

CPRE Kent

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Swale Borough Local Plan – Main Modifications Matter 5: Infrastructure

Matter 5

ID429231

Representation
Numbers: LP713,
LP714, LP715,

5.1 Transport infrastructure – is the modified Plan supported by robust infrastructure planning which demonstrates that the proposed development is deliverable?

In its representations (**LP713, LP714 and LP715**) CPRE sets out its concerns:

1. The new local plan text at Main Modification 97 is as follows:

“The issues with the SRN capacity in the Swale area are proving intractable and have not yet attracted the level of public funding needed to mitigate the issues and unblock capacity for further growth and investment in the area beyond the short term remain significant and although public funding has now been confirmed for M2/J5, this will not commence until 2019-20 at the earliest and is unlikely to be completed until 2024. Junctions linking the local network to the SRN, particularly within the A249 corridor, may also be at capacity and will need public funding support to mitigate the issues and provide capacity to support planned growth and further investment in the area.”

2. This statement does not appear to adequately reflect the critical nature of the congestion on the A249 corridor. Clearly, the evidence base was not complete at the time of writing the modifications draft of the Local Plan and CPRE is concerned that this issue is not fully understood. An A249 corridor study has been commissioned to help understand the strategic implications of the proposed allocations.
3. It is essential that the impacts of the local plan on network capacity are not underestimated, since that would have significant implications for the delivery of the local plan. Although the Council states in its responses to objections that there are not ‘in principle’ objections to the Local Plan from the highway authorities, this cannot be considered a reliable indication that the impacts are acceptable, given they are as yet unknown.
4. Without adequate evidence to assess local and strategic highway capacity, it is not possible to accurately anticipate mitigation required and effectively demonstrate how infrastructure may be funded and delivered. The Council summarised the KCC comment as follows:

“The work being carried out on the A249 corridor will focus on Key Street, Grovehurst and Bobbing. It is noted that Grovehurst in particular may require a high capital cost scheme in

the longer term. However, interim measures to support local plan growth, when they need to be provided and the funding arrangements will be part of the research work. Once assessed, it is anticipated that a Statement of Common Ground will be prepared between the Council and the Highways Authorities which can be presented to the Local Plan Inspector.”

5. Clearly, this information is essential as part of determining whether this plan is deliverable in the long term. Consultees have not yet seen the outcomes of the study, do not yet have an understanding whether the impacts of additional traffic from modifications sites can be mitigated and cannot make an assessment of costs and likelihood of delivery.
6. It is understood that a Statement of Common Ground between the highway authorities and Swale Borough Council will be made available to the Examination. The value of this will need to be assessed against published evidence. It is a concern of CPRE that (to date) there is no indication on the attendance lists for the examination that the Council’s transport consultants, Highways England and Kent Highways will be attending. Highway capacity and resilience is a key issue relevant to this Plan and the statutory consultees should be available to assist the discussion.
7. There is clearly not a robust infrastructure planning evidence base available. It is as yet unknown whether the A249 study may, or may not, be available in time for the examination. Mitigation proposals and costs for A249 junction improvement works, including Grovehurst, Key Street and Bobbing Junction have not been resolved.
8. In terms of the M2 Junction 5 improvements, it is incorrect that funding and commencement date are securely agreed.
9. Junction 5 improvements are still at the options stage, with a consultation on these yet to take place. Highways England make the following statement on their website:

