



Growth and Communities

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BY EMAIL ONLY

22 December 2022

Dear Michael,

Re: Outline Planning Application for a proposed development at Ebbsfleet Central East, Land adjacent to Ebbsfleet International Railway Station, Thames Way, Kent (Ref: EDC/22/0168)

Thank you for consulting Kent County Council (KCC) on the Outline Planning Application for the proposed mixed-use development comprising the demolition of the existing car parking, structures and station forecourt and provision of residential dwellings (Use Class C3); flexible commercial, business and service uses (Use Class E) to allow provision of retail, offices, restaurants/cafes, nurseries, and healthcare facilities; flexible learning and non-residential institutions (Use Class F1); flexible local community uses (Use Class F2); hotel use (Use Class C1); residential institutions (Use Class C2); and Sui Generis uses to allow provision of co-living and student accommodation, public houses/drinking establishments, and theatres/cinemas. Associated works include hard and soft landscaping, a River Park, car parking and multi-storey car parks, pedestrian, cycle and internal vehicular network, and other ancillary infrastructure; and associated crossings, highway accesses, and junction improvements.

In summary, Kent County Council has reviewed the outline planning application as it currently stands and raises a **holding objection** on the following grounds:

Highways and Transportation: The planning application fails to provide sufficient sustainable transport opportunities, including reference and consideration to the importance of Fastrack and the Public Rights of Way network. Highway proposals plans require the inclusion of geometry to demonstrate that standards are satisfied. Issues have also been raised in respect of the Stage 1 Road Safety Audit, the requirement for further junction assessments,

trip rates, level of financial contribution for measures to encourage modal shift and the Framework Travel Plan.

The County Council has reviewed the outline planning application and sets out its comments in full below:

Highways and Transportation

Introduction

The County Council considers that it is disappointing that for various reasons, key aspects of the original sustainable aspirations for this site have not been taken forward in the Application. These include:

- Segregated lanes for the Fastrack buses, as requested by KCC and as noted within the Gravesham Core Strategy, the Draft Dartford Local Plan and the Ebbsfleet Development Corporation (EDC) Sustainable Travel Strategy.
- The walking and cycling link between the site and Northfleet Station, identified in the Dartford and Gravesham Core Strategies and the EDC Implementation Framework.
- The connection to the 'Bridge to Nowhere' from the western side.
- Widening of the A2260 to accommodate segregated cycle facilities.
- Improvements to pedestrian and cycle facilities along Southfleet Road.

Each of these are important elements which would support the sustainable transport outcomes for the site in accordance with the National Planning Policy Framework (NPPF). They are also in line with the ethos of development provision in Kent Thameside over previous years. In addition, the following detailed points need to be addressed.

General Comments

The general planning documents make little reference to the importance of Fastrack, with the exception of the dedicated link across Southfleet Road. However, it is understood that this is no longer considered to be a 'dedicated route' (as originally envisioned), but a shared two-way road with a small dedicated section / bus gate. KCC is concerned that the increased traffic coming to/from the site, plus the change from roundabout to signal junctions on the highway could lead to an increase in journey time for the buses. As this is a Fastrack only link that commercial buses are not permitted to use, the impact on commercial services and their journey times will also need consideration. Evidence should be provided to demonstrate the proposed time saving to both Fastrack and commercial buses.

The Green Corridors scheme along Thames Way referred to in paragraph 2.7.18 of the Transport Assessment (TA) is not yet committed. If this is not delivered, the applicant will need to deliver the fully segregated pedestrian and cycle route as part of this scheme.

Highway Proposals

Proposed changes to junction locations are described in section 5.1 of the TA, with plans provided in TA Appendix E. However, the plans do not show any geometry, as requested during pre-application discussions with the Local Highway Authority. The plans should be updated to show appropriate geometry including visibility splays, footways and cycle routes, and the highway and red line boundaries in order to demonstrate they meet current standards and that all of the required land is within KCC or the applicant's control. Autotracks were provided post application but should be reviewed in line with the comments provided.

Fastrack link - In line with previous aspirations for the site, a new Fastrack walking and cycling link is proposed to be provided across Southfleet Road, linking Eastern Quarry with International Way. During pre-application discussions, the applicant proposed three locations for the link and KCC confirmed a preference for it to be located as close to the spur on Castle Hill as possible, to reduce the time a bus would need to spend on Southfleet Road where it is likely to get caught up in congestion. This was as per the original intention of the link. It is therefore extremely disappointing that the proposed location shown on the plans in Appendix E is so far north. KCC considers this link to be too far north and is likely to impact journey times for Fastrack. The junction is shown as a priority junction on the plans in Appendix E but is described as a signal junction at paragraph 5.5.3 of the TA. To confirm, Fastrack should have priority at junctions. Considering the site has very reduced parking provision, the attractiveness of the Fastrack, public transport, walking and cycling provision are fundamental to the effective operation of the site. The location of the link should therefore minimise journey times by these modes and the location and design of the link should be secured as part of this application.

