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26 January 2018

Dear Andrew

Re: EIA Scoping Opinion for a mixed-use development at land to the south and east of Sittingbourne [Application reference 17/506551/EIASCO]

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion for the proposed mixed-use development including up to 11,250 residential dwellings, commercial space (circa 120,000 sqm), new infrastructure to create new junctions onto the M2 and A2 joined by a new relief road, new retail and health facilities, leisure facilities, educational facilities and community facilities.

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, following the order of the Report.

Chapter 8 – Landscape and Visual Impacts

Public Rights of Way

Public footpaths ZR150, ZR155, ZR156, ZR157, ZR158, ZR159, ZR185, ZR194, ZR196, ZR197, ZR199, ZR208, ZR209, ZR210, ZR211, ZR682, ZU30, ZU31, ZU39 and Restricted Byways ZU31A, ZU34A, ZU38 are located within the site and would be directly affected by the proposed development. The locations of these paths are indicated on the Extract of the Network Map, available in Appendix 1.

KCC considers that the substantial size of this development will have an adverse impact on the Public Rights of Way (PRoW) network through increased use, loss of amenity and potential generation of traffic. Measures will need to be taken to help mitigate these impacts and encourage a more environmentally sensitive travel pattern in the area. KCC requests

that as part of any Section 106 agreement, a financial contribution is secured to mitigate against the loss of amenity, increased use and subsequent surface improvements that will be required as the area is developed.

In respect of the submitted Scoping Report, KCC would request that the following be considered as part of the EIA:

- The likely usage and visual impact on users participating in recreational activity on the above mentioned footpaths and restricted byways;
- The likely loss of recreational walks within open countryside;
- The impact of increased vehicular traffic along rural lanes, which currently provide valuable connections for equestrians and cyclists travelling between off-road PRoW routes. The proposed development could deter public use of the PRoW network if vehicular traffic increases along these roads;
- The viability of upgrading existing PRoW, as a means of providing walking and cycling between residential dwellings, education facilities, employment hubs and local amenities, to encourage active travel;
- The creation of new walking, cycling and equestrian routes that connect the site with the surrounding countryside, providing opportunities for outdoor recreation; and
- The provision of safe crossings points over the A2 for non-motorised PRoW users, to address safety concerns and improve network connectivity.

In consideration of Kent Design standards and Police guidance, any forthcoming masterplan should keep PRoW within overlooked areas of open space, to facilitate a safer environment for path users. Path extinguishments and long term severance of routes should also be avoided, to prevent fragmentation of the PRoW network.

Chapter 9 – Water Quality, Hydrology and Flood Risk

KCC as Lead Local Flood Authority has provided a direct response to Swale Borough Council (SBC), dated 12 January 2018.

In summary, the following points were raised in relation to chapter 9:

- There is no mention within Chapter 9 of the impacts upon water quality from surface water drainage. It is recommended that full consideration is given to the water system's capacity to remove pollutants and to the cleanliness of the water discharged from the site when compiling the flood risk assessment/drainage strategy;
- The Flood Risk Assessment should include a clear drainage strategy, which adheres to KCC Drainage and Planning Policy Statement¹;
- The applicant is recommended to consider how to fully incorporate drainage into the overall development to minimise flood risk with reference to the 'Guide for Master Planning Sustainable Drainage into Development'²; and

¹ http://www.kent.gov.uk/_data/assets/pdf_file/0003/49665/Drainage-and-Planning-policy-statement.pdf

- The applicant is recommended to commence pre-application discussions with KCC to discuss the surface water management at this site.

A full copy of KCC Flood and Water Management response dated 12 January 2018 is included in Appendix 2.

Chapter 10 – Archaeology and Heritage Assets

KCC Heritage and Conservation has provided a direct response to Swale Borough Council (SBC), dated 15 January 2018.

In summary, KCC welcomes the applicant's consideration of archaeology and cultural heritage as a key issue to be covered within the EIA, but would like to raise the following points were raised in relation to chapter 10:

- The landscape around Sittingbourne is known to be of high archaeological value with the Kent Historic Environment Record showing an indication of the presence and distribution of archaeology, focused mostly on the northern areas of the site;
- Master-planning of the area should clearly demonstrate how the heritage of the site and its surroundings has meaningfully contributed to the development proposals;
- The applicant should ensure the setting of undesignated heritage assets is considered, and that off-site impacts such as the introduction of additional traffic through historic villages, country lanes and areas such as Tonge is considered;
- The applicant should ensure that the scope of the initial Desk Based Assessment and sources of information is discussed in detail with KCC, Historic England and the Conservation Officers at Swale Borough Council at an early stage; and
- The work for the EIA should take account of the Guiding Principles for Cultural Heritage in Environmental Impact Assessment (EIA) published by KCC.

A full copy of KCC Heritage and Conservation response dated 15 January 2018 is included in Appendix 3.

Chapter 12 – Ecology and Nature Conservation

KCC Biodiversity has provided a direct response to SBC, dated 8 January 2018.

In summary, KCC is generally satisfied with the approach to ecology and nature conservation set out within the Scoping Report, but would draw attention to the following points in relation to chapter 12:

- The results of the ecological surveys carried out will need to inform the design of the proposed development site and mitigation strategies;

² http://www.kent.gov.uk/_data/assets/pdf_file/0007/23578/Masterplanning-for-SuDS.pdf ;

- The development should follow the 'mitigation hierarchy', as described within British Standard BS 42020:2013;
- The tunnels present within the quarries provide bat roosting potential, so a hibernation survey will need to be carried out within the winter months;
- The proposal for the site should be designed to retain the areas of ancient woodland and adjacent habitat, in line with para. 118 of the National Planning Policy Framework (NPPF); and
- An Outline Management Plan should be submitted as part of any planning application to demonstrate that any ecological mitigation required can be retained for the lifetime of the development.