“We are evaluating proposed options for the scheme. We are working with stakeholders and those most likely to be impacted by proposals to make sure the options we present provide the best range of solutions for the area. Once we’ve worked up viable options, we’ll tell you about them and ask for your opinion. We hope to do this in early 2017. You can sign up for our email alerts to stay informed’.
10. Clearly it is not possible to conclude a completion date for this substantial infrastructure. This is an important detail for the effectiveness of the plan, which has large allocations phased to start well before what must be a very uncertain completion date for junction works.
11. In terms of the remainder of the highway network, including the A2 and local roads, the Council argues that the VISUM Transport Modelling did assess the implication of a higher development plan target. They argue that this did include a large site at SW Sittingbourne. CPRE is very concerned that Swale appears to be relying on outputs from a transport model from 2014 that was prepared at the options testing stage. Although by chance some of the indicative areas of development might relate to development proposals in the modifications plan, it seems very unlikely that the complete suite of development sites, together with a correct spatial spread of dwelling numbers was anticipated. It will have incorporated out of date transport interventions and it is wholly inappropriate to rely on this information to anticipate the impact of development associated with the modifications plan. Despite a substantial investment by Swale

Borough Council in the VISUM Transport Model, the Council appears determined to rely on outputs resulting from testing of high level options a number of years ago. The up-to-date suite of development sites and a range of interventions to encourage a modal shift should now be subjected to testing by the transport model. Canterbury and Maidstone Local Plans, both at advanced stages have benefited from frequent 'runs' of the same model as sites have changed and interventions are proposed. Many essential interventions, primarily aimed at encouraging a modal shift, will not be local plan led and should be contained in an up to date transportation strategy.

12. Given the number of sites that are likely to be dependent on substantial infrastructure items, this lack of evidence base to interrogate as part of the Examination is concerning.
13. Air quality is a related issue.
14. Additional traffic congestion on the A2 is likely to have a detrimental impact on local air quality. AQMAs in the town will find it more difficult to achieve air quality improvements if there is more congestion on the A2. This is not in the public interest. It is essential that care is taken to ensure that the cumulative impact of development on air quality will not prevent relevant limit values being met within the shortest possible time. The urgency of meeting limit values for air pollutants should not be ignored. This urgency was given emphasis by the November 2016 'Client Earth' decision by the High Court. The court found that the Government's Air Quality Plan should seek to achieve compliance by the earliest possible date, and that the Government has adopted too optimistic a model for future vehicle emissions. Development will certainly increase traffic and congestion and cumulatively could prevent the desired air quality improvements in AQMAs. It is the view of CPRE that the Council should also seek to understand the cumulative impacts of development proposed in the Local Plan, particularly where it is closely related to the A2.
15. In terms of the AQMA, CPRE argues that it is not sufficient to disregard this issue in anticipation that it can be dealt with at the planning application stage. It is essential that the health risks associated with development is understood and planned for. It is at the allocation stage that cumulative impacts and the implications for deliverability can be anticipated.
16. Planning Practice Guidance (ID32-002-20140306) states that '*it is important to take into account air quality management areas and other areas where there could be specific requirements or limitations on new development because of air quality*'. The guidance goes on to say:

"Drawing on the review of air quality carried out for the local air quality management regime, the Local Plan may need to consider:

- *the potential cumulative impact of a number of smaller developments on air quality as well as the effect of more substantial developments;*
- *the impact of point sources of air pollution (pollution that originates from one place); and,*
- *ways in which new development would be appropriate in locations where air quality is or likely to be a concern and not give rise to unacceptable risks from pollution. This*

could be through, for example, identifying measures for offsetting the impact on air quality arising from new development including supporting measures in an air quality action plan or low emissions strategy where applicable”.

17. Assessing the cumulative impacts of development, together with transport interventions is critical to ensure local plan sites are deliverable – i.e. that there will not be an adverse impact on AQMAs. It is important that air quality is improved as soon as possible and this may prove to be an issue that affects deliverability of sites in the plan.
18. A planning appeal decision at Newington (to the west of the borough) in January 2017 (APP/V2255/W/15/3067553 and APP/V2255/W/16/3148140), was refused in part because the appeal proposal was likely to have an effect on air quality. The Inspector concluded:

Para 105 “Drawing all this together, I find that it is more probable than not that both appeal proposals would have at least a moderately adverse impact on air quality in the Newington and Rainham AQMAs, and thus a significant effect on human health. While measures are proposed to mitigate those adverse impacts, there is no clear evidence to demonstrate their likely effectiveness, and it may well be that the contributions to fund the measures fail to reflect the full scale of the impacts.