Stage 1 Road Safety Audit - A Stage 1 Road Safety Audit for the proposed changes to the highway was submitted on 01.11.22. A number of the issues raised by the auditor need to be addressed further. Further comments are provided in Appendix 1.

Public Rights of Way (PRoW) Routes - The planning documents do not emphasise just how important the PRoW network is for this site. It is not enough to simply reduce parking provision, it is vital that key links are significantly improved in order to create attractive routes for sustainable travel. This includes DS17 (a key east-west link), NU2 (link to Northfleet in the west) and NU7a (a key link to Northfleet). Further improvements are required. Further detail in respect of the PRoW network is provided within the relevant section within this response.

Pedestrian Audit - Appendix B of the TA contains a pedestrian audit of the route between car park C and Northfleet Station and identifies a number of issues. However, no key measures have been proposed to improve the route. Table 9-24 estimates the site will generate almost 11,000 pedestrian trips and 600 cycle trips across the day and a number of these will be to/from Northfleet Station / High Street. Improvements to the routes are therefore required to create attractive walking and cycling corridors.

Traffic Assessment

The study area identified in Figure 9-1 of the TA does not incorporate three of the four additional junctions requested by KCC during pre-application discussions. These junctions are required to be assessed to determine whether they are able to accommodate the development or whether mitigation is required, particularly as the previous application was not only consented 20 years ago, but is also set to expire this month. These are as follows:

- Grove Road / B1275 / A226 roundabout (Appendix J shows there will be over 100 development generated trips going through this junction in each of the AM and PM peaks).
- Springhead Road / Thames Way roundabout (Appendix J shows there will be over 310 development generated trips going through this junction in each of the AM and PM peaks, under the 'max commercial' scenario).
- Hall Road / Springhead Road roundabout (it is unknown how many of the above trips will travel to/from this junction as no assessment has been provided).

Traffic flows used to model the A2260 / Springhead Bridge junction were based on a 2018 traffic count combined with estimated flows extracted from the LinSig model that was used to model the proposed bridge. The assessment assumes all houses were occupied at this time. KCC disagrees with this approach as firstly, the flows are based on estimated data and also EDC planning have confirmed that only 577 residential units were occupied in Springhead in December 2018. An updated traffic count is required for this junction.

Paragraphs 9.4.15 – 19 of the TA refer to committed development flows for Eastern Quarry and states that the assessment has used the trip rates that KCC accepted for application EDC/21/0164 instead of those in the 2006 TA, and that the vehicular trip rate has been reduced by a further 15% due to its proximity to Ebbsfleet Central. The use of the revised trip rates for EDC/21/0164 were agreed during pre-application discussions, based on the fact that it is very unlikely the full permission will ever be built out and that the recent Eastern Quarry traffic surveys show the trips are well within the target set. However, Eastern Quarry has until 2033 to submit all Reserved Matter Approvals. Therefore, in order for a robust assessment to be undertaken, a sensitivity assessment is still required using the original Eastern Quarry trip rates. Mitigation could be secured through a Monitor and Manage approach, so that it will only be required should the full Eastern Quarry permission be built out. With regard to the further reduction of 15% of vehicle trips, Ebbsfleet Central would have already obtained its planning permission when the Eastern Quarry TA was developed and the trip rates are therefore considered appropriate. The reduction is therefore not acceptable.

Sections 9.5 and 9.6 of the TA relate to the internalisation of trips and total trip generation. KCC questions a number of the assumptions related to external trip generation and a lack of trip assessment for some of the proposed uses. Further information is required.

Table 9-24 of the TA presents predicted mode share information. The vehicle occupancy and pedestrian mode shares look significantly high. Further evidence / justification is required in order for this to be accepted.

Financial Contributions

The applicant proposes a £100,000 contribution towards sustainable travel vouchers (bikes, helmets etc) and states “*A maximum claim of £50 per dwelling will be permitted*”. However, under the ‘max residential scenario’, this equates to only £36.66 per house and needs to be increased.

A transport fund needs to be established to be used to implement measures should the Travel Plan targets not be achieved. Other local developments have contributed between £300 and £2000 per unit (depending on bus requirements) to their transport fund and KCC seek a similar level of contribution from Ebbsfleet Central.

One year’s free membership to the car club and £50 driving credit should be secured for site users, to encourage take up.

Framework Travel Plan

The monitoring section at 5.1.1 does not refer to site wide vehicle monitoring surveys, which are essential. It should also include information on car club usage, and parking surveys in the local area to confirm the site is not generating on street parking issues elsewhere.

The targets should be considered alongside the trip generation set out in the TA. No remedial measures have been set out to show what action will be taken should the Travel Plan not achieve its targets. This is required. Travel Plan monitoring should occur at six monthly intervals and continue for five years post full occupation. As requested during pre-application discussions, a Transport Review Group (TRG) should be established.

