volumes:
- Socio-Economics;
 - Transport and Access;
 - Air Quality;
 - Noise and Vibration;
 - Cultural Heritage;
 - Ecology and Biodiversity; and
 - Landscape and Visual Impact.
- 7.1.2 Please note that where a topic has agreed to be scoped out of the EIA, this is on the basis that there will be no significant effects, and that the local planning validation requirements will still be met, although these will be outside the scope of the EIA Regulations.
- 7.1.3 All mitigation relied upon to scope out topic chapters should be captured in the mitigation summary in the ES.

Appendix A – Consultation Responses

temple

CREATING SUSTAINABLE FUTURES

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Haywards Heath

Lewes

Lichfield

Manchester

Norwich

Wakefield

[REDACTED]

Hi [REDACTED],

A couple of comments on the EIA scoping report:

On Para 6.2.4 the transport assessment should include Church Road (Sevington South) and The Street/Kingsford Street in Mersham as there are ongoing issues with errant lorries trying to access the IBF by inappropriate route.

In Para 6.3.4 the air quality assessment should include Cheesemans Green Lane (noting that the visual impact will be assessed from Cheesemans Green Lane referred in 6.7.1.

Kind regards

[REDACTED]

Member, Mersham, Sevington South and Finberry Ward
Chair, Joint Transport Board

[REDACTED]

The **Moving Forward for Kent** campaign is being used alongside government initiatives to give local businesses an easy way to promote themselves for recovery. Visit <https://www.kent.gov.uk/business/moving-forward-for-kent>

[REDACTED]

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Consultation on a Planning Application

The following application was submitted to the council, and as such, we would be grateful for your observations/comments on the proposal by the deadline below.

Case Reference: OTH/2024/2051

Location: Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE

Proposal: Environmental Impact Assessment (EIA) Scoping Opinion request in relation to the retention of the existing Inland Border Facility (IBF) and Border Control Post (BCP)

View Files: [Click Here](#)

Comments deadline: before 29/11/2024

A decision will not be made until after this date

Commenting on the application.

Online is the best method as it makes sure I have your comments quickly and allows us to protect your personal data more easily.

1. Online: [Click Here](#)

2. Consultee Portal Login: <https://ashfordboroughcouncilpr.force.com/pr/s/login/>

3. Email: planning.comments@ashford.gov.uk

4. Post: Planning Applications, Ashford Borough Council, Tannery Lane, Ashford, Kent TN23 1PL

5. Make your views known to your Borough Councillor, Parish or Town council.

Your comments will be available for public inspection and will be published on the Internet in full, including your address, whilst an application or an appeal is being considered.

To help us avoid your personal data appearing on the internet please do not include personal telephone numbers and use a printed signature.

Although the council reserves the right to remove inappropriate comments from the website as necessary, such comments may still be viewable prior to any removal and viewable by visitors to the Civic Centre. It is therefore your sole responsibility to ensure you do not include defamatory remarks in your comments as you could be held legally responsible for them in the future.


Thank you in advance for your anticipated response.

Kind Regards

for Head of Planning & Development

Ashford Borough Council (ABC) is the data controller for the personal information you provide in this form. ABC's Data Protection Officer can be contacted at FOI@ashford.gov.uk. Your information will be used to process planning applications and processing is being conducted relying upon the public interest legal basis. Given the statutory status of the Register of Planning Applications, relevant regulations, and the public interest in making information on the processing of applications available, all information you provide on the application form and in any accompanying documents will normally be published on the council's website. Only telephone numbers, email contact details, and signatures will be routinely blanked out. Personal sensitive information which is deemed necessary for the processing of the application will also not be published in the public domain but may be available in a redacted format on request. Your information will be retained as a permanent record on the planning register.

Personal data will be held for as long as the application or any subsequent appeal is being considered. For more information on your rights please see the council's privacy statement <https://www.ashford.gov.uk/>

[ref:a0hTw000000nzaDIAQ:3398ca2ac92bcfdbf6febb80c51ce3c9:ref] 

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Ashford Borough Council

Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Highways and Transportation

Kroner House

Eurogate Business Park
Ashford

TN24 8XU

Date: 8 November 2024

Our Ref: MH

Application - OTH/2024/2051

Location - Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE

Proposal - Environmental Impact Assessment (EIA) Scoping Opinion request in relation to the retention of the existing Inland Border Facility (IBF) and Border Control Post (BCP)

Thank you for the consultation on the EIA Scoping Opinion. The County Council has recently started pre-application discussions with the Department for Transport (DfT), His Majesty's Revenues & Customs (HMRC) and Department for Environment, Food and Rural Affairs (Defra) on this site to scope out the required Transport Assessment and Travel Plan.

