



**Department for Levelling Up,
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Dear Mr. Aziz

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS')**

**THE TOWN AND COUNTRY PLANNING (BORDER FACILITIES AND INFRASTRUCTURE
(EU EXIT) (ENGLAND) SPECIAL DEVELOPMENT ORDER 2020 (SI 928/2020 ('THE ORDER'))**

**Submission for Relevant Approval by: the Commissioners for Her Majesty's Revenue and
Customs**

Site Address: Land at Dover White Cliffs Business Park, Dover

A submission for the use of land at Dover White Cliffs Business Park, Dover was made by the Commissioners for Her Majesty's Revenue and Customs. Before considering if I could determine the request for the relevant approval under article 4 (1) (a) of the Order, on behalf of the Secretary of State, it was necessary for me determine whether the proposed development was 'EIA development' within the meaning of the EIA Regulations.

The submission for relevant approval has therefore been screened of the Secretary of State's own volition under Regulation 5(6)(a) of the EIA Regulations. The screening direction is contained in the Annex to this letter.

Impacts from the project are considered to be limited, localised, temporary and reversible. With the measures proposed to manage and reduce impacts, significant effects are unlikely to occur. This development, taken cumulatively with other development, would not be likely to have significant effects on the environment. Accordingly, the project is not considered to be EIA development. This conclusion specifically takes into account the characteristics of the impacts associated with the development including the temporary and reversible nature of the impacts.

I am required by Regulation 5(12) of the EIA Regulations to send you a copy of the direction.

In line with the requirements of Regulation 28(1) of the EIA Regulations, we request that a copy of the direction and is placed on the planning register and made available for public inspection.

A copy of this letter is being sent for information to the Commissioners for Her Majesty's Revenue and Customs making the submission to me for relevant approval.

Yours


RT HON STUART ANDREW MP

Annex 1 – Screening Direction under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

The proposal is for the construction and operation of an Inland Border Facility (IBF) comprising goods vehicle parking and border checking facilities for Her Majesty's Government for a temporary period, until 31 December 2025 followed by a period of reinstatement. The site covers an area of circa 17.2ha in a strategic location near the A2 accessed via Honeywood Parkway, north of the town of Dover. The extent use and operation of the facility, along with the associated earthworks, goods vehicle parking areas and extent and scale of buildings and structures would be implemented in response to the respective requirements of Her Majesty's Revenue and Customs (HMRC) including Border Force as its operational agent, Department for Environment, Food and Rural Affairs (Defra), and Department for Business, Energy and Industrial Strategy (BEIS).

The project includes provision for stationing of up to 112 goods vehicles parking spaces, plus 20 parking spaces within four swim lanes, formation of a new access road (connecting to a new spur on the B&Q Roundabout on Honeywood Parkway) onto the highway, the erection of buildings and structures for border processing purposes to a maximum height of 9m, fencing up to a maximum height of 3m, lighting columns to a maximum height of 8m (up to 10m along the main access), drainage and all associated engineering and extensive hard and soft landscape works. Once constructed, the site would operate 24-hours, seven days a week over the course of all phases of its temporary operation before reinstatement of the site at the end of that period.

The proposed development falls within the description at Paragraph 10(b) of Schedule 2 to the EIA Regulations and exceeds the threshold in Column 2 of the table in that Schedule.

The site is a greenfield site for the purposes of assessment. The local area around the site is a mixture of residential, commercial and agricultural land use. A small cluster of suburban residential dwellings and Frith Farm is the main settlement located 300m southeast of the site. The existing land use and character of the area is a mixture of commercial and agricultural in nature. To the west of the Site lies B&Q and its associated car park, Lidl and Dover District Leisure Centre all serviced by Honeywood Parkway from the junction of A256 and the A2 to the north (providing the primary point of access).

The site lies approximately 1.95km south northwest of the Dover to Kingsdown Cliffs SAC and SSSI, as well as being 2.60km south-east of the Lydden and Temple Ewell Downs SAC and SSSI. The Kent Downs AONB is located 1.4km to the south-east of the Site. The nearest designated heritage asset is a Grade II* listed structure approximately 480m to the northeast of the Site, and Roman Road located within the Site is an area of archaeological interest.