Thames Way Dualling

The proposed development would utilise land currently safeguarded for the dualling of Thames Way, a scheme listed on the Strategic Transport Infrastructure Program (STIPS). The scheme is currently being reviewed by the County Council to determine whether it is still required. It is anticipated that the results will be taken to the County Council Cabinet Committee in January 2023 for a final decision on whether to remove it from the STIPS programme or not. KCC requests that either this Application is not determined until a formal decision has been made on the scheme, or a Grampian condition is applied to prevent any development occurring until it has formally been removed from the list.

Conclusion

In conclusion the County Council, as Local Highway Authority, places a holding objection on the application until the above issues have been resolved.

Public Rights of Way

KCC is keen to ensure that our interests are represented with respect to our statutory duty to protect and improve PRow in the County. KCC is committed to working in partnership with the applicant to achieve the aims contained within the KCC [Rights of Way Improvement Plan](#) (ROWIP) and '[Framing Kent's Future](#)' strategy for 2022-2026. Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

Public Rights of Way, Public Footpaths, DS17, NU14 and NU7A are located within the site and would be directly affected by the proposed development. The locations of these paths are indicated in Appendix 2. The existence of the Rights of Way is a material consideration.

Overall, the County Council considers that the application is unsatisfactory with regard to Active Travel and a lack of opportunities providing green, off-road routes for future health and well-being opportunities for future residents and employees. There is a lack of regard given to the opportunities provided by the existing routes of the PRow network which gives rise to a concern regarding commitment to creating a development for the future.

Transport Assessment

2. Site Context

Paragraph 2.7.4: In relation to Public Footpath NU14, whilst the County Council appreciates engagement regarding this route South of Thames Way, KCC would advise improvements made to the length of NU14 to its junction with NU7A and NU7A onwards to connect with Northfleet Station and amenities (as identified within the assessment). This would provide a significant link for the benefit of the new and existing communities.

4. Summary of Highway Authority Engagement

The reference to a financial contribution for the route of NU7A/NU14 is welcomed, but no firm detail is given regarding amount or timescale of contribution. This amount should be agreed with KCC as the Local Highway Authority in order to provide a high quality, safe and attractive route, and the amount must be index linked to meet future costs.

Paragraph 4.1.5: The route to and from Northfleet Station and Thames Way along NU7A should be seen as a “definite” not “potential” route, as above. Improvements and enhancements to this route in terms of surface, width, signage and lighting (note that lighting is not a PRow remit) can be delivered with the above funding within an achievable timeframe and is not dependent on any future negotiations or permissions.

Paragraph 4.1.6: With reference to the routes described within this paragraph - improvements and enhancements to this route in terms of surface, width, signage and lighting (note that lighting is not a PRow remit) can be delivered with the above funding within an achievable timeframe and is not dependent on any future negotiations or permissions.

5. Development Proposals

5.5 On Site Transport Infrastructure

The County Council notes that the proposed crossing NU14 and Thames Way would require new signage and would add to improvements coming forward to the stretch of NU14 south of Thames Way.

7. Transport Strategy

7.2 Sustainable Transport Strategy

The Northfleet link gives a simpler, realistic and timely opportunity, cutting out what would be in our experience of similar proposals, protracted negotiations and construction timescale with Network Rail. Such discussions are also not guaranteed to be successful. The route utilising the existing PRow network would, again, be complete by first occupation of Phase 1 providing connectivity immediately. The proposed toucan crossing is not considered to be sufficient in terms of fulfilling Active Travel goals.

In respect of the Travel Plan, the applicant should engage with KCC in respect of PRow and the County Council's promotional partner, Explore Kent, who will provide up to date information regarding sustainable travel, connectivity, and relevant network information to enable residents and employees to make informed travel choices. The Travel Plan should also reference the PRow network together with cycling routes for leisure, health and well-being purposes.

8. Construction and Planning

The PRow network here must be included in any Construction Management Plan, with any temporary closures applied for and approved in a timely process, to enable pedestrian safety as a priority during construction. All PRow improvements are to be completed upon first occupation of Phase 1 to ensure connectivity.

11. Summary and Conclusion

Paragraphs 11.1.11: An omission is noted in respect of definite PRow network improvements other than road crossings in this section; the points raised through the TA must be included in the Summary and Conclusion, as otherwise it would appear that they do not have significance within the application as a whole.

Appendices

Appendix D

Masterplan and Movement and Circulation Parameter Plan: The County Council notes the omission of the PRow routes on the plan and would request that this is rectified. PRow

routes should be clearly detailed on all relevant plans given the opportunities offered for Active Travel through the network.

Figures

Figure 2-5 Public Right of Way

Figure 2-5 appears to be the only part of the application which is showing the PRow network and the plan does not label the routes. On this plan, the routes should be identified on the map accordingly. The County Council requests that details are provided as part of this application to highlight the PRow network both within site and the wider area to demonstrate connectivity.