It is my opinion that Highways and Transportation needs to be scoped into the EIA due to the significant Highways and Transportation impact of the proposed development on the A2070 and at M20 Junctions 10 and 10A. A Transport Assessment and Travel Plan will need to be submitted with any future planning application so that the impact of the proposed development on the Strategic Road Network (M20 Junctions 10 and 10A and A2070) and Local Road Network (A20 and A292) can be assessed.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Yours faithfully

Director of Highways & Transportation

*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.



[REDACTED]
Team Leader - Strategic Applications
Ashford Borough Council

By Email

Public Protection
PROW & Access Service
1st Floor, Invicta House
County Hall
Maidstone
Kent, ME14 1XX

[REDACTED]
[REDACTED]
[REDACTED]

Date: 26th November 2024

OTH/2024/2051

EIA Scoping Opinion - Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE

Thank you for the opportunity to comment on the above consultation. As a general statement, KCC's Public Rights of Way and Access Service are keen to ensure that their interests are represented with respect to our statutory duty to protect and improve Public Rights of Way (PROW) in the County. The team is committed to working in partnership with all parties to achieve the aims contained within the KCC Rights of Way Improvement Plan (ROWIP) and Strategic Statement for Kent. Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

PROW is the generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways Open to All Traffic. The value of the PROW network is in providing the means for residents and visitors to access and appreciate landscapes for personal health and wellbeing, enhancing community connectivity and cohesion, reducing local traffic congestion for economic benefit and improvement in air quality, and much more. The existence of the Rights of Way are a material consideration.

Public Bridleway AE672 would be directly affected and there are multiple PROW in the surrounding area wider network which would be impacted in the ways mentioned above and below.

There is mention of the PROW network both in and off site within the consultation documents, however the plan provided at *Annex A Phase 1A Works of Extant Outline Scheme* does not correctly label or reference the PROW Network. This is required for clarity and context.

The proposed permanency of this site will have an **adverse/high impact** on the PROW network, both on and off site through long term, permanent loss of amenity.

In respect of a Scoping Opinion , we would advise that Public Rights of Way (KCC PROW and Access Service as the Highway Authority) are included within the following criteria assessments:

- Transport and Access / Air Quality / Noise & Vibration / Landscape & Visual

In respect of the assessment, we would advise the following is taken into account:

- The permanency of usage, and therefore significant landscape/visual and air quality impact on users participating in recreational activity on the PROW network in both the affected area and the wider network.
- The Applicant should obtain the Definitive Map and Statement from the PROW & Access Team at Kent County Council. This is the only source of the up-to-date record of the PROW (supplied digitally).
- Public rights of way should be marked on plans using the County Council digital data and labelled as per the Definitive Map


Comments are made in reference to the following planning policy.

- **NPPF (December 2023) para. 104:** 'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.'
- **NPPF (December 2023) para. 108:** 'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:
...
c) opportunities to promote walking, cycling and public transport use are identified and pursued
...'

KCC Rights of Way Improvement Plan 2018-28

This response is made on behalf of Kent County Council Public Rights of Way and Access Service. The views expressed should be considered only as the response of the County Council in respect of public rights of way and countryside access matters relating to the application.

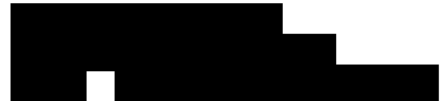
Yours sincerely


Countryside Access & Rights of Way Improvement Plan Officer
Public Rights of Way & Access Service



[REDACTED]
Case Officer
Planning and Development Unit
Ashford Borough Council
Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Heritage Conservation
ECE GT
Invicta House
County Hall
MAIDSTONE
ME14 1XX



28 November 2024

SENT BY EMAIL

Re: PA/2024/ 2051 - Sevington IBF

Thank you for your letter consulting us on the Scoping Opinion for the Sevington IBF complex.