Having taken into account the criteria in Schedule 3 to the EIA Regulations, it is concluded that the proposal would not be likely to have significant effect on the environment for the following reasons:

- The project will give rise to a number of different adverse impacts through its lifetime including those associated with the use of natural resources and production of waste; impacts to receptors from increased noise, vibration and emissions to air; impacts associated with accidents particularly during construction; and impacts due to cumulation with other development. There are also likely to be some temporary beneficial impacts to

localised biodiversity receptors from enhancement measures embedded into the design and landscaping. However, it is anticipated that the site would be restored to its original condition following reinstatement.

- With reference to landscape and visual impacts, moderate adverse significant visual impacts were identified at a limited number of visual receptors as a consequence of their close proximity and aspect to the Site. Two of these receptors are at PRoW and are therefore transient, and one covers nearby residential properties. These impacts are considered to be temporary, and the effect would reduce progressively over the operational lifetime of the project, in line with the establishment and maturity of the landscape mitigation works. These measures are proposed to be in place by the end of the first planting season and extending into the future in line with the required reinstatement plan which is to be submitted by 30 June 2025. On the basis of their localised, limited and temporal extent (for the duration of operation only) these effects are not considered to be sufficient to determine that the proposal is EIA development for the purposes of the EIA screening process.
- Similarly, adverse impacts on the settings of designated and non-designated heritage assets during operation may arise due to the presence of the project and the increase in goods vehicle movements.). There would be no physical harm to the assets (i.e., no demolition or alteration to fabric is proposed) and any effects to would be minor and non-significant. Significant adverse archaeological impacts would be mitigated through the REAC, secured by site specific conditions.
- Impacts are unlikely to occur at greater distances from the site due to the limited anticipated changes in vehicle movements on the modelled road network (MRN). There would be no impacts with the potential to affect nearby designated sites responsive to changes in emissions to air.
- In order to construct the development, it would be necessary to extract some of the underlying chalk which is an important ground water pathway to a principal aquifer. The site lies within a ground water protection zone as defined by the Environment Agency. The extent of chalk to be extracted across the site would be limited to localised pockets mainly located centrally within the site and as mitigation it is proposed to provide a 1m clay cap, with works to be observed by a competent person during construction. This would be secured by condition.
- Moreover, the site lies in a Nitrate Vulnerable Zone relating to groundwater. However, the main risk to groundwater from nitrates would arise from agricultural nitrate production. The site would be taken out of potential agricultural use, and the associated soils stripped for storage. The stored soils would be subject to a management scheme to reduce pollution risk of surrounding water, thereby limiting the potential for groundwater infiltration to be polluted. This would be secured by condition. Therefore, the potential effects on groundwater due to nitrates, and due to the extraction of material, would not be significant.

Existing and/or approved developments with the potential to give rise to cumulative impact have been identified as Whitfield Urban Extension, the Connaught Barracks Main Site development, and the Dover Fasttrack developments, in particular. A future potential proposal – Dover SPS BCP, has also been considered for robustness purposes, although no formal scheme has yet been submitted for decision. A number of other planned or consented residential-led development schemes have been identified within 4km of the project. Taking these into account, significant cumulative effects are unlikely due, in part, to the temporary nature of the project's operation in the context of the lifetime of nearby developments, until 31 December 2025.

The significance of the impacts has been considered having regard to the type and characteristics of each impact. The impacts that result from the project will be limited and localised and will affect a relatively limited number of receptors. The impacts will also be temporary and occur during distinct phases of the project's lifecycle. The impacts are reversible and will be subject to measures and conditions which will effectively reduce their effect.

Information provided in support of the relevant approval submission demonstrates that the project will result in no new exceedances of air quality objectives or significant increases in noise and vibration emissions.

The proposed lighting design will reduce the effect of lighting impacts during operation including views afforded from the Kent Downs AONB.

- The project is required to adhere with measures including those specified in standard health and safety procedures, the construction and operational management plans, the reinstatement plan and site-specific conditions. All such plans are subject to approval by the Secretary of State and are presented in the border department's analysis of the likely environmental effects and assessment of traffic impacts.