The County Council would also point to Public Footpath DS17 which crosses the north of the site, will require surface improvements as necessary and new signage through the development. This path is also a Cycle Track and again should therefore be seen as a strategic route for travel West to East. DS17 connects to the East to NU2, and KCC would also be looking at a funding contribution to improve this connectivity onwards to the amenities identified. KCC will provide estimate costings for the proposals as required.

The focus of this project should be to provide a sustainable development which promote modal shift away from short car journeys. The aims and objectives of the ROWIP and the ability of the PRow network to deliver such development should therefore be reflected on within the application and utilised for achievement in the future.

Development Investment

The County Council requests further information and clarity relating to the number of units proposed, alongside the nature, mix and sizes of dwellings which are proposed on the site to inform considerations relating to the need for development contributions on the site.

KCC has assessed the implications of this proposal and considers that it will have an additional impact on the delivery of its community services. These impacts will require mitigation, either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements. The evidence supporting these requirements is set out in Appendices 3a – 3e.

Request Summary

	Per applicable ¹ house (x 306)	Per applicable flat (x 1766)	Total	Project
Primary Education	EDC to Provide New 2FE Primary School at sites a) or b) as outlined on the application and to be confirmed in the s106 Agreement			Provision by EDC of new 2FE primary school.
Primary Land	EDC to provide land for 2FE Primary School (min2.05ha) at sites a) or b) as outlined on the application and to be confirmed in the s106 Agreement and to meet KCC General Land Transfer Terms.			Provision by EDC of land for new 2FE primary school to meet KCC General Land Transfer Terms.
Secondary Education	£5,176.00 ²	£1,294	£3,869,060	Towards secondary school.
Secondary Land	£3,514.31	£878.58	£2,626,947.56	Towards secondary school land.
Special Education Needs and Disabilities (SEND) School	£505.17	£126.29	£377,610.16	Towards SEND school.
Special Education Needs and Disabilities School Land	£318.41	£78.15	£235,452.55	Towards SEND school land.

Land Contribution

In respect of the Primary School Site/Indicative Locations/Phasing proposals, whilst the application is showing two possible primary school sites for the location of one 2FE, no further information is provided on the site sizes, and as such, their suitability is unknown.

The County Council will require the four corner point co-ordinates of the proposed school site to enable a site visit of the proposed school land. The applicant's attention is drawn to KCC's General Transfer Terms, for which the proposed site will need to be in accordance.

The education land will need to be provided to KCC at nil consideration.

¹ 'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered accommodation. Confirmation is required for the number of 1 bed units proposed and whether they are below this threshold.

² All figures will be revised when the number of 2,3 or more bedroom units are confirmed in the plans.

	Per dwelling (x 2072)	Total	Project
Community Learning	£16.42 ³	£34,022.24	Towards additional equipment, services, and resources to assist with the education and training of the new learners arising from this development.
Youth Service	£65.50	£135,716.00	Towards youth service resourcing arising from this development.
Library Service	£55.45	£114,892.40	Library service resourcing arising from this development.
Social Care	£146.88	£304,335.36	Towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting community facilities, sensory facilities, and Changing Places arising from this development.
	All homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2).		
Waste	£129.20	£267,702.40	Ebbsfleet Waste Transfer Station (WTS).
Broadband	The requirement for gigabit capable connections for new dwellings will now be included as part of Building Regulations (2010) in Volume 1: Physical Infrastructure and Network Connection For New Dwellings . This document comes into effect on Monday 26 th December 2022.		
<i>Highways</i>	<i>Kent Highway Services will respond separately.</i>		

Justification for infrastructure provision / development contributions requested

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in Appendices 3a – 3e.

Education

The County Council, as Local Education Authority welcomes the extensive dialogue with EDC that has taken place about school provision within this proposal which appears to have been acknowledged within this application.

Taking into account the information provided in both the Planning Statement and Design and Access Statement, KCC as Local Education Authority is content that sufficient recognition has been given to the fact that a 2FE primary school will need to be provided to meet demand that would be generated from the Ebbsfleet Central development.

The County Council expects that, with the numbers of dwellings ranging, a 2FE primary school would be required, even if a significant number of the dwellings are flats. The County Council look forward to giving a more precise figure of the expected demand once the number and type of dwelling is better known.

³ Please note that these figures are to be index linked by the BCIS General Building Cost Index from April 2020 to the date of payment (Apr-20 Index 360.3). They are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

KCC understands that the actual location for any new primary school is still to be determined as well as a determination as to whether it will actually be within this planned development or very nearby. However, on the basis that the applicant accepts new provision is required, the County Council requests that this situation is clarified in all relevant documentation including the application form itself.

The proposal for a new primary school has been assessed in accordance with the County Council's Development Contributions Guide methodology of '*first come, first served*' assessment, having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The proposal is projected to give rise to additional secondary school pupils from the first occupation of this development. The County Council would wish to engage on this matter accordingly to secure the relevant provision in a timely manner. Currently the amount of new education provision planned for this area of Dartford is tied to the numbers of planned new housing. There is no surplus built in, so any additional housing will also require KCC to commission new secondary places. This is going to prove challenging insofar that most schools in Ebbsfleet or nearby, have either already been expanded, or cannot be expanded. The County Council would welcome further engagement once the numbers are published to ascertain what the additional demand will be. However, KCC welcomes the acknowledgement that a financial contribution towards additional secondary provision will be required from the development.