The site of scheme lies within an area of multi-period activity ranging from prehistoric through to modern archaeology. Archaeological investigations have taken place on the site and these revealed particularly Bronze Age activity, Iron Age trackway which crosses Highfield Lane, also an historic routeway, and at the crossroads there seems to have developed a Romano-British settlement, industrial and cemetery site. The topography seems to have made this area a focal point for multi-period burials, including an Anglo-Saxon cemetery. Investigations for the adjacent landscape Stour Park scheme found further associated remains including a large Bronze Age barrow.

Adjacent and in the nearby area are several historic buildings, the most significant of which is Sevington Church and manorial complex of Church Farm, both designated heritage assets. There are expectations of a medieval settlement being at this location, but so far archaeological investigation has not revealed any settlement remains. However the application site is surrounded by a variety of medieval and post medieval farm houses and historic residential properties, many of which are designated. Also at the crossroads of the ridgeline trackway and Highfield Lane are the remains of a WWII ROC structure.

The Cultural Heritage assessment will include consideration of the impact on the historic buildings, including Sevington Church and manor. This is very welcome but I would encourage consideration of not just the immediate "setting" but also the wider landscape context. Sevington Church tower is a local iconic landscape structure and the impact of this highly visible "navigation" structures is likely to be high from light pollution. Other impacts, such as noise and vibration are going to be considered too.

The Sevington IBF (Stour Park) and the Stour Park landscape area have been partially investigated. There is a post excavation report submitted as part of Sevington IBF and post excavation reporting on the land east of Highfield Lane is agreed but is on-going. In addition, the archaeological fieldwork was targeted and selective and some areas were not investigated. So there are outstanding archaeological issues. Given the significance of the archaeological discoveries here on the high ground above Sevington, there is a need to consider archaeology as a vulnerable and sensitive resource.

I have had a meeting with the applicant's archaeological team, Lanpro services, and it was agreed that archaeology would be scoped in despite the consideration of the application only referring to operational issues. I did raise concerns over the outstanding post excavation issues for the main scheme and for the adjacent, associated landscaped park scheme.

I also raised concerns about the impact of the operational scheme on the setting and significance of the sensitive archaeology, namely the Bronze Age barrow and the Anglo-Saxon cemetery, and the ROC structure. This is because the Bronze Age barrow, some parts of the Anglo-Saxon cemetery and the ROC unit survive as heritage assets. The Bronze Age barrow has not only been preserved in situ but I believe it has also been subject to positive landscaping, creating a large mound over the ring ditches, thereby providing very welcome heritage interpretation. If this Bronze Age barrow is going to be understood, there may be an impact from the operational side of the Sevington IBF scheme which needs mitigation.

Parts of the Anglo-Saxon cemetery were disturbed by the vehicle movements for the Stour Park IBF construction but parts were excavated and are subject to an on-going post excavation programme. However there is potential for associated Anglo-Saxon inhumations to still survive on this adjacent landscape park site. Therefore impact on the setting and understanding of the AS burial site needs to be considered by the operational only Sevington scheme.

Also the ROC unit survives at the crossroads of Highfield Lane and the east-west footpath which crosses the landscape site. It is in a vulnerable location with an access point off Highfield Lane into the Sevington IBF site. Impact from the use of this easterly access needs to be assessed.

The proposed Sevington IBF operational scheme needs to consider buried archaeology and the impact on the setting and significance of important, sensitive archaeology. It also needs to consider long term preservation and enhancement measures needed to mitigate the operational side of the Sevington IBF scheme.

I welcome the scoping in of Cultural Heritage and I broadly welcome the proposed assessment framework set out in section 6.5. I note much of the proposed assessment revolves around impact of the operational scheme on designated and historic buildings, including Sevington Church, which is welcome, however, in view of the Article 4 redline boundary, it is essential that upstanding and buried archaeological remains are considered too. It is accepted that the main active IBF site has been investigated and subject to post excavation work but there are still outstanding archaeological issues to address for the surrounding area or areas within the redline boundary application site.

It is essential that the Cultural Heritage assessment addresses the impact of the operational scheme on the setting and significance of the Bronze Age barrow, the Anglo-Saxon cemetery and the ROC unit.