106. I therefore conclude on the eighth main issue that, even after taking into account the proposed mitigation measures, the appeal proposals are likely to have an adverse effect on air quality, particularly in the Newington and Rainham AQMAs. I reach this conclusion for the reasons set out above, notwithstanding that the Council raise no objection to the proposals on air quality grounds. Both proposals would thereby conflict with the guidance in NPPF paragraphs 120 and 124”

19. It is the view of CPRE that additional air quality modelling is required to demonstrate the likely impact of the increased emissions from road traffic generated by the proposed local plan housing sites. This is important information for determining whether the local plan is deliverable and delivers sustainable development. It is important to understand the impact of development on health, particularly when AQMA's are already in place. One of the twelve core planning principles in the NPPF is that planning should ‘contribute toreducing pollution’.

5.2 Does the Plan include adequate infrastructure planning for highway improvements along the A249 corridor to accommodate growth to the west of Sittingbourne?

20. The A249 corridor is widely recognised as a constraint and it is understood that an ‘A249 corridor study’ is being prepared.
21. The response of KCC to the Modifications plan was as follows:

“Subject to the findings of transport modelling work to be completed in September/October 2016, which will define if/what improvements are required to upgrade the highway capacity of Grovehurst Road interchange, it is probable that a significant upgrade would equate to a high capital cost. The local highway authority advises that a feasibility study is completed to consider various options to upgrade Grovehurst junction to support Local Plan growth, to include interim options to meet the infrastructure needs of Local Plan growth as well as more comprehensive scheme(s) of improvement. Accordingly, work define a robust funding strategy will also need to be completed, and these discussions must include Highways England as a key stakeholder”

22. CPRE has not seen the outcome of this work. The A249 is a critical part of the highway network. Since the road and junctions are substantially at capacity, it is essential for the quality of life of the residents of the borough (and the success of economic activities) and the local environment, that new development does not add to the congestion problem and further reduce the resilience of the network.
23. Additional traffic movements on the A249 (south of junction 5) may have air quality implications for the North Kent Woodland SAC. This issue was scoped out of the Habitats Regulations Assessment at an earlier stage. This scoping assessment should have been reviewed, given the substantial changes to traffic flows expected on the A249 as a result of development plans in this locality and in neighbouring local authority areas. Maidstone Borough Council carried out this assessment and it is not clear why Swale Borough Council did not.

5.3 Has the highway impact of the proposed level of growth on Sheppey been properly addressed?

24. The impact of growth on Sheppey is at two levels: Congestion on Sheppey itself, and on the A2500 Lower Road in particular; and the contribution to the cumulative impact of growth on the A249 generally, including junctions.
25. As discussed in the previous questions, the evidence base necessary to demonstrate what junction and other improvements are necessary (supported by a feasibility study and funding strategy), is not available. It generally accepted that a number of A249 junctions are at capacity. A large proportion of the occupants of new dwellings on Sheppey will increase the number of cars on those junctions.
26. A large proportion of the proposed local plan allocations will also be related to the A2500, Lower Road, a heavily congested key route to Minster.
27. The Implementation and Delivery Schedule to the Local Plan (June 2016) makes reference to ‘what is needed’, and indicates that road widening and the replacement of the existing traffic signal junction at Barton Hill Drive is required. Costs, which do not include provision of land for the widening phase, are indicated at ‘up to’ £6,000,000. This includes £1,600,00 for the

roundabout element. Although the Council is confident about the prospects, stating *'the improvements to the junction at Barton Hill Drive and Lower Road are the subject of a funding bid to the Government's Local Growth Fund and have been afforded second priority in the region'*, this does not appear to apply to the widening of Lower Road.