The provision of new accommodation at the secondary school will be provided and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan timetable and phasing, where available.

KCC would also welcome discussions with Dartford Borough Council to gain assurances that sufficient funding for the education contributions can be obtained through CIL.

The demand for Special School places is already in excess of capacity, so KCC requests specific reference to Special school/or specialist provision places at this outline stage. KCC would expect S106 contributions where appropriate, to be able to create sufficient places.

KCC notes that there will be space to accommodate Early Years provision on the development. KCC would welcome further conversations between the EDC and KCC Early Years Sufficiency Advisers to discuss how the additional new Early Years demand will be accommodated through nurseries and other provisions.

The impact of these proposals on the delivery of the County Council's services is assessed in Appendix (3b). Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

Build Contribution

The County Council requires EDC to provide a new primary school.

Land Contribution

The County Council requires EDC to provide land (minimum 2.05ha) for the new primary School, and to meet KCC General Land Transfer Terms (Appendix 3a).

KCC notes that this process will be kept under review and may be subject to change, including possible locational change, as the Local Education Authority must ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act (1996), and as the Strategic Commissioner of Education provision in the County under the Education Act (2011).

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its [Commissioning Plan for Education Provision \(2022-2026\)](#) and [Children, Young People and Education Vision and Priorities for Improvement \(2018-2021\)](#).

Community Learning

The County Council provides community learning facilities and services for further education in line with KCC policies. Community Learning and Skills (CLS) helps people moving to a new development overcome social isolation and encourages community cohesion, as well as improving skills in a wide range of areas.

There is an assessed shortfall in provision for this service. The current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 3c, along with the cost of mitigation.

To accommodate the increased demand on KCC Community Learning, the County Council requests £16.42 per dwelling towards the cost of providing the Community Learning Project, local to the development.

Youth Service

The County Council has a statutory duty to provide Youth Services under section 507B of the Education Act (1996). This requires KCC, so far as reasonably practicable, to secure sufficient educational leisure-time activities and facilities to improve the well-being of young people aged 13 to 19 and certain persons aged 20 to 24.

To accommodate the increased demand on the Kent Youth Service, the County Council requests £65.50 per dwelling towards additional resources for the Kent Youth Service locally.

Library Service

The County Council is the statutory Library Authority. Under the Public Libraries and Museums Act (1964), KCC has a statutory duty to provide 'a comprehensive and efficient service'. The Local Government Act (1972) also requires KCC to take proper care of its libraries and archives.

Borrower numbers are in excess of capacity, and bookstock in Ebbsfleet items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1399 and 1492, respectively.

To mitigate the impact of this development, the County Council will need to provide additional services, equipment, and stock to meet the additional demand generated by the people residing in these dwellings.

The County Council, therefore, requests £55.45 per household to address the direct impact of this development, and the additional services, equipment and stock will be made available locally at the local library or mobile library service, as and when the monies are received.

Adult Social Care

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 3d. KCC is the statutory authority for Adult Social Care. The proposed development will result in additional demand upon Adult Social Care Services (ASC), including older persons and adults with learning / neurodevelopmental / physical disabilities and mental health conditions. Existing care capacity is fully allocated, with no spare capacity to meet additional demand arising from this and other new developments.

To mitigate the impact of this development, KCC Adult Social Care requires:

- a proportionate monetary contribution of £146.88 per household (as set out in Appendix 3d) towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting community facilities, sensory facilities, and [Changing Places](#) locally.
- In June 2019, the Department for Levelling Up, Housing and Communities identified in guidance that the need to provide housing for older and disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely, providing safe and convenient homes with suitable circulation space, bathrooms, and kitchens. Kent Adult Social Care requests these dwellings are built to Building Reg Part M4(2) standard (as a minimum) to ensure that they remain accessible throughout the lifetime of the occupants, meeting any changes in the occupant's requirements.

Waste

KCC is the statutory Waste Disposal Authority for Kent, responsible for the safe disposal of all household waste, providing Household Waste Recycling Centres (HWRC) and Waste

Transfer Stations (WTS). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRCs and half a tonne per year to be processed at WTS's. Existing HWRCs and WTSs are running at capacity and additional housing will create a significant burden on the manageability of waste in Kent.

A contribution of £129.20 per household is required towards the Waste facilities at Ebbsfleet, to mitigate the impact arising from this development, and accommodate the increased waste throughput within the Borough.

