

13. Next Steps

- 13.1. This document comprises an Environmental Statement (ES), as defined under Regulation 18(3) of the EIA Regulations 2017. In accordance with Regulation 18(4)(a), it has been based on the scoping opinion received from Ashford Borough Council (ABC) in December 2024.
- 13.2. This chapter sets out the procedures and decision-making process following submission of the ES. It also summarises the mitigation, enhancement and / or monitoring measures being proposed, as well as indicating how they could be secured and when they might be triggered, such that the likely residual effects of the Development (during the operational works) are in line with the assessments contained in the ES.

Procedure Where an ES is Submitted to the Planning Inspectorate

- 13.3. The planning application will be submitted to Planning Inspectorate (PINS) for Crown Development in accordance with section 70 of the EIA Regulations.
- 13.4. In accordance with Article 47(3) of The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025:
- (3) In the case of an EIA application accompanied by an environmental statement, the Secretary of State must not determine a Crown development application, where any notice of, or information about, the application has been—*
- a) published on a website under article 16, before the end of the period of 30 days beginning with the date on which the information was published;*
 - b) published in a newspaper under article 16, before the end of the period of 30 days beginning with the date on which the information was published;*
 - c) given by site display under article 17, before the end of the period of 30 days beginning with the date when the notice was first displayed by site display.*

Consideration of Whether Planning Permission Should be Granted

- 13.5. As stated in Regulation 26(1), “... when determining an application or appeal in relation to which an environmental statement has been submitted, the relevant planning authority, the Secretary of State or an inspector, as the case may be, must -
- a) Examine the environmental information;*
 - b) Reach as reasoned conclusion on the significant effects of the development on the environment, taking into account the examination referred to in sub-paragraph a) and, where appropriate, their own supplementary examination;*
 - c) Integrate that conclusion into the decision as to whether planning permission or subsequent consent is granted; and*
 - d) If planning permission or subsequent consent is granted, consider whether it is appropriate to impose monitoring measures...”.*
- 13.6. Regulation 26(2) states that “... the relevant planning authority, the Secretary of State or the inspector, as the case may be, must not grant planning permission or subsequent consent for EIA development unless satisfied that the reasoned conclusion referred to in paragraph (1)(b) is up to date, and a reasoned conclusion is to be taken to be up to date if, in the opinion of the relevant

planning authority, Secretary of State or inspector, as the case may be, it addresses the significant effects of the development on the environment that are likely to arise as a result of the development

- 13.7. Regulation 26(3) goes on to state that “... when considering whether imposing a monitoring measure under paragraph 1(d), the relevant authority, Secretary of State or inspector, as appropriate, must -
- a) *If monitoring is considered to be appropriate, consider whether to make a provision for potential remedial action;*
 - b) *Take steps to ensure that the type of parameters to be monitored and the duration of the monitoring are proportionate to the nature, size and location of the development and the significance of its effects on the environment; and*
 - c) *Consider, in order to avoid duplication of monitoring, whether any existing monitoring arrangements carried out in accordance with an obligation under the law of any part of the United Kingdom, other than under the Directive, are more appropriate than imposing a monitoring measure...*”.

Proposed Mitigation, Enhancement and Monitoring Measures

- 13.8. To assist in the decision-making process, **Table 13.1** sets out the assumed mitigation, enhancement and / or monitoring measures to be implemented for the continued operation of the Development, and in order that the Development can continue to be delivered in such a way as to accord with the residual effects identified in this ES.
- 13.9. Many measures to mitigate likely significant adverse environmental effects and enhance beneficial effects have been incorporated into the scheme design as part of the SDO. **Chapter 2: Methodology** provides further information on the planning history and SDO for the Development. Such measures are inherent in the design and have therefore not been identified in the following tables - these measures form part of the operational Development that would be approved as part of any planning consent, as described in **Chapter 4: The Development**. Similarly, assessment of the likely effects of the Development have assumed implementation of relevant legislation and therefore this has not been listed.

Table 13.1: Mitigation, Enhancement & Monitoring Measures During Operational Works

Mitigation, Monitoring or Enhancement Measure	Suggested Method of Implementation	Trigger Point
Staff Travel Plan	Planning Condition	Throughout operational phase, implemented prior to 1 st January 2026.
Noise Monitoring (via updated OMP)	Planning Condition	Post-planning monitoring to be limited to a period of 6 months from grant of permission.
Landscape Maintenance and Management Plan, including Biodiversity (via updated Landscape and Ecological Management Plan (LEMP))	Planning Condition	Throughout operational phase, implemented prior to 1 st January 2026.
Ecological monitoring of protected species and their habitat (via the updated LEMP)	Planning Condition	Post-planning monitoring for a period of 5 years from 1 st January 2026.

References

There are no references for this ES chapter.