28. The source and certainty of funding needs to be clarified. The submission to the Local Growth Fund¹ (round 3 bids in July 2016) are for only £860,000 which (although not specified) appears to be match funding for the junction (roundabout) improvements:

"The A2500 Lower Road improvements scheme will improve the A2500/Barton Hill Junction, an existing pinch point on the network and a barrier to development on the Isle of Sheppey. The limited route options for traffic wanting to enter or leave the Island places a significant demand on the A2500 Lower Road across the typical weekday periods, particularly near the junction. The Island's tourism-related economy, coupled with the significance of the prison service on the Island (the largest employer on the Isle) gives rise to further peaks in traffic demand. Unsurprisingly, the cumulative pressures being placed on the A2500 Lower Road and its junction with Barton Hill is currently resulting in significant delays and issues concerned with journey time reliability for all users, which has reached an unacceptable level. In the context of the emerging Local Plan a proportionate amount of development allocations will bring the transport network under greater strain, with increasing focus on the need for significant upgrade. The rationale for the A2500 Lower Road highway improvements is to ensure the travelling public can place a suitable level of confidence in journey time reliability".

29. In September 2016 Matthew Balfour replied to a letter from the 'Lower Road Campaign' stating:

"KCC has been successful in securing Local Growth Funding to implement a roundabout improvement at the junction of Lower Road and Barton Hill Drive, which is expected to be implemented in 2019. However, KCC does not have the capital resources to bring forward and implement pedestrian and cycle improvements to Lower Road in advance of a scheme of development being promoted at 'Land west of Barton Hill Drive, Minster' alongside other local schemes of development. There could be an opportunity to promote a funding bid in a future round of the Local Growth Fund, but we must manage expectations here somewhat on the basis that for a scheme bid to be successful there must be an element of match-funding, and the land required needs to be available. As matters currently stand these two criteria cannot be fully satisfied.

If 'Land west of Barton Hill Drive' is formally allocated by an Independent Government Inspector in the (currently) emerging Local Plan, which is expected to be adopted in Spring 2017, KCC officers would then work alongside any landowners and Swale Borough Council to promote pedestrian and cycle facilities along Lower Road."

¹ [Appendix B: Local Growth Fund Submission 25/07/2016](#)

30. The Council's summary of responses to this site (SBC/PS/117: Appendix 1/CSR/1), published in November 2016 makes the following statement:

"The Council is strongly aware that many concerns relate to the existing transport problems associated with the A2500 Lower Road eastward from the A249 at Cowstead Corner. Whilst development on Sheppey will be expected to contribute to improvements to address this issue, both Kent and Swale Borough Councils are at an advanced stage in securing public monies to provide the necessary improvements both to address the existing conditions and deal with the growth arising from the Local Plan. As a result, the highway authorities are not opposing the allocation of the allocated site".

31. Given the above, CPRE is still uncertain whether there are funding bids in place to deliver Lower Road widening improvements. Also of concern is the lack of an up to date viability study which confirms that the network improvement (whether or not match funded) can be delivered by development at Sheppey. This is a significant issue, since we know (according to the 0% affordable housing provision) that viability at the Island can be challenging. Residents are right to be concerned, since the roundabout at the end of Barton Hill Road should have been provided some time ago as part of a different scheme. Up to date viability assessment, that takes account of the substantial and essential (and yet unknown) costs of highway infrastructure, is essential.
32. We have argued elsewhere in comments that highway modelling is required to understand if the improvements will deliver sufficient capacity improvements on the local and strategic network.
33. Local concerns are justified and understandable. CPRE understands that the capacity of Lower Road needs to be increased, and this (together with the addition of a cycle way) needs to incorporate road widening. More detail is required:
- Is there a scheme that shows capacity improvements are capable of being delivered?
 - a. Is there an agreement that land is available for road widening?
 - b. Is funding available for road widening proposals;
 - c. Are development sites viable, taking transport contributions into account?
 - d. Is there evidence to demonstrate that improvements to the 249 corridor (including junctions) will happen in a timely manner to release sufficient capacity on the network?
34. Without this information, it is not possible to assume that development will be deliverable within the period of the plan. The uncertainties associated with transport infrastructure and viability are not acceptable. It is recognised that Lower Road (as well as the A249 corridor and associated junctions) does not have sufficient capacity. This is an important issue, which, is key to the effectiveness of the plan.