Section 4.3 of the Waste Strategy details the potential waste transfer methods and includes innovative ideas such as use of an Envac-type waste collection system. Section 4.3.5 states that this would only be implemented with the agreement of the Waste Collection Authority (Dartford Borough Council and Gravesham Borough Council). KCC as the Waste Disposal Authority would also like to be included in this discussion to alleviate concerns over material contamination and methods of delivery to the WTS.

Broadband: Fibre to the premise/gigabit capable

KCC recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning to decide on the appropriate solution and the availability of the nearest connection point to high-speed broadband. Most major telecommunication providers are now offering next-generation access broadband connections free of charge to developers. The County Council notes that further details are available on their websites.

Implementation

The County Council considers that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory responsibility. Accordingly, it is requested that the Local Planning Authority seek a Section 106 (S106) obligation with the developer / interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the agreement, and County monitoring fee of £500 for each trigger within the agreement. The County Council requests a draft copy of any S106 agreement or unilateral undertaking prior to its finalisation, at the earliest possible date.

KCC also requests confirmation for when this application will be considered and that a draft copy of the Committee report is provided to the County Council, prior to it being made publicly available. If the contributions requested are not considered fair, reasonable, and compliant with CIL Regulation 122, the County Council requests to be notified immediately and to allow at least 10 working days to provide such additional supplementary information as may be necessary to assist the decision-making process in advance of the Committee report being prepared and the application being determined.

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority provided comments direct to Ebbsfleet Development Corporation on 19 October 2022 (Appendix 4).

Sustainable Urban Drainage Systems (SuDS)

The County Council, as Lead Local Flood Authority provided comments direct to Ebbsfleet Development Corporation on 31 October 2022 (Appendix 5a), and additional commentary on 15 December 2022 (Appendix 5b).

Heritage Conservation

The County Council has set out comments on matters of archaeological interest and has made no detailed comments or recommendations related to built heritage, which will be provided by Historic England.

The site lies within the Ebbsfleet Valley which is an area of multi-period archaeological potential with evidence for human activity from the Palaeolithic to the present day. The area has known remains of national importance dating from the Palaeolithic (Baker's Hole - Scheduled site NHLE 1003557) and the Neolithic (adjacent to the development site - Scheduled site NHLE 1004206) and the development site is likely to contain similar below-ground archaeological remains. The site has the potential to include waterlogged organic artefacts, structures and palaeoenvironmental evidence which would be of equivalent importance to that existing on the above-mentioned scheduled sites.

Environmental Statement (Chapter 14 – Cultural Heritage)

Table 14.5 – it should be noted that non-designated 'receptors' could have high sensitivity, but this remains unknown without field evaluation, which has not been undertaken due to site access constraints. This lack of understanding of the nature and significance of below-ground archaeological remains, seriously restricts the ability to reach an informed decision about the environmental impact of the proposals. In the absence of site-specific evaluation data, it should be assumed, based on the assessment data, that the site will contain below-ground archaeological remains of a significance equivalent to, and most probably also related to, the nearby nationally important designated sites.

Non-designated organic deposits and remains of likely national importance that owe their significance to waterlogging, which lie outside the scheduled sites are not adequately considered. In Section 14.6 under Primary Mitigation, it is stated that '*In terms of archaeological deposits, finds and features, it is anticipated that these will be fully investigated and assessed ahead of construction of the scheme. It is intended that themes identified through these investigations will be embedded into the final scheme design of the detailed application in order to ensure that heritage and place making opportunities are met.*'. The field evaluation that will be required should be separated from mitigation. The field investigation will be needed to identify and define the extent, character, date and significance of below-ground archaeological remains at the site, in order to define

appropriate mitigation through design and/or through recording of remains that would be impacted. This will be especially important for those areas of the site which have waterlogged archaeological deposits. Areas of nationally important archaeological remains should be preserved in situ and the development should be designed to enable this to be achieved (see NPPF footnote 68).

Archaeological Desk Based Assessment (ADBA) (Parts 1 – 6)

The ADBA lacks detail on the archaeological potential and key research questions for the site. For example, there is a lack of detailed consideration of the potential of the site to contain archaeological remains relating to the Mesolithic – Neolithic transition (including for organic remains with the potential for dating).

The ADBA lacks models for the relationship between known and potential archaeological 'sites' and the palaeoenvironment. To help inform KCC's understanding of potential archaeological significance from the desk-based assessment approach adopted for this application it is recommended that landscape models for the following key periods are drafted, Lower, Middle and Upper Palaeolithic, Mesolithic-Neolithic, Bronze Age, Romano-British and Medieval. Such plans illustrating known archaeological 'sites' and areas of known impacts, would help to show where field evaluation will be needed. When such field evaluation has been undertaken, approaches to mitigation can be put forward to inform design choices and minimise impacts. Scheme parameter plans must define and respond to areas of high archaeological potential (as determined by the desk-based assessment stage).