A full copy of KCC Biodiversity response dated 8 January 2018 is included in Appendix 4.

Chapter 13 – Soils, Geology and Contaminated Land

As the Minerals and Waste Planning Authority, the County Council is responsible for ensuring that mineral resources are not needlessly sterilised by other forms of development, to ensure that a steady and adequate supply of minerals is maintained to facilitate sustainable development. This safeguarding approach is supported by the NPPF, National Planning Policy Guidance and the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP).

Policy CSM5 (Land-won Minerals Safeguarding) of the adopted KMWLP sets out Mineral Safeguarding Areas (MSA). The proposed development site contains safeguarded areas within the Swale district, with the safeguarded economic mineral being Brickearth (Faversham - Sittingbourne Area).

The Minerals and Waste Planning Authority notes that the Scoping Report acknowledges the presence of the safeguarded mineral. In preparing the documentation to accompany the proposed EIA, it will be necessary for the applicant to address the mineral safeguarding policy requirement in a Minerals Assessment. In doing so, KCC would like to draw attention to Policy DM7 (Safeguarding Mineral Resources) of the KMWLP. This sets out a number of potential exemptions from the presumption to safeguard the minerals should such a case be advanced to set aside the safeguarding presumption. It is expected that any Minerals Assessment should make reference to empirical geological data (in the form of objective bore hole and/or trial trench investigations) and opportunities for prior extraction should be explored and evidenced. Where relevant, engagement with the minerals industry is encouraged to correctly ascertain the viability and deliverability for any prior safeguarded mineral extraction. The applicant is advised to refer to KCC's safeguarding supplementary planning document for further guidance on mineral safeguarding and minerals assessment³.

Chapter 14 – Transportation

³ https://www.kent.gov.uk/_data/assets/pdf_file/0019/69310/Supplementary-Planning-Documents-SPD-on-Minerals-and-Waste-Safeguarding.pdf.

Given the size and nature of the proposal, KCC considers that a Strategic Transport Model will need to be prepared to demonstrate the highway and environmental impacts on both the strategic and local highway network. The model will assist in identifying any highway or environmental related issues and help inform the proposed Transport Assessment. The scope of the highway model should be agreed with both KCC as the Local Highways Authority and SBC.

The implications of traffic using existing roads in order to access new road infrastructure should also be considered by the applicant.

It is noted that the impacts on additional public transport use are to be included within the EIA. This should include the full detail of impacts on the local bus network and North Kent train services.

The scope of the Framework Travel Plan should be agreed with the relevant Highway Authorities.

Chapter 15 – Population and Human Health

The scale of the development proposed will generate significant additional demand on services delivered by the County Council. It would not be possible to accommodate this additional demand within any existing surplus and therefore additional service capacity will be required in direct response to the development. Given the scale of the proposal, it would be necessary for many of these services to be delivered within the development; this will enable residents to directly access provision and is necessary to ensure the development is sustainable.

Primary Education

The proposed development is estimated to generate 2,600 primary pupils (based on the stated housing mix in the Scoping Report); equivalent to 12.5 Forms of Entry. New primary schools are commissioned as either two or three forms of entry, and therefore the number of new schools required to support the development will vary depending on the proposed sizes of the schools. The appropriate sizes for the new schools will be determined using a number of factors including development layout and phasing; up to six new primary schools would be required given the housing numbers and mix currently proposed.

Secondary Education

The development is estimated to produce 1,860 secondary pupils, equating to 12.4 Forms of Entry. To accommodate this additional demand, new provision would need to be integrated within the development in the form of two 6FE secondary schools.

Specialist Education

A proportion of pupils generated by the development will also have specialist educational needs. Given the scale of the proposed development, the total number of these pupils could not be accommodated within existing specialist provision and therefore additional provision

will be required within the development to directly accommodate them, integrated within the primary schools and through stand-alone specialist provision. Integration of nursery/early years provision within the development should also be a key consideration in the master planning process.

Community Facilities

The scale of the proposal will also result in significant additional demand on the library service, community learning, youth service and social care. Provision of on-site facilities such as a community hub alongside increasing capacity within existing service delivery points local to the development is likely to be required to meet the needs of the development. Therefore, identifying a strategy for this mitigation is most appropriately done alongside the master planning process to ensure full integration of services within the new community.

Summary

The planning obligations accompanying the development would be required to provide the full cost of constructing and providing the necessary amenities including schools and community facilities, and make available the land for their provision at no cost to the County Council. It is imperative that the infrastructure needed to support the development is integrated within it as early as possible. The County Council requests that discussion takes place at the earliest opportunity so that an infrastructure strategy can be identified, costed and agreed between the necessary parties prior to the proposals progressing.

The County Council will continue to work closely with the Borough Council to help to ensure the delivery of new housing and infrastructure in response to local needs. In addition, the County Council welcomes any further engagement with the Borough Council and the applicant as this major development proposal progresses.

If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely



Barbara Cooper

Corporate Director – Growth, Environment and Transport

Encs:

- Appendix 1: PRoW Extract of the Network Map
- Appendix 2: KCC Flood and Water Management response dated 12 January 2018
- Appendix 3: KCC Heritage and Conservation response dated 15 January 2018
- Appendix 4: KCC Biodiversity response dated 8 January 2018