I am not sure what figures 3 and 4 of the Scoping Report are meant to demonstrate as they seem to refer to landscaping for a different scheme. There is mention of a Heritage Asset plan Appendix E of Appendix 2 but this was not available on the web site. It will be important that all the archaeological discoveries located on and around the Sevington IBF site are considered. For example, part of the Sevington IBF includes increased traffic from the M20 and so directly related impacts on surrounding archaeology needs to be incorporated into the assessment. Lighting from the IBF site will spread outwards and may impact on nearby heritage assets, including Boys Hall Moat, Mersham historic village etc.

In general, I welcome the inclusion of Cultural Heritage in the proposed EIA and that archaeology is going to be included. I agree that it is unlikely that operational measures forming this application will impact on buried archaeology but I would stress the importance of assessing the more peripheral impacts arising from the operational scheme, both short term and long term. I am also concerned that there is assessment of the impact on the setting and significance of the nearby heritage assets, particularly of the Bronze Age barrow, Anglo-Saxon cemetery, Sevington Church and manor and the ROC unit.

I hope these comments are useful but would be happy to discuss any of the above further.

Yours sincerely



Senior Archaeological Officer
Heritage Conservation



ECOLOGICAL ADVICE SERVICE

TO: [REDACTED]

FROM: [REDACTED]

DATE: 27 November 2024

SUBJECT: *Sevington Inland Border Facility OTH/2024/2051*

The following is provided by Kent County Council's Ecological Advice Service (KCC EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the county council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application and if sufficient/appropriate ecological information has been provided.

Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the planning officer, who will seek input from the EAS where appropriate and necessary.

We advise that we are satisfied with the approach proposed to assess the ecological impact of the proposal.

We understand that the baseline will be based on the site prior to the commencement of the current temporary permission and we agree with that reasoning. However the submitted information must also confirm what habitats and species are currently on site. In addition it must clarify what mitigation was carried out to implement the current works on site to ensure it can be demonstrate that there was not a breach of wildlife legislation in the interim period.

We are largely satisfied with the range of survey information to be submitted but highlight that no information has been provided regarding the presence of GCN. GCN have been confirmed as present within the adjacent site and therefore the SUDS scheme is likely to support GCN.

Therefore in addition to the assessment of designated sties, habitats and species detailed within the report it must assess the impact on GCN.

If you have any queries regarding our comments, please do not hesitate to get in touch.

Biodiversity Officer

This response was submitted following consideration of the following documents:
Request for a EIA Scoping Opinion; Waterman; October 2024



Ashford Borough Council
Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Flood and Water Management
Invicta House
Maidstone
Kent
ME14 1XX

Website: www.kent.gov.uk/flooding



Date: 29 November 2024

Application No: OTH/2024/2051

Location: Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE

Proposal: Environmental Impact Assessment (EIA) Scoping Opinion request in relation to the retention of the existing Inland Border Facility (IBF) and Border Control Post (BCP)

Thank you for your consultation on the above referenced planning application.

Kent County Council as Lead Local Flood Authority have reviewed the Environmental Impact Assessment Scoping Opinion Report prepared by Waterman Infrastructure & Environment Limited (October 2024) and understand from chapter 9 that a Flood Risk Assessment & Outline Drainage Strategy will be prepared and submitted with the planning application.


Although we have no preference as to whether a Flood Risk Assessment is submitted as a standalone document or forms part of an ES, any identified flood risk or surface water management issues should be appropriately considered within the application documentation (with appropriate mitigation recommended wherever necessary).

We will expect for the drainage strategy to encompass a detailed drainage impact assessment or surface water management strategy and take into account the latest climate change guidance for peak rainfall allowances.

We raise no objections or further requirements for surface water drainage or flood risk at this stage and will await for those details to be provided as part of a formal planning application.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,


Sustainable Drainage Team Leader
Flood and Water Management

[REDACTED]

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Dear Sir/Madam

Case Reference: OTH/2024/2051

Location: Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE

Proposal: Environmental Impact Assessment (EIA) Scoping Opinion request in relation to Border Facility (IBF) and Border Control Post (BCP)

Thank you for consulting the County Council's Minerals and Waste Planning Policy Team on the above application's revised details.

The County Council has no land-won minerals or waste management capacity safeguarding objections or comments to make regarding this matter.