Within the County Council's Scoping Opinion, KCC recommended - *The applicant should combine the surveys ... to provide historic environment character areas based on the desk-based and specialist assessments. These should then be used to identify areas of higher and lower potential within the site which in turn should identify areas in which development should be avoided and areas where development could proceed with low impact on the historic environment. This approach should be used to influence the layout of the development and the master planning process at an early stage.* Character areas have been defined for the Palaeolithic but they are also needed for subsequent archaeological periods.

The ADBA should make clear that depending on the results of field evaluation, the impact on nearby designated sites could be significantly greater than 'slight adverse'.

The ADBA notes that new information from archaeological recording within the site could increase the understanding and significance of the nearby scheduled sites and play an important part in outreach. Whilst new knowledge and outreach are very important, it should be noted, as per the NPPF (paragraph 205) that whilst local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. The ability to record evidence of the past should not be a factor in deciding whether such loss should be permitted.

The ADBA is not sufficiently detailed in relation to Palaeolithic archaeological potential and known remains – the County Council refers to comments regarding N4 – Geoarchaeological and Palaeolithic Desk Based Assessment and Deposit Model below. There is a need for more detailed assessment to be undertaken to inform the layout and impact of the proposed development. As mentioned previously, the approach to historic environment characterisation and iterative process of review used for other sites in the Ebbsfleet area e.g. Ebbsfleet Green should be followed for Ebbsfleet Central.

The County Council also notes there are a number of corrections required – this includes paragraph 4.14 - Baker's Hole rather than Berrow Hill.

Heritage Statement (Parts 1 & 2)

It is recommended that the Heritage Statement includes the subtitle - Built Historic Environment Statement – for clarity.

In this case the County Council will defer to Historic England on matters related to Built Heritage and KCC comments focus on Archaeology. The Local Planning Authority should consider whether more detailed advice on the historic built environment would be helpful as Historic England's comments are likely to be at a strategic level.

Industrial Heritage Statement

The Industrial Heritage Statement is thorough and written by Dr Chris Down with personal experience of the site. The report includes a useful consideration (Section 5.3) on the potential significance of any physical remains that might survive at the site. Considering recent experience on other former industrial sites within the EDC area, the County Council would raise caution against concluding that there is low heritage potential as there is a risk that below-ground archaeological remains may survive at the site and any such remains might help to support or challenge ideas based on documentary records. Appropriate field evaluation and/or mitigation (such as an archaeological watching brief) is recommended to be secured by a planning condition on any forthcoming consent.

N4 Geoarchaeological and Palaeolithic Desk Based Assessment and Deposit Model

The applicant has provided a specialist geoarchaeological assessment and deposit model for the site as recommended in the County Council Scoping Opinion response which includes useful summary information and sections. However, the assessment does not provide the Palaeolithic characterisation or identification of areas of expected survival of Pleistocene deposits which may contain significant Palaeolithic remains which the County Council had been expecting. This should include significant remains identified during HS1 reporting and examples such as Late Upper Palaeolithic remains which have not been found within the site boundary previously but it is possible to predict locations where geological deposits and other factors suggest they may be present. There are also some inaccuracies within the assessment such as in figure 4, with the inclusion of work for Northfleet Rise and Jayflex in HS1/STDR4 work. Some previous work in the area also does not seem to have

been included. Note that the site is bounded by a SSSI partly designated for Pleistocene geological deposits.

The assessment also does not provide a sufficiently detailed characterisation of the nature and potential of Holocene sequences within the development site. More detailed Holocene character areas have been provided previously for Northfleet Rise (now part of Ebbsfleet Central) and with the publication of Prehistoric Ebbsfleet it should be possible to provide a detailed characterisation for the site as a whole. Period based characterisation for the Mesolithic to Early Medieval periods should be undertaken and areas where there is high potential for nationally important Mesolithic, Neolithic and later remains should be identified.

The more detailed characterisation of the Palaeolithic and Holocene resource should have been provided at this stage of consideration of the application and should be undertaken as soon as possible. As with the Industrial Assessment, the input of academic specialists who have worked extensively in this area should be sought. Recent higher level characterisation and deposit modelling of the area which has been undertaken for the EDC Urban Archaeological Database and Characterisation should be included and referred to where relevant. This characterisation has prepared helpful preliminary models of the earlier courses of Ebbsfleet which should be included and added to as part of this work as appropriate.

It would be helpful if the plans of past impacts could be shown as shaded polygons rather than defined only by boundary lines. Plans of the Geoarchaeological Character Zones (GCZ) should be shown at a larger scale so that they are easier to relate to the underlying modern map. As noted above plans of Palaeolithic character areas (with reference to the KCC standard specification previously provided) and areas of known and likely survival of Pleistocene deposits should be provided. Plans for the Holocene and later period characterisations should be included.

Extensive previous archaeological investigation has been undertaken within the development area and a more detailed desk based assessment and characterisation phase as outlined above will help target any further archaeological evaluation and mitigation and save time in the development phase. It is quite possible however that further field evaluation at an early stage of areas which have not been evaluated previously, including areas of Holocene deposits.