5.4 Does the Plan include robust infrastructure planning to ensure that the highway network can accommodate the level of growth proposed in and around Faversham, with particular regard to the impact on J7 of the M2?

35. No. Although the ID schedule mentions improvements to the approach to this junction (increase short term capacity), there is no reference to the need for junction improvements, despite well-known capacity concerns. The following statement (para 7.7) in the Swale Borough Council Freight Management Plan Consultation Draft (December 2016) indicates an intention to carry out assessment works:

“Swale BC supports KCC’s proposal for a study to look at what improvements are needed at junction 7 of the M2 to cater for potential future developments in Swale and further east, and will cooperate in any such study.”

36. It does not, however, demonstrate an understanding of capacity constraints, costs, or funding opportunities for any improvement works.
37. There are, of course, also concerns about air quality on the A2 at Faversham, and the Ospringe AQMA in particular (see paragraphs 14 – 19 above)

5.5 Are modifications which add further reference to infrastructure to existing allocations policies justified?

38. No. Modifications do not respond to an evidence base that demonstrates that essential infrastructure improvements will be effective, are deliverable, and sufficient funding is available. The infrastructure development cannot, therefore be considered reliable in this regard. For example, although the SW Sittingbourne site (MUX1) has been drafted with an understanding of potential highways issues, there is no detailed outline of what these are, the cost, nor the means of funding. As an example, paragraph 6.6.63 demonstrates the uncertainties:

“Transport infrastructure issues are of major importance. Firstly, given the likely timing of interim and longer term major improvements to J5 of the M2 at the A249, an assessment of the level of development able to come forward before completion of the improvement will need to be undertaken at the Masterplan/development brief/planning application stage. Secondly, improvements to the A2 at Key Street with the A249 will also be necessary. An assessment will also be required of other junctions in the A249 corridor between and including Key Street and the Grovehurst Interchange. Thirdly, the most appropriate form of accessing the site will need to be determined (see below) and finally, some of the roads serving the area may require localised improvements and/or traffic management. These could include the junction of Wises Lane with the A2, Adelaide Drive with the A2, Brisbane Avenue with Adelaide Drive, Auckland Drive with Borden Lane and Borden Lane with Homewood Avenue.”

39. The Infrastructure and Delivery Schedule Plan does not assist with these uncertainties. For example, Key Street/ Bobbing / Grovehurst Road junction improvements (p.8) have indicative

'could be' costs and funding sources specified as *'subject to further assessment, but potentially from external funding and S278 from all development and/or S106.....'*.

40. In this example, improvements to junctions and traffic management on the A2 do not even appear to be mentioned in the IDP, despite a policy reference to consider: *'the need, timing, and provision of transport improvements at junctions with the A2....'* The evidence base should be developed further to ensure that the Council can demonstrate a reliable transport network (that supports alternatives to the car). It is understood that a revised draft of the Swale Transport Strategy is under preparation.
41. Given the phasing of local plan sites around 2019/20/21 (when numerous large sites are anticipated to start) this is not an issue that can be left to future reviews of the local plan. More transport modelling is required to give a broad network picture and to also test transport interventions (in the form of committed improvements) and a package of the highway changes, public transport improvements and policy changes (such as walking and cycling provision). Unfortunately, the complete suite of transport interventions is not yet available in a revised transport strategy.
42. The modelling exercise should help assess the impact of the sites proposed in the Modifications to the Local Plan and provide an overview of how traffic will respond to changes in network demand and in network provision. It the essential to plan more positively and ensure the local plan is effective.