Yours sincerely

[REDACTED] *BSc Hons (Geol), MSc, MRTPI*

[REDACTED]

██████████
Ashford Borough Council
Planning
Civic Centre Tannery Lane
Ashford
Kent
TN23 1PL

Our ref: KT/2024/132140/01-L01
Your ref: OTH/2024/2051
Date: 2 December 2024

Dear ██████████

Environmental Impact Assessment (EIA) Scoping Opinion request in relation to the retention of the existing Inland Border Facility (IBF) and Border Control Post (BCP)

Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE

Thank you for consulting us on the above received 15 November 2024.

Groundwater and Contaminated Land

We have reviewed the Environmental Impact Assessment Scoping Opinion (Waterman, ref WIE20982-100-R-1-2-1-EIA Scoping, October 2024), and note the topics to be scoped in and scoped out of the EIA. Two of the topics proposed to be scoped out are 'ground condition and contamination' and 'flood risk and drainage'. Based on the results of previous intrusive investigations and the site's current drainage infrastructure, we agree that both contamination and drainage can be scoped out of the EIA. However, further details will be required during the detailed design stage of the application.

Waste Regulation

The applicant has confirmed that they will be providing further detail on day-to-day waste management in the planning application when it comes forward, which we would wish to review once submitted:

“Further detail on operational waste management practices will be included in the planning application (Operational Waste Management Strategy) and used to inform the Description of Development Chapter of the ES.”

In order to be confident that the impact of the proposal will not have a significant impact on waste and specifically waste to landfill, we ask the Operational Waste Management Strategy is supported with evidence that includes information regarding the waste volumes / tonnages which have actually been produced by the IBF since the facility became operational, with projected annual tonnages of waste produced, recycled, landfilled if the facility were to be made permanent. Consideration should also be given by the applicant of alternatives to landfill such as waste recovery.

Should you have any queries regarding this response, please contact me.

[REDACTED]
Yours sincerely,

[REDACTED]
Planning Specialist

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]

Sent: 28 November 2024 15:30

To: Planning Help <planning.comments@ashford.gov.uk>

Cc: Planning SE <planningse@nationalhighways.co.uk>; SouthEast_HESPA@systra.com; Marius

[REDACTED]

[REDACTED]

Subject: National Highways response (our ref NH/24/08705) re EIA Scoping OTH/2024/2051
Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE

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For attention of:	
Your Reference:	OTH/2024/2051
Site:	Sevington Inland Border Facility, Sevington, Ashford, TN25 6GE
Proposal:	Environmental Impact Assessment (EIA) Scoping Opinion request in relation to the retention of the existing Inland Border Facility (IBF) and Border Control Post (BCP)
National Highways' Reference:	NH/24/08705

Dear [REDACTED]

Thank you for your email of 8 November 2024 consulting National Highways with regards the above application, seeking a response no later than 29 November 2024.

We have reviewed the EIA Scoping documentation.

We have had pre-application discussions with the Department for Transport (DfT), His Majesty's Revenues & Customs (HMRC) and Department for Environment, Food and Rural Affairs (Defra) and their agents to scope out the required Transport Assessment and Travel Plan to support these proposals.

We consider that Highways and Transportation need to be scoped into the EIA due to the acknowledged significant Highways and Transportation impact of the proposed development on the Strategic Road Network (SRN) comprising the A2070 and at M20 Junctions 10 and 10A.

A Transport Assessment and Travel Plan will need to be submitted with any future planning application so that the impact of the proposed development on the SRN can be assessed.

We agree with the EIA Scoping Report at 6.2.4 where it states that

The TA will set out the principals of the Operational Management Plan (OMP) for the Site, comprising a Traffic Management Plan (TMP), Site Signage Strategy (SSS), and Staff Travel Plan (STP), to support the safe and efficient operation of the Site.

These documents should demonstrate how the experience of operating the site to-date will feed into its operation and any evolution in the future. They should also set out, for comparison purposes, the implications of the maximum past and likely future combined use(s) of the site.

We look forward to working with all parties to facilitate the timely progress of the forthcoming application.

If any parties have any queries regarding our response, please contact us via planningse@nationalhighways.co.uk .

Regards

[REDACTED]
[REDACTED]
Spatial Planning Team, South East Region Operations Directorate
National Highways [REDACTED]
[REDACTED]
[REDACTED]

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