Heritage Assessment Management Plan

KCC recognises that this document is presently in a draft format but it would be helpful if there was greater clarity and distinction of aims and content between this document and the Historic Environment Framework.

The County Council recommends that there is a commitment to ensuring that interpretation and information for outreach is developed within the context of other approaches across the EDC area to ensure information is coordinated and complimentary.

The S106 agreement for the site should include provision for heritage interpretation and long term storage of and access to the physical archaeological archive. The County Council is able to provide further advice on this aspect.

Opportunities should also be sought for the enhancement of nationally important Palaeolithic and Neolithic present in the area adjacent to the application site.

Historic Environment Framework

The County Council recognises that this document is presently in a draft format, but it would be helpful if there was greater clarity and distinction of aims and content between this document and the Heritage Assessment Management Plan (the title of which does not, perhaps, need to include the work 'Assessment'). The document should be iterative and updated throughout the life of the project. On previous schemes the inclusion of archaeological character areas within the framework has been helpful.

In Section 4 there is a serious misunderstanding that field evaluation can be considered a part of mitigation. It must be made clear that the aim of field evaluation is to inform the understanding of archaeological potential and significance and for that information to then be available to make informed decisions about appropriate mitigation which could include design choices (including for example types of foundations, location of structures etc.) and/or archaeological recording in advance of destruction of archaeological remains.

This document should include a discussion and/or model of the likely state of preservation of archaeological remains (particularly those areas likely to be waterlogged) and be clear that following field evaluation, mitigation by design will include the preservation, in situ, of areas of high archaeological potential and this may reduce the amount of developed land available and this flexibility will need to be reflected in parameter plans.

KCC recommends that this document sets out a clearer strategy for outreach activities to start during the processes of archaeological assessment, evaluation and mitigation, particular by working with local schools and colleges.

Cultural Heritage Sensitive Receptors (Appendix N.7)

Waterlogged, non-designated archaeology should be seen as a sensitive receptor. KCC recommends that prehistoric and historic non-designated archaeological remains and organic deposits, especially those that are waterlogged, are included in the list of cultural heritage sensitive receptors in this appendix. Such archaeological remains may be similar to those surviving on the nearby scheduled site and could exist throughout the valley within the site (particularly in ED1, ED2 and ED6). Field evaluation is required to understand these sensitive receptors to ensure that the development can be designed to avoid any negative impacts which would reduce the significance of any such remains, such as a change to their hydrological context.

In conclusion, the County Council recommends that for an informed planning decision to be made, further work is undertaken to address the comments above, including to model the

extent of Holocene, as well as Palaeolithic archaeological potential and to develop research questions for each period and character area.

The County Council considers that the site has the potential to contain non-designated archaeological remains that may be of national importance and would therefore be subject to the relevant paragraphs in the NPPF, paras 194, 195 and 202) for designated heritage. More work is needed to define the potential for these areas, which will then have to be tested by field evaluation in order that impacts can be understood and avoided or minimised. If it is impossible to undertake any pre-determination field evaluation then KCC would wish to make recommendations for planning conditions to secure the field evaluation and subsequent design-refinements that would be required to ensure avoidance and minimisation of impacts to archaeological remains.

The County Council provided additional commentary on the planning conditions for this development direct to Ebbsfleet Development Corporation on 9 December 2022 (Appendix 6).

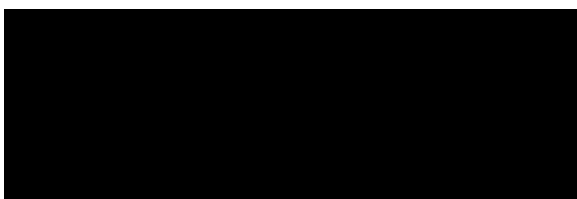
Biodiversity

The County Council provided comments direct to Ebbsfleet Development Corporation on 4 November 2022 (Appendix 7).

The County Council will continue to work closely with the Development Corporation to help ensure the delivery of new housing and infrastructure in response to local needs. The County Council will welcome further engagement with the Development Corporation and the applicant on the matters raised in this response.

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

Yours sincerely,



Stephanie Holt-Castle

Director – Growth and Communities

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Appendix 1: Local Highway Authority Detailed Response.

Appendix 2: Extract of the Network Map

Appendix 3a: KCC General Land Transfer Terms July 2020

Appendix 3b: New School and Land Costs

Appendix 3c: Communities Assessment

Appendix 3d: Social Care Assessment

Appendix 3e: Waste Assessment

Appendix 4: Minerals and Waste Planning Authority commentary – provided direct to the LPA on 19.10.2022

Appendix 5a: Lead Local Flood Authority commentary – provided direct to the LPA on 31.10.2022
Appendix 5b: Lead Local Flood Authority additional commentary - provided direct to the LPA on 15.12.2022
Appendix 6: KCC Heritage Conservation additional commentary - provided direct to the LPA on 09.12.2022
Appendix 7: KCC Biodiversity commentary – provided direct to the LPA on 04.11.2022