The screening takes into account the measures in the SDO and in the Register of Environmental Actions and Commitments in Appendix B of the Analysis of Likely Environmental Effects of the Development Report that are embedded within the Construction Management Plan, Operational Management Plan and the Reinstatement Plan through the following conditions:

This approval is given subject to:

1. The conditions specified in Schedule 2 to the Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 save that for the purposes of this approval only:

The following further conditions:

2. The measures detailed in row N1, N2, N3, N4, N5, N8, N9, N10, N11, N12, N13, N14, AC1, NV1, NV2, NV3, NV4, Mat2, LV2, LV3, LV4, LV5, LV6, LV7, LV8, LV10, LV11, CC1, CC2, CC3, CC4, CC6, CC7, CC8, CC9, CC10, CC14, CC15, CC16, CC17, AQ1, AQ2, AQ3, AQ4, AQ5, AQ6, AQ7, AQ8, AQ9, GS1, GS2, GS3, GS4, GS5, GS6, GS7, GS8, GS10, GS11, GS12, GS13, Tr1, W1, and W7 of the Register of Environmental Actions and Commitments (Annex B, Analysis of Likely Environmental Effects of the Development

report) (the REAC) must be included as part of the Construction Management Plan to be submitted for approval.

3. The measures detailed in row N6, N7, N10, NV5, NV6, NV7, LV9, CC5, CC11, CC12, CC13, CC18, CC20, CC21, CC22, CC23, CC24, GS9, W2, W4, W5, W6, W8, W9, W10, W11, TR1, TR2, TR3, TR4, TR5, TR6 of the REAC must be included as part of the Operational Management Plan to be submitted for approval.
4. The measures detailed in row N2, N3, N5, N13, N14, N1, AQ1, AQ2, AQ3, AQ4, AQ5, AQ6, AQ7, AQ8, and AQ9 of the REAC must be included as part of the Reinstatement Plan to be submitted for approval on or before 30 June 2025.
5. The 'diverted byway' as shown on plan ref DIBF-WSP-00-XX-DR-TC-10100 P04 shall be provided in its entirety prior to the public operational use commencing, unless the Secretary of State gives written consent to any variation.
6. Details of the design and external appearance of buildings and facing materials proposed shall be included as part of the Construction Management Plan to be submitted for approval.
7. Prior to the commencement of the use, a Lighting Strategy shall be submitted to and approved in writing by the Secretary of State. The Lighting Strategy shall detail the location of all lighting including the height of associated columns, lighting brackets, details of luminaires and light spill contours along with details of ongoing monitoring, maintenance and a procedure for dealing with complaints. The development shall be carried out in accordance with the approved details.
8. Policies and Procedures pursuant to the Construction Management Plan, required under Schedule 2 Part 2 of The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020, shall include details of the 'landscaped bund' and 'seeded soil storage' as shown on plan ref DIBF-WSP-00-XX-DR-TC-10100 P04 in terms of the height, gradient, seeding/planting details and measures to ensure stability and management of these works throughout the operation of the facility.

Informatives

- i. The Secretary of State's expectation is the border department shall work with National Highways to identify and implement a scheme of works in relation to Whitfield Roundabout, which shall be set out in the Operational Management Plan, under the requirements of Schedule 2 Part 3(1) of the SDO.
- ii. The Secretary of State's expectation is that a Staff Travel Plan shall be provided in the Operational Management Plan, under the requirements of Schedule 2 Part 3(1) of the SDO.
- iii. The Secretary of State's expectation is that details of 'Transport Steering Group', including its scope and remit, and how any decisions and actions agreed will be implemented, shall

be provided in the Operational Management Plan, under the requirements of Schedule 2 Part 3(1) of the SDO.

- iv. The Secretary of State's expectation is that the Operational Management Plan, under the requirements of Schedule 2 Part 3(1) of the SDO, shall include a signage strategy.
- v. The Secretary of State's expectation is that details of engineering works, levels, earthworks and foundation design of the buildings to be erected, and details of mitigation to prevent groundwater contamination during construction, shall be provided in the Construction Management Plan, under the requirements of Schedule 2 Part 2.1(f) of the SDO.
- vi. The Secretary of State's expectation is that full details of hard and soft landscaping will be submitted as part of the Operational Management Plan, under the requirements of Schedule 2 Part 3(1)(j) of the SDO.

Impacts from the project are considered to be limited, localised, temporary and reversible. With the measures proposed to manage and reduce impacts, significant effects are unlikely to occur. This development, taken cumulatively with other development, would not be likely to have significant effects on the environment. Accordingly, the project is not considered to be EIA development. This conclusion specifically takes into account the characteristics of the impacts associated with the development including the temporary and reversible nature of the impacts.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulation 5(6)(a) of the EIA Regulations, I direct that this development is not EIA development.

